Medical/Infectious Waste Incinerators'' (FRL6717–3), ''Clean Air Act Full Approval of Operating Permit Program: Forsyth County (North Carolina)'' FRL6712–5) ''Reopening of Comment Period and Delaying of Effective Date of Revisions to the Interim Enhanced Surface Water Treatment Rule (IESWTR), The State 1 Disinfectants and Disinfection Byproducts Rule (State 1 DBPR) and Revisions to State Primacy Requirements to Implement the Safe Drinking Water Act (SDWA) Amendments'' FRL6715–4) received on June 14, 2000; to the Committee on Environment and Public Works.

EC–9419. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, the report of four items relative to asbestos; to the Committee on Environment and Public Works.

EC–9420. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, the report of four items; to the Committee on Environment and Public Works.

EC–9421. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of three rules entitled ''Effluent Guidelines, Pretreatment Standards, and New Source Performance Standards for the Transportation Equipment Cleaning Point Source Category'' (FRL6720–6), ''NESHAP: Final Standards for Hazardous Air Pollutants for Hazardous Waste Combustors'' (FRL6720–9), ''Approval and Promulgation of Implementation Plans; State of Kansas'' (FRL6720–8), received on June 19, 2000; to the Committees on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, without amendment:

S. 2508: A bill to amend the Colorado Ute Indian Water Rights Settlement Act of 1988 to provide for a final settlement of the claims of the Colorado Ute Indian Tribes, and for other purposes.

S. 2719: A bill to provide for business development and trade promotion for Native Americans, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEAHY (by request):

S. 2783. A bill entitled the ''21st Century Law Enforcement and Public Safety Act''; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 2784. A bill entitled ''Santa Rosa and San Jacinto Mountains National Monument Act of 2000''; to the Committee on Energy and Natural Resources.

By Mr. BREAUX:

S. 2785. A bill to suspend temporarily the duty on glyoxylic acid; to the Committee on Finance.

By Mr. DASCHLE (for Mr. BAUCUS):

S. 2786. A bill to authorize the Secretary of the Interior to carry out a plan to rehabilitate Going-to-the-Sun Road located in Glacier National Park, Montana, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BIDEN (for himself, Mr. HATCH, Mr. LEAHY, Mr. ABRAHAM, Mr. KENNEDY, Mr. SPECTER, Mr. KOHL, Mr. ROTH, Mrs. FEINSTEIN, Mr. JEFFORDS, Mr. TORRICELLI, Ms. SNOWE, Mr. SCHUMER, Mr. DEWINE, Mrs. MURRAY, Mr. ASHCROFT, Ms. LANDRIEU, Mr. MURKOWSKI, Mr. LAUTENBERG, Mr. SANTORUM, Mr. REID, Ms. COLLINS, Mr. REED, Mrs. HUTCHISON, Mr. DODD, Mr. L. CHAFEE, Mr. KERRY, Mr. ALLARD, Mr. ROBB, Mr. WELLSTONE, Mr. SARBANES, Mr. DASCHLE, Mr. BRYAN, Ms. MIKULSKI, Mr. SMITH of Oregon, Mr. JOHNSON, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. LEVIN, Mr. BYRD, Mr. CLELAND, Mr. DORGAN, Mr. EDWARDS, Mr. HOLLINGS, Mr. BREAUX, Mr. KERREY, Mr. HARKIN, Mr. BAYH, Mr. GRAHAM, and Mr. BAUCUS):

S. 2787. A bill to reauthorize the Federal programs to prevent violence against women, and for other purposes; to the Committee on the Judiciary.

By Mr. COCHRAN:

S. 2788. A bill to establish a strategic planning team to develop a plan for the dissemination of research on reading; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COCHRAN:

S. 2789. A bill to amend the Congressional Award Act to establish a Congressional Recognition for Excellence in Arts Education Board; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FITZGERALD:

S. 2790. A bill instituting a Federal fuels tax holiday; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 2791. A bill instituting a Federal fuels tax suspension; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY:

S. 2783. A bill entitled the ''21st Century Law Enforcement and Public Safety Act''; to the Committee on the Judiciary.

THE 21ST CENTURY LAW ENFORCEMENT AND PUBLIC SAFETY ACT

Mr. LEAHY. Mr. President, as ranking member of the Senate Committee on the Judiciary, I am pleased to introduce at the request of the Administration ''The 21st Century Law Enforcement and Public Safety Act.'' This bill reflects the continuing aggressive approach of this Administration and this Department of Justice, under the leadership of Attorney General Janet Reno, to keep the both the violent and property crime rates in this country going down.

Under the Attorney General's leadership and the programs established by the Violent Crime Control and Law Enforcement Act of 1994, the nation's serious crime rate has declined for eight straight years. We are seeing the lowest recorded rates in many years. Murder rates have fallen to their lowest levels in three decades. Even juvenile crime rates have also been falling. According to the FBI's latest crime statistics release, on May 7, 2000, in just the last year, there has been a seven percent decline in reported serious violent and property crime from 1998 totals. Both murder and robbery registered eight percent drops, while forcible rape and aggravated assault figures each declined by seven percent from 1998. This is cause for commendation for the Attorney General and our Federal, State and local law enforcement officers, to whom all Americans owe an enormous thanks for a job well done.

This Administration has not rested on its laurels, however. Instead, the Administration has crafted the bill I introduce on their behalf today. It contains a number of good ideas to which the Judiciary Committee and the Congress should pay attention. Unfortunately, the Committee and the Congress has spent more time on symbolic issues, such as a proposed amendments to the Constitution to protect the flag and crime victims than to other concrete steps we could take to combat crime and school violence. Indeed, the majority in Congress has stalled any conference action on the Hatch-Leahy juvenile justice legislation, S. 254, which passed the Senate by a substantial majority in May, 1999.

The Administration's bill contains five titles focusing on various aspects of crime. Title I contains proposals for supporting local law enforcement and promoting crime-fighting technologies, including expanding the purpose of COPS grants by funding an increase in the number of prosecutors as well as police; authorizing grants to improve the technology used for investigations in underserved rural areas—less than 25,000 people; and extending the Leahy-Campbell Bulletproof Vest Partnership Grant Act.

Title II contains many proposals for breaking the cycle of drugs and violence. Title III would promote investigative and prosecutorial tools for fighting terrorism and international crime. Title IV would reauthorize certain VAWA programs and provide other assistance to victims of crime and consumer fraud. In addition, this title contains important proposals to prevent and punish abuse and neglect of the elderly and other residents in nursing homes and health care facilities and environmental crimes. The last title would strengthen federal criminal laws to combat white collar crime, including in correction facilities and involving the theft of government property.

While I have concerns with certain parts of the bill, such as proposals for increases in mandatory minimum penalties, a new death penalty provision and broad administrative subpoena authority, I support many other parts, such as the Extension of Bulletproof Vest Partnership Grant Act to assist law enforcement in Vermont and across the nation obtain bulletproof vests and stay safe on the job.

Again, I commend the Attorney General and the Administration for this important legislation and their efforts to keep Americans safe from crime.

By Mrs. FEINSTEIN:

S. 2784. A bill entitled ''Santa Rosa and San Jacinto Mountains National Monument Act of 2000''; to the Committee on Energy and Natural Resources.

SANTA ROSA AND SAN JACINTO MOUNTAINS NATIONAL MONUMENT ACT OF 2000

● Mrs. FEINSTEIN. Mr. President, I am pleased to introduce this bill today to designate the Santa Rosa/San Jacinto mountain range in southern California as a National Monument. This bill was introduced by Congresswoman MARY BONO earlier in the year. An almost identical version of this bill was passed out of the House Resources Committee earlier in the week.

The Santa Rosa and San Jacinto Mountains contain nationally significant biological, cultural, recreational, geological, educational, and scientific values. This includes magnificent vistas, unique wildlife and mountains which rise from the desert floor to an elevation of almost eleven thousand feet. These mountains provide a picturesque backdrop for Coachella Valley communities and support a wide array of recreational opportunities.

The bill designates this environmentally sensitive area as a monument and instructs the Department of Interior and the Forest Service to craft a management plan. The bill protects the rights of individual land owners, Native American tribes, and all lands outside the monument boundary. It protects the environment and preserves property rights. The bill has bipartisan support and supported by most of the local community.

This bill is quite timely. Three hundred and fifty-five thousand acres of the Sequoia National Forest were designated a national monument by President Clinton on April 15. Over the sixty-day period preceding the designation, many members of the affected community expressed significant opposition to the monument designation. I came to believe that when possible, Congress is in the best position to decide monument and other land use designations and can best ensure that stakeholders affected by such a designation have ample opportunity to provide input, influence the process and understand the designation.

I believe this bill is the proper way to protect this majestic national resource.●

By Mr. BIDEN (for himself, Mr. HATCH, Mr. LEAHY, Mr. ABRAHAM, Mr. KENNEDY, Mr. SPECTER, Mr. KOHL, Mr. ROTH, Mrs. FEINSTEIN, Mr. JEFFORDS, Mr. TORRICELLI, Ms. SNOWE, Mr. SCHUMER, Mr. DEWINE, Mrs. MURRAY, Mr. ASHCROFT, Ms. LANDRIEU, Mr. MURKOWSKI, Mr. LAUTENBERG, Mr. SANTORUM, Mr. REID, Ms. COLLINS, Mr. REED, Mrs. HUTCHISON, Mr. DODD, Mr. L. CHAFEE, Mr. KERRY, Mr. ALLARD, Mr. ROBB, Mr. WELLSTONE, Mr. SARBANES, Mr. DASCHLE, Mr. BRYAN, Ms. MIKULSKI, Mr. SMITH of Oregon, Mr. JOHNSON, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. LEVIN, Mr. BYRD, Mr. CLELAND, Mr. DORGAN, Mr. EDWARDS, Mr. HOLLINGS, Mr. BREAUX, Mr. KERREY, Mr. HARKIN, Mr. BAYH, Mr. GRAHAM, and Mr. BAUCUS):

S. 2787. A bill to reauthorize the Federal programs to prevent violence against women, and for other purposes; to the Committee on the Judiciary.

THE VIOLENCE AGAINST WOMEN ACT OF 2000

Mr. BIDEN. Mr. President, I am pleased to introduce today, with Senator HATCH, the Violence Against Women Act of 2000. And I thank Senator HATCH, the principal cosponsor of the original Act, for working with me over the past year to produce a bipartisan, streamlined bill that we are confident will enjoy the support of Senators from both sides of the aisle. Indeed, we already have a total of 50 cosponsors—many of them Republicans—as original cosponsors of this legislation.

The enactment of the Violence Against Women Act in 1994—bipartisan legislation cosponsored by 67 Senators from both parties—signaled the beginning of a national and historic commitment to the women and children in this country victimized by family violence and sexual assault.

The legislation changed our laws, strengthened criminal penalties, facilitated enforcement of protection orders from state to state, and committed $1.6 billion over six years to police, prosecutors, battered women shelters, a national domestic violence hotline, and other measures designed to crack down on batterers and offer the support and services that victims need in order to leave their abusers.

And this federal commitment has paid off: the latest Department of Justice statistics show that overall, violence against women by intimate partners is down, falling 21% from 1993 (just prior to the enactment of the original Act) to 1998.

The programs contained in the original Act were authorized only through fiscal year 2000. So unless Congress acts, programs to run the battered women's shelters, the national domestic violence hotline, the STOP grants to help law enforcement and prosecutors combat domestic violence and to provide victims services, grants to address domestic violence in rural communities—all of these will expire this year. These programs are popular, and more importantly, ladies and gentlemen, the Violence Against Women Act is working.

And it's not just me calling for this law to be reauthorized.

It's police chiefs in every state. It's Attorneys General. Sheriffs. District attorneys. The American Bar Association. Women's groups. Nurses. Battered women's shelters. Family Court judges.

States, counties, cities, and towns across the country are creating a seamless network of services for victims of violence against women—from law enforcement to legal services, from medical care and crisis counseling, to shelters and support groups.

The Violence Against Women Act has made, and is making, a real difference in the lives of millions of women and children by providing much needed funds at the local level to—and let me just give you a few examples:

Give police officers more specialized training both to deal swiftly and surely with abusers and to become more sensitive toward victims, as well as to provide them with better evidence-gathering and information-sharing equipment and skills;

Train prosecutors and judges on the unique aspects of cases involving violence against women;

Hire victim advocates and counselors and provide an array of services, including 24-hour hotlines, emergency transportation, medical services, and specialized programs to reach victims of violence against women from all walks of life; and

Open new and expand existing shelters for victims of violence against women and their children.

The Violence Against Women Act funds 1,031 shelters and 82 safe houses in all 50 states, the District of Columbia, and Puerto Rico. But tens of thousands of women and children are still turned away every year.

Together—at the federal, state, and local levels—we have been steadily moving forward, step by step, along the road to ending this violence once and for all. But there is more that we can do, and more that we must do.

The Biden-Hatch Violence Against Women Act of 2000 would accomplish three basic things:

First, the bill would reauthorize through Fiscal Year 2005 the key programs included in the original Violence Against Women Act. These include the STOP grants, the Pro-Arrest grants, Rural Domestic Violence and Child Abuse Enforcement Grants, the National Domestic Violence Hotline, and rape prevention and education programs.

This also means reauthorizing the court-appointed special advocate program (CASA), and other programs in the Victims of Child Abuse Act.

Second, the bill would extend the Violent Crime Reduction Trust Fund through Fiscal Year 2005. Funding for the trust fund expires this year. This dedicated funding source—paid for by the savings generated by reducing the federal workforce by more than 300,000 employees—provides all the grant money for additional police officers, prosecutors, and battered women shelters. It is these funds that provide the specialized domestic violence training for law enforcement and prosecutors.

The Trust Fund is the source of funding for all the victim services, including counseling, legal services, nursing and hospital services, especially designed for victims of domestic violence and sexual assault.

Of course, the Trust Fund's significance extends beyond the Violence Against Women Act. The trust fund has provided the funds for a host of successful law enforcement initiatives, ranging from drug courts; the weed and seed programs that exist in every state to drive drugs from our cities; and funding for prisons, the FBI, the Drug Enforcement Agency, and Boys and Girls clubs. And the list goes on.

In order to replicate the successes we have achieved under the original Violence Against Women Act, and in order to continue to pursue these other important law enforcement programs, it is imperative that we: (1) extend the Violent Crime Reduction Trust Fund for an additional five years, and (2) that we fully fund the Trust Fund.

Third, the Violence Against Women Act of 2000 makes some targeted improvements that our experience with the original Act has shown to be necessary. Let me give you just a few examples.

Civil Legal Assistance Grants: Our bill would create a separate grant program to help victims of domestic violence, stalking, and sexual assault who need legal assistance because of that violence, to obtain access to legal services at little to no cost.

This provision would also establish a database of legal assistance providers to be maintained and used by the National Domestic Violence Hotline, so that victims who call the hotline can be directed to a legal service provider immediately.

Improving Full Faith & Credit Enforcement of Protection Orders: My bill would help states and tribal courts improve interstate enforcement of civil protection orders, as required by the original Violence Against Women Act. The program would prioritize the development and enhancement of data collection and sharing systems to promote tracking and enforcement of protection orders across the nation.

Transitional Housing: The bill would also authorize the Department of Health and Human Services to make grants to provide short-term housing assistance and short-term support services to individuals and their dependents who are homeless or in need of transitional housing or other housing assistance as a result of fleeing a situation of domestic violence, and for whom emergency shelter services are unavailable or insufficient.

Safe Havens for Children: The bill would authorize a new two-year pilot grant program to be administered by the Department of Justice aimed at reducing the opportunity for domestic violence to occur during the transfer of children for visitation purposes by expanding the availability of supervised visitation for victims of domestic violence, sexual assault, and child abuse. We all know that women are at greatest risk of assault at the time when children are transferred between parents.

I also would like to take this opportunity to point out that the Supreme Court's recent decision in United States v. Morrison, 120 S. Ct. 1740 (2000), invalidated a single provision of the original Act, the ''civil rights remedy'' that permitted a victim of gender-motivated violence to sue her attacker in federal court. No other provision in the original Act—or, for that matter, in the Violence Against Women Act of 2000—is affected by the Supreme Court's decision.

Finally, I would like to comment on where we are and how we got here.

The bill Senator HATCH and I are introducing today is a streamlined version of S. 51, the legislation I originally introduced at the beginning of the 106th Congress.

Since I first introduced S. 51, I have consulted extensively with Senator HATCH and with many other individuals, inside and outside of the Senate, and on both sides of the aisle, in an effort to narrow the legislation to produce a bill that every Senator, regardless of party, can enthusiastically support.

In the course of that effort, I agreed to drop a number of items that quite frankly, I think were worth doing, and made other concessions. I did that because I believe it is critical, in the waning days of this legislative session, to achieve a strong bipartisan consensus on the essential elements that must be included in this bill. I am convinced that we have reached that consensus, and that the bill we now propose reflects the priorities of a substantial majority of Senators.

For far too long, law enforcement, prosecutors, the courts, and the community at large treated domestic abuse as a ''private family matter,'' looking the other way when women suffered abuse at the hands of their supposed loved ones. Thanks in part to the original Act, violence against women is no longer a private matter, and the time when a woman has to suffer in silence because the criminal who is victimizing her happens to be her husband or boyfriend has passed.

The bill I introduce today will renew the commitment we made as a nation in 1994 to combat family violence, sexual assault, and stalking. I urge all of you to support it.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2787

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Violence Against Women Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''domestic violence'' has the meaning given the term in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2); and

(2) the term ''sexual assault'' has the meaning given the term in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).

SEC. 3. ACCOUNTABILITY AND OVERSIGHT.

(a) REPORT BY GRANT RECIPIENTS.—The Attorney General or Secretary of Health and Human Services, as applicable, shall require grantees under any program authorized or reauthorized by this Act or an amendment made by this Act to report on the effectiveness of the activities carried out with amounts made available to carry out that program, including number of persons served, if applicable, numbers of persons seeking services who could not be served and such other information as the Attorney General or Secretary may prescribe.

(b) REPORT TO CONGRESS.—The Attorney General or Secretary of Health and Human Services, as applicable, shall report annually to the Committees on the Judiciary of the House of Representatives and the Senate on the grant programs described in subsection (a), including the information contained in any report under that subsection.

TITLE I—STRENGTHENING LAW ENFORCEMENT TO REDUCE VIOLENCE AGAINST WOMEN

SEC. 101. FULL FAITH AND CREDIT ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in the heading, by adding ''**AND ENFORCEMENT OF PROTECTION ORDERS**'' at the end;

(2) in section 2101(b)—

(A) in paragraph (6), by inserting ''(including juvenile courts)'' after ''courts''; and

(B) by adding at the end the following:

''(7) To provide technical assistance and computer and other equipment to police departments, prosecutors, courts, and tribal jurisdictions to facilitate the widespread enforcement of protection orders, including interstate enforcement, enforcement between States and tribal jurisdictions, and enforcement between tribal jurisdictions.''; and

(3) in section 2102—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''and'' at the end;

(ii) in paragraph (2), by striking the period at the end and inserting '', including the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions);''; and

(iii) by adding at the end the following:

''(3) have established cooperative agreements or can demonstrate effective ongoing collaborative arrangements with neighboring jurisdictions to facilitate the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions); and

''(4) will give priority to using the grant to develop and install data collection and communication systems, including computerized systems, and training on how to use these systems effectively to link police, prosecutors, courts, and tribal jurisdictions for the purpose of identifying and tracking protection orders and violations of protection orders, in those jurisdictions where such systems do not exist or are not fully effective.''; and

(B) by adding at the end the following:

''(c) DISSEMINATION OF INFORMATION.—The Attorney General shall annually compile and broadly disseminate (including through electronic publication) information about successful data collection and communication systems that meet the purposes described in this section. Such dissemination shall target States, State and local courts, Indian tribal governments, and units of local government.''.

(b) PROTECTION ORDERS.—

(1) FILING COSTS.—Section 2006 of part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–5) is amended—

(A) in the heading, by striking ''**filing**'' and inserting ''**and protection orders**'' after ''**charges**'';

(B) in subsection (a)—

(i) by striking paragraph (1) and inserting the following:

''(1) certifies that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction; or''; and

(ii) in paragraph (2)(B), by striking ''2 years'' and inserting ''2 years after the date of enactment of the Violence Against Women Act of 2000''; and

(C) by adding at the end the following:

''(c) DEFINITION.—In this section, the term 'protection order' has the meaning given the term in section 2266 of title 18, United States Code.''.

(2) ELIGIBILITY FOR GRANTS TO ENCOURAGE ARREST POLICIES.—Section 2101 of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is amended—

(A) in subsection (c), by striking paragraph (4) and inserting the following:

''(4) certify that their laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction.''; and

(B) by adding at the end the following:

''(d) DEFINITION.—In this section, the term 'protection order' has the meaning given the term in section 2266 of title 18, United States Code.''.

(3) APPLICATION FOR GRANTS TO ENCOURAGE ARREST POLICIES.—Section 2102(a)(1)(B) of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh–1(a)(1)(B)) is amended by inserting before the semicolon the following: ''or, in the case of the condition set forth in subsection 2101(c)(4), the expiration of the 2-year period beginning on the date of enactment of the Violence Against Women Act of 2000''.

(4) REGISTRATION FOR PROTECTION ORDERS.—Section 2265 of title 18, United States Code, is amended by adding at the end the following:

''(d) REGISTRATION.—

''(1) IN GENERAL.—A State or Indian tribe according full faith and credit to an order by a court of another State or Indian tribe shall not notify the party against whom a protection order has been issued that the protection order has been registered or filed in that enforcing State or tribal jurisdiction unless requested to do so by the party protected under such order.

''(2) NO PRIOR REGISTRATION OR FILING REQUIRED.—Any protection order that is otherwise consistent with this section shall be accorded full faith and credit, notwithstanding any requirement that the order be registered or filed in the enforcing State or tribal jurisdiction.

''(e) NOTICE.—A protection order that is otherwise consistent with this section shall be accorded full faith and credit and enforced notwithstanding the failure to provide notice to the party against whom the order is made of its registration or filing in the enforcing State or Indian tribe.

''(f) TRIBAL COURT JURISDICTION.—For purposes of this section, a tribal court shall have full civil jurisdiction over domestic relations actions, including authority to enforce its orders through civil contempt proceedings, exclusion of violators from Indian lands, and other appropriate mechanisms, in matters arising within the authority of the tribe and in which at least 1 of the parties is an Indian.''.

(c) TECHNICAL AMENDMENT.—The table of contents for title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended in the item relating to part U, by adding ''AND ENFORCEMENT OF PROTECTION ORDERS'' at the end.

SEC. 102. ROLE OF COURTS.

(a) COURTS AS ELIGIBLE STOP SUBGRANTEES.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended—

(1) in section 2001—

(A) in subsection (a), by striking ''Indian tribal governments,'' and inserting ''State and local courts (including juvenile courts), Indian tribal governments, tribal courts,''; and

(B) in subsection (b)—

(i) in paragraph (1), by inserting '', judges, other court personnel,'' after ''law enforcement officers'';

(ii) in paragraph (2), by inserting '', judges, other court personnel,'' after ''law enforcement officers''; and

(iii) in paragraph (3), by inserting '', court,'' after ''police''; and

(2) in section 2002—

(A) in subsection (a), by inserting ''State and local courts (including juvenile courts),'' after ''States,'' the second place it appears;

(B) in subsection (c), by striking paragraph (3) and inserting the following:

''(3) of the amount granted—

''(A) not less than 25 percent shall be allocated to police and not less than 25 percent shall be allocated to prosecutors;

''(B) not less than 30 percent shall be allocated to victim services; and

''(C) not less than 5 percent shall be allocated for State and local courts (including juvenile courts); and''; and

(C) in subsection (d)(1), by inserting ''court,'' after ''law enforcement,''.

(b) ELIGIBLE GRANTEES; USE OF GRANTS FOR EDUCATION.—Section 2101 of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is amended—

(1) in subsection (a), by inserting ''State and local courts (including juvenile courts), tribal courts,'' after ''Indian tribal governments,'';

(2) in subsection (b)—

(A) by inserting ''State and local courts (including juvenile courts),'' after ''Indian tribal governments'';

(B) in paragraph (2), by striking ''policies and'' and inserting ''policies, educational programs, and'';

(C) in paragraph (3), by inserting ''parole and probation officers,'' after ''prosecutors,''; and

(D) in paragraph (4), by inserting ''parole and probation officers,'' after ''prosecutors,'';

(3) in subsection (c), by inserting ''State and local courts (including juvenile courts),'' after ''Indian tribal governments''; and

(4) by adding at the end the following:

''(e) ALLOTMENT FOR INDIAN TRIBES.—Not less than 5 percent of the total amount made available for grants under this section for each fiscal year shall be available for grants to Indian tribal governments.''.

SEC. 103. REAUTHORIZATION OF STOP GRANTS.

(a) REAUTHORIZATION.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by striking paragraph (18) and inserting the following:

''(18) There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out part T $185,000,000 for each of fiscal years 2001 through 2005.''.

(b) GRANT PURPOSES.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended—

(1) in section 2001—

(A) in subsection (b)—

(i) in paragraph (5), by striking ''racial, cultural, ethnic, and language minorities'' and inserting ''underserved populations'';

(ii) in paragraph (6), by striking ''and'' at the end;

(iii) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(8) supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by State funds, to coordinate the response of State law enforcement agencies, prosecutors, courts, victim services agencies, and other State agencies and departments, to violent crimes against women, including the crimes of sexual assault and domestic violence.''; and

(B) by adding at the end the following:

''(c) STATE COALITION GRANTS.—

''(1) PURPOSE.—The Attorney General shall award grants to each State domestic violence coalition and sexual assault coalition for the purposes of coordinating State victim services activities, and collaborating and coordinating with Federal, State, and local entities engaged in violence against women activities.

''(2) GRANTS TO STATE COALITIONS.—The Attorney General shall award grants to—

''(A) each State domestic violence coalition, as determined by the Secretary of Health and Human Services through the Family Violence Prevention and Services Act (42 U.S.C. 10410 et seq.); and

''(B) each State sexual assault coalition, as determined by the Center for Injury Prevention and Control of the Centers for Disease Control and Prevention under the Public Health Service Act (42 U.S.C. 280b et seq.).

''(3) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by each State domestic violence and sexual assault coalition shall not preclude the coalition from receiving additional grants under this part to carry out the purposes described in subsection (b).'';

(2) in section 2002(b)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively;

(B) in paragraph (1), by striking ''4 percent'' and inserting ''5 percent'';

(C) in paragraph (4), as redesignated, by striking ''$500,000'' and inserting ''$600,000''; and

(D) by inserting after paragraph (1) the following:

''(2) 2.5 percent shall be available for grants for State domestic violence coalitions under section 2001(c), with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, and the coalition for the combined Territories of the United States, each receiving an amount equal to 1/53 of the total amount made available under this paragraph for each fiscal year;

''(3) 2.5 percent shall be available for grants for State sexual assault coalitions under section 2001(c), with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, and the coalition for the combined Territories of the United States, each receiving an amount equal to 1/53 of the total amount made available under this paragraph for each fiscal year;'';

(3) in section 2003—

(A) in paragraph (7), by striking ''geographic location'' and all that follows through ''physical disabilities'' and inserting ''race, ethnicity, age, disability, religion, alienage status, language barriers, geographic location (including rural isolation), and any other populations determined to be underserved''; and

(B) in paragraph (8), by striking ''assisting domestic violence or sexual assault victims through the legal process'' and inserting ''providing assistance for victims seeking necessary support services as a consequence of domestic violence or sexual assault''; and

(4) in section 2004(b)(3), by inserting '', and the membership of persons served in any underserved population'' before the semicolon.

SEC. 104. REAUTHORIZATION OF GRANTS TO ENCOURAGE ARREST POLICIES.

Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by striking paragraph (19) and inserting the following:

''(19) There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out part U $65,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 105. REAUTHORIZATION OF RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT GRANTS.

(a) REAUTHORIZATION.—Section 40295(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13971(c)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 to carry out this section $40,000,000 for each of fiscal years 2001 through 2005.''; and

(2) by adding at the end the following:

''(3) ALLOTMENT FOR INDIAN TRIBES.—Not less than 5 percent of the total amount made available to carry out this section for each fiscal year shall be available for grants to Indian tribal governments.''.

SEC. 106. NATIONAL STALKER AND DOMESTIC VIOLENCE REDUCTION.

(a) REAUTHORIZATION.—Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended to read as follows:

''SEC. 40603. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 to carry out this subtitle $3,000,000 for each of fiscal years 2001 through 2005.''.

(b) TECHNICAL AMENDMENT.—Section 40602(a) of the Violence Against Women Act of 1994 (42 U.S.C. 14031 note) is amended by inserting ''and implement'' after ''improve''.

SEC. 107. AMENDMENTS TO DOMESTIC VIOLENCE AND STALKING OFFENSES.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261 of title 18, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) OFFENSES.—

''(1) TRAVEL OR CONDUCT OF OFFENDER.—A person who travels in interstate or foreign commerce or enters or leaves Indian country with the intent to kill, injure, harass, or intimidate a spouse or intimate partner, and who, in the course of or as a result of such travel, commits or attempts to commit a crime of violence against that spouse or intimate partner, shall be punished as provided in subsection (b).

''(2) CAUSING TRAVEL OF VICTIM.—A person who causes a spouse or intimate partner to travel in interstate or foreign commerce or to enter or leave Indian country by force, coercion, duress, or fraud, and who, in the course of, as a result of, or to facilitate such conduct or travel, commits or attempts to commit a crime of violence against that spouse or intimate partner, shall be punished as provided in subsection (b).''.

(b) INTERSTATE STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Interstate stalking

''Whoever—

''(1) with the intent to kill, injure, harass, or intimidate another person, engages within the special maritime and territorial jurisdiction of the United States in conduct that places that person in reasonable fear of the death of, or serious bodily injury (as defined in section 2266) to, that person or a member of the immediate family (as defined in section 115) of that person; or

''(2) with the intent to kill, injure, harass, or intimidate another person, travels in interstate or foreign commerce, or enters or leaves Indian country, and, in the course of or as a result of such travel, engages in conduct that places that person in reasonable fear of the death of, or serious bodily injury (as defined in section 2266) to, that person or a member of the immediate family (as defined in section 115) of that person,

shall be punished as provided in section 2261(b).''.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262 of title 18, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) OFFENSES.—

''(1) TRAVEL OR CONDUCT OF OFFENDER.—A person who travels in interstate or foreign commerce, or enters or leaves Indian country, with the intent to engage in conduct that violates the portion of a protection order that prohibits or provides protection against violence, threats, or harassment against, contact or communication with, or

physical proximity to, another person, or that would violate such a portion of a protection order in the jurisdiction in which the order was issued, and subsequently engages in such conduct, shall be punished as provided in subsection (b).

''(2) CAUSING TRAVEL OF VICTIM.—A person who causes another person to travel in interstate or foreign commerce or to enter or leave Indian country by force, coercion, duress, or fraud, and in the course of, as a result of, or to facilitate such conduct or travel engages in conduct that violates the portion of a protection order that prohibits or provides protection against violence, threats, or harassment against, contact or communication with, or physical proximity to, another person, or that would violate such a portion of a protection order in the jurisdiction in which the order was issued, shall be punished as provided in subsection (b).''.

(d) DEFINITIONS.—Section 2266 of title 18, United States Code, is amended to read as follows:

''§ 2266. Definitions

''In this chapter:

''(1) BODILY INJURY.—The term 'bodily injury' means any act, except one done in self-defense, that results in physical injury or sexual abuse.

''(2) ENTER OR LEAVE INDIAN COUNTRY.—The term 'enter or leave Indian country' includes leaving the jurisdiction of 1 tribal government and entering the jurisdiction of another tribal government.

''(3) INDIAN COUNTRY.—The term 'Indian country' has the meaning stated in section 1151 of this title.

''(4) PROTECTION ORDER.—The term 'protection order' includes any injunction or 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 any temporary or final order issued by a civil and criminal court (other than a support or child custody order issued pursuant to State divorce and child custody laws) 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.

''(5) SERIOUS BODILY INJURY.—The term 'serious bodily injury' has the meaning stated in section 2119(2).

''(6) SPOUSE OR INTIMATE PARTNER.—The term 'spouse or intimate partner' includes—

''(A) a spouse, a former spouse, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited with the abuser as a spouse; and

''(B) any other person similarly situated to a spouse who is protected by the domestic or family violence laws of the State or tribal jurisdiction in which the injury occurred or where the victim resides.

''(7) STATE.—The term 'State' includes a State of the United States, the District of Columbia, a commonwealth, territory, or possession of the United States.

''(8) TRAVEL IN INTERSTATE OR FOREIGN COMMERCE.—The term 'travel in interstate or foreign commerce' does not include travel from 1 State to another by an individual who is a member of an Indian tribe and who remains at all times in the territory of the Indian tribe of which the individual is a member.''.

SEC. 108. GRANTS TO REDUCE VIOLENT CRIMES AGAINST WOMEN ON CAMPUS.

Section 826 of the Higher Education Amendments of 1998 (20 U.S.C. 1152) is amended—

(1) in subsection (f)(1), by inserting ''by a person with whom the victim has engaged in a social relationship of a romantic or intimate nature,'' after ''cohabited with the victim,''; and

(2) in subsection (g), by striking ''fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''each of fiscal years 2001 through 2005''.

TITLE II—STRENGTHENING SERVICES TO VICTIMS OF VIOLENCE

SEC. 201. LEGAL ASSISTANCE FOR VICTIMS.

(a) IN GENERAL.—The purpose of this section is to enable the Attorney General to award grants to increase the availability of legal assistance necessary to provide effective aid to victims of domestic violence, stalking, or sexual assault who are seeking relief in legal matters arising as a consequence of that abuse or violence, at minimal or no cost to the victims.

(b) DEFINITIONS.—In this section:

(1) DOMESTIC VIOLENCE.—The term ''domestic violence'' has the meaning given the term in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).

(2) LEGAL ASSISTANCE FOR VICTIMS.—The term ''legal assistance'' includes assistance to victims of domestic violence, stalking, and sexual assault in family, criminal, immigration, administrative, or housing matters, protection or stay away order proceedings, and other similar matters. No funds made available under this section may be used to provide financial assistance in support of any litigation described in paragraph (14) of section 504 of Public Law 104–134.

(3) SEXUAL ASSAULT.—The term ''sexual assault'' has the meaning given the term in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2).

(c) LEGAL ASSISTANCE FOR VICTIMS GRANTS.—The Attorney General may award grants under this subsection to private nonprofit entities, Indian tribal governments, and publicly funded organizations not acting in a governmental capacity such as law schools, and which shall be used—

(1) to implement, expand, and establish cooperative efforts and projects between domestic violence and sexual assault victim services organizations and legal assistance providers to provide legal assistance for victims of domestic violence, stalking, and sexual assault;

(2) to implement, expand, and establish efforts and projects to provide legal assistance for victims of domestic violence, stalking, and sexual assault by organizations with a demonstrated history of providing direct legal or advocacy services on behalf of these victims; and

(3) to provide training, technical assistance, and data collection to improve the capacity of grantees and other entities to offer legal assistance to victims of domestic violence, stalking, and sexual assault.

(d) GRANT TO ESTABLISH DATABASE OF PROGRAMS THAT PROVIDE LEGAL ASSISTANCE TO VICTIMS.—

(1) IN GENERAL.—The Attorney General may make a grant to establish, operate, and maintain a national computer database of programs and organizations that provide legal assistance to victims of domestic violence, stalking, and sexual assault.

(2) DATABASE REQUIREMENTS.—A database established with a grant under this subsection shall be—

(A) designed to facilitate the referral of persons to programs and organizations that provide legal assistance to victims of domestic violence, stalking, and sexual assault; and

(B) operated in coordination with—

(i) the national domestic violence hotline established under section 316 of the Family Violence Prevention and Services Act; and

(ii) any comparable national sexual assault hotline or other similar resource.

(e) EVALUATION.—The Attorney General may evaluate the grants funded under this section through contracts or other arrangements with entities expert on domestic violence, stalking, and sexual assault, and on evaluation research.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $35,000,000 for each of fiscal years 2001 through 2005.

(2) ALLOCATION OF FUNDS.—Of the amount made available under this subsection in each fiscal year, not less than 5 percent shall be used for grants for programs that assist victims of domestic violence, stalking, and sexual assault on lands within the jurisdiction of an Indian tribe.

(3) NONSUPPLANTATION.—Amounts made available under this section shall be used to supplement and not supplant other Federal, State, and local funds expended to further the purpose of this section.

SEC. 202. SHELTER SERVICES FOR BATTERED WOMEN AND CHILDREN.

(a) STATE SHELTER GRANTS.—Section 303(a)(2)(C) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)(2)(C)) is amended by striking ''populations underserved because of ethnic, racial, cultural, language diversity or geographic isolation'' and inserting ''populations underserved because of race, ethnicity, age, disability, religion, alienage status, geographic location (including rural isolation), or language barriers, and any other populations determined by the Secretary to be underserved''.

(b) STATE MINIMUM; REALLOTMENT.—Section 304 of the Family Violence Prevention and Services Act (42 U.S.C. 10403) is amended—

(1) in subsection (a), by striking ''for grants to States for any fiscal year'' and all that follows and inserting the following: ''and available for grants to States under this subsection for any fiscal year—

''(1) Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the combined Freely Associated States shall each be allotted not less than ⅛ of 1 percent of the amounts available for grants under section 303(a) for the fiscal year for which the allotment is made; and

''(2) each State shall be allotted for payment in a grant authorized under section 303(a), $600,000, with the remaining funds to be allotted to each State in an amount that bears the same ratio to such remaining funds as the population of such State bears to the population of all States.'';

(2) in subsection (c), in the first sentence, by inserting ''and available'' before ''for grants''; and

(3) by adding at the end the following:

''(e) In subsection (a)(2), the term ''State'' does not include any jurisdiction specified in subsection (a)(1).''.

(c) SECRETARIAL RESPONSIBILITIES.—Section 305(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10404(a)) is amended—

(1) by striking ''an employee'' and inserting ''1 or more employees'';

(2) by striking ''of this title.'' and inserting ''of this title, including carrying out evaluation and monitoring under this title.''; and

(3) by striking ''The individual'' and inserting ''Any individual''.

(d) RESOURCE CENTERS.—Section 308 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) is amended—

(1) in subsection (a)(2), by inserting ''on providing information, training, and technical assistance'' after ''focusing''; and

(2) in subsection (c), by adding at the end the following:

''(8) Providing technical assistance and training to local entities carrying out domestic violence programs that provide shelter, related assistance, or transitional housing assistance.

''(9) Improving access to services, information, and training, concerning family violence, within Indian tribes and Indian tribal agencies.

''(10) Providing technical assistance and training to appropriate entities to improve access to services, information, and training concerning family violence occurring in underserved populations.''.

(e) CONFORMING AMENDMENT.—Section 309(6) of the Family Violence Prevention and Services Act (42 U.S.C. 10408(6)) is amended by striking ''the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands'' and inserting ''the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the combined Freely Associated States''.

(f) REAUTHORIZATION.—Section 310 of the Family Violence Prevention and Services Act (42 U.S.C. 10409) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this title $175,000,000 for each of fiscal years 2001 through 2005.

''(2) SOURCE OF FUNDS.—Amounts made available under paragraph (1) may be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211).'';

(2) in subsection (b), by striking ''under subsection 303(a)'' and inserting ''under section 303(a)'';

(3) in subsection (c), by inserting ''not more than the lesser of $7,500,000 or'' before ''5''; and

(4) by adding at the end the following:

''(f) EVALUATION, MONITORING, AND ADMINISTRATION.—Of the amounts appropriated under subsection (a) for each fiscal year, not more than 1 percent shall be used by the Secretary for evaluation, monitoring, and administrative costs under this title.''.

(g) STATE DOMESTIC VIOLENCE COALITION GRANT ACTIVITIES.—Section 311 of the Family Violence Prevention and Services Act (42 U.S.C. 10410) is amended—

(1) in subsection (a)(4), by striking ''underserved racial, ethnic or language-minority populations'' and inserting ''underserved populations described in section 303(a)(2)(C)''; and

(2) in subsection (c), by striking ''the U.S. Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands'' and inserting ''the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Freely Associated States''.

SEC. 203. TRANSITIONAL HOUSING ASSISTANCE FOR VICTIMS OF DOMESTIC VIOLENCE.

Title III of the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following new section:

''SEC. 319. TRANSITIONAL HOUSING ASSISTANCE.

''(a) IN GENERAL.—The Secretary shall award grants under this section to carry out programs to provide assistance to individuals, and their dependents—

''(1) who are homeless or in need of transitional housing or other housing assistance, as a result of fleeing a situation of domestic violence; and

''(2) for whom emergency shelter services are unavailable or insufficient.

''(b) ASSISTANCE DESCRIBED.—Assistance provided under this section may include—

''(1) short-term housing assistance, including rental or utilities payments assistance and assistance with related expenses, such as payment of security deposits and other costs incidental to relocation to transitional housing, in cases in which assistance described in this paragraph is necessary to prevent homelessness because an individual or dependent is fleeing a situation of domestic violence; and

''(2) short-term support services, including payment of expenses and costs associated with transportation and job training referrals, child care, counseling, transitional housing identification and placement, and related services.

''(c) TERM OF ASSISTANCE.—An individual or dependent assisted under this section may not receive assistance under this section for a total of more than 12 months.

''(d) REPORTS.—

''(1) REPORT TO SECRETARY.—

''(A) IN GENERAL.—An entity that receives a grant under this section shall annually prepare and submit to the Secretary a report describing the number of individuals and dependents assisted, and the types of housing assistance and support services provided, under this section.

''(B) CONTENTS.—Each report shall include information on—

''(i) the purpose and amount of housing assistance provided to each individual or dependent assisted under this section;

''(ii) the number of months each individual or dependent received the assistance;

''(iii) the number of individuals and dependents who were eligible to receive the assistance, and to whom the entity could not provide the assistance solely due to a lack of available housing; and

''(iv) the type of support services provided to each individual or dependent assisted under this section.

''(2) REPORT TO CONGRESS.—The Secretary shall annually prepare and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that contains a compilation of the information contained in reports submitted under paragraph (1).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section—

''(1) $25,000,000 for each of fiscal years 2001 through 2003; and

''(2) $30,000,000 for each of fiscal years 2004 and 2005.''.

SEC. 204. NATIONAL DOMESTIC VIOLENCE HOTLINE.

(a) REAUTHORIZATION.—Section 316(f) of the Family Violence Prevention and Services Act (42 U.S.C. 10416(f)) is amended by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—There are authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $2,000,000 for each of fiscal years 2001 through 2005.''.

(b) REPORT REQUIREMENT.—Section 316 of the Family Violence Prevention and Services Act (42 U.S.C. 10416) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) REPORT BY GRANT RECIPIENT.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Act of 2000, each recipient of a grant under this section shall prepare and submit to the Secretary a report that contains—

''(A) an evaluation of the effectiveness of the activities carried out by the recipient with amounts received under this section; and

''(B) such other information as the Secretary may prescribe.

''(2) NOTICE AND PUBLIC COMMENT.—The Secretary shall—

''(A) publish in the Federal Register a copy of the report submitted by the recipient under this subsection; and

''(B) allow not less than 90 days for notice of and opportunity for public comment on the published report.''.

SEC. 205. FEDERAL VICTIMS COUNSELORS.

Section 40114 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1910) is amended by striking ''(such as District of Columbia)—'' and all that follows and inserting ''(such as District of Columbia), $1,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 206. STUDY OF STATE LAWS REGARDING INSURANCE DISCRIMINATION AGAINST VICTIMS OF VIOLENCE AGAINST WOMEN.

(a) IN GENERAL.—The Attorney General shall conduct a national study to identify State laws that address discrimination against victims of domestic violence and sexual assault related to issuance or administration of insurance policies.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the findings and recommendations of the study required by subsection (a).

SEC. 207. STUDY OF WORKPLACE EFFECTS FROM VIOLENCE AGAINST WOMEN.

The Attorney General shall—

(1) conduct a national survey of plans, programs, and practices developed to assist employers and employees on appropriate responses in the workplace related to victims of domestic violence, stalking, or sexual assault; and

(2) not later than 18 months after the date of enactment of this Act, submit to Congress a report describing the results of that survey, which report shall include the recommendations of the Attorney General to assist employers and employees affected in the workplace by incidents of domestic violence, stalking, and sexual assault.

SEC. 208. STUDY OF UNEMPLOYMENT COMPENSATION FOR VICTIMS OF VIOLENCE AGAINST WOMEN.

The Secretary of Labor, in consultation with the Attorney General, shall—

(1) conduct a national study to identify State laws that address the separation from employment of an employee due to circumstances directly resulting from the experience of domestic violence by the employee and circumstances governing that receipt (or nonreceipt) by the employee of unemployment compensation based on such separation; and

(2) not later than 1 year after the date of enactment of this Act, submit to Congress a report describing the results of that study, together with any recommendations based on that study.

SEC. 209. ENHANCING PROTECTIONS FOR OLDER WOMEN FROM DOMESTIC VIOLENCE AND SEXUAL ASSAULT.

(a) DEFINITION.—In this section, the term ''older individual'' has the meaning given the

term in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

(b) PROTECTIONS FOR OLDER INDIVIDUALS FROM DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN PRO-ARREST GRANTS.—Section 2101(b) of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended by adding at the end the following:

''(8) To develop or strengthen policies and training for police, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence and sexual assault against older individuals (as is defined in section 102 of the Older Americans Act of 1965) (42 U.S.C. 3002)).''.

(c) PROTECTIONS FOR OLDER INDIVIDUALS FROM DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN STOP GRANTS.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended—

(1) in section 2001(b)—

(A) in paragraph (7) (as amended by section 103(b) of this Act), by striking ''and'' at the end;

(B) in paragraph (8) (as added by section 103(b) of this Act), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(9) developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of older women who are victims of domestic violence or sexual assault, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support and counseling services to such older individuals.''; and

(2) in section 2003(7) (as amended by section 103(b) of this Act), by inserting after ''any other populations determined to be underserved'' the following: '', and the needs of older individuals (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) who are victims of family violence''.

(d) ENHANCING SERVICES FOR OLDER INDIVIDUALS IN SHELTERS.—Section 303(a)(2)(C) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)(2)(C)) (as amended by section 202(a)(1) of this Act) is amended by inserting after ''any other populations determined by the Secretary to be underserved'' the following: '', and the needs of older individuals (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) who are victims of family violence''.

TITLE III—LIMITING THE EFFECTS OF VIOLENCE ON CHILDREN

SEC. 301. SAFE HAVENS FOR CHILDREN PILOT PROGRAM.

(a) IN GENERAL.—The Attorney General may award grants to States, units of local government, and Indian tribal governments that propose to enter into or expand the scope of existing contracts and cooperative agreements with public or private nonprofit entities to provide supervised visitation and safe visitation exchange of children by and between parents in situations involving domestic violence, child abuse, or sexual assault.

(b) CONSIDERATIONS.—In awarding grants under subsection (a), the Attorney General shall take into account—

(1) the number of families to be served by the proposed visitation programs and services;

(2) the extent to which the proposed supervised visitation programs and services serve underserved populations (as defined in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2));

(3) with respect to an applicant for a contract or cooperative agreement, the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community served, including the State domestic violence coalition, State sexual assault coalition, local shelters, and programs for domestic violence and sexual assault victims; and

(4) the extent to which the applicant demonstrates coordination and collaboration with State and local court systems, including mechanisms for communication and referral.

(c) APPLICANT REQUIREMENTS.—The Attorney General shall award grants for contracts and cooperative agreements to applicants that—

(1) demonstrate expertise in the area of family violence, including the areas of domestic violence or sexual assault, as appropriate;

(2) ensure that any fees charged to individuals for use of programs and services are based on the income of those individuals, unless otherwise provided by court order;

(3) demonstrate that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, are in place for the operation of supervised visitation programs and services or safe visitation exchange; and

(4) prescribe standards by which the supervised visitation or safe visitation exchange will occur.

(d) REPORTING.—

(1) IN GENERAL.—Not later than 1 year after the last day of the first fiscal year commencing on or after the date of enactment of this Act, and not later than 180 days after the last day of each fiscal year thereafter, the Attorney General shall submit to Congress a report that includes information concerning—

(A) the number of—

(i) individuals served and the number of individuals turned away from visitation programs and services and safe visitation exchange (categorized by State);

(ii) the number of individuals from underserved populations served and turned away from services; and

(iii) the type of problems that underlie the need for supervised visitation or safe visitation exchange, such as domestic violence, child abuse, sexual assault, other physical abuse, or a combination of such factors;

(B) the numbers of supervised visitations or safe visitation exchanges ordered under this section during custody determinations under a separation or divorce decree or protection order, through child protection services or other social services agencies, or by any other order of a civil, criminal, juvenile, or family court;

(C) the process by which children or abused partners are protected during visitations, temporary custody transfers, and other activities for which supervised visitation is established under this section;

(D) safety and security problems occurring during the reporting period during supervised visitation under this section, including the number of parental abduction cases; and

(E) the number of parental abduction cases in a judicial district using supervised visitation programs and services under this section, both as identified in criminal prosecution and custody violations.

(2) GUIDELINES.—The Attorney General shall establish guidelines for the collection and reporting of data under this subsection.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $15,000,000 for each of fiscal years 2001 and 2002.

(f) ALLOTMENT FOR INDIAN TRIBES.—Not less than 5 percent of the total amount made available for each fiscal year to carry out this section shall be available for grants to Indian tribal governments.

SEC. 302. REAUTHORIZATION OF RUNAWAY AND HOMELESS YOUTH GRANTS.

Section 388(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5751(a)) is amended by striking paragraph (4) and inserting the following:

''(4) PART E.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out part E $22,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 303. REAUTHORIZATION OF VICTIMS OF CHILD ABUSE PROGRAMS.

(a) COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.—Section 218 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13014) is amended by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this subtitle $12,000,000 for each of fiscal years 2001 through 2005.''.

(b) CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.—Section 224 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this subtitle $2,300,000 for each of fiscal years 2001 through 2005.''.

(c) GRANTS FOR TELEVISED TESTIMONY.—Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by striking paragraph (7) and inserting the following:

''(7) There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out part N $1,000,000 for each of fiscal years 2001 through 2005.''.

(d) DISSEMINATION OF INFORMATION.—The Attorney General shall—

(1) annually compile and disseminate information (including through electronic publication) about the use of amounts expended and the projects funded under section 218(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13014(a)), section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)), and section 1007(a)(7) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(7)), including any evaluations of the projects and information to enable replication and adoption of the strategies identified in the projects; and

(2) focus dissemination of the information described in paragraph (1) toward community-based programs, including domestic violence and sexual assault programs.

SEC. 304. REPORT ON EFFECTS OF PARENTAL KIDNAPPING LAWS IN DOMESTIC VIOLENCE CASES.

(a) IN GENERAL.—The Attorney General shall—

(1) conduct a study of Federal and State laws relating to child custody, including custody provisions in protection orders, the Parental Kidnaping Prevention Act of 1980, and

the amendments made by that Act, and the effect of those laws on child custody cases in which domestic violence is a factor; and

(2) submit to Congress a report describing the results of that study, including the effects of implementing or applying model State laws, and the recommendations of the Attorney General to reduce the incidence or pattern of violence against women or of sexual assault of the child.

(b) SUFFICIENCY OF DEFENSES.—In carrying out subsection (a) with respect to the Parental Kidnaping Prevention Act of 1980, and the amendments made by that Act, the Attorney General shall examine the sufficiency of defenses to parental abduction charges available in cases involving domestic violence, and the burdens and risks encountered by victims of domestic violence arising from jurisdictional requirements of that Act and the amendments made by that Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000 for fiscal year 2001.

(d) CONDITION FOR CUSTODY DETERMINATION.—Section 1738A(c)(2)(C)(ii) of title 28, United States Code, is amended by striking ''he'' and inserting ''the child, a sibling, or parent of the child''.

TITLE IV—STRENGTHENING EDUCATION AND TRAINING TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 401. EDUCATION AND TRAINING IN APPROPRIATE RESPONSES TO VIOLENCE AGAINST WOMEN.

(a) AUTHORITY.—The Secretary of Health and Human Services, in consultation with the Attorney General, may award grants in accordance with this section to public and private nonprofit entities that, in the determination of the Secretary, have—

(1) nationally recognized expertise in the areas of domestic violence and sexual assault; and

(2) a record of commitment and quality responses to reduce domestic violence and sexual assault.

(b) PURPOSE.—Grants under this section may be used for the purposes of developing, testing, presenting, and disseminating model programs to provide education and training in appropriate and effective responses to victims of domestic violence and sexual assault (including, as appropriate, the effects of domestic violence on children) for individuals (other than law enforcement officers and prosecutors) who are likely to come into contact with such victims during the course of their employment, including—

(1) caseworkers, supervisors, administrators, administrative law judges, and other individuals administering Federal and State benefits programs, such as child welfare and child protective services, Temporary Assistance to Needy Families, social security disability, child support, medicaid, unemployment, workers' compensation, and similar programs; and

(2) medical and health care professionals, including mental and behavioral health professionals such as psychologists, psychiatrists, social workers, therapists, counselors, and others.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $5,000,000 for each of fiscal years 2001 through 2003.

SEC. 402. RAPE PREVENTION AND EDUCATION.

(a) IN GENERAL.—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393A the following:

''SEC. 393B. USE OF ALLOTMENTS FOR RAPE PREVENTION EDUCATION.

''(a) PERMITTED USE.—The Secretary, acting through the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, shall award targeted grants to States to be used for rape prevention and education programs conducted by rape crisis centers, State sexual assault coalitions, and other public and private nonprofit entities for—

''(1) educational seminars;

''(2) the operation of hotlines;

''(3) training programs for professionals;

''(4) the preparation of informational material;

''(5) education and training programs for students and campus personnel designed to reduce the incidence of sexual assault at colleges and universities;

''(6) education to increase awareness about drugs used to facilitate rapes or sexual assaults; and

''(7) other efforts to increase awareness of the facts about, or to help prevent, sexual assault, including efforts to increase awareness in underserved communities and awareness among individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).

''(b) COLLECTION AND DISSEMINATION OF INFORMATION ON SEXUAL ASSAULT.—The Secretary shall, through the National Resource Center on Sexual Assault established under the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, provide resource information, policy, training, and technical assistance to Federal, State, local, and Indian tribal agencies, as well as to State sexual assault coalitions and local sexual assault programs and to other professionals and interested parties on issues relating to sexual assault, including maintenance of a central resource library in order to collect, prepare, analyze, and disseminate information and statistics and analyses thereof relating to the incidence and prevention of sexual assault.

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section, $50,000,000 for each of fiscal years 2001 through 2005.

''(2) NATIONAL RESOURCE CENTER ALLOTMENT.—Of the total amount made available under this subsection in each fiscal year, not more than the greater of $1,000,000 or 2 percent of such amount shall be available for allotment under subsection (b).

''(d) LIMITATIONS.—

''(1) SUPPLEMENT NOT SUPPLANT.—Amounts provided to States under this section shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide services of the type described in subsection (a).

''(2) STUDIES.—A State may not use more than 2 percent of the amount received by the State under this section for each fiscal year for surveillance studies or prevalence studies.

''(3) ADMINISTRATION.—A State may not use more than 5 percent of the amount received by the State under this section for each fiscal year for administrative expenses.''.

(b) REPEAL.—Section 40151 of the Violence Against Women Act of 1994 (108 Stat. 1920), and the amendment made by such section, is repealed.

SEC. 403. EDUCATION AND TRAINING TO END VIOLENCE AGAINST AND ABUSE OF WOMEN WITH DISABILITIES.

(a) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services, may award grants to States and nongovernmental private entities to provide education and technical assistance for the purpose of providing training, consultation, and information on domestic violence, stalking, and sexual assault against women who are individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).

(b) PRIORITIES.—In awarding grants under this section, the Attorney General shall give priority to applications designed to provide education and technical assistance on—

(1) the nature, definition, and characteristics of domestic violence, stalking, and sexual assault experienced by women who are individuals with disabilities;

(2) outreach activities to ensure that women who are individuals with disabilities who are victims of domestic violence, stalking, and sexual assault receive appropriate assistance;

(3) the requirements of shelters and victim services organizations under Federal antidiscrimination laws, including the Americans with Disabilities Act of 1990 and section 504 of the Rehabilitation Act of 1973; and

(4) cost-effective ways that shelters and victim services may accommodate the needs of individuals with disabilities in accordance with the Americans with Disabilities Act of 1990.

(c) USES OF GRANTS.—Each recipient of a grant under this section shall provide information and training to organizations and programs that provide services to individuals with disabilities, including independent living centers, disability-related service organizations, and domestic violence programs providing shelter or related assistance.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $5,000,000 for each of fiscal years 2001 through 2005.

SEC. 404. COMMUNITY INITIATIVES.

Section 318 of the Family Violence Prevention and Services Act (42 U.S.C. 10418) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (G), by striking ''and'' at the end;

(B) by redesignating subparagraph (H) as subparagraph (I); and

(C) by inserting after subparagraph (G) the following:

''(H) groups that provide services to individuals with disabilities;''; and

(2) by striking subsection (h) and inserting the following:

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $5,000,000 for each of fiscal years 2001 through 2005.''.

SEC. 405. DEVELOPMENT OF RESEARCH AGENDA IDENTIFIED BY THE VIOLENCE AGAINST WOMEN ACT OF 1994.

(a) IN GENERAL.—The Attorney General shall—

(1) direct the National Institute of Justice, in consultation and coordination with the Bureau of Justice Statistics and the National Academy of Sciences, through its National Research Council, to develop a research agenda based on the recommendations contained in the report entitled ''Understanding Violence Against Women'' of the National Academy of Sciences ; and

(2) not later than 1 year after the date of enactment of this Act, in consultation with

the Secretary of the Department of Health and Human Services, submit to Congress a report which shall include—

(A) a description of the research agenda developed under paragraph (1) and a plan to implement that agenda;

(B) recommendations for priorities in carrying out that agenda to most effectively advance knowledge about and means by which to prevent or reduce violence against women.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 31001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) such sums as may be necessary to carry out this section.

TITLE V—BATTERED IMMIGRANT WOMEN

SEC. 501. SHORT TITLE.

This title may be cited as the ''Battered Immigrant Women Protection Act of 2000''.

SEC. 502. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the goal of the immigration protections for battered immigrants included in the Violence Against Women Act of 1994 was to remove immigration laws as a barrier that kept battered immigrant women and children locked in abusive relationships;

(2) providing battered immigrant women and children who were experiencing domestic violence at home with protection against deportation allows them to obtain protection orders against their abusers and frees them to cooperate with law enforcement and prosecutors in criminal cases brought against their abusers and the abusers of their children without fearing that the abuser will retaliate by withdrawing or threatening withdrawal of access to an immigration benefit under the abuser's control; and

(3) there are several groups of battered immigrant women and children who do not have access to the immigration protections of the Violence Against Women Act of 1994 which means that their abusers are virtually immune from prosecution because their victims can be deported as a result of action by their abusers and the Immigration and Naturalization Service cannot offer them protection no matter how compelling their case under existing law.

(b) PURPOSES.—The purposes of this title are—

(1) to remove barriers to criminal prosecutions of persons who commit acts of battery or extreme cruelty against immigrant women and children; and

(2) to offer protection against domestic violence occurring in family and intimate relationships that are covered in State and tribal protection orders, domestic violence, and family law statutes.

SEC. 503. IMPROVED ACCESS TO IMMIGRATION PROTECTIONS OF THE VIOLENCE AGAINST WOMEN ACT OF 1994 FOR BATTERED IMMIGRANT WOMEN.

(a) INTENDED SPOUSE DEFINED.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(50) The term 'intended spouse' means any alien who meets the criteria set forth in section 204(a)(1)(A)(iii)(II)(aa)(BB), 204(a)(1)(B)(ii)(II)(aa)(BB), or 240A(b)(2)(A)(i)(III).''.

(b) IMMEDIATE RELATIVE STATUS FOR SELF-PETITIONERS MARRIED TO U.S. CITIZENS.—

(1) SELF-PETITIONING SPOUSES.—

(A) BATTERY OR CRUELTY TO ALIEN OR ALIEN'S CHILD.—Section 204(a)(1)(A)(iii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)(iii)) is amended to read as follows:

''(iii)(I) An alien who is described in subclause (II) may file a petition with the Attorney General under this clause for classification of the alien (and any child of the alien) if the alien demonstrates to the Attorney General that—

''(aa) the marriage or the intent to marry the United States citizen was entered into in good faith by the alien; and

''(bb) during the marriage or relationship intended by the alien to be legally a marriage, the alien or a child of the alien has been battered or has been the subject of extreme cruelty perpetrated by the alien's spouse or intended spouse.

''(II) For purposes of subclause (I), an alien described in this subclause is an alien—

''(aa)(AA) who is the spouse of a citizen of the United States;

''(BB) who believed that he or she had married a citizen of the United States and with whom a marriage ceremony was actually performed and who otherwise meets any applicable requirements under this Act to establish the existence of and bona fides of a marriage, but whose marriage is not legitimate solely because of the bigamy of such citizen of the United States; or

''(CC) who was a bona fide spouse of a United States citizen within the past 2 years and—

''(aaa) whose spouse died within the past 2 years;

''(bbb) whose spouse lost or renounced citizenship status related to an incident of domestic violence; or

''(ccc) who demonstrates a connection between the legal termination of the marriage and battering or extreme cruelty by the United States citizen spouse;

''(bb) who is a person of good moral character;

''(cc) who is eligible to be classified as an immediate relative under section 201(b)(2)(A)(i) or who would have been so classified but for the bigamy of the citizen of the United States that the alien intended to marry; and

''(dd) who has resided with the alien's spouse or intended spouse.''.

(2) SELF-PETITIONING CHILDREN.—Section 204(a)(1)(A)(iv) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)(iv)) is amended to read as follows:

''(iv) An alien who is the child of a citizen of the United States, or who was a child of a United States citizen parent who lost or renounced citizenship status related to an incident of domestic violence, and who is a person of good moral character, who is eligible to be classified as an immediate relative under section 201(b)(2)(A)(i), and who resides, or has resided in the past, with the citizen parent may file a petition with the Attorney General under this subparagraph for classification of the alien (and any child of the alien) under such section if the alien demonstrates to the Attorney General that the alien has been battered by or has been the subject of extreme cruelty perpetrated by the alien's citizen parent. For purposes of this clause, residence includes any period of visitation.''.

(3) FILING OF PETITIONS.—Section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154 (a)(1)(A)(iv)) is amended by adding at the end the following:

''(v) An alien who is the spouse, intended spouse, or child of a United States citizen living abroad and who is eligible to file a petition under clause (iii) or (iv) shall file such petition with the Attorney General under the procedures that apply to self-petitioners under clauses (iii) or (iv).''.

(c) SECOND PREFERENCE IMMIGRATION STATUS FOR SELF-PETITIONERS MARRIED TO LAWFUL PERMANENT RESIDENTS.—

(1) SELF-PETITIONING SPOUSES.—Section 204(a)(1)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(B)(ii)) is amended to read as follows:

''(ii)(I) An alien who is described in subclause (II) may file a petition with the Attorney General under this clause for classification of the alien (and any child of the alien) if such a child has not been classified under clause (iii) of section 203(a)(2)(A) and if the alien demonstrates to the Attorney General that—

''(aa) the marriage or the intent to marry the lawful permanent resident was entered into in good faith by the alien; and

''(bb) during the marriage or relationship intended by the alien to be legally a marriage, the alien or a child of the alien has been battered or has been the subject of extreme cruelty perpetrated by the alien's spouse or intended spouse.

''(II) For purposes of subclause (I), an alien described in this paragraph is an alien—

''(aa)(AA) who is the spouse of a lawful permanent resident of the United States; or

''(BB) who believed that he or she had married a lawful permanent resident of the United States and with whom a marriage ceremony was actually performed and who otherwise meets any applicable requirements under this Act to establish the existence of and bona fides of a marriage, but whose marriage is not legitimate solely because of the bigamy of such lawful permanent resident of the United States; or

''(CC) who was a bona fide spouse of a lawful permanent resident within the past 2 years and—

''(aaa) whose spouse lost status due to an incident of domestic violence; or

''(bbb) who demonstrates a connection between the legal termination of the marriage and battering or extreme cruelty by the lawful permanent resident spouse;

''(bb) who is a person of good moral character;

''(cc) who is eligible to be classified as a spouse of an alien lawfully admitted for permanent residence under section 203(a)(2)(A) or who would have been so classified but for the bigamy of the lawful permanent resident of the United States that the alien intended to marry; and

''(dd) who has resided with the alien's spouse or intended spouse.''.

(3) SELF-PETITIONING CHILDREN.—Section 204(a)(1)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(B)(iii)) is amended to read as follows:

''(iii) An alien who is the child of an alien lawfully admitted for permanent residence, or who was the child of a lawful permanent resident who lost lawful permanent resident status due to an incident of domestic violence, and who is a person of good moral character, who is eligible for classification under section 203(a)(2)(A), and who resides, or has resided in the past, with the alien's permanent resident alien parent may file a petition with the Attorney General under this subparagraph for classification of the alien (and any child of the alien) under such section if the alien demonstrates to the Attorney General that the alien has been battered by or has been the subject of extreme cruelty perpetrated by the alien's permanent resident parent. For purposes of this clause, residence includes any period of visitation.''.

(4) FILING OF PETITIONS.—Section 204(a)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(B)) is amended by adding at the end the following:

''(iv) An alien who is the spouse, intended spouse, or child of a lawful permanent resident living abroad is eligible to file a petition under clause (ii) or (iii) shall file such petition with the Attorney General under the procedures that apply to self-petitioners under clauses (ii) or (iii).''.

(d) GOOD MORAL CHARACTER DETERMINATIONS FOR SELF-PETITIONERS AND TREATMENT OF CHILD SELF-PETITIONERS AND PETITIONS

INCLUDING DERIVATIVE CHILDREN ATTAINING 21 YEARS OF AGE.—Section 204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)) is amended—

(1) by redesignating subparagraphs (C) through (H) as subparagraphs (E) through (J), respectively;

(2) by inserting after subparagraph (B) the following:

''(C) Notwithstanding section 101(f), an act or conviction that is waivable with respect to the petitioner for purposes of a determination of the petitioner's admissibility under section 212(a) or deportability under section 237(a) shall not bar the Attorney General from finding the petitioner to be of good moral character under subparagraph (A)(iii), (A)(iv), (B)(ii), or (B)(iii) if the Attorney General finds that the act or conviction was connected to the alien's having been battered or subjected to extreme cruelty.

''(D)(i)(I) Any child who attains 21 years of age who has filed a petition under clause (iv) of section 204(a)(1)(A) that was filed or approved before the date on which the child attained 21 years of age shall be considered (if the child has not been admitted or approved for lawful permanent residence by the date the child attained 21 years of age) a petitioner for preference status under paragraph (1), (2), or (3) of section 203(a), whichever paragraph is applicable, with the same priority date assigned to the self-petition filed under clause (iv) of section 204(a)(1)(A). No new petition shall be required to be filed.

''(II) Any individual described in subclause (I) is eligible for deferred action and work authorization.

''(III) Any derivative child who attains 21 years of age who is included in a petition described in clause (ii) that was filed or approved before the date on which the child attained 21 years of age shall be considered (if the child has not been admitted or approved for lawful permanent residence by the date the child attained 21 years of age) a petitioner for preference status under paragraph (1), (2), or (3) of section 203(a), whichever paragraph is applicable, with the same priority date as that assigned to the petitioner in any petition described in clause (ii). No new petition shall be required to be filed.

''(IV) Any individual described in subclause (III) and any derivative child of a petition described in clause (ii) is eligible for deferred action and work authorization.

''(ii) The petition referred to in clause (i)(III) is a petition filed by an alien under subparagraph (A)(iii), (A)(iv), (B)(ii) or (B)(iii) in which the child is included as a derivative beneficiary.''; and

(3) in subparagraph (J) (as so redesignated), by inserting ''or in making determinations under subparagraphs (C) and (D),'' after ''subparagraph (B),''.

(e) ACCESS TO NATURALIZATION FOR DIVORCED VICTIMS OF ABUSE.—Section 319(a) of the Immigration and Nationality Act (8 U.S.C. 1430(a)) is amended—

(1) by inserting '', or any person who obtained status as a lawful permanent resident by reason of his or her status as a spouse or child of a United States citizen who battered him or her or subjected him or her to extreme cruelty,'' after ''United States'' the first place such term appears; and

(2) by inserting ''(except in the case of a person who has been battered or subjected to extreme cruelty by a United States citizen spouse or parent)'' after ''has been living in marital union with the citizen spouse''.

SEC. 504. IMPROVED ACCESS TO CANCELLATION OF REMOVAL AND SUSPENSION OF DEPORTATION UNDER THE VIOLENCE AGAINST WOMEN ACT OF 1994.

(a) CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS FOR CERTAIN NONPERMANENT RESIDENTS.—Section 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)(2)) is amended to read as follows:

''(2) SPECIAL RULE FOR BATTERED SPOUSE OR CHILD.—

''(A) AUTHORITY.—The Attorney General may cancel removal of, and adjust to the status of an alien lawfully admitted for permanent residence, an alien who is inadmissible or deportable from the United States if the alien demonstrates that—

''(i)(I) the alien has been battered or subjected to extreme cruelty by a spouse or parent who is or was a United States citizen (or is the parent of a child of a United States citizen and the child has been battered or subjected to extreme cruelty by such citizen parent);

''(II) the alien has been battered or subjected to extreme cruelty by a spouse or parent who is or was a lawful permanent resident (or is the parent of a child of an alien who is or was a lawful permanent resident and the child has been battered or subjected to extreme cruelty by such permanent resident parent); or

''(III) the alien has been battered or subjected to extreme cruelty by a United States citizen or lawful permanent resident whom the alien intended to marry, but whose marriage is not legitimate because of that United States citizen's or lawful permanent resident's bigamy;

''(ii) the alien has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such application, and the issuance of a charging document for removal proceedings shall not toll the 3-year period of continuous physical presence in the United States;

''(iii) the alien has been a person of good moral character during such period, subject to the provisions of subparagraph (C);

''(iv) the alien is not inadmissible under paragraph (2) or (3) of section 212(a), is not deportable under paragraphs (1)(G) or (2) through (4) of section 237(a) (except in a case described in section 237(a)(7) where the Attorney General exercises discretion to grant a waiver), and has not been convicted of an aggravated felony; and

''(v) the removal would result in extreme hardship to the alien, the alien's child, or the alien's parent.

''(B) PHYSICAL PRESENCE.—Notwithstanding subsection (d)(2), for purposes of subparagraph (A)(i)(II) or for purposes of section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996), an alien shall not be considered to have failed to maintain continuous physical presence by reason of an absence if the alien demonstrates a connection between the absence and the battering or extreme cruelty perpetrated against the alien. No absence or portion of an absence connected to the battering or extreme cruelty shall count toward the 90-day or 180-day limits established in subsection (d)(2). If any absence or aggregate absences exceed 180 days, the absences or portions of the absences will not be considered to break the period of continuous presence. Any such period of time excluded from the 180-day limit shall be excluded in computing the time during which the alien has been physically present for purposes of the 3-year requirement set forth in section 240A(b)(2)(B) and section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996).

''(C) GOOD MORAL CHARACTER.—Notwithstanding section 101(f), an act or conviction that would be waivable with respect to the alien for purposes of a determination of the alien's admissibility under section 212(a) or is waivable with respect to the alien for purposes of the alien's deportability under section 237(a) shall not bar the Attorney General from finding the alien to be of good moral character under subparagraph (A)(i)(III) or section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996), if the Attorney General finds that the act or conviction was connected to the alien's having been battered or subjected to extreme cruelty and determines that a waiver would be or is otherwise warranted.

''(D) CREDIBLE EVIDENCE CONSIDERED.—In acting on applications under this paragraph, the Attorney General shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Attorney General.''.

(b) CHILDREN OF BATTERED ALIENS AND PARENTS OF BATTERED ALIEN CHILDREN.—Section 240A(b) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)) is amended by adding at the end the following:

''(4) CHILDREN OF BATTERED ALIENS AND PARENTS OF BATTERED ALIEN CHILDREN.—

''(A) IN GENERAL.—The Attorney General shall grant parole under section 212(d)(5) to any alien who is a—

''(i) child of an alien granted relief under section 240A(b)(2) or 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996); or

''(ii) parent of a child alien granted relief under section 240A(b)(2) or 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996).

''(B) DURATION OF PAROLE.—The grant of parole shall extend from the time of the grant of relief under section 240A(b)(2) or section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996) to the time the application for adjustment of status filed by aliens covered under this paragraph has been finally adjudicated. Applications for adjustment of status filed by aliens covered under this paragraph shall be treated as if they were applications filed under section 204(a)(1)(A)(iii), (A)(iv), (B)(ii), or (B)(iii) for purposes of section 245 (a) and (c). Failure by the alien granted relief under section 240A(b)(2) or section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996) to exercise due diligence in filing a visa petition on behalf of an alien described in clause (i) or (ii) may result in revocation of parole.''.

(c) EFFECTIVE DATE.—Any individual who becomes eligible for relief by reason of the enactment of the amendments made by subsections (a) and (b), shall be eligible to file a motion to reopen pursuant to section 240(c)(6)(C)(iv). The amendments made by subsections (a) and (b) shall take effect as if included in the enactment of section 304 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 587). Such portions of the amendments made by subsection (b) that relate to section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996) shall take effect as if included in subtitle G of title IV of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1953 et seq.).

SEC. 505. OFFERING EQUAL ACCESS TO IMMIGRATION PROTECTIONS OF THE VIOLENCE AGAINST WOMEN ACT OF 1994 FOR ALL QUALIFIED BATTERED IMMIGRANT SELF-PETITIONERS.

(a) ELIMINATING CONNECTION BETWEEN BATTERY AND UNLAWFUL ENTRY.—Section 212(a)(6)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(6)(A)(ii)) is amended—

(1) by striking subclause (I) and inserting the following:

''(I) the alien qualifies for classification under subparagraph (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of section 204(a)(i); and'';

(2) in subclause (II), by striking '', and'' and inserting a period; and

(3) by striking subclause (III).

(b) ELIMINATING CONNECTION BETWEEN BATTERY AND VIOLATION OF THE TERMS OF AN IMMIGRANT VISA.—Section 212(a)(9)(B)(iii)(IV) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)(iii)(IV)) is amended by striking ''who would be described in paragraph (6)(A)(ii)'' and all that follows before the period and inserting ''who is described in paragraph (6)(A)(ii)''.

(c) BATTERED IMMIGRANT WAIVER.—Section 212(a)(9)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(C)(ii)) is amended by adding at the end the following: ''The Attorney General in the Attorney General's discretion may waive the provisions of section 212(a)(9)(C)(i) in the case of an alien to whom the Attorney General has granted classification under clause (iii), (iv), (v), or (vi) of section 204(a)(1)(A), or classification under clause (ii), (iii), or (iv) of section 204(a)(1)(B), in any case in which there is a connection between—

''(1) the aliens having been battered or subjected to extreme cruelty; and

''(2) the alien's—

''(A) removal;

''(B) departure from the United States;

''(C) reentry or reentries into the United States; or

''(D) attempted reentry into the United States.

(d) DOMESTIC VIOLENCE VICTIM WAIVER.—

(1) WAIVER FOR VICTIMS OF DOMESTIC VIOLENCE.—Section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)) is amended by inserting at the end the following:

''(7) WAIVER FOR VICTIMS OF DOMESTIC VIOLENCE.—

''(A) IN GENERAL.—The Attorney General is not limited by the criminal court record and may waive the application of paragraph (2)(E)(i) (with respect to crimes of domestic violence and crimes of stalking) and (ii) in the case of an alien who has been battered or subjected to extreme cruelty and who is not and was not the primary perpetrator of violence in the relationship—

''(i) upon a determination that—

''(I) the alien was acting is self-defense;

''(II) the alien was found to have violated a protection order intended to protect the alien; or

''(III) the alien committed, was arrested for, was convicted of, or pled guilty to committing a crime—

''(aa) that did not result in serious bodily injury; and

''(bb) where there was a connection between the crime and the alien's having been battered or subjected to extreme cruelty.

''(B) CREDIBLE EVIDENCE CONSIDERED.—In acting on applications under this paragraph, the Attorney General shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Attorney General.''.

(2) CONFORMING AMENDMENT.—Section 240A(b)(1)(C) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)(1)(C)) is amended by inserting ''(except in a case described in section 237(a)(7) where the Attorney General exercises discretion to grant a waiver)'' after ''237(a)(3)''.

(e) MISREPRESENTATION WAIVERS FOR BATTERED SPOUSES OF UNITED STATES CITIZENS AND LAWFUL PERMANENT RESIDENTS.—

(1) WAIVER OF INADMISSIBILITY.—Section 212(i)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(i)(1)) is amended by inserting before the period at the end the following: ''or, in the case of an alien granted classification under clause (iii) or (iv) of section 204(a)(1)(A) or clause (ii) or (iii) of section 204(a)(1)(B), or who would otherwise qualify for relief under section 240A(b)(2) or under section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996), the alien demonstrates extreme hardship to the alien or the alien's United States citizen, lawful permanent resident, or qualified alien parent or child''.

(2) WAIVER OF DEPORTABILITY.—Section 237(a)(1)(H) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(1)(H)) is amended—

(A) in clause (i), by inserting ''(I)'' after ''(i)'';

(B) by redesignating clause (ii) as subclause (II); and

(C) by adding after clause (i) the following:

''(ii) is an alien who qualifies for classification under clause (iii) or (iv) of section 204(a)(1)(A) or clause (ii) or (iii) of section 204(a)(1)(B), or who qualifies for relief under section 240A(b)(2) or under section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996).''.

(f) BATTERED IMMIGRANT WAIVER.—Section 212(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(g)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by adding ''or'' at the end; and

(3) by inserting after subparagraph (B) the following:

''(C) qualifies for classification under clause (iii) or (iv) of section 204(a)(1)(A) or classification under clause (ii) or (iii) of section 204(a)(1)(B), relief under section 240A(b)(2), or relief under section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996);''.

(g) WAIVERS FOR VAWA ELIGIBLE BATTERED IMMIGRANTS.—Section 212(h)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(h)(1)) is amended—

(1) in subparagraph (B), by striking ''and'' and inserting ''or'';

(2) by adding at the end the following:

''(C) the alien qualifies for classification under clause (iii) or (iv) of section 204(a)(1)(A), classification under clause (ii) or (iii) of section 204(a)(1)(B), relief under section 240A(b)(2) or relief under section 244(a)(3) (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996); and''.

(h) PUBLIC CHARGE.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by adding at the end the following:

''(p) In determining whether an alien described in subsection (a)(4)(C)(i) is inadmissible under subsection (a)(4) or ineligible to receive an immigrant visa or otherwise to adjust to the status of permanent resident by reason of subsection (a)(4), the consular officer or the Attorney General shall not consider any benefits the alien may have received that were authorized under section 501 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1641(c)).''.

(i) REPORT.—Not later than 6 months after the date of enactment of this Act, the Attorney General shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives covering, with respect to the fiscal year 1997 and each fiscal year thereafter—

(1) the policy and procedures of the Immigration and Naturalization Service under which an alien who has been battered or subjected to extreme cruelty who is eligible for suspension of deportation or cancellation of removal can request to be placed, and be placed, in deportation or removal proceedings so that such alien may apply for suspension of deportation or cancellation of removal;

(2) the number of requests filed at each district office under this policy;

(3) the number of these requests granted reported separately for each district; and

(4) the average length of time at each Immigration and Naturalization office between the date that an alien who has been subject to battering or extreme cruelty eligible for suspension of deportation or cancellation of removal requests to be placed in deportation or removal proceedings and the date that the immigrant appears before an immigration judge to file an application for suspension of deportation or cancellation of removal.

SEC. 506. RESTORING IMMIGRATION PROTECTIONS UNDER THE VIOLENCE AGAINST WOMEN ACT OF 1994.

(a) REMOVING BARRIERS TO ADJUSTMENT OF STATUS FOR VICTIMS OF DOMESTIC VIOLENCE.—

(1) IMMIGRATION AMENDMENTS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended—

(A) in subsection (a), by inserting ''or the status of any other alien having an approved petition for classification under subparagraph (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of section 204(a)(1) or'' after ''into the United States.''; and

(B) in subsection (c), by striking ''Subsection (a) shall not be applicable to'' and inserting the following: ''Other than an alien having an approved petition for classification under subparagraph (A)(iii), (A)(iv), (A)(v), (A)(vi), (B)(ii), (B)(iii), or B(iv) of section 204(a)(1), subsection (a) shall not be applicable to''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to applications for adjustment of status pending on or made on or after January 14, 1998.

(b) REMOVING BARRIERS TO CANCELLATION OF REMOVAL AND SUSPENSION OF DEPORTATION FOR VICTIMS OF DOMESTIC VIOLENCE.—

(1) NOT TREATING SERVICE OF NOTICE AS TERMINATING CONTINUOUS PERIOD.—Section 240A(d)(1) of the Immigration and Nationality Act (8 U.S.C. 1229b(d)(1)) is amended by striking ''when the alien is served a notice to appear under section 239(a) or'' and inserting ''(A) except in the case of an alien who applies for cancellation of removal under subsection (b)(2) when the alien is served a notice to appear under section 239(a), or (B)''.

(2) EXEMPTION FROM ANNUAL LIMITATION ON CANCELLATION OF REMOVAL FOR BATTERED SPOUSE OR CHILD.—Section 240A(e)(3) of the Immigration and Nationality Act (8 U.S.C. 1229b(e)(3)) is amended by adding at the end the following:

''(C) Aliens in removal proceedings who applied for cancellation of removal under subsection (b)(2).''.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect as if included in the enactment of section 304 of the Illegal Immigration Reform

and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 587).

(4) MODIFICATION OF CERTAIN TRANSITION RULES FOR BATTERED SPOUSE OR CHILD.—Section 309(c)(5)(C) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note) is amended—

(A) by striking the subparagraph heading and inserting the following:

''(C) SPECIAL RULE FOR CERTAIN ALIENS GRANTED TEMPORARY PROTECTION FROM DEPORTATION AND FOR BATTERED SPOUSES AND CHILDREN.—''; and

(B) in clause (i)—

(i) in subclause (IV), by striking ''or'' at the end;

(ii) in subclause (V), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(VI) is an alien who was issued an order to show cause or was in deportation proceedings before April 1, 1997, and who applied for suspension of deportation under section 244(a)(3) of the Immigration and Nationality Act (as in effect before the date of the enactment of this Act).''.

(5) EFFECTIVE DATE.—The amendments made by paragraph (4) shall take effect as if included in the enactment of section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note).

(c) ELIMINATING TIME LIMITATIONS ON MOTIONS TO REOPEN REMOVAL AND DEPORTATION PROCEEDINGS FOR VICTIMS OF DOMESTIC VIOLENCE.—

(1) REMOVAL PROCEEDINGS.—

(A) IN GENERAL.—Section 240(c)(6)(C) of the Immigration and Nationality Act (8 U.S.C. 1229a(c)(6)(C)) is amended by adding at the end the following:

''(iv) SPECIAL RULE FOR BATTERED SPOUSES AND CHILDREN.—There is no time limit on the filing of a motion to reopen, and the deadline specified in subsection (b)(5)(C) for filing such a motion does not apply—

''(I) if the basis for the motion is to apply for relief under clause (iii) or (iv) of section 204(a)(1)(A), clause (ii) or (iii) of section 204(a)(1)(B), or section 240A(b)(2); and

''(II) if the motion is accompanied by a cancellation of removal application to be filed with the Attorney General or by a copy of the self-petition that has been or will be filed with the Immigration and Naturalization Service upon the granting of the motion to reopen.''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of section 304 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1229–1229c).

(2) DEPORTATION PROCEEDINGS.—

(A) IN GENERAL.—Notwithstanding any limitation imposed by law on motions to reopen or rescind deportation proceedings under the Immigration and Nationality Act (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note)), there is no time limit on the filing of a motion to reopen such proceedings, and the deadline specified in section 242B(c)(3) of the Immigration and Nationality Act (as so in effect) (8 U.S.C. 1252b(c)(3)) does not apply—

(i) if the basis of the motion is to apply for relief under clause (iii) or (iv) of section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)), clause (ii) or (iii) of section 204(a)(1)(B) of such Act (8 U.S.C. 1154(a)(1)(B)), or section 244(a)(3) of such Act (as so in effect) (8 U.S.C. 1254(a)(3)); and

(ii) if the motion is accompanied by a suspension of deportation application to be filed with the Attorney General or by a copy of the self-petition that will be filed with the Immigration and Naturalization Service upon the granting of the motion to reopen.

(B) APPLICABILITY.—Subparagraph (A) shall apply to motions filed by aliens who—

(i) are, or were, in deportation proceedings under the Immigration and Nationality Act (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note)); and

(ii) have become eligible to apply for relief under clause (iii) or (iv) of section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)), clause (ii) or (iii) of section 204(a)(1)(B) of such Act (8 U.S.C. 1154(a)(1)(B)), or section 244(a)(3) of such Act (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101 note)) as a result of the amendments made by—

(I) subtitle G of title IV of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1953 et seq.); or

(II) this title.

SEC. 507. REMEDYING PROBLEMS WITH IMPLEMENTATION OF THE IMMIGRATION PROVISIONS OF THE VIOLENCE AGAINST WOMEN ACT OF 1994.

(a) EFFECT OF CHANGES IN ABUSERS' CITIZENSHIP STATUS ON SELF-PETITION.—

(1) RECLASSIFICATION.—Section 204(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(A)) (as amended by section 503(b)(3) of this title) is amended by adding at the end the following:

''(vi) For the purposes of any petition filed under clause (iii) or (iv), the denaturalization, loss or renunciation of citizenship, death of the abuser, divorce, or changes to the abuser's citizenship status after filing of the petition shall not adversely affect the approval of the petition, and for approved petitions shall not preclude the classification of the eligible self-petitioning spouse or child as an immediate relative or affect the alien's ability to adjust status under subsections (a) and (c) of section 245 or obtain status as a lawful permanent resident based on the approved self-petition under such clauses.''.

(2) LOSS OF STATUS.—Section 204(a)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(B)) (as amended by section 503(c)(4) of this title) is amended by adding at the end the following:

''(v)(I) For the purposes of any petition filed or approved under clause (ii) or (iii), divorce, or the loss of lawful permanent resident status by a spouse or parent after the filing of a petition under that clause shall not adversely affect approval of the petition, and, for an approved petition, shall not affect the alien's ability to adjust status under subsections (a) and (c) of section 245 or obtain status as a lawful permanent resident based on an approved self-petition under clause (ii) or (iii).

''(II) Upon the lawful permanent resident spouse or parent becoming or establishing the existence of United States citizenship through naturalization, acquisition of citizenship, or other means, any petition filed with the Immigration and Naturalization Service and pending or approved under clause (ii) or (iii) on behalf of an alien who has been battered or subjected to extreme cruelty shall be deemed reclassified as a petition filed under subparagraph (A) even if the acquisition of citizenship occurs after divorce or termination of parental rights.''.

(3) DEFINITION OF IMMEDIATE RELATIVES.—Section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1154(b)(2)(A)(i)) is amended by adding at the end the following: ''For purposes of this clause, an alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) of this Act remains an immediate relative in the event that the United States citizen spouse or parent loses United States citizenship on account of the abuse.''.

(b) ALLOWING REMARRIAGE OF BATTERED IMMIGRANTS.—Section 204(h) of the Immigration and Nationality Act (8 U.S.C. 1154(h)) is amended by adding at the end the following: ''Remarriage of an alien whose petition was approved under section 204(a)(1)(B)(ii) or 204(a)(1)(A)(iii) or marriage of an alien described in section 204(a)(1)(A) (iv) or (vi) or 204(a)(1)(B)(iii) shall not be the basis for revocation of a petition approval under section 205.''.

SEC. 508. TECHNICAL CORRECTION TO QUALIFIED ALIEN DEFINITION FOR BATTERED IMMIGRANTS.

Section 431(c)(1)(B)(iii) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)(1)(B)(iii)) is amended to read as follows:

''(iii) suspension of deportation under section 244(a)(3) of the Immigration and Nationality Act (as in effect before the title III–A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996).''.

SEC. 509. ACCESS TO CUBAN ADJUSTMENT ACT FOR BATTERED IMMIGRANT SPOUSES AND CHILDREN.

(a) IN GENERAL.—The last sentence of the first section of Public Law 89–732 (November 2, 1966; 8 U.S.C. 1255 note) is amended by striking the period at the end and inserting the following: '', except that such spouse or child who has been battered or subjected to extreme cruelty may adjust to permanent resident status under this Act without demonstrating that he or she is residing with the Cuban spouse or parent in the United States. In acting on applications under this section with respect to spouses or children who have been battered or subjected to extreme cruelty, the Attorney General shall apply the provisions of section 204(a)(1)(H).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective as if included in subtitle G of title IV of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1953 et seq.).

SEC. 510. ACCESS TO THE NICARAGUAN ADJUSTMENT AND CENTRAL AMERICAN RELIEF ACT FOR BATTERED SPOUSES AND CHILDREN.

Section 309(c)(5)(C) of the Illegal Immigration and Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1101 note) is amended—

(1) in clause (i)—

(A) by striking ''For purposes'' and inserting ''Subject to clauses (ii), (iii), and (iv), for purposes'';

(B) by striking ''or'' at the end of subclause (IV);

(C) by striking the period at the end of subclause (V) and inserting ''; or''; and

(D) by adding at the end the following:

''(VI) is at the time of filing of an application under subclause (I), (II), (V), or (VI) the spouse or child of an individual described in subclause (I), (II), or (V) and the spouse, child, or child of the spouse has been battered or subjected to extreme cruelty by the individual described in subclause (I), (II), or (V).''; and

(2) by adding at the end the following:

''(iii) CONSIDERATION OF PETITIONS.—In acting on a petition filed under subclause (VI) or (VII) of clause (i) the provisions set forth in section 204(a)(1)(H) shall apply.

''(iv) RESIDENCE WITH SPOUSE OR PARENT NOT REQUIRED.—For purposes of the application of subclauses (VI) and (VII) of clause (i),

a spouse or child shall not be required to demonstrate that he or she is residing with the spouse or parent in the United States.''.

SEC. 511. ACCESS TO THE HAITIAN REFUGEE FAIRNESS ACT OF 1998 FOR BATTERED SPOUSES AND CHILDREN.

(a) IN GENERAL.—Section 902(d)(1)(B) of the Haitian Refugee Immigration Fairness Act of 1998 (division A of section 101(h) of Public Law 105–277; 112 Stat. 2681–538) is amended to read as follows:

''(B)(i) the alien is the spouse or child of an alien whose status is adjusted to that of an alien lawfully admitted for permanent residence under subsection (a);

''(ii) at the time of filing or the application for adjustment under subsection (a) or this subsection the alien is the spouse or child of an alien whose status is adjusted to that of an alien lawfully admitted for permanent residence under subsection (a) and the spouse, child, or child of the spouse has been battered or subjected to extreme cruelty by the individual described in subsection (a); and

''(iii) in acting on applications under this section with respect to spouses or children who have been battered or subjected to extreme cruelty, the Attorney General shall apply the provisions of section 204(a)(1)(H).''.

(b) RESIDENCE WITH SPOUSE OR PARENT NOT REQUIRED.—Section 902(d) of such Act is amended—

(1) in paragraph (1), by striking ''The status'' and inserting ''Subject to paragraphs (2) and (3), the status''; and

(2) by adding at the end the following:

''(3) RESIDENCE WITH SPOUSE OR PARENT NOT REQUIRED.—A spouse, or child may adjust to permanent resident status under paragraph (1) without demonstrating that he or she is residing with the spouse or parent in the United States.''.

SEC. 512. ACCESS TO SERVICES AND LEGAL REPRESENTATION FOR BATTERED IMMIGRANTS.

(a) LAW ENFORCEMENT AND PROSECUTION GRANTS.—Section 2001(b) of part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended—

(1) in paragraph (1), by inserting '', immigration and asylum officers, immigration judges,'' after ''law enforcement officers'';

(2) in paragraph (8) (as amended by section 209(c) of this Act), by striking ''and'' at the end;

(3) in paragraph (9) (as added by section 209(c) of this Act), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(10) providing assistance to victims of domestic violence and sexual assault in immigration matters.''.

(b) GRANTS TO ENCOURAGE ARRESTS.—Section 2101(b)(5) of part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh(b)(5)) is amended by inserting before the period the following: '', including strengthening assistance to domestic violence victims in immigration matters''.

(c) RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT GRANTS.—Section 40295(a)(2) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1953; 42 U.S.C. 13971(a)(2)) is amended to read as follows:

''(2) to provide treatment, counseling, and assistance to victims of domestic violence and child abuse, including in immigration matters; and''.

(d) CAMPUS DOMESTIC VIOLENCE GRANTS.—Section 826(b)(5) of the Higher Education Amendments of 1998 (Public Law 105–244; 20 U.S.C. 1152) is amended by inserting before the period at the end the following: '', including assistance to victims in immigration matters''.

TITLE VI—EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND

SEC. 601. EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND.

(a) IN GENERAL.—Section 310001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) for fiscal year 2001, $6,025,000,000;

''(2) for fiscal year 2002, $6,169,000,000;

''(3) for fiscal year 2003, $6,316,000,000;

''(4) for fiscal year 2004, $6,458,000,000; and

''(5) for fiscal year 2005, $6,616,000,000.''.

(b) DISCRETIONARY LIMITS.—Title XXXI of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211 et seq.) is amended by inserting after section 310001 the following:

''SEC. 310002. DISCRETIONARY LIMITS.

''For the purposes of allocations made for the discretionary category under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)), the term 'discretionary spending limit' means—

''(1) with respect to fiscal year 2001—

''(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Committee on the Budget of the House of Representatives and the Chairman of the Committee on the Budget of the Senate; and

''(B) for the violent crime reduction category, $6,025,000,000 in new budget authority and $5,718,000,000 in outlays;

''(2) with respect to fiscal year 2002—

''(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Committee on the Budget of the House of Representatives and the Chairman of the Committee on the Budget of the Senate; and

''(B) for the violent crime reduction category, $6,169,000,000 in new budget authority and $6,020,000,000 in outlays;

''(3) with respect to fiscal year 2003—

''(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Committee on the Budget of the House of Representatives and the Chairman of the Committee on the Budget of the Senate; and

''(B) for the violent crime reduction category, $6,316,000,000 in new budget authority and $6,161,000,000 in outlays;

''(4) with respect to fiscal year 2004—

''(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Committee on the Budget of the House of Representatives and the Chairman of the Committee on the Budget of the Senate; and

''(B) for the violent crime reduction category, $6,459,000,000 in new budget authority and $6,303,000,000 in outlays; and

''(5) with respect to fiscal year 2005—

''(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Committee on the Budget of the House of Representatives and the Chairman of the Committee on the Budget of the Senate; and

''(B) for the violent crime reduction category, $6,616,000 in new budget authority and $6,452,000,000 in outlays;

as adjusted in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)) and section 314 of the Congressional Budget Act of 1974.''.

Mr. HATCH. Mr. President, I rise today with my colleague and friend, Senator JOSEPH BIDEN, to introduce one of the most significant pieces of legislation that the Senate will consider this year, the Violence Against Women Act of 2000. This historic bill reauthorizes the Violence Against Women Act programs that would otherwise expire at the end of this fiscal year. This new bill is the result of bipartisan cooperation over the last year and combines the best provisions of S. 245, the Violence Against Women Act of 1999, which I introduced last year, and of S. 51, Senator BIDEN's Violence Against Women Act II.

Six years ago, recognizing the importance and need to protect the women and children in this country from domestic violence, stalking, and sexual assault, senators from both parties supported the original Violence Against Women Act in 1994. This legislation has made a critical difference in the lives of countless families in my state of Utah and across the country.

The Violence Against Women Act strengthened our laws, empowered law enforcement, facilitated access to protective orders, established and funded both battered women shelters and a national domestic violence hotline, and most importantly led to the overall protection of America's women and children.

Well, we must ask ourselves, ''Was it worth it? Did our efforts made a difference?'' I stand here today to answer those questions with a resounding ''yes.''

The most recent Department of Justice statistics show that violence against women by intimate partners is down 21 percent across the board from just before the original bill's enactment. The Department of Justice has prosecuted hundreds of cases involving interstate domestic violence, interstate stalking, and interstate violations of protection orders. Through funding provided by the Act, the Department of Health and Human Services has provided grant funds to shelter more than 300,000 women and their dependents each year, while the National Domestic Violence Hotline has responded to approximately 500,000 calls. In all, the original Violence Against Women Act provided $1.6 billion in grant funds supporting the work of law enforcement officials, prosecutors, the courts, victim advocates, and intervention and prevention programs to address domestic violence at all levels.

Although the Violence Against Women Act has been widely successful, domestic violence continues to plague our homes, our communities, and our country. The national statistics are sobering:

Nearly one-third of women murdered each year are killed by their intimate partners.

Violence by intimates accounts for over 20 percent of all violent crime against women.

Approximately one million women are stalked each year.

Women were raped and sexually assaulted 307,000 times in 1998 alone.

Thus, I believe we should ask ourselves today, ''Should we continue and strengthen our efforts to combat violence against women?'' Once again, I stand here today to answer this question with a resounding ''yes.'' We must continue our efforts to protect our women and children from the devastating effects of domestic violence, stalking, and sexual assault.

The Violence Against Women Act of 2000 will reauthorize through fiscal year 2005 the grant programs that will enable the federal, state, and local governments to persist in their efforts to prosecute offenders and provide vital services to the victims of domestic violence. I would like to point out that the recent Supreme Court case United States v. Morrison, 120 S. Ct. 1740 (2000), simply invalidated the ''civil remedy'' provision, which allowed a victim of gender-motivated violence to sue her attacker in federal court. The case did not affect the ability of Congress to reauthorize the Violence Against Women Act, nor did the case affect any other aspect of the Act.

There are several new, important, and worthwhile programs in this bill. One in particular, the transitional housing program, had its inception in my own state of Utah. Dedicated professionals in my State, working in the field, brought to my attention the fact that shelters often fail to provide adequate help to persons escaping the horror of domestic violence. In states like Utah, the spread-out location and the few number of shelters makes it difficult to serve the entire population in need of refuge from domestic violence. Furthermore, shelters are often inadequate for anything more than a few weeks. The transitional housing program remedies the situation by allowing some supplemental and short term housing for persons escaping domestic violence.

It is absolutely imperative that we achieve strong, bipartisan support for this bill. We are approaching the end of our legislative session—we need to take the politics out of the process and reauthorize this Act. Senator BIDEN and I have worked long and hard on this—we are confident that our bill represents not only the interests of both Republicans and Democrats, but that it truly represents the interests of the American family. I intend to move this bill through the Senate Judiciary Committee promptly and intend to do all I can to ensure it becomes law this year.

Finally, I would conclude by expressing my gratitude to Senator BIDEN for his tireless efforts to get this legislation written and passed. No one in the Senate has a longer and greater history of dedication to combating violence against women.

I would also like to express my appreciation to Senator SPENCER ABRAHAM from Michigan. He has given much of his time and attention to this bill, particularly on the immigration provisions. I am grateful for his efforts.

Mr. LEAHY. Mr. President, I support the Violence Against Women Act of 2000 (VAWA II). As we head into the 21st century, violence against women continues to affect millions of women and children in this country. Whether you live in a big city or a rural town, domestic violence can be found anywhere.

I witnessed the devastating effects of domestic violence early on in my career, when I was the Vermont State's Attorney for Chittenden County. In those days, long before the passage of the Violence Against Women Act (VAWA), there were not support programs and services in place to assist victims of these types of crimes. Today, because of the hard work and dedication of those in Vermont and around the country who work on these problems every day, an increasing number of women and children are seeking services through domestic violence programs and at shelters around the nation.

Since the passage of VAWA in 1994, I have been privileged to work with groups such as the Vermont Network Against Domestic Violence and Sexual Assault and the Vermont Center for Crime Victim Services who have worked to help put a stop to violence against women and provided assistance to those who have fallen victim to it. I am proud today to support the Violence Against Women Act of 2000, a Federal initiative designed to continue the success of VAWA by reauthorizing Federal programs to prevent violence against women.

Six years ago, VAWA passed Congress as part of the Violent Crime Control and Law Enforcement Act. That Act combined tough law enforcement strategies with safeguards and services for victims of domestic violence and sexual assault. I am proud to say that Vermont was the first State in the country to apply for and receive funding through VAWA. Since VAWA was enacted, Vermont has received almost $7 million in VAWA funds.

This funding has enabled Vermont to develop specialized prosecution units and child advocacy centers throughout the state. Lori Hayes, Executive Director of the Vermont Center for Crime Victim Services, and Marty Levin, Coordinator of the Vermont Network Against Domestic Violence and Sexual Assault, have been especially instrumental in coordinating VAWA grants in Vermont. Their hard work has brought Vermont grant funding for encouraging arrest policies as well as for combating rural domestic violence and child abuse. These grants have made a real difference in the lives of those who suffer from violence and abuse. Reauthorization of these vital programs in VAWA II will continue to build on these successes.

We have tolerated violence against women for far too long and this bill continues to move us toward reducing violence against women by strengthening law enforcement through the extension of STOP grants, which encourage a multi-disciplinary approach to improving the criminal justice system's response to violence against women. With support from STOP grants, law enforcement, prosecution, courts, victim advocates and service providers work together to ensure victim safety and offender accountability.

The beneficial effects of STOP grants are evident throughout Vermont. From the Windham County Domestic Violence Unit to the Rutland County Women's Network and Shelter, STOP grants have resulted in enhanced victim advocacy services, increased safety for women and children, and increased accountability of perpetrators. The Northwest Unit for Special Investigations in St. Albans, Vermont, has established a multi-disciplinary approach to the investigation of adult sexual assault and domestic violence cases with the help of STOP funds. By linking victims with advocacy programs at the time of the initial report, the Unit finds that more victims get needed services and support and thus find it easier to participate in the investigation and subsequent prosecution. The State's Attorney's Office, which has designated a prosecutor to participate in the Unit, has implemented a new protocol for the prosecution of domestic violence cases. The protocol and multi-disciplinary approach are credited with an 80 percent conviction rate in domestic violence and sexual assault cases.

Passing VAWA II will continue grants which strengthen pro-arrest policies and enforcement of protection orders. In a rural state like Vermont, law enforcement agencies greatly benefit from cooperative, inter-agency efforts to combat and solve significant problems. Last year, approximately $850,000 of this funding supported Vermont efforts to encourage arrest policies.

Vermont will also benefit from the extension of Rural Domestic Violence and Child Victimization Enforcement Grants under VAWA II. These grants are designed to make victim services more accessible to women and children living in rural areas. I worked hard to see this funding included in the original VAWA in 1994, and I am proud that its success has merited an increased authorization for funding in VAWA II. Rural Domestic Violence and Child Victimization Enforcement Grants have been utilized by the Vermont Network Against Domestic Violence and Sexual Assault, the Vermont Attorney General's Office, and the Vermont Department of Social and Rehabilitation Services to increase community awareness, to develop cooperative relationships between state child protection agencies and domestic violence programs, to expand existing multi disciplinary task forces to include allied

professional groups, and to create local multi-use supervised visitation centers.

This bill will also reauthorize the National Stalker and Domestic Violence Reduction Grant. This important grant program assists in the improvement of local, state and national crime databases for tracking stalking and domestic violence.

As we work to prevent violence against women, we must not forget those who have already fallen victim to it. This bill recognizes that combating violence against women includes assistance measures as well as preventive ones, providing assistance to victims of domestic and sexual violence in a number of ways.

The National Domestic Violence Hotline, which has already assisted over 180,000 callers, will be able to continue its crucial operation. Much like the state hotline that the Vermont Network Against Domestic Violence and Sexual Assault helped to establish in Vermont, the National Hotline reaches victims who otherwise have nowhere to turn.

I am particularly pleased to see that VAWA II will also authorize a new grant program for civil legal assistance. In the past, funding for legal services for victims of domestic violence was dependent on a set-aside in the STOP grant appropriation. This separate grant authorization will allow victims of violence, stalking and sexual assault, who would otherwise be unable to afford professional legal representation, to obtain access to trained attorneys and advocacy services. These grants would support training, technical assistance and support for cooperative efforts between victim advocacy groups and legal assistance providers.

As enacted, the Violence Against Women Act has funded programs that provide shelter to battered women and children. I am pleased to see that VAWA II expands this funding, so that facilities such as the Women Helping Battered Women Shelter in Burlington, Vermont, will continue to be able to serve victims in their most vulnerable time in need of shelter.

In addition to this funding, I am excited to see the addition of a provision for transitional housing assistance in VAWA II. This grant for short-term housing assistance and support services for homeless families who have fled from domestic violence environments was one of the biggest priorities for my State and I am pleased to see its inclusion in this legislation.

Despite the overwhelming benefits of this legislation, I do think there are some problems with this bill and it is my hope that we can work to fix them. For example, this legislation does not go far enough in providing the comprehensive housing assistance that state and victim's coalitions need in combating this problem. In Vermont, the availability of affordable housing is at an all time low. Providing victims of domestic violence with a safe place to reside after a terrifying experience should be a priority. I would like to see additional support for groups that addresses the need for funding for underserved populations. I had proposed a more extensive program of transitional housing assistance than we were able to keep in the bill. It is my hope that we can continue to work to expand these transitional living opportunities in the coming weeks as Congress takes up this bill.

Another area of concern that I wish to see addressed in this bill is the absence of a redefinition of ''domestic violence'' to include ''dating relationships'' in its provisions and grants. As written, VAWA II amends the definition of ''domestic violence'' for grants to reduce violence against women on campus to include dating relationships. I would like to see this definition amended to include all women. The Bureau of Justice Statistics report indicates that more than four in every 10 incidents of domestic violence involves non-married persons, and further, that the highest rate of domestic violence occurs among young people aged 16–24. Yet, VAWA, as currently enacted, does not authorize prosecution of their offenders. We cannot ignore this increasingly at risk segment of the population.

I was also pleased to see a new provision in VAWA II that would enhance protections for older women from domestic violence and sexual assault. Last year I introduced the Seniors Safety Act which would enhance penalties for crimes against seniors. This provision in VAWA II is an important complement to that legislation and I am glad to see we have been able to generate wide support.

The bill is also designed to help young victims of crime through funding for the establishment of safe and supervised visitation centers for children in order to reduce the opportunity for domestic violence. Grants will also be extended to continue funding agencies serving homeless youth who have been or who are at risk of abuse and to continue funding for victims of child abuse, including money for advocates, training for judicial personnel and televised testimony.

Many of the most successful services for victims start at the local level, such as Vermont's model hotline on domestic violence and sexual assault. The Violence Against Women Act II recognizes these local successes and continues grant funding of community demonstration projects for the intervention and prevention of domestic violence.

When VAWA passed Congress, it was one of the first comprehensive Federal efforts to combat violence against women and to assist the victims of such violence. Today's bill gives us an opportunity to continue funding these successful programs, to improve victim services, and to strengthen these laws so that violence against women is eliminated. I am proud to be an original cosponsor of this legislation and hope we can work together to ensure the swift passage of the Violence Against Women Act of 2000.

Mr. ABRAHAM. Mr. President, I am proud to rise today as an original cosponsor of the Violence Against Women Act of 2000, and I urge my colleagues to join with us in this effort to ensure the safety and protection of women and families.

The 1994 Violence Against Women Act has been crucial in reducing violence perpetrated against women and families across America. VAWA '94 increased resources for training and law enforcement, and bolstered prosecution of child abuse, sexual assault, and domestic violence cases. States have changed the way they treat crimes of violence against women; 24 states and the District of Columbia now mandate arrest for most domestic violence offenses. States are lifting some of the costs to women associated with violence, and as a result of VAWA, all have some provision for covering the cost of a forensic rape exam.

And notably, VAWA '94 provided much-needed support for shelters and crisis centers, and created a National Domestic Violence Hotline.

Yet, despite the advances made as a result of the original Violence Against Women Act, violence against women remains a critical problem in our country. Recent studies show 307,000 incidents of rape and sexual assaults were perpetrated in 1998 alone. Over one million women are stalked annually. Violence by intimates accounts for 20% of all violent crimes against women.

It is essential that we reauthorize VAWA now, so that we can continue the initiatives that have made a difference, and so that we can further protect women and children from violence.

VAWA 2000 combines a variety of law-enforcement initiatives with support and prevention programs, in an effort to eradicate both the causes and effects of violence against women and families. The bill would ensure that those who regularly interact with victims of domestic violence—the courts, police, and social service providers—receive excellent training in reversing the destructive effects of domestic violence. As too many families are turned away in time of great need, VAWA 2000 offers increased funding to expand shelter services for families escaping violence. And in addition to providing emergency shelter, VAWA reauthorization provides for short-term and transitional housing, providing women and families real alternatives to returning to abusive homes.

Finally, VAWA '94 enabled immigrant victims of domestic violence to gain lawful permanent residence in the U.S. without the knowledge, participation, or cooperation of their abusive citizen or permanent resident spouses. Although the spirit and intent of this law was to facilitate the prosecution of

abusers, and to allow women and children to safely escape violence and rebuild their lives, unintended legal barriers have prevented the full protection of VAWA '94 from taking effect. VAWA 2000 cures this fault, and continues the spirit and work that began with the bipartisan passage of VAWA '94.

Mr. President, it is essential that these programs be reauthorized, so that we may stop the cycles of violence and poverty that result from domestic violence. I urge my colleagues to support VAWA 2000, and I look forward to working with the members of the Judiciary Committee in bringing this important legislation to the floor as soon as possible.

By Mr. COCHRAN:

S. 2788. A bill to establish a strategic planning team to develop a plan for the dissemination of research on reading; to the Committee on Health, Education, Labor, and Pensions.

THE READING RESEARCH DISSEMINATION AND IMPLEMENTATION ACT

Mr. COCHRAN. Madam President, today I am introducing a bill to establish the Reading Research Dissemination and Implementation Plan, an initiative which follows up on the important work of the National Reading Panel.

Three years ago I discovered that the National Institute of Child Health and Human Services had completed a thorough study of factors and conditions that affect the learning of reading in children. Since reading is such a basic and necessary first step in the process of education, nothing is more important to a child's educational development than learning to read.

I was honored to chair the recent hearing of the Appropriations Subcommittee on Labor, Health and Human Services, and Education, which accepted the National Writing Panel's report titled, ''An Evidence-Based Assessment of the Scientific Research Literature on Reading and Its Implications for Reading Instruction.'' The report has been distributed to Congress, universities, schools, education administrators, and libraries. At the hearing, Dr. Donald Langenberg, Chairman of the panel, stated, ''There is a recent report entitled Teaching Reading Is Rocket Science. . . . that is a gross understatement.''

It is time to ensure that the panel's findings are disseminated in a manner that will result in the implementation of the best practices for the effective teaching of reading.

This bill directs the National Reading Panel, the National Institute for Child Health and Human Development and the Department of Education to devise a strategic plan to include the findings in teacher preparation course work, professional development for current teachers, textbooks, and other instructional materials. The legislation further instructs that the plan be submitted to the Secretary of Education by December 31, 2000, and that the Secretary immediately take actions to implement it.

The research report, ''Relations Between Policy and Practice: A Commentary,'' written in 1990 by D. K. Cohen and D. L. Ball states, ''It costs state legislators and bureaucrats relatively little to fashion a new instructional policy. If instructional changes are to be made, [teachers] must make them. Teachers construct their practices gradually. Teaching is . . . a way of knowing, of seeing, and of being.''

Over the last several years, reading assessments have continued to show that nearly half of our nation's fourth graders do not read at grade level. Research and study on literacy over the last few decades has shown that children who have difficulty reading are more likely to suffer poor self esteem, fail to achieve in other subjects, become trouble makers in school and eventually criminals in jail. The research also shows that once a child is nine years old, remediation becomes more difficult. We need to move quickly to take advantage of what is known to predict and prevent reading difficulties, help those children who are having difficulty, and begin teaching for successful reading instruction.

We know that successfully mastering reading at an early age makes success in life more likely. It is my purpose and hope in introducing this legislation that the classrooms of today's preschoolers, kindergartners, and early grades will begin to benefit from the intelligence we have about how our brains connect and decode the complicated processes needed for reading.

This legislation will engage researchers, policy makers, teachers and parents in a focused mission. A mission to ensure that children acquire the most essential skill for future success: reading. I invite other Senators to join me in supporting this important effort.

I ask unanimous consent the text of the bill be printed in the RECORD immediately following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2788

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. READING RESEARCH DISSEMINATION AND IMPLEMENTATION PLAN.

(a) SHORT TITLE.—This section may be cited as the ''Reading Research Dissemination and Implementation Act''.

(b) FINDINGS.—Congress makes the following findings:

(1) The National Reading Panel was convened to assess the status of research-based knowledge in the area of reading development and instruction and to evaluate the effectiveness of various approaches to teaching children to learn to read.

(2) On April 13, 2000, the National Reading Panel issued its report, ''Teaching Children to Read: An Evidence-Based Assessment of the Scientific Research Literature on Reading and its Implications for Reading Instruction''.

(3) The National Reading Panel was to assess the extent to which instructional approaches found to be effective are ready for application in the classroom, and to develop a strategy for rapidly disseminating the information on those approaches to schools to facilitate effective reading instruction in the schools.

(4) The National Reading Panel has completed its assessment of the objective research-based knowledge in the area of reading development and reading instruction and has identified several instructional strategies that have been clearly documented by research to be effective for teaching the range of reading skills to children of varying reading abilities.

(5) The National Institute of Child Health and Human Development has developed an initial dissemination strategy to provide all Members of Congress, all colleges of education, all State departments of education, and all public libraries in the Nation with copies of the National Reading Panel's report.

(6) A dissemination of findings, although helpful, does not typically lead to systematic and genuine implementation of the critical research findings that inform teacher preparation practices, classroom instructional practices, and educational policies.

(7) To ensure that research findings on effective reading instructional approaches are fully implemented for the improvement of the education of our Nation's children, a strategic plan for the dissemination and implementation of the findings is necessary.

(c) ESTABLISHMENT OF STRATEGIC PLANNING TEAM.—The Assistant Secretary of Education for Educational Research and Improvement and the Director of the National Institute of Child Health and Human Development of the Department of Health and Human Services shall jointly convene a strategic planning team to develop the plan required under subsection (d). The team shall be composed of the following:

(1) The Chairman of the National Reading Panel.

(2) Persons jointly appointed by the convening officials from among persons who are representative of each of the following:

(A) The National Institute of Child Health and Human Development.

(B) The Department of Education.

(C) Teacher professional organizations.

(D) Parents.

(E) Presidents of institutions of higher education.

(F) The teacher education colleges or departments within institutions of higher education.

(G) Private businesses.

(H) Public libraries.

(I) State boards of education.

(J) State directors of special education.

(K) The Governors of States.

(L) Publishers of reading textbooks.

(d) PLAN.—The Strategic Planning Team shall develop and, not later than December 31, 2000, submit to the Secretary of Education a plan—

(1) to determine—

(A) the extent to which current teacher preparation for both preservice and inservice training incorporates the findings of the National Reading Panel; and

(B) how any barriers to the incorporation of those findings can be changed in order to integrate the findings into programs to educate and certify teachers;

(2) to identify the deficiencies in instructional materials, including textbooks and supplementary materials, and to determine how materials might be designed to correct the deficiencies in ways that reflect the findings of the National Reading Panel;

(3) to determine whether there are any barriers in Federal and State policies that

would preclude appropriate adoption of the National Reading Panel findings; and

(4) to identify specific strategies for collaboration among businesses, public schools, teacher education programs, university and college administrators, and teacher-parent collaborations to guide and ensure that evidence-based instructional practices are implemented in teacher preparation, classroom instruction, and Federal and State policies.

(e) IMPLEMENTATION OF PLAN.—Upon receiving the plan under subsection (d), the Secretary of Education shall immediately take the actions necessary to implement the plan.

By Mr. COCHRAN:

S. 2789. A bill to amend the Congressional Award Act to establish a Congressional Recognition for Excellence in Arts Education Board; to the Committee on Health, Education, Labor, and Pensions.

CONGRESSIONAL RECOGNITION FOR EXCELLENCE IN ARTS EDUCATION

Mr. COCHRAN. Madam President, today I am introducing legislation which would establish the Congressional Recognition for Excellence in Arts Education awards to schools.

The 1997 National Assessment of Educational Progress Arts Report Card was the first ever assessment of the effects of specific arts instruction and the level of fine arts skills in American students. It showed that arts instruction improved competency and literacy; and without it, very few students were able to create or perform at an advanced or adequate level. The evidence of the positive effects of arts education on overall scholastic achievement is an incentive for students, parents and schools to insist upon arts courses being a part of every school's curriculum.

In 1997, The College Board reported that high school students with four or more years of arts instruction scored over 100 points higher on the Scholastic Aptitude Test than students with no arts instruction. In a 1999 report titled, ''Gaining the Arts Advantage: Lessons From School Districts that Value Arts Education'' it was said that, ''the presence and quality of arts education in public schools today require an exceptional degree of involvement by influential segments of the community which value the arts in the total affairs of the school district: in governance, funding, and program delivery.''

It is clear from these and other studies that students who have the opportunity to be involved in music, art, theater and dance instruction at school, truly have an advantage. As part of the effort to improve education, we need to encourage arts education in our schools. One way to do that, I think, is to recognize those schools that are offering this advantage.

Therefore, the legislation I am introducing would create a Congressional board and a citizens' advisory board which will establish an award for schools demonstrating excellence in arts education curriculum. The legislation also encourages the boards to establish individual student awards in the future.

This bill sends a clear message of support and appreciation to those teachers in our schools who dedicate their lives to the teaching of music, art, theater and dance; and to those school administrators who support comprehensive arts programs. I invite other Senators to join me in cosponsoring this bill. I look forward to its consideration and adoption by the Senate in the near future.

I ask unanimous consent that the bill be printed in the RECORD, as follows:

There being no objection, the bill was ordered to be printed in the RECORD.

S. 2789

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL RECOGNITION FOR EXCELLENCE IN ARTS EDUCATION.

(a) IN GENERAL.—The Congressional Award Act (2 U.S.C. 801–808) is amended by adding at the end the following:

''TITLE II—CONGRESSIONAL RECOGNITION FOR EXCELLENCE IN ARTS EDUCATION

''SEC. 201. SHORT TITLE.

''This title may be cited as the 'Congressional Recognition for Excellence in Arts Education Act'.

''SEC. 202. FINDINGS.

''Congress makes the following findings:

''(1) Arts literacy is a fundamental purpose of schooling for all students.

''(2) Arts education stimulates, develops, and refines many cognitive and creative skills, critical thinking and nimbleness in judgment, creativity and imagination, cooperative decisionmaking, leadership, high-level literacy and communication, and the capacity for problem-posing and problem-solving.

''(3) Arts education contributes significantly to the creation of flexible, adaptable, and knowledgeable workers who will be needed in the 21st century economy.

''(4) Arts education improves teaching and learning.

''(5) Where parents and families, artists, arts organizations, businesses, local civic and cultural leaders, and institutions are actively engaged in instructional programs, arts education is more successful.

''(6) Effective teachers of the arts should be encouraged to continue to learn and grow in mastery of their art form as well as in their teaching competence.

''(7) The 1999 study, entitled 'Gaining the Arts Advantage: Lessons from School Districts that Value Arts Education', found that the literacy, education, programs, learning and growth described in paragraphs (1) through (6) contribute to successful district-wide arts education.

''(8) Despite all of the literacy, education, programs, learning and growth findings described in paragraphs (1) through (6), the 1997 National Assessment of Educational Progress reported that students lack sufficient opportunity for participatory learning in the arts.

''(9) The Arts Education Partnership, a coalition of national and State education, arts, business, and civic groups has demonstrated its effectiveness in addressing the purposes described in section 205(a) and the capacity and credibility to administer arts education programs of national significance.

''SEC. 203. DEFINITIONS.

''In this title:

''(1) ARTS EDUCATION PARTNERSHIP.—The term 'Arts Education Partnership' (formerly known as the Goals 2000 Arts Education Partnership) is a private, nonprofit coalition of education, arts, business, philanthropic, and government organizations that—

''(A) demonstrates and promotes the essential role of arts education in enabling all students to succeed in school, life, and work; and

''(B) was formed in 1995 through a cooperative agreement among—

''(i) the National Endowment for the Arts;

''(ii) the Department of Education;

''(iii) the National Assembly of State Arts Agencies; and

''(iv) the Council of Chief State School Officers.

''(2) BOARD.—The term 'Board' means the Congressional Recognition for Excellence in Arts Education Awards Board established under section 204.

''(3) ELEMENTARY SCHOOL; SECONDARY SCHOOL.—The terms 'elementary school' and 'secondary school' mean—

''(A) a public or private elementary school or secondary school (as the case may be), as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801); or

''(B) a bureau funded school as defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026).

''(4) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

''SEC. 204. ESTABLISHMENT OF BOARD.

''There is established within the legislative branch of the Federal Government a Congressional Recognition for Excellence in Arts Education Awards Board. The Board shall be responsible for administering the awards program described in section 205.

''SEC. 205. BOARD DUTIES.

''(a) AWARDS PROGRAM ESTABLISHED.—The Board shall establish and administer an awards program to be known as the 'Congressional Recognition for Excellence in Arts Education Awards Program'. The purpose of the program shall be to—

''(1) celebrate the positive impact and public benefits of the arts;

''(2) encourage all elementary schools and secondary schools to integrate the arts into the school curriculum;

''(3) spotlight the most compelling evidence of the relationship between the arts and student learning;

''(4) demonstrate how community involvement in the creation and implementation of arts policies enriches the schools;

''(5) recognize school administrators and faculty who provide quality arts education to students;

''(6) acknowledge schools that provide professional development opportunities for their teachers;

''(7) create opportunities for students to experience the relationship between early participation in the arts and developing the life skills necessary for future personal and professional success;

''(8) increase, encourage, and ensure comprehensive, sequential arts learning for all students; and

''(9) expand student access to arts education in schools in every community.

''(b) DUTIES.—

''(1) SCHOOL AWARDS.—The Board shall—

''(A) make annual awards to elementary schools and secondary schools in the States in accordance with criteria established under subparagraph (B), which awards—

''(i) shall be of such design and materials as the Board may determine, including a well-designed certificate or a work of art, designed for the awards event by an appropriate artist; and

''(ii) shall be reflective of the dignity of Congress;

''(B) establish criteria required for a school to receive the award, and establish such procedures as may be necessary to verify that the school meets the criteria, which criteria shall include criteria requiring—

''(i) that the school provides comprehensive, sequential arts learning and integrates the arts throughout the curriculum; and

''(ii) 3 of the following:

''(I) that the community serving the school is actively involved in shaping and implementing the arts policies and programs of the school;

''(II) that the school principal supports the policy of arts education for all students;

''(III) that arts teachers in the school are encouraged to learn and grow in mastery of their art form as well as in their teaching competence;

''(IV) that the school actively encourages the use of arts assessment techniques for improving student, teacher, and administrative performance; and

''(V) that school leaders engage the total school community in arts activities that create a climate of support for arts education; and

''(C) include, in the procedures necessary for verification that a school meets the criteria described in subparagraph (B), written evidence of the specific criteria, and supporting documentation, that includes—

''(i) 3 letters of support for the school from community members, which may include a letter from—

''(I) the school's Parent Teacher Association (PTA);

''(II) community leaders, such as elected or appointed officials; and

''(III) arts organizations or institutions in the community that partner with the school; and

''(ii) the completed application for the award signed by the principal or other education leader such as a school district arts coordinator, school board member, or school superintendent;

''(D) determine appropriate methods for disseminating information about the program and make application forms available to schools, which methods may include—

''(i) the Arts Education Partnership web site and publications;

''(ii) the Department of Education Community Update newsletter;

''(iii) websites and publications of the Arts Education Partnership steering committee members;

''(iv) press releases, public service announcements and other media opportunities; and

''(v) direct communication by postal mail, or electronic means;

''(E) delineate such roles as the Board considers to be appropriate for the Director in administering the program, and set forth in the bylaws of the Board the duties, salary, and benefits of the Director;

''(F) raise funds for the operation of the program;

''(G) determine, and inform Congress regarding, the national readiness for interdisciplinary individual student awards described in paragraph (2), on the basis of the framework established in the 1997 National Assessment of Educational Progress and such other criteria as the Board determines appropriate; and

''(H) take such other actions as may be appropriate for the administration of the Congressional Recognition for Excellence in Arts Education Awards Program.

''(2) STUDENT AWARDS.—

''(A) IN GENERAL.—At such time as the Board determines appropriate, the Board—

''(i) shall make annual awards to elementary school and secondary school students for individual interdisciplinary arts achievement; and

''(ii) establish criteria for the making of the awards.

''(B) AWARD MODEL.—The Board may use as a model for the awards the Congressional Award Program and the President's Physical Fitness Award Program.

''(c) PRESENTATION.—The Board shall arrange for the presentation of awards under this section to the recipients and shall provide for participation by Members of Congress in such presentation, when appropriate.

''(d) DATE OF ANNOUNCEMENT.—The Board shall determine an appropriate date or dates for announcement of the awards under this section, which date shall coincide with a National Arts Education Month or a similarly designated day, week or month, if such designation exists.

''(e) REPORT.—

''(1) IN GENERAL.—The Board shall prepare and submit an annual report to Congress not later than March 1 of each year summarizing the activities of the Congressional Recognition for Excellence in Arts Education Awards Program during the previous year and making appropriate recommendations for the program. Any minority views and recommendations of members of the Board shall be included in such reports.

''(2) CONTENTS.—The annual report shall contain the following:

''(A) Specific information regarding the methods used to raise funds for the Congressional Recognition for Excellence in Arts Education Awards Program and a list of the sources of all money raised by the Board.

''(B) Detailed information regarding the expenditures made by the Board, including the percentage of funds that are used for administrative expenses.

''(C) A description of the programs formulated by the Director under section 207(b)(1), including an explanation of the operation of such programs and a list of the sponsors of the programs.

''(D) A detailed list of the administrative expenditures made by the Board, including the amounts expended for salaries, travel expenses, and reimbursed expenses.

''(E) A list of schools given awards under the program, and the city, town, or county, and State in which the school is located.

''(F) An evaluation of the state of arts education in schools, which may include anecdotal evidence of the effect of the Congressional Recognition for Excellence in Arts Education Awards Program on individual school curriculum.

''(G) On the basis of the findings described in section 202 and the purposes of the Congressional Recognition for Excellence in Arts Education Awards Program described in section 205(a), a recommendation regarding the national readiness to make individual student awards under subsection (b)(2).

''SEC. 206. COMPOSITION OF BOARD; ADVISORY BOARD.

''(a) COMPOSITION.—

''(1) IN GENERAL.—The Board shall consist of 9 members as follows:

''(A) 2 Members of the Senate appointed by the Majority Leader of the Senate.

''(B) 2 Members of the Senate appointed by the Minority Leader of the Senate.

''(C) 2 Members of the House of Representatives appointed by the Speaker of the House of Representatives.

''(D) 2 Members of the House of Representatives appointed by the Minority Leader of the House of Representatives.

''(E) The Director of the Board, who shall serve as a nonvoting member.

''(2) ADVISORY BOARD.—There is established an Advisory Board to assist and advise the Board with respect to its duties under this title, that shall consist of 15 members appointed—

''(A) in the case of the initial such members of the Advisory Board, by the leaders of the Senate and House of Representatives making the appointments under paragraph (1), from among representatives of the Arts Education Partnership selected from recommendations received from the Arts Education Partnership steering committee; and

''(B) in the case of any other such members of the Advisory Board, by the Board, from among representatives of the Arts Education Partnership selected from recommendations received from the Arts Education Partnership steering committee.

''(3) SPECIAL RULE FOR ADVISORY BOARD.—In making appointments to the Advisory Board, the individuals and entity making the appointments under paragraph (2) shall consider recommendations submitted by any interested party, including any member of the Board.

''(4) INTEREST.—

''(A) IN GENERAL.—Members of Congress appointed to the Board shall have an interest in 1 of the purposes described in section 205(a).

''(B) DIVERSITY.—Representatives of the Arts Education Partnership appointed to the Advisory Board shall represent the diversity of that organization's membership, so that artistic and education professionals are represented in the membership of the Board, including at least 1 representative who teaches in each of the following disciplines:

''(i) Music.

''(ii) Theater.

''(iii) Visual Arts.

''(iv) Dance.

''(b) TERMS.—

''(1) BOARD.—Members of the Board shall serve for terms of 6 years, except that of the members first appointed—

''(A) 1 Member of the House of Representatives and 1 Member of the Senate shall serve for terms of 2 years;

''(B) 1 Member of the House of Representatives and 1 Member of the Senate shall serve for terms of 4 years; and

''(C) 2 Members of the House of Representatives and 2 Members of the Senate shall serve for terms of 6 years,

as determined by lot when all such members have been appointed.

''(2) ADVISORY BOARD.—Members of the Advisory Board shall serve for terms of 6 years, except that of the members first appointed, 3 shall serve for terms of 2 years, 4 shall serve for terms of 4 years, and 8 shall serve for terms of 6 years, as determined by lot when all such members have been appointed.

''(c) VACANCY.—

''(1) IN GENERAL.—Any vacancy in the membership of the Board or Advisory Board shall be filled in the same manner in which the original appointment was made.

''(2) TERM.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of such term.

''(3) EXTENSION.—Any appointed member of the Board or Advisory Board may continue to serve after the expiration of the member's term until the member's successor has taken office.

''(4) SPECIAL RULE.—Vacancies in the membership of the Board shall not affect the

Board's power to function if there remain sufficient members of the Board to constitute a quorum under subsection (d).

''(d) QUORUM.—A majority of the members of the Board shall constitute a quorum.

''(e) COMPENSATION.—Members of the Board and Advisory Board shall serve without pay but may be compensated for reasonable travel expenses incurred by the members in the performance of their duties as members of the Board.

''(f) MEETINGS.—The Board shall meet annually at the call of the Chairperson and at such other times as the Chairperson may determine to be appropriate. The Chairperson shall call a meeting of the Board whenever ⅓ of the members of the Board submit written requests for such a meeting.

''(g) OFFICERS.—The Chairperson and the Vice Chairperson of the Board shall be elected from among the members of the Board, by a majority vote of the members of the Board, for such terms as the Board determines. The Vice Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson.

''(h) COMMITTEES.—

''(1) IN GENERAL.—The Board may appoint such committees, and assign to the committees such functions, as may be appropriate to assist the Board in carrying out its duties under this title. Members of such committees may include the members of the Board, the Advisory Board, or such other qualified individuals as the Board may select.

''(2) SPECIAL RULE.—Any employee or officer of the Federal Government may serve as a member of a committee created by the Board, but may not receive compensation for services performed for such a committee.

''(i) BYLAWS AND OTHER REQUIREMENTS.—The Board shall establish such bylaws and other requirements as may be appropriate to enable the Board to carry out the Board's duties under this title.

''SEC. 207. ADMINISTRATION.

''(a) IN GENERAL.—In the administration of the Congressional Recognition for Excellence in Arts Education Awards Program, the Board shall be assisted by a Director, who shall be the principal executive of the program and who shall supervise the affairs of the Board. The Director shall be nominated by the Arts Education Partnership steering committee and appointed by a majority vote of the Board.

''(b) DIRECTOR'S RESPONSIBILITIES.—The Director shall, in consultation with the Board—

''(1) formulate programs to carry out the policies of the Congressional Recognition for Excellence in Arts Education Awards Program;

''(2) establish such divisions within the Congressional Recognition for Excellence in Arts Education Awards Program as may be appropriate; and

''(3) employ and provide for the compensation of such personnel as may be necessary to carry out the Congressional Recognition for Excellence in Arts Education Awards Program, subject to such policies as the Board shall prescribe under its bylaws.

''(c) APPLICATION.—Each school or student desiring an award under this title shall submit an application to the Board at such time, in such manner and accompanied by such information as the Board may require.

''SEC. 208. LIMITATIONS.

''(a) IN GENERAL.—Subject to such limitations as may be provided for under this section, the Board may take such actions and make such expenditures as may be necessary to carry out the Congressional Recognition for Excellence in Arts Education Awards Program, except that the Board shall carry out its functions and make expenditures with only such resources as are available to the Board from the Congressional Recognition for Excellence in Arts Education Awards Trust Fund pursuant to section 210(e).

''(b) CONTRACTS.—The Board may enter into such contracts as may be appropriate to carry out the business of the Board, but the Board may not enter into any contract which will obligate the Board to expend an amount greater than the amount available to the Board for the purpose of such contract during the fiscal year in which the expenditure is made.

''(c) GIFTS.—The Board may seek and accept, from sources other than the Federal Government, funds and other resources to carry out the Board's activities. The Board may not accept any funds or other resources that are—

''(1) donated with a restriction on their use unless such restriction merely provides that such funds or other resources be used in furtherance of the Congressional Recognition for Excellence in Arts Education Awards Program; or

''(2) donated subject to the condition that the identity of the donor of the funds or resources shall remain anonymous.

''(d) VOLUNTEERS.—The Board may accept and utilize the services of voluntary, uncompensated personnel.

''(e) REAL OR PERSONAL PROPERTY.—The Board may lease (or otherwise hold), acquire, or dispose of real or personal property necessary for, or relating to, the duties of the Board.

''(f) PROHIBITIONS.—The Board shall have no power—

''(1) to issue bonds, notes, debentures, or other similar obligations creating long-term indebtedness;

''(2) to issue any share of stock or to declare or pay any dividends; or

''(3) to provide for any part of the income or assets of the Board to inure to the benefit of any director, officer, or employee of the Board except as reasonable compensation for services or reimbursement for expenses.

''SEC. 209. AUDITS.

''The financial records of the Board may be audited by the Comptroller General of the United States at such times as the Comptroller General may determine to be appropriate. The Comptroller General, or any duly authorized representative of the Comptroller General, shall have access for the purpose of audit to any books, documents, papers, and records of the Board (or any agent of the Board) which, in the opinion of the Comptroller General, may be pertinent to the Congressional Recognition for Excellence in Arts Education Awards Program.

''SEC. 210. TERMINATION.

''The Board shall terminate 6 years after the date of enactment of this title. The Board shall set forth, in its bylaws, the procedures for dissolution to be followed by the Board.

''SEC. 211. TRUST FUND.

''(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Congressional Recognition for Excellence in Arts Education Awards Trust Fund'. The fund shall consist of amounts donated to the Board under section 208(c) and amounts credited to the fund under subsection (d).

''(b) INVESTMENT OF FUND ASSETS.—

''(1) IN GENERAL.—It shall be the duty of the Secretary of the Treasury to invest in full the amounts in the fund. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired on original issue at the issue price or by purchase of outstanding obligations at the marketplace.

''(2) SPECIAL RULE.—The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act are hereby extended to authorize the issuance at par of special obligations exclusively to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt, except that when such average rate is not a multiple of ⅛ of 1 percent, the rate of interest of such special obligations shall be the multiple of ⅛ of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

''(c) AUTHORITY TO SELL OBLIGATIONS.—Any obligation acquired by the fund (except special obligations issued exclusively to the fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

''(d) PROCEEDS FROM CERTAIN TRANSACTIONS CREDITED TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the fund shall be credited to and form a part of the fund.

''(e) EXPENDITURES FROM TRUST FUND.—The Secretary of the Treasury is authorized to pay to the Board from the interest and earnings of the fund such sums as the Board determines are necessary and appropriate to enable the Board to carry out this title.''

(b) CONFORMING AMENDMENTS.—The Congressional Award Act (2 U.S.C. 801–808) is amended—

(1) by inserting after section 1 the following:

''TITLE I—CONGRESSIONAL AWARD PROGRAM'',

(2) by redesignating sections 2 through 9 as sections 101 through 108, respectively,

(3) in section 101 (as so redesignated)—

(A) by striking ''Act'' and inserting ''title'', and

(B) by striking ''section 3'' and inserting ''section 102'',

(4) in section 102(e) (as so redesignated)—

(A) by striking ''section 5(g)(1)'' and inserting ''section 104(g)(1)'', and

(B) by striking ''section 7(g)(1)'' and inserting ''section 106(g)(1)'', and

(5) in section 103(i), by striking ''section 7'' and inserting ''section 106''.

By Mr. FITZGERALD:

S. 2790. A bill instituting a Federal fuels tax holiday; to the Committee on Finance.

THE FEDERAL FUEL TAX RELIEF ACT OF 2000

Mr. FITZGERALD. Mr. President, I was in the city of Chicago to announce the introduction of a bill today called the Federal Fuel Tax Relief Act of 2000. I was standing in Chicago on La Salle Street, in what is known as the Loop, the premier business district in downtown Chicago. I was at a gas station there. Behind me you could see the prices at the pump that that particular gas station in Chicago was advertising. Those gas prices were well over $2 a gallon. In fact, I think the price for the

premium blend of fuel was up over $2.30 a gallon.

Right now, we are in the midst of a very serious crisis in my part of the country with respect to gas prices. Prices throughout Illinois are at record highs. They are at record highs in Michigan, in Ohio, in other parts of the Midwest.

I am afraid if we do not bring down the cost of gas at the pumps, we are going to be seeing shock waves throughout our entire Nation's economy. The bill I am introducing today is S. 2790. What it would do is bring immediate relief by lowering the cost of gas nationwide for 90 days by temporarily rolling back the 18.3-cent-per-gallon Federal gas tax.

In the last couple of weeks, anybody who has been following the news anywhere in this country has seen nothing but nonstop coverage about the escalating price, the rising price of gasoline. The response at the State level and at the Federal level, amongst public officials, has been to find somebody to blame. Is it the OPEC nations? Is it the oil industry? Is it the administration? But no one is taking any action to actually bring down prices. We can argue about culpability later. What we need to do now is to lower prices at the pump or we are going to see losses of jobs and losses of economic productivity.

We will see senior citizens who cannot even afford to drive to the pharmacy to buy the pharmaceuticals, for which they already are having a hard time paying. We are going to see college students who cannot afford to make the commute to their community colleges. We need to have a long-term plan to increase productivity of oil in this country to lessen our dependence on foreign sources of oil. There are a number of measures that have been introduced in recent weeks in the Congress. The administration last week sent over recommendations on what our long-term solution should be for this energy crunch.

But in the meantime, there are countless families all across the country that may have to cancel summer vacations, families that have worked hard all year, but now all of a sudden, when it comes time for them to have a couple of weeks off to take their families on a vacation, they can't afford the cost of the vacation because the price of gasoline has gone up so much.

There will be many who will criticize my proposal. There will be many who come up with arguments against it. Certainly many will bring up the point that the proceeds from the motor fuels tax goes into our Federal highway trust fund. This legislation would hold harmless the highway trust fund. It would require the Federal Government to make up any loss to the highway trust fund by taking money from the on-budget or non-Social Security surplus and indemnify that road fund. We all want to make sure we continue to improve and repair our roads in this country.

But the fact remains, the only instrument that the Federal and State governments have to directly affect the price of gasoline at the pump is to lower the motor fuels tax. My State, I hope, is going to do its part. A couple of weeks back, I pointed out that Illinois has amongst the highest gas taxes in the country. In fact, in addition to a motor fuel tax that is 19 cents a gallon, the State of Illinois has a sales tax on motor fuel that is assessed on top of the Federal motor fuels tax. In other words, Illinois has what we would call a tax on a tax. That sales tax on gasoline in Illinois is a percentage tax, so, as the selling price of gasoline has gone from $1 to over $2 in Illinois, the State's take on its sales tax has been increasing dramatically. It has doubled its take under that sales tax.

The Governor of Illinois and legislative leaders recently called a special session of our Illinois General Assembly, which will be convening in 2 days, to temporarily roll back or repeal that Illinois sales tax on gasoline. If they enact that legislation, that should take 10 cents off the price of every gallon of gas sold in Illinois. But the prices will still be too high. We need further relief. My State is not the only State that is suffering. States across the country, and particularly in the hard-hit Midwest, need relief.

Like you, Mr. President, and my other colleagues in the Senate, all of us are in virtually constant contact with our constituents. We have an endless stream of letters, of faxes, of e-mails, of calls to our offices on a daily basis. We travel up and down our States. We march in parades. We are constantly talking to the constituents, whether it is in the grocery store, as I was doing over the weekend, or in parades that I was in recently. The No. 1 single issue that I have been hearing about is we have to do something to bring down prices at the pump.

Let me share a few of the letters my office has received on this issue. I am going to try to just go through a few of them because we have gotten literally thousands. I think, to some of the people in Washington, the pain people are feeling out in the Midwest and around the country about the rising cost of gas sounds like some kind of theoretical abstraction. But I have to tell you, for real people who are trying to drive to work, who may have a long way to drive to work or get to school, or senior citizens on fixed incomes, or folks in lower income brackets—they are having a very tough time. I have had many people tell me they have canceled weekend vacations and they are planning to cancel summer vacations.

Let me read parts of a few of these letters. This one is from a resident of Springfield, IL, who is a part-time driver for a senior services van service that runs vans for senior citizens to and from a senior citizens center. He says that the escalating gas prices are really hurting the transportation budget at the center. If we have to shut down the van service, it would be a tremendous loss for the seniors.

This one from a senior citizen in southern Illinois says that now we cannot afford to drive to the pharmacy to purchase the drugs that we already cannot afford.

A person from Rantoul, IL, says that gas prices in Illinois are too high. It costs me more than $87 a week to drive to and from work now that the prices have skyrocketed. I cannot afford this for much longer.

A small business owner in the Chicago suburbs—small businesses are suffering. He says: I have had small business men and women in my office saying they have lost money for several months in a row and could have to shut down if this keeps up. The current fuel prices are killing my small business.

I am a small business owner who employs 20 people from McHenry County and 10 people from Lake County. This increase in fuel is killing my profit line. If this does not stop, I do not know how much longer we can survive.

This is an interesting letter from a community college administrator in central Illinois. This person pointed out that, unlike many colleges, his school is a commuter college and students drive anywhere from 20 to 60 miles. That is 40 to 120 miles round trip to attend college. Most of the students are trying to better themselves by working part time and going to school. Now with gasoline prices soaring, they are being forced to drop out.

This individual from Danville, IL, after a lengthy letter explaining how, for his job, he had to drive, at the end he said if the prices raise much higher, he will have to dip into his son's and daughter's education fund just so he can keep driving back and forth to work.

I have another letter from a community college student. He is from Sherman, IL. He describes in his letter how he turned down State full-time universities because of the cost and because he wanted to attend his community college. It would be more affordable.

Now that he has started at his community college and is having to dig deep into his pocket just to pay for the price of gas to get to and from college, he is getting squeezed. He has a 30-mile distance to go just to get to his school. He said: Just to let you know, I am not a freeloader. I am currently holding down three jobs and working through the summer. I do not expect you to work a miracle, but maybe submit some form of legislation that would reduce the price or give a break to students furthering their education.

A husband from western Illinois has to commute 100 miles a day to work. That is how it is in rural parts of the country, as the Presiding Officer knows in his largely rural State. The wife has to drive 55 miles to work, and then the kids have to go 15 miles for their various athletic events and the like.

He says: We are probably more fortunate than most people, but if this

keeps up, it will be hard to commute into work every day, and there is no public transportation or opportunity to car pool in our downstate Illinois region. We barely have highways.

Finally, another letter from a retired senior citizen on fixed income said: It is extremely hard to get along with gasoline prices so high. I have curtailed driving to a bare minimum, only to the doctor, shopping, church, and as a volunteer to a community radio station where I broadcast a show every Saturday.

I think we need to take action. It is time for Washington and Congress to stop playing the blame game. We can argue about who is culpable later. I support the Federal Trade Commission investigation. We need to find out if anybody has been colluding in the oil industry or anywhere else to fix prices, and if they have been, they ought to go to jail for a very long time.

That investigation is going to take a while. It is going to take a while to put pressure on OPEC nations to loosen the taps and to increase production. It is going to take a while until we get incentives in the system for the small oil well drillers in the United States to boost their production.

Once that is boosted, we could be getting as many as 500,000 more barrels of oil a day. We probably have to take a look at what kind of tax laws we have to give people incentives to keep drilling even when the price of oil is low, but we need to give people relief now.

It is a compassionate move. It makes sense. Our country, the most prosperous country in the world, can afford to give some relief to taxpayers and consumers, and if we do not give that relief, we will probably pay for it later because there is going to be a slowdown in economic activity. It may start in the Midwest, but it is eventually going to send shock waves all across the country, and this country could go into a long slump because of it.

I hope to get many Senators and Members of this body as cosponsors of this legislation. We had a test vote earlier in the year, in April, on temporarily lowering the Federal gas tax. At that time, the measure received only 43 votes. It needed over 50 to pass. That was 2 months ago, and in the intervening time, oil prices have continued to skyrocket. The price which was only theoretical 2 months ago is now real. It is upon us. We need to take action.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2790

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Fuel Tax Relief Act of 2000''.

SEC. 2. TEMPORARY REDUCTION IN FUEL TAXES ON GASOLINE, DIESEL FUEL, KEROSENE, AND SPECIAL FUELS TO ZERO.

(a) IN GENERAL.—Section 4081 of the Internal Revenue Code of 1986 (relating to imposition of tax on gasoline, diesel fuel, and kerosene) is amended by adding at the end the following new subsection:

''(f) TEMPORARY REDUCTION IN TAXES ON GASOLINE, DIESEL FUEL, KEROSENE, AND SPECIAL FUELS.—

''(1) IN GENERAL.—During the applicable period, each rate of tax referred to in paragraph (2) shall be reduced to zero.

''(2) RATES OF TAX.—The rates of tax referred to in this paragraph are the rates of tax otherwise applicable under—

''(A) clauses (i) and (iii) of subsection (a)(2)(A) (relating to gasoline, diesel fuel, and kerosene), and

''(B) paragraphs (1), (2), and (3) of section 4041(a) (relating to diesel fuel and special fuels) and section 4041(m) (relating to certain alcohol fuels) with respect to fuel sold for use or used in a highway vehicle.

''(3) SPECIAL REDUCTION RULES.—In the case of a reduction under paragraph (1)—

''(A) subsection (c) shall be applied without regard to paragraph (6) thereof,

''(B) section 40(e)(1) shall be applied without regard to subparagraph (B) thereof,

''(C) section 4041(d)(1) shall be applied by disregarding 'if tax is imposed by subsection (a)(1) or (2) on such sale or use', and

''(D) section 6427(b) shall be applied without regard to paragraph (2) thereof.

''(4) PROTECTING SOCIAL SECURITY TRUST FUND.—If the Secretary, after consultation with the Director of the Office of Management and Budget, determines that such reduction would result in an aggregate reduction in revenues to the Treasury exceeding the Federal on-budget surplus during the remainder of the applicable period, the Secretary shall modify such reduction such that each rate of tax referred to in paragraph (2) is reduced in a pro rata manner and such aggregate reduction does not exceed such surplus.

''(5) MAINTENANCE OF TRUST FUND DEPOSITS.—In determining the amounts to be appropriated to the Highway Trust Fund under section 9503 an amount equal to the reduction in revenues to the Treasury by reason of this subsection shall be treated as taxes received in the Treasury under this section.

''(6) APPLICABLE PERIOD.—For purposes of this subsection, the term 'applicable period' means a 90-day period beginning on the date of the enactment of the Federal Fuel Tax Relief Act of 2000.''

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 3. FLOOR STOCK REFUNDS.

(a) IN GENERAL.—If—

(1) before the tax reduction date, tax has been imposed under section 4081 of the Internal Revenue Code of 1986 on any liquid, and

(2) on such date such liquid is held by a dealer and has not been used and is intended for sale,

there shall be credited or refunded (without interest) to the person who paid such tax (hereafter in this section referred to as the ''taxpayer'') an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on the tax reduction date.

(b) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this section unless—

(1) claim therefor is filed with the Secretary of the Treasury before the date which is 6 months after the tax reduction date, and

(2) in any case where liquid is held by a dealer (other than the taxpayer) on the tax reduction date—

(A) the dealer submits a request for refund or credit to the taxpayer before the date which is 3 months after the tax reduction date, and

(B) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(c) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this section with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(d) DEFINITIONS.—For purposes of this section—

(1) the terms ''dealer'' and ''held by a dealer'' have the respective meanings given to such terms by section 6412 of such Code; except that the term ''dealer'' includes a producer, and

(2) the term ''tax reduction date'' means the date of the enactment of this Act.

(e) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 of such Code shall apply for purposes of this section.

SEC. 4. FLOOR STOCKS TAX.

(a) IMPOSITION OF TAX.—In the case of any liquid on which tax would have been imposed under section 4081 of the Internal Revenue Code of 1986 during the applicable period but for the amendments made by this Act, and which is held on the floor stocks tax date by any person, there is hereby imposed a floor stocks tax in an amount equal to the tax which would be imposed on such liquid had the taxable event occurred on the floor stocks tax date.

(b) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(1) LIABILITY FOR TAX.—A person holding a liquid on the floor stocks tax date to which the tax imposed by subsection (a) applies shall be liable for such tax.

(2) METHOD OF PAYMENT.—The tax imposed by subsection (a) shall be paid in such manner as the Secretary of the Treasury shall prescribe.

(3) TIME FOR PAYMENT.—The tax imposed by subsection (a) shall be paid on or before the date which is 6 months after the floor stocks tax date.

(c) DEFINITIONS.—For purposes of this section—

(1) HELD BY A PERSON.—A liquid shall be considered as ''held by a person'' if title thereto has passed to such person (whether or not delivery to the person has been made).

(2) FLOOR STOCKS TAX DATE.—The term ''floor stocks tax date'' means the date which is 90 days after the date of the enactment of this Act.

(3) APPLICABLE PERIOD.—The term ''applicable period'' means a 90-day period beginning on the date of the enactment of this Act.

(d) EXCEPTION FOR EXEMPT USES.—The tax imposed by subsection (a) shall not apply to any liquid held by any person exclusively for any use to the extent a credit or refund of the tax imposed by section 4081 of such Code is allowable for such use.

(e) EXCEPTION FOR FUEL HELD IN VEHICLE TANK.—No tax shall be imposed by subsection (a) on any liquid held in the tank of a motor vehicle.

(f) EXCEPTION FOR CERTAIN AMOUNTS OF FUEL.—

(1) IN GENERAL.—No tax shall be imposed by subsection (a)—

(A) on gasoline (as defined in section 4083 of such Code) held on the floor stocks tax date by any person if the aggregate amount

of gasoline held by such person on such date does not exceed 4,000 gallons, and

(B) on diesel fuel or kerosene (as so defined) held on such date by any person if the aggregate amount of diesel fuel or kerosene held by such person on such date does not exceed 2,000 gallons.

The preceding sentence shall apply only if such person submits to the Secretary (at the time and in the manner required by the Secretary) such information as the Secretary shall require for purposes of this paragraph.

(2) EXEMPT FUEL.—For purposes of paragraph (1), there shall not be taken into account fuel held by any person which is exempt from the tax imposed by subsection (a) by reason of subsection (d) or (e).

(3) CONTROLLED GROUPS.—For purposes of this subsection—

(A) CORPORATIONS.—

(i) IN GENERAL.—All persons treated as a controlled group shall be treated as 1 person.

(ii) CONTROLLED GROUP.—The term ''controlled group'' has the meaning given to such term by subsection (a) of section 1563 of such Code; except that for such purposes the phrase ''more than 50 percent'' shall be substituted for the phrase ''at least 80 percent'' each place it appears in such subsection.

(B) NONINCORPORATED PERSONS UNDER COMMON CONTROL.—Under regulations prescribed by the Secretary, principles similar to the principles of subparagraph (A) shall apply to a group of persons under common control where 1 or more of such persons is not a corporation.

(g) OTHER LAW APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by section 4081 of such Code shall, insofar as applicable and not inconsistent with the provisions of this subsection, apply with respect to the floor stock taxes imposed by subsection (a) to the same extent as if such taxes were imposed by such section 4081.

SEC. 5. BENEFITS OF TAX REDUCTION SHOULD BE PASSED ON TO CONSUMERS.

(a) PASSTHROUGH TO CONSUMERS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) consumers immediately receive the benefit of the reduction in taxes under this Act, and

(B) transportation motor fuels producers and other dealers take such actions as necessary to reduce transportation motor fuels prices to reflect such reduction, including immediate credits to customer accounts representing tax refunds allowed as credits against excise tax deposit payments under the floor stocks refund provisions of this Act.

(2) STUDY.—

(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the reduction of taxes under this Act to determine whether there has been a passthrough of such reduction.

(B) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives the results of the study conducted under subparagraph (A).

By Mrs. HUTCHISON:

S. 2791. A bill instituting a Federal fuels tax suspension; to the Committee on Finance.

THE FEDERAL FUELS TAX SUSPENSION ACT OF 2000

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2791

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Fuels Tax Suspension Act of 2000''.

SEC. 2. TEMPORARY REDUCTION IN FUEL TAXES ON GASOLINE, DIESEL FUEL, KEROSENE, AND SPECIAL FUELS TO ZERO.

(a) IN GENERAL.—Section 4081 of the Internal Revenue Code of 1986 (relating to imposition of tax on gasoline, diesel fuel, and kerosene) is amended by adding at the end the following new subsection:

''(f) TEMPORARY REDUCTION IN TAXES ON GASOLINE, DIESEL FUEL, KEROSENE, AND SPECIAL FUELS.—

''(1) IN GENERAL.—During the applicable period, each rate of tax referred to in paragraph (2) shall be reduced to zero.

''(2) RATES OF TAX.—The rates of tax referred to in this paragraph are the rates of tax otherwise applicable under—

''(A) clauses (i) and (iii) of subsection (a)(2)(A) (relating to gasoline, diesel fuel, and kerosene), and

''(B) paragraphs (1), (2), and (3) of section 4041(a) (relating to diesel fuel and special fuels) and section 4041(m) (relating to certain alcohol fuels) with respect to fuel sold for use or used in a highway vehicle.

''(3) SPECIAL REDUCTION RULES.—In the case of a reduction under paragraph (1)—

''(A) subsection (c) shall be applied without regard to paragraph (6) thereof,

''(B) section 40(e)(1) shall be applied without regard to subparagraph (B) thereof,

''(C) section 4041(d)(1) shall be applied by disregarding 'if tax is imposed by subsection (a)(1) or (2) on such sale or use', and

''(D) section 6427(b) shall be applied without regard to paragraph (2) thereof.

''(4) PROTECTING SOCIAL SECURITY TRUST FUND.—If the Secretary, after consultation with the Director of the Office of Management and Budget, determines that such reduction would result in an aggregate reduction in revenues to the Treasury exceeding the Federal on-budget surplus during the remainder of the applicable period, the Secretary shall modify such reduction such that each rate of tax referred to in paragraph (2) is reduced in a pro rata manner and such aggregate reduction does not exceed such surplus.

''(5) MAINTENANCE OF TRUST FUND DEPOSITS.—In determining the amounts to be appropriated to the Highway Trust Fund under section 9503 an amount equal to the reduction in revenues to the Treasury by reason of this subsection shall be treated as taxes received in the Treasury under this section.

''(6) APPLICABLE PERIOD.—For purposes of this subsection, the term 'applicable period' means the period beginning after June 25, 2000, and ending before September 5, 2000.''

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 3. FLOOR STOCK REFUNDS.

(a) IN GENERAL.—If—

(1) before the tax reduction date, tax has been imposed under section 4081 of the Internal Revenue Code of 1986 on any liquid, and

(2) on such date such liquid is held by a dealer and has not been used and is intended for sale,

there shall be credited or refunded (without interest) to the person who paid such tax (hereafter in this section referred to as the ''taxpayer'') an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on the tax reduction date.

(b) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this section unless—

(1) claim therefor is filed with the Secretary of the Treasury before the date which is 6 months after the tax reduction date, and

(2) in any case where liquid is held by a dealer (other than the taxpayer) on the tax reduction date—

(A) the dealer submits a request for refund or credit to the taxpayer before the date which is 3 months after the tax reduction date, and

(B) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(c) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this section with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(d) DEFINITIONS.—For purposes of this section—

(1) the terms ''dealer'' and ''held by a dealer'' have the respective meanings given to such terms by section 6412 of such Code; except that the term ''dealer'' includes a producer, and

(2) the term ''tax reduction date'' means June 26, 2000.

(e) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 of such Code shall apply for purposes of this section.

SEC. 4. FLOOR STOCKS TAX.

(a) IMPOSITION OF TAX.—In the case of any liquid on which tax would have been imposed under section 4081 of the Internal Revenue Code of 1986 during the applicable period but for the amendments made by this Act, and which is held on the floor stocks tax date by any person, there is hereby imposed a floor stocks tax in an amount equal to the tax which would be imposed on such liquid had the taxable event occurred on the floor stocks tax date.

(b) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(1) LIABILITY FOR TAX.—A person holding a liquid on the floor stocks tax date to which the tax imposed by subsection (a) applies shall be liable for such tax.

(2) METHOD OF PAYMENT.—The tax imposed by subsection (a) shall be paid in such manner as the Secretary of the Treasury shall prescribe.

(3) TIME FOR PAYMENT.—The tax imposed by subsection (a) shall be paid on or before the date which is 6 months after the floor stocks tax date.

(c) DEFINITIONS.—For purposes of this section—

(1) HELD BY A PERSON.—A liquid shall be considered as ''held by a person'' if title thereto has passed to such person (whether or not delivery to the person has been made).

(2) FLOOR STOCKS TAX DATE.—The term ''floor stocks tax date'' means September 5, 2000.

(3) APPLICABLE PERIOD.—The term ''applicable period'' means the period beginning after June 25, 2000, and ending before September 5, 2000.

(d) EXCEPTION FOR EXEMPT USES.—The tax imposed by subsection (a) shall not apply to any liquid held by any person exclusively for any use to the extent a credit or refund of the tax imposed by section 4081 of such Code is allowable for such use.

(e) EXCEPTION FOR FUEL HELD IN VEHICLE TANK.—No tax shall be imposed by subsection (a) on any liquid held in the tank of a motor vehicle.

(f) EXCEPTION FOR CERTAIN AMOUNTS OF FUEL.—

(1) IN GENERAL.—No tax shall be imposed by subsection (a)—

(A) on gasoline (as defined in section 4083 of such Code) held on the floor stocks tax date by any person if the aggregate amount of gasoline held by such person on such date does not exceed 4,000 gallons, and

(B) on diesel fuel or kerosene (as so defined) held on such date by any person if the aggregate amount of diesel fuel or kerosene held by such person on such date does not exceed 2,000 gallons.

The preceding sentence shall apply only if such person submits to the Secretary (at the time and in the manner required by the Secretary) such information as the Secretary shall require for purposes of this paragraph.

(2) EXEMPT FUEL.—For purposes of paragraph (1), there shall not be taken into account fuel held by any person which is exempt from the tax imposed by subsection (a) by reason of subsection (d) or (e).

(3) CONTROLLED GROUPS.—For purposes of this subsection—

(A) CORPORATIONS.—

(i) IN GENERAL.—All persons treated as a controlled group shall be treated as 1 person.

(ii) CONTROLLED GROUP.—The term ''controlled group'' has the meaning given to such term by subsection (a) of section 1563 of such Code; except that for such purposes the phrase ''more than 50 percent'' shall be substituted for the phrase ''at least 80 percent'' each place it appears in such subsection.

(B) NONINCORPORATED PERSONS UNDER COMMON CONTROL.—Under regulations prescribed by the Secretary, principles similar to the principles of subparagraph (A) shall apply to a group of persons under common control where 1 or more of such persons is not a corporation.

(g) OTHER LAW APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by section 4081 of such Code shall, insofar as applicable and not inconsistent with the provisions of this subsection, apply with respect to the floor stock taxes imposed by subsection (a) to the same extent as if such taxes were imposed by such section 4081.

SEC. 5. BENEFITS OF TAX REDUCTION SHOULD BE PASSED ON TO CONSUMERS.

(a) PASSTHROUGH TO CONSUMERS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) consumers immediately receive the benefit of the reduction in taxes under this Act, and

(B) transportation motor fuels producers and other dealers take such actions as necessary to reduce transportation motor fuels prices to reflect such reduction, including immediate credits to customer accounts representing tax refunds allowed as credits against excise tax deposit payments under the floor stocks refund provisions of this Act.

(2) STUDY.—

(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the reduction of taxes under this Act to determine whether there has been a passthrough of such reduction.

(B) REPORT.—Not later than September 30, 2000, the Comptroller General of the United States shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives the results of the study conducted under subparagraph (A).

ADDITIONAL COSPONSORS

S. 210

At the request of Mr. MOYNIHAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 210, a bill to establish a medical education trust fund, and for other purposes.

S. 317

At the request of Mr. DORGAN, the names of the Senator from Illinois (Mr. FITZGERALD) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 317, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence.

S. 779

At the request of Mr. ABRAHAM, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Virginia (Mr. ROBB), the Senator from Vermont (Mr. LEAHY), the Senator from Ohio (Mr. DEWINE), the Senator from Oregon (Mr. WYDEN), and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 779, a bill to provide that no Federal income tax shall be imposed on amounts received by Holocaust victims or their heirs.

S. 1787

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1787, a bill to amend the Federal Water Pollution Control Act to improve water quality on abandoned or inactive mined land.

S. 2018

At the request of Mrs. HUTCHISON, the names of the Senator from Indiana (Mr. BAYH) and the Senator from Wyoming (Mr. THOMAS) were added as cosponsors of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2246

At the request of Mr. BOND, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 2246, a bill to amend the Internal Revenue code of 1986 to clarify that certain small businesses are permitted to use the cash method of accounting even if they use merchandise or inventory.

S. 2324

At the request of Mr. KOHL, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 2324, a bill to amend chapter 44 of title 18, United States Code, to require ballistics testing of all firearms manufactured and all firearms in custody of Federal agencies, and to add ballistics testing to existing firearms enforcement strategies.

S. 2330

At the request of Mr. ROTH, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 2330, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

S. 2459

At the request of Mr. COVERDELL, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 2459, a bill to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation.

S. 2554

At the request of Mr. GREGG, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2554, a bill to amend title XI of the Social Security Act to prohibit the display of an individual's social security number for commercial purposes without the consent of the individual.

S. 2557

At the request of Mr. MURKOWSKI, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2557, a bill to protect the energy security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the Year 2010 by enhancing the use of renewable energy resources, conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies, mitigating the effect of increases in energy prices on the American consumer, including the poor and the elderly, and for other purposes.

S. 2635

At the request of Mr. FRIST, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2635, a bill to reduce health care costs and promote improved health by providing supplemental grants for additional preventive health services for women.

S. 2731

At the request of Mr. FRIST, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2731, a bill to amend title III of the Public Health Service Act to enhance the Nation's capacity to address public health threats and emergencies.

S. 2742

At the request of Mr. SMITH of Oregon, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2742, a bill to amend the Internal Revenue Code of 1986 to increase disclosure for certain political organizations exempt from tax under section 527 and section 501(c), and for other purposes.

S. 2778

At the request of Mr. KOHL, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of S. 2778, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. RES. 268

At the request of Mr. HAGEL, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. Res. 268, a resolution