

Calendar No. 205

109TH CONGRESS
1ST SESSION

S. 1197

To reauthorize the Violence Against Women Act of 1994.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2005

Mr. BIDEN (for himself, Mr. HATCH, Mr. SPECTER, Mr. LEAHY, Mr. DEWINE, Mr. KOHL, Mr. GRASSLEY, Mr. KENNEDY, Mrs. BOXER, Ms. STABENOW, Mr. SCHUMER, Mrs. MURRAY, Mr. CRAPO, Ms. CANTWELL, Mr. LAUTENBERG, Mr. BAYH, Mr. DODD, Mrs. CLINTON, Mr. INOUE, Mr. BINGAMAN, Ms. MIKULSKI, Mr. CHAFEE, Mr. CORZINE, Mr. JOHNSON, Mr. KERRY, Mr. LIEBERMAN, Mr. DURBIN, Mr. BYRD, Mr. SALAZAR, Mr. DORGAN, Mrs. FEINSTEIN, Mr. LEVIN, Mr. ROCKEFELLER, Mr. COCHRAN, Mrs. HUTCHISON, Mr. NELSON of Nebraska, Mr. JEFFORDS, Ms. COLLINS, Ms. SNOWE, Mr. OBAMA, Mr. HARKIN, Mr. SARBANES, Mr. CARPER, Mr. REED, Mr. DAYTON, Ms. LANDRIEU, Mr. PRYOR, and Mr. STEVENS)

SEPTEMBER 12, 2005

Reported by Mr. SPECTER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To reauthorize the Violence Against Women Act of 1994.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Violence Against
3 Women Act of 2005”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Universal definitions and grant provisions.

**TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS
TO COMBAT VIOLENCE AGAINST WOMEN**

Sec. 101. Stop grants improvements.

Sec. 102. Grants to encourage arrest and enforce protection orders improve-
ments.

Sec. 103. Legal assistance for victims improvements.

Sec. 104. Ensuring crime victim access to legal services.

Sec. 105. The Violence Against Women Act court training and improvements.

Sec. 106. Full faith and credit improvements.

Sec. 107. Privacy protections for victims of domestic violence, dating violence,
sexual violence, and stalking.

Sec. 108. Sex offender management.

Sec. 109. Stalker database.

Sec. 110. Federal victim assistants reauthorization.

Sec. 111. Grants for law enforcement training programs.

Sec. 112. Reauthorization of the Court-Appointed Special Advocate Program.

Sec. 113. Preventing cyberstalking.

Sec. 114. Criminal provision relating to stalking.

Sec. 115. Repeat offender provision.

Sec. 116. Prohibiting dating violence.

Sec. 117. Prohibiting violence in special maritime and territorial jurisdiction.

**TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC
VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

Sec. 201. Findings.

Sec. 202. Sexual assault services program.

Sec. 203. Amendments to the rural domestic violence and child abuse enforce-
ment assistance program.

Sec. 204. Training and services to end violence against women with disabilities.

Sec. 205. Training and services to end violence against women in later life.

Sec. 206. Strengthening the national domestic violence hotline.

**TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG
VICTIMS OF VIOLENCE**

Sec. 301. Findings.

Sec. 302. Rape prevention and education.

Sec. 303. Services, education, protection, and justice for young victims of vio-
lence.

Sec. 304. Grants to reduce violence against women on campus.

- Sec. 305. Juvenile justice.
- Sec. 306. Safe havens.

TITLE IV—STRENGTHENING AMERICA'S FAMILIES BY PREVENTING VIOLENCE

- Sec. 401. Preventing violence against women and children.
- Sec. 402. Study conducted by the Centers for Disease Control and Prevention.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RE- SPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 501. Findings.
- Sec. 502. Purpose.
- Sec. 503. Training and education of health professionals in domestic and sexual violence.
- Sec. 504. Grants to foster public health responses to domestic violence, dating violence, sexual assault, and stalking grants.
- Sec. 505. Research on effective interventions in the healthcare setting.

TITLE VI—HOUSING OPPORTUNITIES AND SAFETY FOR BATTERED WOMEN AND CHILDREN

- Sec. 601. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, or stalking.
- Sec. 603. Public and Indian housing authority plans reporting requirement.
- Sec. 604. Housing strategies.
- Sec. 605. Amendment to the McKinney-Vento Homeless Assistance Act.
- Sec. 606. Amendments to the low-income housing assistance voucher program.
- Sec. 607. Amendments to the public housing program.

TITLE VII—PROVIDING ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

- Sec. 701. Emergency leave.
- Sec. 702. Grant for national clearinghouse and resource center on workplace responses to assist victims of domestic and sexual violence.

TITLE VIII—PROTECTION OF BATTERED AND TRAFFICKED IMMIGRANT WOMEN

Subtitle A—Victims of Crime

- Sec. 801. Treatment of spouse and children of victims.
- Sec. 802. Presence of victims of a severe form of trafficking in persons.
- Sec. 803. Adjustment of status for victims of trafficking.
- Sec. 804. Protection and assistance for victims of trafficking.
- Sec. 805. Protecting victims of child abuse.
- Sec. 806. Ensuring crime victim access to legal services.

Subtitle B—VAWA Self-Petitioners

- Sec. 811. Definition of VAWA self-petitioner.
- Sec. 812. Application to fiancées who do not marry within 90-day period.
- Sec. 813. Application in case of voluntary departure.

- Sec. 814. Removal proceedings.
- Sec. 815. Eliminating abusers' control over applications for adjustments of status.
- Sec. 816. Application for VAWA-related relief.
- Sec. 817. Self-petitioning parents.
- Sec. 818. VAWA confidentiality nondisclosure.

Subtitle C—Miscellaneous Amendments

- Sec. 821. Duration of T and U visas.
- Sec. 822. Technical correction to references in application of special physical presence and good moral character rules.
- Sec. 823. Petitioning rights of certain former spouses under Cuban adjustment.
- Sec. 824. Self-petitioning rights of HRIFA applicants.
- Sec. 825. Deportation proceedings.
- Sec. 826. Limitations on enforcement.
- Sec. 827. Protecting abused juveniles.
- Sec. 828. Rulemaking.

TITLE IX—SAFETY FOR INDIAN WOMEN

- Sec. 901. Findings.
- Sec. 902. Purposes.
- Sec. 903. Consultation.
- Sec. 904. Analysis and research on violence against Indian women.
- Sec. 905. Tracking of violence against Indian women.
- Sec. 906. Tribal deputy in the Office on Violence Against Women.
- Sec. 907. Enhanced criminal law resources.
- Sec. 908. Domestic assault by an habitual offender.

1 **SEC. 3. UNIVERSAL DEFINITIONS AND GRANT PROVISIONS.**

2 (a) **IN GENERAL.**—The Violence Against Women Act
 3 of 1994 (108 Stat. 1902 et seq.) is amended by adding
 4 after section 40001 the following:

5 **“SEC. 40002. DEFINITIONS AND GRANT PROVISIONS.**

6 “(a) **DEFINITIONS.**—In this title:

7 “(1) **COURTS.**—The term ‘courts’ means any
 8 civil or criminal, tribal, and Alaskan Village, Fed-
 9 eral, State, local or territorial court having jurisdic-
 10 tion to address domestic violence, dating violence,
 11 sexual assault or stalking, including immigration,
 12 family, juvenile, and dependency courts, and the ju-

1 dicial officers serving in those courts, including
2 judges, magistrate judges, commissioners, justices of
3 the peace, or any other person with decisionmaking
4 authority.

5 “(2) CHILD MALTREATMENT.—The term ‘child
6 maltreatment’ means the physical or psychological
7 abuse or neglect of a child or youth, including sexual
8 assault and abuse.

9 “(3) COURT-BASED AND COURT-RELATED PER-
10 SONNEL.—The term ‘court-based’ and ‘court-related
11 personnel’ mean persons working in the court,
12 whether paid or volunteer, including—

13 “(A) clerks, special masters, domestic rela-
14 tions officers, administrators, mediators, cus-
15 tody evaluators, guardians ad litem, lawyers,
16 negotiators, probation, parole, interpreters, vic-
17 tim assistants, victim advocates, and judicial,
18 administrative, or any other professionals or
19 personnel similarly involved in the legal process;

20 “(B) court security personnel;

21 “(C) personnel working in related, supple-
22 mentary offices or programs (such as child sup-
23 port enforcement); and

24 “(D) any other court-based or community-
25 based personnel having responsibilities or au-

1 thority to address domestic violence, dating vio-
 2 lence, sexual assault, or stalking in the court
 3 system.

4 “(4) DOMESTIC VIOLENCE.—The term ‘domes-
 5 tie violence’ includes felony or misdemeanor crimes
 6 of violence committed by a current or former spouse
 7 of the victim, by a person with whom the victim
 8 shares a child in common, by a person who is co-
 9 habitating with or has cohabitated with the victim as
 10 a spouse, by a person similarly situated to a spouse
 11 of the victim under the domestic or family violence
 12 laws of the jurisdiction receiving grant monies, or by
 13 any other person against an adult, youth, or child
 14 victim who is protected from that person’s acts
 15 under the domestic or family violence laws of the ju-
 16 risdiction receiving grant monies.

17 “(5) DATING PARTNER.—The term ‘dating
 18 partner’ refers to a person who is or has been in a
 19 social relationship of a romantic or intimate nature
 20 with the abuser, and existence of such a relationship
 21 based on a consideration of—

22 “(A) the length of the relationship;

23 “(B) the type of relationship; and

24 “(C) the frequency of interaction between
 25 the persons involved in the relationship.

1 “(6) DATING VIOLENCE.—The term ‘dating vio-
2 lence’ means violence committed by a person—

3 “(A) who is or has been in a social rela-
4 tionship of a romantic or intimate nature with
5 the victim; and

6 “(B) where the existence of such a rela-
7 tionship shall be determined based on a consid-
8 eration of the following factors:

9 “(i) The length of the relationship.

10 “(ii) The type of relationship.

11 “(iii) The frequency of interaction be-
12 tween the persons involved in the relation-
13 ship.

14 “(7) ELDER ABUSE.—The term ‘elder abuse’
15 means any action against a person who is 60 years
16 of age or older that constitutes the willful—

17 “(A) infliction of injury, unreasonable con-
18 finement, intimidation, or cruel punishment
19 with resulting physical harm, pain, or mental
20 anguish; or

21 “(B) deprivation by a person, including a
22 caregiver, of goods or services that are nec-
23 essary to avoid physical harm, mental anguish,
24 or mental illness.

1 “(8) INDIAN.—The term ‘Indian’ means a
2 member of an Indian tribe.

3 “(9) INDIAN HOUSING.—The term ‘Indian
4 housing’ means housing assistance described in the
5 Native American Assistance and Self-Determination
6 Act of (25 U.S.C. 4101 et seq., as amended).

7 “(10) INDIAN TRIBE.—The term ‘Indian tribe’
8 means a tribe, band, pueblo, nation, or other orga-
9 nized group or community of Indians, including any
10 Alaska Native village or regional or village corpora-
11 tion (as defined in, or established pursuant to, the
12 Alaska Native Claims Settlement Act (43 U.S.C.
13 1601 et seq.)), that is recognized as eligible for the
14 special programs and services provided by the
15 United States to Indians because of their status as
16 Indians.

17 “(11) INDIAN LAW ENFORCEMENT.—The term
18 ‘Indian law enforcement’ means the departments or
19 individuals under the direction of the Indian tribe
20 that maintain public order.

21 “(12) LAW ENFORCEMENT.—The term ‘law en-
22 forcement’ means a public agency charged with po-
23 licing functions, including any of its component bu-
24 reaus (such as governmental victim services pro-
25 grams), including those referred to in section 3 of

the Indian Enforcement Reform Act (25 U.S.C. 2802).

“(13) ~~LEGAL ASSISTANCE.~~—The term ‘legal assistance’ includes assistance to adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in—

“(A) family, tribal, territorial, immigration, employment, administrative agency, housing matters, campus administrative or protection or stay away order proceedings, and other similar matters; and

“(B) criminal justice investigations, prosecutions and post-trial matters (including sentencing, parole, and probation) that impact the victim’s safety and privacy.

“(14) ~~LINGUISTICALLY AND CULTURALLY SPECIFIC SERVICES.~~—The term ‘linguistically and culturally specific services’ means community-based services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward racial and ethnic populations and other underserved communities.

“(15) ~~PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.~~—The term ‘personally

identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including—

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any of subparagraphs (A) through (D), would serve to identify any individual.

“(16) PROSECUTION.—The term ‘prosecution’ means any public agency charged with direct responsibility for prosecuting criminal offenders, including such agency’s component bureaus (such as governmental victim services programs).

“(17) PROTECTION ORDER OR RESTRAINING ORDER.—The term ‘protection order’ or ‘restraining order’ includes—

1 “(A) any injunction, restraining order, or
2 any other order issued by a civil or criminal
3 court for the purpose of preventing violent or
4 threatening acts or harassment against, sexual
5 violence or contact or communication with or
6 physical proximity to, another person, including
7 any temporary or final orders issued by civil or
8 criminal courts whether obtained by filing an
9 independent action or as a pendente lite order
10 in another proceeding so long as any civil order
11 was issued in response to a complaint, petition,
12 or motion filed by or on behalf of a person seek-
13 ing protection; and

14 “(B) any support, child custody or visita-
15 tion provisions, orders, remedies, or relief
16 issued as part of a protection order, restraining
17 order, or stay away injunction pursuant to
18 State, tribal, territorial, or local law authorizing
19 the issuance of protection orders, restraining
20 orders, or injunctions for the protection of vic-
21 tims of domestic violence, dating violence, sex-
22 ual assault, or stalking.

23 “(18) RURAL AREA AND RURAL COMMUNITY.—

24 The term ‘rural area’ and ‘rural community’ mean—

1 “(A) any area or community, respectively,
 2 no part of which is within an area designated
 3 as a standard metropolitan statistical area by
 4 the Office of Management and Budget; or

5 “(B) any area or community, respectively,
 6 that is—

7 “(i) within an area designated as a
 8 metropolitan statistical area or considered
 9 as part of a metropolitan statistical area;
 10 and

11 “(ii) located in a rural census tract.

12 “(19) RURAL STATE.—The term ‘rural State’
 13 means a State that has a population density of 52
 14 or fewer persons per square mile or a State in which
 15 the largest county has fewer than 150,000 people;
 16 based on the most recent decennial census.

17 “(20) SEXUAL ASSAULT.—The term ‘sexual as-
 18 sault’ means any conduct prescribed by chapter
 19 109A of title 18, United States Code, whether or not
 20 the conduct occurs in the special maritime and terri-
 21 torial jurisdiction of the United States or in a Fed-
 22 eral prison and includes both assaults committed by
 23 offenders who are strangers to the victim and as-
 24 saults committed by offenders who are known or re-
 25 lated by blood or marriage to the victim.

1 “(21) STALKING.—The term ‘stalking’ means
2 engaging in a course of conduct directed at a spe-
3 cific person that would cause a reasonable person
4 to—

5 “(A) fear for his or her safety or the safety
6 of others; or

7 “(B) suffer substantial emotional distress.

8 “(22) STATE.—The term ‘State’ means each of
9 the several States, the District of Columbia, the
10 Commonwealth of Puerto Rico, and except as other-
11 wise provided, Guam, American Samoa, the Virgin
12 Islands, and the Northern Mariana Islands.

13 “(23) STATE DOMESTIC VIOLENCE COALI-
14 TION.—The term ‘State domestic violence coalition’
15 means a program determined by the Administration
16 for Children and Families under the Family Violence
17 Prevention and Services Act (42 U.S.C. 10410(b)).

18 “(24) STATE SEXUAL ASSAULT COALITION.—
19 The term ‘State sexual assault coalition’ means a
20 program determined by the Center for Injury Pre-
21 vention and Control of the Centers for Disease Con-
22 trol and Prevention under the Public Health Service
23 Act (42 U.S.C. 280b et seq.).

24 “(25) TERRITORIAL DOMESTIC VIOLENCE OR
25 SEXUAL ASSAULT COALITION.—The term ‘territorial

domestic violence or sexual assault coalition’ means
a program addressing domestic violence that is—

“(A) an established nonprofit, nongovernmental territorial coalition addressing domestic violence or sexual assault within the territory;
or

“(B) a nongovernmental organization with a demonstrated history of addressing domestic violence or sexual assault within the territory that proposes to incorporate as a nonprofit, nongovernmental territorial coalition.

“(26) TRIBAL COALITION.—The term ‘tribal coalition’ means—

“(A) an established nonprofit, nongovernmental tribal coalition addressing domestic violence and sexual assault against American Indian and Alaskan Native women; or

“(B) individuals or organizations that propose to incorporate as nonprofit, nongovernmental tribal coalitions to address domestic violence and sexual assault against American Indian and Alaskan Native women.

“(27) TRIBAL GOVERNMENT.—The term ‘tribal government’ means—

1 “(A) the governing body of an Indian
2 tribe; or

3 “(B) a tribe, band, pueblo, nation, or other
4 organized group or community of Indians, in-
5 cluding any Alaska Native village or regional or
6 village corporation (as defined in, or established
7 pursuant to, the Alaska Native Claims Settle-
8 ment Act (43 U.S.C. 1601 et seq.)), that is rec-
9 ognized as eligible for the special programs and
10 services provided by the United States to Indi-
11 ans because of their status as Indians.

12 “(28) TRIBAL ORGANIZATION.—The term ‘trib-
13 al organization’ means—

14 “(A) the governing body of any Indian
15 tribe;

16 “(B) any legally established organization
17 of Indians which is controlled, sanctioned, or
18 chartered by such governing body of a tribe or
19 tribes to be served, or which is democratically
20 elected by the adult members of the Indian
21 community to be served by such organization
22 and which includes the maximum participation
23 of Indians in all phases of its activities; or

24 “(C) any tribal nonprofit organization.

1 “(29) UNDERSERVED POPULATIONS.—The
2 term ‘underserved populations’ includes populations
3 underserved because of geographic location, under-
4 served racial and ethnic populations, populations un-
5 derserved because of special needs (such as language
6 barriers, disabilities, alienage status, or age), and
7 any other population determined to be underserved
8 by the Attorney General.

9 “(30) VICTIM ADVOCATE.—The term ‘victim
10 advocate’ means a person, whether paid or serving
11 as a volunteer, who provides services to victims of
12 domestic violence, sexual assault, stalking, or dating
13 violence under the auspices or supervision of a vic-
14 tim services program.

15 “(31) VICTIM ASSISTANT.—The term ‘victim
16 assistant’ means a person, whether paid or serving
17 as a volunteer, who provides services to victims of
18 domestic violence, sexual assault, stalking, or dating
19 violence under the auspices or supervision of a court
20 or a law enforcement or prosecution agency.

21 “(32) VICTIM SERVICES OR VICTIM SERVICE
22 PROVIDER.—The term ‘victim services’ or ‘victim
23 service provider’ means a nonprofit, nongovern-
24 mental organization that assists domestic violence,
25 dating violence, sexual assault, or stalking victims;

1 including rape crisis centers, domestic violence wom-
 2 en's shelters, faith-based organizations, and other
 3 organizations, with a documented history of effective
 4 work concerning domestic violence, dating violence,
 5 sexual assault, or stalking.

6 “(33) YOUTH.—The term ‘youth’ means teen
 7 and young adult victims of domestic violence, dating
 8 violence, sexual assault, or stalking.

9 “(b) GRANT CONDITIONS.—

10 “(1) MATCH.—No matching funds shall be re-
 11 quired for a grant or subgrant made under this title
 12 for any unit of local government, tribe, territory, or
 13 victim service provider.

14 “(2) NONDISCLOSURE OF CONFIDENTIAL OR
 15 PRIVATE INFORMATION.—

16 “(A) IN GENERAL.—In order to ensure the
 17 safety of adult, youth, and child victims of do-
 18 mestic violence, dating violence, sexual assault,
 19 or stalking, and their families, grantee and sub-
 20 grantees under this title shall protect the con-
 21 fidentiality and privacy of persons receiving
 22 services.

23 “(B) NONDISCLOSURE.—Subject to sub-
 24 paragraphs (C) and (D), grantees and sub-
 25 grantees shall not—

1 “(i) disclose any personally identifying
2 information or individual information col-
3 lected in connection with services re-
4 quested, utilized, or denied through grant-
5 ees’ and subgrantees’ programs; or

6 “(ii) reveal individual client informa-
7 tion without the informed, written, reason-
8 ably time-limited consent of the person (or
9 in the case of an unemancipated minor, the
10 minor and the parent or guardian or in the
11 case of persons with disabilities, the guard-
12 ian) about whom information is sought,
13 whether for this program or any other
14 Federal, State, tribal, or territorial grant
15 program.

16 “(C) RELEASE.—If release of information
17 described in subparagraph (B) is compelled by
18 statutory or court mandate—

19 “(i) grantees and subgrantees shall
20 make reasonable attempts to provide notice
21 to victims affected by the disclosure of in-
22 formation;

23 “(ii) grantees and subgrantees shall
24 take steps necessary to protect the privacy

1 and safety of the persons affected by the
2 release of the information; and

3 “(iii) consent for release may not be
4 given by the abuser of the minor, person
5 with disabilities, or the abuser of the other
6 parent of the minor.

7 “(D) INFORMATION SHARING.—Grantees
8 and subgrantees may share—

9 “(i) nonpersonally identifying data in
10 the aggregate regarding services to their
11 clients and nonpersonally identifying demo-
12 graphic information in order to comply
13 with Federal, State, tribal, or territorial
14 reporting, evaluation, or data collection re-
15 quirements;

16 “(ii) court-generated information and
17 law-enforcement generated information
18 contained in secure, governmental reg-
19 istries for protection order enforcement
20 purposes; and

21 “(iii) law enforcement- and prosecu-
22 tion-generated information necessary for
23 law enforcement and prosecution purposes.

24 “(3) APPROVED ACTIVITIES.—In carrying out
25 the activities under this title, grantees and sub-

1 grantees may collaborate with and provide informa-
 2 tion to Federal, State, local, tribal, and territorial
 3 public officials and agencies to develop and imple-
 4 ment policies to reduce or eliminate domestic vio-
 5 lence, dating violence, sexual assault, and stalking.

6 “(4) NON-SUPPLANTATION.—Any Federal
 7 funds received under this title shall be used to sup-
 8 plement, not supplant, non-Federal funds that would
 9 otherwise be available for activities under this title.

10 “(5) USE OF FUNDS.—Funds authorized and
 11 appropriated under this title may be used only for
 12 the specific purposes described in this title and shall
 13 remain available until expended.”.

14 “(e) REPORTS.—An entity receiving a grant under
 15 this title shall submit to the disbursing agency a report
 16 detailing the activities undertaken with the grant funds,
 17 including and providing additional information as the
 18 agency shall require.

19 “(d) EVALUATION.—Federal agencies disbursing
 20 funds under this title shall set aside up to 3 percent of
 21 such funds in order to conduct—

22 “(1) evaluations of specific programs or
 23 projects funded by the disbursing agency under this
 24 title or related research; or

1 “(2) evaluations of promising practices or prob-
 2 lems emerging in the field or related research, in
 3 order to inform the agency or agencies as to which
 4 programs or projects are likely to be effective or re-
 5 sponsive to needs in the field.”.

6 (b) DEFINITIONS IN CRIME CONTROL ACT.—Part T
 7 of title I of the Omnibus Crime Control and Safe Streets
 8 Act of 1968 (42 U.S.C. 3796gg et seq.) is amended by
 9 inserting before section 2001 the following:

10 **“SEC. 2000. DEFINITIONS.**

11 “‘In this title the definitions in section 40002 of the
 12 Violence Against Women Act of 1994 shall apply.’”.

13 (c) DEFINITIONS IN 2000 ACT.—Section 1002 of the
 14 Violence Against Women Act of 2002 (42 U.S.C. 3796-
 15 gg note) is amended to read as follows:

16 **“SEC. 1002. DEFINITIONS.**

17 “‘In this division the definitions in section 40002 of
 18 the Violence Against Women Act of 1994 shall apply.’”.

19 **TITLE I—ENHANCING JUDICIAL**
 20 **AND LAW ENFORCEMENT**
 21 **TOOLS TO COMBAT VIOLENCE**
 22 **AGAINST WOMEN**

23 **SEC. 101. STOP GRANTS IMPROVEMENTS.**

24 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
 25 1001(a)(18) of title I of the Omnibus Crime Control and

1 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)) is
 2 amended by striking “\$185,000,000 for each of fiscal
 3 years 2001 through 2005” and inserting “\$225,000,000
 4 for each of fiscal years 2006 through 2010”.

5 (b) PURPOSE AREA ENHANCEMENTS.—Section
 6 2001(b) of title I of the Omnibus Crime Control and Safe
 7 Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended—

8 (1) in paragraph (10), by striking “and” after
 9 the semicolon;

10 (2) in paragraph (11), by striking the period
 11 and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(12) maintaining core victim services and
 14 criminal justice initiatives, while supporting com-
 15plementary new initiatives and emergency services
 16 for victims and their families.”.

17 (c) CLARIFICATION OF ACTIVITIES REGARDING UN-
 18 DERSERVED POPULATIONS.—Section 2007 of the Omni-
 19 bus Crime Control and Safe Streets Act of 1968 (42
 20 U.S.C. 3796gg-1) is amended—

21 (1) in subsection (c)(2), by inserting before the
 22 semicolon the following: “and describe how the State
 23 will address the needs of racial and ethnic popu-
 24 lations and underserved populations”; and

(2) in subsection (c)(2), by striking subparagraph (D) and inserting the following:

“(D) recognize and meaningfully respond to the needs of underserved populations and ensure that monies set aside to fund linguistically and culturally specific services and activities for underserved populations are distributed equally among those populations.”.

(d) TRIBAL AND TERRITORIAL SETASIDES.—Section 2007 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–1) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “5 percent” and inserting “10 percent”;

(B) in paragraph (2), striking by “ $\frac{1}{54}$ ” and inserting “ $\frac{1}{56}$ ”;

(C) in paragraph (3), by striking “and the coalition for the combined Territories of the United States, each receiving an amount equal to $\frac{1}{54}$ ” and inserting “coalitions for Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each receiving an amount equal to $\frac{1}{56}$ ”;

1 (D) in paragraph (4), by striking “1/54”
2 and inserting “1/56”;

3 (E) in paragraph (5), by striking “and”
4 after the semicolon; and

5 (F) in paragraph (6), by striking the pe-
6 riod and inserting “; and”;

7 (2) in subsection (d)—

8 (A) in paragraph (2), by striking “and”
9 after the semicolon;

10 (B) in paragraph (3), by striking the pe-
11 riod and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(4) documentation showing that tribal, terri-
14 torial, State or local prosecution, law enforcement,
15 and court and victim service providers have con-
16 sulted with tribal, territorial, State, or local victim
17 services programs during the course of developing
18 their grant applications in order to ensure that pro-
19 posed services, activities and equipment acquisitions
20 are designed to promote the safety, confidentiality,
21 and economic independence of victims of domestic vi-
22 olence, sexual assault, stalking, and dating vio-
23 lence.”.

24 (c) TRAINING, TECHNICAL ASSISTANCE, AND DATA
25 COLLECTION.—Section 2007 of the Omnibus Crime Con-

1 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg-
 2 1) is amended by adding at the end the following:

3 “(i) TRAINING, TECHNICAL ASSISTANCE, AND DATA
 4 COLLECTION.—

5 “(1) IN GENERAL.—Of the total amounts ap-
 6 propriated under this part, not less than 3 percent
 7 and up to 8 percent shall be available for providing
 8 training and technical assistance relating to the pur-
 9 pose areas of this part to improve the capacity of
 10 grantees, subgrantees and other entities.

11 “(2) INDIAN TRAINING.—The Director of the
 12 Office on Violence Against Women shall ensure that
 13 training or technical assistance regarding violence
 14 against Indian women will be developed and pro-
 15 vided by entities having expertise in tribal law and
 16 culture.”.

17 “(f) AVAILABILITY OF FORENSIC MEDICAL EXAMS.—
 18 Section 2010 of the Omnibus Crime Control and Safe
 19 Streets Act of 1968 (42 U.S.C. 3796gg-4) is amended by
 20 adding at the end the following:

21 “(e) USE OF FUNDS.—A State or Indian tribal gov-
 22 ernment may use Federal grant funds under this part to
 23 pay for forensic medical exams performed by trained ex-
 24 aminers for victims of sexual assault, except that such
 25 funds may not be used to pay for forensic medical exams

1 by any State or Indian tribal government that requires
 2 victims of sexual assault to seek reimbursement for such
 3 exams from their insurance carriers.

4 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
 5 tion shall be construed to permit a State, Indian tribal
 6 government, or territorial government to require a victim
 7 of sexual assault to participate in the criminal justice sys-
 8 tem or cooperate with law enforcement in order to be pro-
 9 vided with a forensic medical exam, reimbursement for
 10 charges incurred on account of such an exam, or both.

11 “(e) JUDICIAL NOTIFICATION.—

12 “(1) IN GENERAL.—A State, Indian tribal gov-
 13 ernment, or unit of local government shall not be en-
 14 titled to funds under this part unless the State, In-
 15 dian tribal government, or unit of local govern-
 16 ment—

17 “(A) certifies that its judicial administra-
 18 tive policies and practices include notification to
 19 domestic violence offenders of the requirements
 20 delineated in section 922(g)(8) and (g)(9) of
 21 title 18, United States Code, and any applicable
 22 related Federal, State, or local laws; or

23 “(B) gives the Attorney General assur-
 24 ances that its judicial administrative policies
 25 and practices will be in compliance with the re-

1 quirements of subparagraph (A) within the
2 later of—

3 “(i) the period ending on the date on
4 which the next session of the State legisla-
5 ture ends; or

6 “(ii) 2 years.

7 ~~“(2) REDISTRIBUTION.—Funds withheld from a~~
8 State, unit of local government, or Indian tribal gov-
9 ernment under subsection (a) shall be distributed to
10 other States, units of local government, and Indian
11 tribal governments, pro rata.”.

12 ~~(g) POLYGRAPH TESTING PROHIBITION.—Part T of~~
13 title I of the Omnibus Crime Control and Safe Streets Act
14 of 1968 (42 U.S.C. 3796gg et seq.) is amended by adding
15 at the end the following:

16 **“SEC. 2012. POLYGRAPH TESTING PROHIBITION.**

17 “(a) IN GENERAL.—In order to be eligible for grants
18 under this part, a State, Indian tribal government, terri-
19 torial government, or unit of local government must certify
20 within 3 years of the date of enactment of this section
21 that their laws, policies, or practices ensure that no law
22 enforcement officer, prosecuting officer or other govern-
23 ment official shall ask or require an adult, youth, or child
24 victim of an alleged sex offense as defined under Federal,
25 tribal, State, territorial, or local law to submit to a poly-

1 graph examination or other truth telling device as a condi-
 2 tion for proceeding with the investigation of such an of-
 3 fense.

4 “(b) PROSECUTION.—The refusal of a victim to sub-
 5 mit to an examination described in subsection (a) shall
 6 not prevent the investigation, charging, or prosecution of
 7 the offense.”.

8 **SEC. 102. GRANTS TO ENCOURAGE ARREST AND ENFORCE**
 9 **PROTECTION ORDERS IMPROVEMENTS.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
 11 1001(a)(19) of title I of the Omnibus Crime Control and
 12 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is
 13 amended by striking “\$65,000,000 for each of fiscal years
 14 2001 through 2005” and inserting “\$75,000,000 for each
 15 of fiscal years 2006 through 2010. Funds appropriated
 16 under this paragraph shall remain available until ex-
 17 pended.”.

18 (b) GRANTEE REQUIREMENTS.—Section 2101 of the
 19 Omnibus Crime Control and Safe Streets Act of 1968 (42
 20 U.S.C. 3796hh) is amended—

21 (1) in subsection (a), by striking “to treat do-
 22 mestic violence as a serious violation” and inserting
 23 “to treat domestic violence, dating violence, sexual
 24 assault, and stalking as serious violations”;

25 (2) in subsection (b)—

(A) in the matter before paragraph (1), by inserting after “State” the following: “, tribal, territorial,”;

(B) in paragraph (1), by—

(i) striking “mandatory arrest or”, and

(ii) striking “mandatory arrest programs and”;

(C) in paragraph (2), by—

(i) inserting after “educational programs,” the following: “protection order registries,”;

(ii) striking “domestic violence and dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking. Policies, educational programs, registries, and training described in this paragraph shall incorporate confidentiality, and privacy protections for victims of domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by—

(i) striking “domestic violence cases” and inserting “domestic violence, dating vi-

1 olence, sexual assault, and stalking cases”;
2 and

3 (ii) striking “groups” and inserting
4 “teams”;

5 (E) in paragraph (5), by striking “domes-
6 tie violence and dating violence” and inserting
7 “domestic violence, dating violence, sexual as-
8 sault, and stalking”;

9 (F) in paragraph (6), by—

10 (i) striking “other” and inserting
11 “civil”; and

12 (ii) inserting after “domestic violence”
13 the following: “, dating violence, sexual as-
14 sault, and stalking”; and

15 (G) by adding at the end the following:

16 “(9) To develop State, territorial, or local poli-
17 cies, procedures, and protocols, and to develop effec-
18 tive methods for identifying the pattern and history
19 of abuse that indicates which party is the actual per-
20 petrator of abuse.

21 “(10) To plan, develop and establish com-
22 prehensive victim service and support centers, such
23 as family justice centers, designed to bring together
24 victim advocates from non-profit, non-governmental
25 victim services organizations, law enforcement offi-

1 eers, prosecutors, probation officers, governmental
 2 victim assistants, forensic medical professionals, civil
 3 legal attorneys, chaplains, legal advocates, represent-
 4 atives from community-based organizations and
 5 other relevant public or private agencies or organiza-
 6 tions into one centralized location, in order to im-
 7 prove safety, access to services, and confidentiality
 8 for victims and families.

9 “(11) To develop and implement policies and
 10 training for police, prosecutors, and the judiciary in
 11 recognizing, investigating, and prosecuting instances
 12 of sexual assault, with an emphasis on recognizing
 13 the threat to the community for repeat crime per-
 14 petration by such individuals.”;

15 (3) in subsection (c)—

16 (A) in paragraph (3), by striking “and”
 17 after the semicolon;

18 (B) in paragraph (4), by striking the pe-
 19 riod and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(5) certify, not later than 3 years after the
 22 date of enactment of this section, that their laws,
 23 policies, or practices ensure that—

24 “(A) no law enforcement officer, pros-
 25 ecuting officer or other government official shall

1 ask or require an adult, youth, or child victim
 2 of a sex offense as defined under Federal, trib-
 3 al, State, territorial, or local law to submit to
 4 a polygraph examination or other truth telling
 5 device as a condition for proceeding with the in-
 6 vestigation of such an offense; and

7 “(B) the refusal of a victim to submit to
 8 an examination described in subparagraph (A)
 9 shall not prevent the investigation of the of-
 10 fense.”; and

11 (4) by striking subsections (d) and (e) and in-
 12 serting the following:

13 “(d) ALLOTMENT FOR INDIAN TRIBES.—Not less
 14 than 10 percent of the total amount made available for
 15 grants under this section for each fiscal year shall be avail-
 16 able for grants to Indian tribal governments.”.

17 (e) APPLICATIONS.—Section 2102(b) of the Omnibus
 18 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
 19 3796hh–1(b)) is amended in each of paragraphs (1) and
 20 (2) by inserting after “involving domestic violence” the fol-
 21 lowing: “; dating violence, sexual assault, or stalking”.

22 (d) TRAINING, TECHNICAL ASSISTANCE, CONFIDEN-
 23 TIALITY.—Part U of title I of the Omnibus Crime Control
 24 and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.)
 25 is amended by adding at the end the following:

1 **~~“SEC. 2106. TRAINING AND TECHNICAL ASSISTANCE.~~**

2 ~~“Of the total amounts appropriated under this part,~~
 3 ~~not less than 5 percent and up to 8 percent shall be avail-~~
 4 ~~able for providing training and technical assistance relat-~~
 5 ~~ing to the purpose areas of this part to improve the capac-~~
 6 ~~ity of grantees and other entities to offer services and as-~~
 7 ~~sistance to victims of domestic violence and dating vio-~~
 8 ~~lence.”.~~

9 **~~SEC. 103. LEGAL ASSISTANCE FOR VICTIMS IMPROVE-~~**
 10 **~~MENTS.~~**

11 ~~Section 1201 of the Violence Against Women Act of~~
 12 ~~2000 (42 U.S.C. 3796gg-6) is amended—~~

13 ~~(1) in subsection (a), by—~~

14 ~~(A) inserting before “legal assistance” the~~
 15 ~~following: “civil and criminal”;~~

16 ~~(B) inserting after “effective aid to” the~~
 17 ~~following: “adult and youth”; and~~

18 ~~(C) inserting at the end the following:~~
 19 ~~“Criminal legal assistance provided for under~~
 20 ~~this section shall be limited to criminal matters~~
 21 ~~relating to domestic violence, sexual assault,~~
 22 ~~dating violence, and stalking.”;~~

23 ~~(2) in subsection (c), by inserting “and tribal~~
 24 ~~organizations, territorial organizations” after “In-~~
 25 ~~dian tribal governments”;~~

26 ~~(3) in subsection (d)—~~

1 (A) by striking paragraph (2) and insert-
2 ing the following:

3 “(2) any training program conducted in satis-
4 faction of the requirement of paragraph (1) has been
5 or will be developed with input from and in collabo-
6 ration with a tribal, State, territorial, or local do-
7 mestic violence, dating violence, sexual assault or
8 stalking organization or coalition, as well as appro-
9 priate tribal, State, territorial, and local law enforce-
10 ment officials; and

11 (B) in paragraph (4), by inserting “dating
12 violence,” after “domestic violence,”;

13 (4) in subsection (c), by inserting “dating vio-
14 lence,” after “domestic violence,”; and

15 (5) in subsection (f)—

16 (A) by striking paragraph (1) and insert-
17 ing the following:

18 “(1) IN GENERAL.—There is authorized to be
19 appropriated to carry out this section \$65,000,000
20 for each of fiscal years 2006 through 2010.”; and

21 (B) in paragraph (2)(A), by—

22 (i) striking “5 percent” and inserting
23 “10 percent”; and

24 (ii) inserting “adult and youth” after
25 “that assist”.

1 **SEC. 104. ENSURING CRIME VICTIM ACCESS TO LEGAL**
 2 **SERVICES.**

3 (a) IN GENERAL.—Section 502 of the Department of
 4 Commerce, Justice, and State, the Judiciary, and Related
 5 Agencies Appropriations Act, 1998 (Public Law 105–119;
 6 111 Stat. 2510) is amended—

7 (1) in subsection (a)(2)(C)—

8 (A) in the matter preceding clause (i), by
 9 striking “using funds derived from a source
 10 other than the Corporation to provide” and in-
 11 serting “providing”;

12 (B) in clause (i), by striking “in the
 13 United States” and all that follows and insert-
 14 ing “or a victim of sexual assault or trafficking
 15 in the United States, or qualifies for immigra-
 16 tion relief under section 101(a)(15)(U) of the
 17 Immigration and Nationality Act (8 U.S.C.
 18 1101(a)(15)(U)); or”; and

19 (C) in clause (ii), by striking “has been
 20 battered” and all that follows and inserting “,
 21 without the active participation of the alien, has
 22 been battered or subjected to extreme cruelty or
 23 a victim of sexual assault or trafficking in the
 24 United States, or qualifies for immigration re-
 25 lief under section 101(a)(15)(U) of the Immi-

1 gration and Nationality Act (8 U.S.C.
 2 1101(a)(15)(U)).”; and
 3 (2) in subsection (b)(2), by striking “described
 4 in such subsection” and inserting “, sexual assault
 5 or trafficking, or the crimes listed in section
 6 101(a)(15)(U)(iii) of the Immigration and Nation-
 7 ality Act (8 U.S.C. 1101(a)(15)(U)(iii))”.

8 (b) SAVINGS PROVISION.—Nothing in this Act, or the
 9 amendments made by this Act, shall be construed to re-
 10 strict the legal assistance provided to victims of trafficking
 11 and certain family members authorized under section
 12 107(b)(1) of the Trafficking Victims Protection Act of
 13 2000 (22 U.S.C. 7105(b)(1)).

14 **SEC. 105. THE VIOLENCE AGAINST WOMEN ACT COURT**
 15 **TRAINING AND IMPROVEMENTS.**

16 (a) VIOLENCE AGAINST WOMEN ACT COURT TRAIN-
 17 ING AND IMPROVEMENTS.—The Violence Against Women
 18 Act of 1994 (108 Stat. 1902 et seq.) is amended by adding
 19 at the end the following:

1 **“Subtitle J—Violence Against**
 2 **Women Act Court Training and**
 3 **Improvements**

4 **“SEC. 41001. SHORT TITLE.**

5 “This subtitle may be cited as the ‘Violence Against
 6 Women Act Court Training and Improvements Act of
 7 2005’.

8 **“SEC. 41002. PURPOSE.**

9 “The purpose of this subtitle is to enable the Attor-
 10 ney General, through the Director of the Office on Violence
 11 Against Women, to award grants to improve court re-
 12 sponses to adult and youth domestic violence, dating vio-
 13 lence, sexual assault, and stalking to be used for—

14 “(1) improved internal civil and criminal court
 15 functions, responses, practices, and procedures;

16 “(2) education for court-based and court-related
 17 personnel on issues relating to victims’ needs, in-
 18 cluding safety, security, privacy, confidentiality, and
 19 economic independence, as well as information about
 20 perpetrator behavior and best practices for holding
 21 perpetrators accountable;

22 “(3) collaboration and training with Federal,
 23 State, and local public agencies and officials and
 24 nonprofit, nongovernmental organizations to improve

1 implementation and enforcement of relevant Federal,
2 State, tribal, territorial, and local law;

3 “(4) enabling courts or court-based or court-re-
4 lated programs to develop new or enhance current—

5 “(A) court infrastructure (such as special-
6 ized courts, dockets, intake centers, or inter-
7 preter services);

8 “(B) community-based initiatives within
9 the court system (such as court watch pro-
10 grams, victim assistants, or community-based
11 supplementary services);

12 “(C) offender management, monitoring,
13 and accountability programs;

14 “(D) safe and confidential information-
15 storage and -sharing databases within and be-
16 tween court systems;

17 “(E) education and outreach programs to
18 improve community access, including enhanced
19 access for racial and ethnic communities and
20 underserved populations; and

21 “(F) other projects likely to improve court
22 responses to domestic violence, dating violence,
23 sexual assault, and stalking; and

24 “(5) providing technical assistance to Federal,
25 State, tribal, territorial, or local courts wishing to

1 improve their practices and procedures or to develop
 2 new programs.

3 **~~“SEC. 41003. GRANT REQUIREMENTS.~~**

4 ~~“Grants awarded under this subtitle shall be subject~~
 5 ~~to the following conditions:~~

6 ~~“(1) ELIGIBLE GRANTEEES.—Eligible grantees~~
 7 ~~may include—~~

8 ~~“(A) Federal, State, tribal, territorial, or~~
 9 ~~local courts or court-based programs; and~~

10 ~~“(B) national, State, tribal, or local pri-~~
 11 ~~vate, nonprofit organizations with demonstrated~~
 12 ~~expertise in developing and providing judicial~~
 13 ~~education about domestic violence, dating vio-~~
 14 ~~lence, sexual assault, or stalking.~~

15 ~~“(2) CONDITIONS OF ELIGIBILITY.—To be eligi-~~
 16 ~~ble for a grant under this section, applicants shall~~
 17 ~~certify in writing that—~~

18 ~~“(A) any courts or court-based personnel~~
 19 ~~working directly with or making decisions about~~
 20 ~~adult or minor parties experiencing domestic vi-~~
 21 ~~olence, dating violence, sexual assault, and~~
 22 ~~stalking have completed or will complete edu-~~
 23 ~~cation about domestic violence, dating violence,~~
 24 ~~sexual assault, and stalking;~~

1 “(B) any education program developed
 2 under section 41002 has been or will be devel-
 3 oped with significant input from and in collabo-
 4 ration with a national, tribal, State, territorial,
 5 or local victim services provider or coalition;
 6 and

7 “(C) the grantee’s internal organizational
 8 policies, procedures, or rules do not require me-
 9 diation or counseling between offenders and vic-
 10 tims physically together in cases where domestic
 11 violence, dating violence, sexual assault, or
 12 stalking is an issue.

13 ~~“SEC. 41004. NATIONAL EDUCATION CURRICULA.~~

14 ~~“(a) IN GENERAL.—The Attorney General, through~~
 15 ~~the Director of the Office on Violence Against Women,~~
 16 ~~shall fund efforts to develop a national education cur-~~
 17 ~~riculum for use by State and national judicial educators~~
 18 ~~to ensure that all courts and court personnel have access~~
 19 ~~to information about relevant Federal, State, territorial,~~
 20 ~~or local law, promising practices, procedures, and policies~~
 21 ~~regarding court responses to adult and youth domestic vio-~~
 22 ~~lence, dating violence, sexual assault, and stalking.~~

23 ~~“(b) ELIGIBLE ENTITIES.—Any curricula developed~~
 24 ~~under this section—~~

1 “(1) shall be developed by an entity or entities
 2 having demonstrated expertise in developing judicial
 3 education curricula on issues relating to domestic vi-
 4 olence, dating violence, sexual assault, and stalking;
 5 or

6 “(2) if the primary grantee does not have dem-
 7 onstrated expertise with such issues, shall be devel-
 8 oped by the primary grantee in partnership with an
 9 organization having such expertise.

10 **~~“SEC. 41005. TRIBAL CURRICULA.~~**

11 ~~“(a) IN GENERAL.—The Attorney General, through~~
 12 ~~the Office on Violence Against Women, shall fund efforts~~
 13 ~~to develop education curricula for tribal court judges to~~
 14 ~~ensure that all tribal courts have relevant information~~
 15 ~~about promising practices, procedures, policies, and law~~
 16 ~~regarding tribal court responses to adult and youth domes-~~
 17 ~~tie violence, dating violence, sexual assault, and stalking.~~

18 ~~“(b) ELIGIBLE ENTITIES.—Any curricula developed~~
 19 ~~under this section—~~

20 ~~“(1) shall be developed by a tribal organization~~
 21 ~~having demonstrated expertise in developing judicial~~
 22 ~~education curricula on issues relating to domestic vi-~~
 23 ~~olence, dating violence, sexual assault, and stalking;~~
 24 ~~and~~

1 “(2) if the primary grantee does not have such
2 expertise, the curricula shall be developed by the pri-
3 mary grantee through partnership with organiza-
4 tions having such expertise.

5 **“SEC. 41006. AUTHORIZATION OF APPROPRIATIONS.**

6 “(a) IN GENERAL.—There is authorized to be appro-
7 priated to carry out this subtitle \$5,000,000 for each of
8 fiscal years 2006 to 2010.

9 “(b) AVAILABILITY.—Funds appropriated under this
10 section shall remain available until expended and may only
11 be used for the specific programs and activities described
12 in this subtitle.

13 “(c) SET ASIDE.—Of the amounts made available
14 under this subsection in each fiscal year, not less than 10
15 percent shall be used for grants to tribes.”.

16 **SEC. 106. FULL FAITH AND CREDIT IMPROVEMENTS.**

17 (a) ENFORCEMENT OF PROTECTION ORDERS ISSUED
18 BY TERRITORIES.—Section 2265 of title 18, United
19 States Code, is amended by—

20 (1) striking “or Indian tribe” each place it ap-
21 pears and inserting “, Indian tribe, or territory”;
22 and

23 (2) striking “State or tribal” each place it ap-
24 pears and inserting “State, tribal, or territorial”.

1 (b) CLARIFICATION OF ENTITIES HAVING ENFORCE-
2 MENT AUTHORITY AND RESPONSIBILITIES.—Section
3 2265(a) of title 18, United States Code, is amended by
4 striking “and enforced as if it were” and inserting “and
5 enforced by the court and law enforcement personnel of
6 the other State, Indian tribal government or Territory as
7 if it were”.

8 (c) LIMITS ON INTERNET PUBLICATION OF PROTEC-
9 TION ORDER INFORMATION.—Section 2265(d) of title 18,
10 United States Code, is amended by adding at the end the
11 following:

12 “(3) LIMITS ON INTERNET PUBLICATION OF
13 REGISTRATION INFORMATION.—A State, Indian
14 tribe, or territory shall not publish publicly on the
15 Internet any information regarding the registration
16 or filing of a protection order, restraining order, or
17 injunction in either the issuing or enforcing State,
18 tribal or territorial jurisdiction, if such publication
19 would be likely to publicly reveal the identity or loca-
20 tion of the party protected under such order. A
21 State, Indian tribe, or territory may share court-gen-
22 erated and law enforcement-generated information
23 contained in secure, governmental registries for pro-
24 tection order enforcement purposes.”.

1 (d) DEFINITIONS.—Section 2266 of title 18, United
2 States Code, is amended—

3 (1) by striking paragraph (5) and inserting the
4 following:

5 “(5) PROTECTION ORDER.—The term ‘protec-
6 tion order’ includes—

7 “(A) any injunction, restraining order, or
8 any other order issued by a civil or criminal
9 court for the purpose of preventing violent or
10 threatening acts or harassment against, sexual
11 violence, or contact or communication with or
12 physical proximity to, another person, including
13 any temporary or final order issued by a civil
14 or criminal court whether obtained by filing an
15 independent action or as a pendente lite order
16 in another proceeding so long as any civil or
17 criminal order was issued in response to a com-
18 plaint, petition, or motion filed by or on behalf
19 of a person seeking protection; and

20 “(B) any support, child custody or visita-
21 tion provisions, orders, remedies or relief issued
22 as part of a protection order, restraining order,
23 or injunction pursuant to State, tribal, terri-
24 torial, or local law authorizing the issuance of
25 protection orders, restraining orders, or injunc-

1 tions for the protection of victims of domestic
2 violence, sexual assault, dating violence, or
3 stalking.”; and

4 (2) in clauses (i) and (ii) of paragraph (7)(A);
5 by striking “2261A, a spouse or former spouse of
6 the abuser, a person who shares a child in common
7 with the abuser, and a person who cohabits or has
8 cohabited as a spouse with the abuser” and inserting
9 “2261A—

10 “(I) a spouse or former spouse of
11 the abuser, a person who shares a
12 child in common with the abuser, and
13 a person who cohabits or has
14 cohabited as a spouse with the abuser;
15 or

16 “(II) a person who is or has been
17 in a social relationship of a romantic
18 or intimate nature with the victim, as
19 determined by the length of the rela-
20 tionship, the type of relationship, and
21 the frequency of interaction between
22 the persons involved in the relation-
23 ship”.

1 **SEC. 107. PRIVACY PROTECTIONS FOR VICTIMS OF DOMES-**
 2 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**
 3 **VIOLENCE, AND STALKING.**

4 The Violence Against Women Act of 1994 (108 Stat.
 5 1902 et seq.) is amended by adding at the end the fol-
 6 lowing:

7 **“Subtitle K—Privacy Protections**
 8 **for Victims of Domestic Vio-**
 9 **lence, Dating Violence, Sexual**
 10 **Violence, and Stalking**

11 **“SEC. 41101. GRANTS TO PROTECT THE PRIVACY AND CON-**
 12 **FIDENTIALITY OF VICTIMS OF DOMESTIC VI-**
 13 **OLENCE, DATING VIOLENCE, SEXUAL AS-**
 14 **SAULT, AND STALKING.**

15 “The Attorney General, through the Director of the
 16 Office on Violence Against Women, may award grants
 17 under this subtitle to States, tribes, territories, or local
 18 agencies or nonprofit, nongovernmental organizations to
 19 ensure that personally identifying information of adult,
 20 youth, and child victims of domestic violence, sexual vio-
 21 lence, stalking, and dating violence shall not be released
 22 or disclosed to the detriment of such victimized persons.

23 **“SEC. 41102. PURPOSE AREAS.**

24 “Grants made under this subtitle may be used—

25 “(1) to develop or improve protocols, proce-
 26 dures, and policies for the purpose of preventing the

1 release of personally identifying information of vic-
2 tims (such as developing alternative identifiers);

3 “(2) to defray the costs of modifying or improv-
4 ing existing databases, registries, and victim notifi-
5 cation systems to ensure that personally identifying
6 information of victims is protected from release, un-
7 authorized information sharing and disclosure;

8 “(3) to develop confidential opt out systems
9 that will enable victims of violence to make a single
10 request to keep personally identifying information
11 out of multiple databases, victim notification sys-
12 tems, and registries; or

13 “(4) to develop safe uses of technology (such as
14 notice requirements regarding electronic surveillance
15 by government entities); to protect against abuses of
16 technology (such as electronic or GPS stalking); or
17 providing training for law enforcement on high tech
18 electronic crimes of domestic violence, dating vio-
19 lence, sexual assault, and stalking.

20 **“SEC. 41103. ELIGIBLE ENTITIES.**

21 “Entities eligible for grants under this subtitle in-
22 clude—

23 “(1) jurisdictions or agencies within jurisdic-
24 tions having authority or responsibility for devel-

1 oping or maintaining public databases, registries or
2 victim notification systems;

3 ~~“(2) nonprofit nongovernmental victim advocacy~~
4 organizations having expertise regarding confiden-
5 tiality, privacy, and information technology and how
6 these issues are likely to impact the safety of vic-
7 tims;

8 ~~“(3) States or State agencies;~~

9 ~~“(4) local governments or agencies;~~

10 ~~“(5) tribal governments, agencies, or organiza-~~
11 tions;

12 ~~“(6) territorial governments, agencies, or orga-~~
13 nizations; or

14 ~~“(7) nonprofit nongovernmental victim advocacy~~
15 organizations, including statewide domestic violence
16 and sexual assault coalitions.

17 **~~“SEC. 41104. GRANT CONDITIONS.~~**

18 ~~“Applicants described in paragraphs (3) through (7)~~
19 shall demonstrate that they have entered into a significant
20 partnership with a State, tribal, territorial, or local victim
21 service or advocacy organization in order to develop safe,
22 confidential, and effective protocols, procedures, policies,
23 and systems for protecting personally identifying informa-
24 tion of victims.

1 **“SEC. 41105. AUTHORIZATION OF APPROPRIATIONS.**

2 “(a) IN GENERAL.—There is authorized to be appro-
3 priated to carry out this subtitle \$5,000,000 for each of
4 fiscal years 2006 through 2010.

5 “(b) TRIBAL ALLOCATION.—Of the amount made
6 available under this section in each fiscal year, 10 percent
7 shall be used for grants for programs that assist victims
8 of domestic violence, dating violence, stalking, and sexual
9 assault on lands within the jurisdiction of an Indian tribe.

10 “(c) TECHNICAL ASSISTANCE AND TRAINING.—Of
11 the amount made available under this section in each fis-
12 cal year, not less than 5 percent shall be used for grants
13 to organizations that have expertise in confidentiality, pri-
14 vacy, and technology issues impacting victims of domestic
15 violence, dating violence, sexual assault, and stalking to
16 provide technical assistance and training to grantees and
17 non-grantees on how to improve safety, privacy, confiden-
18 tiality, and technology to protect victimized persons.”.

19 **SEC. 108. SEX OFFENDER MANAGEMENT.**

20 Section 40152 of the Violent Crime Control and Law
21 Enforcement Act of 1994 (42 U.S.C. 13941) is amended
22 by striking subsection (c) and inserting the following:

23 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to carry out this section
25 \$3,000,000 for each of fiscal years 2006 through 2010.”.

1 **SEC. 109. STALKER DATABASE.**

2 Section 40603 of the Violence Against Women Act
3 of 1994 (42 U.S.C. 14032) is amended—

4 (1) by striking “2001” and inserting “2006”;

5 and

6 (2) by striking “2006” and inserting “2010”.

7 **SEC. 110. FEDERAL VICTIM ASSISTANTS REAUTHORIZA-**
8 **TION.**

9 Section 40114 of the Violence Against Women Act
10 of 1994 (Public Law 103–322) is amended to read as fol-
11 lows:

12 **“SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM AS-**
13 **SISTANTS.**

14 “There are authorized to be appropriated for the
15 United States attorneys for the purpose of appointing vic-
16 tim assistants for the prosecution of sex crimes and do-
17 mestic violence crimes where applicable (such as the Dis-
18 trict of Columbia), \$1,000,000 for each of fiscal years
19 2006 through 2010.”.

20 **SEC. 111. GRANTS FOR LAW ENFORCEMENT TRAINING PRO-**
21 **GRAMS.**

22 (a) **DEFINITIONS.**—In this section:

23 (1) **ACT OF TRAFFICKING.**—The term “act of
24 trafficking” means an act or practice described in
25 paragraph (8) of section 103 of the Trafficking Vie-
26 tims Protection Act of 2000 (22 U.S.C. 7102).

1 (2) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means a State or a local government.

3 (3) STATE.—The term “State” means any
4 State of the United States; the District of Columbia;
5 the Commonwealth of Puerto Rico; Guam; the
6 United States Virgin Islands; the Commonwealth of
7 the Northern Mariana Islands; American Samoa;
8 and any other territory or possession of the United
9 States.

10 (4) VICTIM OF TRAFFICKING.—The term “vie-
11 tim of trafficking” means a person subjected to an
12 act of trafficking.

13 (b) GRANTS AUTHORIZED.—The Attorney General
14 may award grants to eligible entities to provide training
15 to State and local law enforcement personnel to identify
16 and protect victims of trafficking.

17 (c) USE OF FUNDS.—A grant awarded under this
18 section shall be used to—

19 (1) train law enforcement personnel to identify
20 and protect victims of trafficking; including training
21 such personnel to utilize Federal, State, or local re-
22 sources to assist victims of trafficking;

23 (2) train law enforcement or State or local
24 prosecutors to identify, investigate, or prosecute acts
25 of trafficking; or

1 ~~(3)~~ train law enforcement or State or local
 2 prosecutors to utilize laws that prohibit acts of traf-
 3 ficking and to assist in the development of State and
 4 local laws to prohibit acts of trafficking.

5 ~~(d)~~ RESTRICTIONS.—

6 ~~(1)~~ ADMINISTRATIVE EXPENSES.—An eligible
 7 entity that receives a grant under this section may
 8 use not more than 5 percent of the total amount of
 9 such grant for administrative expenses.

10 ~~(2)~~ NONEXCLUSIVITY.—Nothing in this section
 11 may be construed to restrict the ability of an eligible
 12 entity to apply for or obtain funding from any other
 13 source to carry out the training described in sub-
 14 section ~~(e)~~.

15 ~~(e)~~ AUTHORIZATION OF APPROPRIATIONS.—There
 16 are authorized to be appropriated \$10,000,000 for each
 17 of the fiscal years 2006 through 2010 to carry out the
 18 provisions of this section.

19 **SEC. 112. REAUTHORIZATION OF THE COURT-APPOINTED**
 20 **SPECIAL ADVOCATE PROGRAM.**

21 ~~(a)~~ FINDINGS.—Section 215 of the Victims of Child
 22 Abuse Act of 1990 (42 U.S.C. 13011) is amended by
 23 striking paragraphs ~~(1)~~ and ~~(2)~~ and inserting the fol-
 24 lowing:

1 “(1) Court Appointed Special Advocates, who
 2 may serve as guardians ad litem, are trained volun-
 3 teers appointed by courts to advocate for the best in-
 4 terests of children who are involved in the juvenile
 5 and family court system due to abuse or neglect;

6 “(2) the National Court Appointed Special Ad-
 7 vocate Association maintains a system of account-
 8 ability, including standards, quality assurance, train-
 9 ing, and technical assistance for a network of 70,000
 10 volunteers in more than 850 programs operating in
 11 49 States, the District of Columbia, and the Virgin
 12 Islands; and

13 “(3) in 2003, Court Appointed Special Advo-
 14 cate volunteers represented 288,000 children, more
 15 than 50 percent of the estimated 540,000 children
 16 in foster care because of substantiated cases of child
 17 abuse or neglect.”.

18 (b) IMPLEMENTATION DATE.—Section 216 of the
 19 Victims of Child Abuse Act of 1990 (42 U.S.C. 13012)
 20 is amended by striking “January 1, 1995” and inserting
 21 “January 1, 2010”.

22 (c) CLARIFICATION OF PROGRAM GOALS.—Section
 23 217 of the Victims of Child Abuse Act of 1990 (42 U.S.C.
 24 13013) is amended—

1 (1) in subsection (a), by striking “to expand”
2 and inserting “to initiate, sustain, and expand”;

3 (2) subsection (b)—

4 (A) in paragraph (1), by striking “to ini-
5 tiate or expand” and inserting “to initiate, sus-
6 tain, and expand”; and

7 (B) in paragraph (2), by—

8 (i) striking “(1)(a)” and inserting
9 “(1)(A)”; and

10 (ii) striking “to initiate and to ex-
11 pand” and inserting “to initiate, sustain,
12 and expand”; and

13 (3) by adding at the end the following:

14 “(d) BACKGROUND CHECKS.—State and local Court
15 Appointed Special Advocate programs are authorized to
16 request criminal background checks from the Federal Bu-
17 reau of Investigation National Crime Information Center
18 for prospective volunteers. The requesting program is re-
19 sponsible for the reasonable costs associated with the Fed-
20 eral records check.”.

21 (d) REAUTHORIZATION.—Section 218 of the Victims
22 of Child Abuse Act of 1990 (42 U.S.C. 13014) is amended
23 by striking subsection (a) and inserting the following:

1 “(a) AUTHORIZATION.—There is authorized to be ap-
 2 propriated to carry out this subtitle \$17,000,000 for each
 3 of fiscal years 2006 through 2010.”.

4 **SEC. 113. PREVENTING CYBERSTALKING.**

5 (a) IN GENERAL.—Paragraph (1) of section 223(h)
 6 of the Communications Act of 1934 (47 U.S.C. 223(h)(1))
 7 is amended—

8 (1) in subparagraph (A), by striking “and” at
 9 the end;

10 (2) in subparagraph (B), by striking the period
 11 at the end and inserting “; and”; and

12 (3) by adding at the end the following new sub-
 13 paragraph:

14 “(C) in the case of subparagraph (C) of
 15 subsection (a)(1), includes any device or soft-
 16 ware that can be used to originate telecommuni-
 17 cations or other types of communications that
 18 are transmitted, in whole or in part, by the
 19 Internet (as such term is defined in section
 20 1104 of the Internet Tax Freedom Act (47
 21 U.S.C. 151 note)).”.

22 (b) RULE OF CONSTRUCTION.—This section and the
 23 amendment made by this section may not be construed
 24 to affect the meaning given the term “telecommunications
 25 device” in section 223(h)(1) of the Communications Act

1 of 1934, as in effect before the date of the enactment of
 2 this section.

3 **SEC. 114. CRIMINAL PROVISION RELATING TO STALKING.**

4 (a) INTERSTATE STALKING.—Section 2261A of title
 5 18, United States Code, is amended to read as follows:

6 **“§ 2261A. Stalking**

7 “Whoever—

8 “(1) travels in interstate or foreign commerce
 9 or within the special maritime and territorial juris-
 10 diction of the United States; or enters or leaves In-
 11 dian country, with the intent to kill, injure, harass,
 12 place under surveillance, or intimidate another per-
 13 son, and in the course of, or as a result of, such
 14 travel places that person in reasonable fear of the
 15 death of, or serious bodily injury to, or causes sub-
 16 stantial emotional harm to that person; a member of
 17 the immediate family (as defined in section 115) of
 18 that person; or the spouse or intimate partner of
 19 that person; or

20 “(2) with the intent—

21 “(A) to kill, injure, harass, place under
 22 surveillance, intimidate, or cause substantial
 23 emotional harm to a person in another State or
 24 tribal jurisdiction or within the special maritime

1 and territorial jurisdiction of the United States;
2 or

3 “(B) to place a person in another State or
4 tribal jurisdiction, or within the special mari-
5 time and territorial jurisdiction of the United
6 States, in reasonable fear of the death of, or se-
7 rious bodily injury to—

8 “(i) that person;

9 “(ii) a member of the immediate fam-
10 ily (as defined in section 115 of that per-
11 son; or

12 “(iii) a spouse or intimate partner of
13 that person;

14 uses the mail or any facility of interstate or foreign
15 commerce to engage in a course of conduct that
16 causes substantial emotional harm to that person or
17 places that person in reasonable fear of the death of,
18 or serious bodily injury to, any of the persons de-
19 scribed in clauses (i) through (iii) of subparagraph
20 (B);

21 shall be punished as provided in section 2261(b) of this
22 title.”.

23 **SEC. 115. REPEAT OFFENDER PROVISION.**

24 Chapter 110A of title 18, United States Code, is
25 amended by adding after section 2265 the following:

1 **“§ 2265A. Repeat offender provision**

2 “The maximum term of imprisonment for a violation
3 of this chapter after a prior interstate domestic violence
4 offense (as defined in section 2261) or interstate violation
5 of protection order (as defined in section 2262) or inter-
6 state stalking (as defined in sections 2261A(a) and
7 2261A(b)) may be twice the term otherwise provided for
8 the violation.”.

9 **SEC. 116. PROHIBITING DATING VIOLENCE.**

10 (a) IN GENERAL.—Section 2261(a) of title 18,
11 United States Code, is amended—

12 (1) in paragraph (1), striking “or intimate
13 partner” and inserting “; intimate partner, or dating
14 partner”; and

15 (2) in paragraph (2), striking “or intimate
16 partner” and inserting “; intimate partner, or dating
17 partner”.

18 (b) DEFINITION.—Section 2266 of title 18, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 “(10) DATING PARTNER.—The term ‘dating
22 partner’ refers to person who is or has been in a so-
23 cial relationship of a romantic or intimate nature
24 with the abuser and the existence of such a relation-
25 ship based on a consideration of—

26 “(A) the length of the relationship; and

1 “(B) the type of relationship; and

2 “(C) the frequency of interaction between
3 the persons involved in the relationship.”.

4 **SEC. 117. PROHIBITING VIOLENCE IN SPECIAL MARITIME**
5 **AND TERRITORIAL JURISDICTION.**

6 (a) **DOMESTIC VIOLENCE.**—Section 2261(a)(1) of
7 title 18, United States Code, is amended by inserting after
8 “Indian country” the following: “or within the special
9 maritime and territorial jurisdiction of the United States”.

10 (b) **PROTECTION ORDER.**—Section 2262(a)(1) of
11 title 18, United States Code, is amended by inserting after
12 “Indian country” the following: “or within the special
13 maritime and territorial jurisdiction of the United States”.

14 **TITLE II—IMPROVING SERVICES**
15 **FOR VICTIMS OF DOMESTIC**
16 **VIOLENCE, DATING VIO-**
17 **LENCE, SEXUAL ASSAULT,**
18 **AND STALKING**

19 **SEC. 201. FINDINGS.**

20 Congress finds the following:

21 (1) Nearly $\frac{1}{3}$ of American women report phys-
22 ical or sexual abuse by a husband or boyfriend at
23 some point in their lives.

1 (2) According to the National Crime Victimization
2 Survey, 248,000 Americans 12 years of age and
3 older were raped or sexually assaulted in 2002.

4 (3) Rape and sexual assault in the United
5 States is estimated to cost \$127,000,000,000 per
6 year, including—

7 (A) lost productivity;

8 (B) medical and mental health care;

9 (C) police and fire services;

10 (D) social services;

11 (E) loss of and damage to property; and

12 (F) reduced quality of life.

13 (4) Nonreporting of sexual assault in rural
14 areas is a particular problem because of the high
15 rate of nonstranger sexual assault.

16 (5) Geographic isolation often compound the
17 problems facing sexual assault victims. The lack of
18 anonymity and accessible support services can limit
19 opportunities for justice for victims.

20 (6) Domestic elder abuse is primarily family
21 abuse. The National Elder Abuse Incidence Study
22 found that the perpetrator was a family member in
23 90 percent of cases.

24 (7) Barriers for older victims leaving abusive
25 relationships include—

1 (A) the inability to support themselves;

2 (B) poor health that increases their de-
3 pendence on the abuser;

4 (C) fear of being placed in a nursing home;
5 and

6 (D) ineffective responses by domestic
7 abuse programs and law enforcement.

8 (8) Disabled women comprise another vulner-
9 able population with unmet needs. Women with dis-
10 abilities are more likely to be the victims of abuse
11 and violence than women without disabilities because
12 of their increased physical, economic, social, or psy-
13 chological dependence on others.

14 (9) Many women with disabilities also fail to re-
15 port the abuse, since they are dependent on their
16 abusers and fear being abandoned or institutional-
17 ized.

18 (10) Of the 598 battered women's programs
19 surveyed—

20 (A) only 35 percent of these programs of-
21 fered disability awareness training for their
22 staff; and

23 (B) only 16 percent dedicated a staff mem-
24 ber to provide services to women with disabil-
25 ities.

1 (11) Problems of domestic violence are exacer-
2 bated for immigrants when spouses control the im-
3 migration status of their family members, and abus-
4 ers use threats of refusal to file immigration papers
5 and threats to deport spouses and children as power-
6 ful tools to prevent battered immigrant women from
7 seeking help, trapping battered immigrant women in
8 violent homes because of fear of deportation.

9 (12) Battered immigrant women who attempt
10 to flee abusive relationships may not have access to
11 bilingual shelters or bilingual professionals, and face
12 restrictions on public or financial assistance. They
13 may also lack assistance of a certified interpreter in
14 court, when reporting complaints to the police or a
15 9-1-1 operator, or even in acquiring information
16 about their rights and the legal system.

17 (13) More than 500 men and women call the
18 National Domestic Violence Hotline every day to get
19 immediate, informed, and confidential assistance to
20 help deal with family violence.

21 (14) The National Domestic Violence Hotline
22 service is available, toll-free, 24 hours a day and 7
23 days a week, with bilingual staff, access to trans-
24 lators in 150 languages, and a TTY line for the
25 hearing-impaired.

1 (15) With access to over 5,000 shelters and
2 service providers across the United States, Puerto
3 Rico, and the United States Virgin Islands, the Na-
4 tional Domestic Violence Hotline provides crisis
5 intervention and immediately connects callers with
6 sources of help in their local community.

7 (16) Approximately 60 percent of the callers in-
8 dicate that calling the Hotline is their first attempt
9 to address a domestic violence situation and that
10 they have not called the police or any other support
11 services.

12 (17) Between 2000 and 2003, there was a 27
13 percent increase in call volume at the National Do-
14 mestic Violence Hotline.

15 (18) Improving technology infrastructure at the
16 National Domestic Violence Hotline and training ad-
17 vocates, volunteers, and other staff on upgraded
18 technology will drastically increase the Hotline's
19 ability to answer more calls quickly and effectively.

20 **SEC. 202. SEXUAL ASSAULT SERVICES PROGRAM.**

21 Part T of title I of the Omnibus Crime Control and
22 Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is
23 amended by inserting after section 2012, as added by this
24 Act, the following:

1 **~~“SEC. 2013. SEXUAL ASSAULT SERVICES.~~**

2 ~~“(a) PURPOSES.—The purposes of this section are—~~

3 ~~“(1) to assist States, tribes, and territories in~~
 4 ~~providing intervention, advocacy, accompaniment,~~
 5 ~~support services, and related assistance for—~~

6 ~~“(A) adult, youth, and child victims of sex-~~
 7 ~~ual assault;~~

8 ~~“(B) family and household members of~~
 9 ~~such victims; and~~

10 ~~“(C) those collaterally affected by the vic-~~
 11 ~~timization, except for the perpetrator of such~~
 12 ~~victimization;~~

13 ~~“(2) to provide for technical assistance and~~
 14 ~~training relating to sexual assault to—~~

15 ~~“(A) Federal, State, tribal, territorial and~~
 16 ~~local governments, law enforcement agencies,~~
 17 ~~and courts;~~

18 ~~“(B) professionals working in legal, social~~
 19 ~~service, and health care settings;~~

20 ~~“(C) nonprofit organizations;~~

21 ~~“(D) faith-based organizations; and~~

22 ~~“(E) other individuals and organizations~~
 23 ~~seeking such assistance.~~

24 ~~“(b) GRANTS TO STATES AND TERRITORIES.—~~

25 ~~“(1) GRANTS AUTHORIZED.—The Attorney~~
 26 ~~General shall award grants to States and territories~~

1 to support the establishment, maintenance, and ex-
 2 pansion of rape crisis centers and other programs
 3 and projects to assist those victimized by sexual as-
 4 sault.

5 “(2) ALLOCATION AND USE OF FUNDS.—

6 “(A) ADMINISTRATIVE COSTS.—Not more
 7 than 5 percent of the grant funds received by
 8 a State or territory governmental agency under
 9 this subsection for any fiscal year may be used
 10 for administrative costs.

11 “(B) GRANT FUNDS.—Any funds received
 12 by a State or territory under this subsection
 13 that are not used for administrative costs shall
 14 be used to provide grants to rape crisis centers
 15 and other nonprofit, nongovernmental organiza-
 16 tions for programs and activities within such
 17 State or territory that provide direct interven-
 18 tion and related assistance.

19 “(C) INTERVENTION AND RELATED AS-
 20 SISTANCE.—Intervention and related assistance
 21 under subparagraph (B) may include—

22 “(i) 24 hour hotline services providing
 23 crisis intervention services and referral;

24 “(ii) accompaniment and advocacy
 25 through medical, criminal justice, and so-

1 cial support systems, including medical fa-
 2 cilities, police, and court proceedings;

3 “(iii) crisis intervention, short-term
 4 individual and group support services, and
 5 comprehensive service coordination and su-
 6 pervision to assist sexual assault victims
 7 and family or household members;

8 “(iv) information and referral to as-
 9 sist the sexual assault victim and family or
 10 household members;

11 “(v) community-based, linguistically
 12 and culturally specific services and support
 13 mechanisms, including outreach activities
 14 for racial and ethnic, and other under-
 15 served communities; and

16 “(vi) the development and distribution
 17 of materials on issues related to the serv-
 18 ices described in clauses (i) through (v).

19 “(3) APPLICATION.—

20 “(A) IN GENERAL.—Each eligible entity
 21 desiring a grant under this subsection shall
 22 submit an application to the Attorney General
 23 at such time and in such manner as the Attor-
 24 ney General may reasonably require.

1 “(B) CONTENTS.—Each application sub-
2 mitted under subparagraph (A) shall—

3 “(i) set forth procedures designed to
4 assure meaningful involvement of the State
5 or territorial sexual assault coalition and
6 representatives from racial and ethnic and
7 other underserved communities in the de-
8 velopment of the application and the imple-
9 mentation of the plans;

10 “(ii) set forth procedures designed to
11 ensure an equitable distribution of grants
12 and grant funds within the State or terri-
13 tory and between urban and rural areas
14 within such State or territory;

15 “(iii) identify the State or territorial
16 agency that is responsible for the adminis-
17 tration of programs and activities; and

18 “(iv) meet other such requirements as
19 the Attorney General reasonably deter-
20 mines are necessary to carry out the pur-
21 poses and provisions of this section.

22 “(4) MINIMUM AMOUNT.—The Attorney Gen-
23 eral shall allocate to each State not less than 0.50
24 percent of the total amount appropriated in a fiscal
25 year for grants under this section, except that the

1 United States Virgin Islands, American Samoa,
 2 Guam, the District of Columbia, Puerto Rico, and
 3 the Commonwealth of the Northern Mariana Islands
 4 shall each be allocated 0.125 percent of the total ap-
 5 propriations.

6 ~~“(c) GRANTS FOR CULTURALLY SPECIFIC PROGRAMS~~
 7 ~~ADDRESSING SEXUAL ASSAULT.—~~

8 ~~“(1) GRANTS AUTHORIZED.—The Attorney~~
 9 ~~General shall award grants to eligible entities to~~
 10 ~~support the establishment, maintenance, and expan-~~
 11 ~~sion of culturally specific intervention and related~~
 12 ~~assistance for victims of sexual assault.~~

13 ~~“(2) ELIGIBLE ENTITIES.—To be eligible to re-~~
 14 ~~ceive a grant under this section, an entity shall—~~

15 ~~“(A) be a private nonprofit organization~~
 16 ~~that focuses primarily on racial and ethnic com-~~
 17 ~~munities;~~

18 ~~“(B) must have documented organizational~~
 19 ~~experience in the area of sexual assault inter-~~
 20 ~~vention or have entered into a partnership with~~
 21 ~~an organization having such expertise;~~

22 ~~“(C) have expertise in the development of~~
 23 ~~community-based, linguistically and culturally~~
 24 ~~specific outreach and intervention services rel-~~
 25 ~~evant for the specific racial and ethnic commu-~~

1 nities to whom assistance would be provided or
 2 have the capacity to link to existing services in
 3 the community tailored to the needs of racial
 4 and ethnic populations; and

5 “(D) have an advisory board or steering
 6 committee and staffing which is reflective of the
 7 targeted racial and ethnic community.

8 “(3) AWARD BASIS.—The Attorney General
 9 shall award grants under this section on a competi-
 10 tive basis.

11 “(4) DISTRIBUTION.—

12 “(A) The Attorney General shall not use
 13 more than 2.5 percent of funds appropriated
 14 under this subsection in any year for adminis-
 15 tration, monitoring, and evaluation of grants
 16 made available under this subsection.

17 “(B) Up to 5 percent of funds appro-
 18 priated under this section in any year shall be
 19 available for technical assistance by a national,
 20 nonprofit, nongovernmental organization or or-
 21 ganizations whose primary focus and expertise
 22 is in addressing sexual assault within racial and
 23 ethnic communities.

1 ~~“(5) TERM.—The Attorney General shall make~~
 2 ~~grants under this section for a period of no less than~~
 3 ~~2 fiscal years.~~

4 ~~“(6) REPORTING.—Each entity receiving a~~
 5 ~~grant under this subsection shall submit a report to~~
 6 ~~the Attorney General that describes the activities out~~
 7 ~~with such grant funds.~~

8 ~~“(d) GRANTS TO STATE, TERRITORIAL, AND TRIBAL~~
 9 ~~SEXUAL ASSAULT COALITIONS.—~~

10 ~~“(1) GRANTS AUTHORIZED.—~~

11 ~~“(A) IN GENERAL.—The Attorney General~~
 12 ~~shall award grants to State, territorial, and~~
 13 ~~tribal sexual assault coalitions to assist in sup-~~
 14 ~~porting the establishment, maintenance, and ex-~~
 15 ~~pansion of such coalitions.~~

16 ~~“(B) MINIMUM AMOUNT.—Not less than~~
 17 ~~10 percent of the total amount appropriated to~~
 18 ~~carry out this section shall be used for grants~~
 19 ~~under subparagraph (A).~~

20 ~~“(C) ELIGIBLE APPLICANTS.—Each of the~~
 21 ~~State, territorial, and tribal sexual assault coali-~~
 22 ~~tions.~~

23 ~~“(2) USE OF FUNDS.—Grant funds received~~
 24 ~~under this subsection may be used to—~~

1 “(A) work with local sexual assault pro-
2 grams and other providers of direct services to
3 encourage appropriate responses to sexual as-
4 sault within the State, territory, or tribe;

5 “(B) work with judicial and law enforce-
6 ment agencies to encourage appropriate re-
7 sponses to sexual assault cases;

8 “(C) work with courts, child protective
9 services agencies, and children’s advocates to
10 develop appropriate responses to child custody
11 and visitation issues when sexual assault has
12 been determined to be a factor;

13 “(D) design and conduct public education
14 campaigns;

15 “(E) plan and monitor the distribution of
16 grants and grant funds to their State, territory,
17 or tribe; or

18 “(F) collaborate with and inform Federal,
19 State, or local public officials and agencies to
20 develop and implement policies to reduce or
21 eliminate sexual assault.

22 “(3) ALLOCATION AND USE OF FUNDS.—From
23 amounts appropriated for grants under this sub-
24 section for each fiscal year—

1 “(A) not less than 10 percent of the funds
2 shall be available for grants to tribal sexual as-
3 sault coalitions;

4 “(B) the remaining funds shall be available
5 for grants to State and territorial coalitions,
6 and the Attorney General shall allocate an
7 amount equal to $\frac{1}{56}$ of the amounts so appro-
8 priated to each of those States and territorial
9 coalitions.

10 “(4) APPLICATION.—Each eligible entity desir-
11 ing a grant under this subsection shall submit an
12 application to the Attorney General at such time, in
13 such manner, and containing such information as
14 the Attorney General determines to be essential to
15 carry out the purposes of this section.

16 “(5) FIRST-TIME APPLICANTS.—No entity shall
17 be prohibited from submitting an application under
18 this subsection during any fiscal year for which
19 funds are available under this subsection because
20 such entity has not previously applied or received
21 funding under this subsection.

22 “(e) GRANTS TO TRIBES.—

23 “(1) GRANTS AUTHORIZED.—The Attorney
24 General may award grants to Indian tribes, tribal
25 organizations, and nonprofit tribal organizations for

1 the operation of a sexual assault programs or
2 projects in Indian country and Alaskan native vil-
3 lages to support the establishment, maintenance,
4 and expansion of programs and projects to assist
5 those victimized by sexual assault.

6 ~~“(2) ALLOCATION AND USE OF FUNDS.—~~

7 ~~“(A) ADMINISTRATIVE COSTS.—Not more~~
8 ~~than 5 percent of the grant funds received by~~
9 ~~an Indian tribe, tribal organization, and non-~~
10 ~~profit tribal organization under this subsection~~
11 ~~for any fiscal year may be used for administra-~~
12 ~~tive costs.~~

13 ~~“(B) GRANT FUNDS.—Any funds received~~
14 ~~under this subsection that are not used for ad-~~
15 ~~ministrative costs shall be used to provide~~
16 ~~grants to tribal organizations and nonprofit~~
17 ~~tribal organizations for programs and activities~~
18 ~~within Indian country and Alaskan native vil-~~
19 ~~lages that provide direct intervention and re-~~
20 ~~lated assistance.~~

21 ~~“(f) AUTHORIZATION OF APPROPRIATIONS.—~~

22 ~~“(1) IN GENERAL.—There are authorized to be~~
23 ~~appropriated \$50,000,000 for each of the fiscal~~
24 ~~years 2006 through 2010 to carry out the provisions~~
25 ~~of this section.~~

1 “(2) ALLOCATIONS.—Of the total amounts ap-
2 propriated for each fiscal year to carry out this sec-
3 tion—

4 “(A) not more than 2.5 percent shall be
5 used by the Attorney General for evaluation,
6 monitoring, and other administrative costs
7 under this section;

8 “(B) not more than 2.5 percent shall be
9 used for the provision of technical assistance to
10 grantees and subgrantees under this section;

11 “(C) not less than 65 percent shall be used
12 for grants to States and territories under sub-
13 section (b);

14 “(D) not less than 7 percent shall be used
15 for making grants to State, territorial, and trib-
16 al sexual assault coalitions under subsection
17 (d);

18 “(E) not less than 7 percent shall be used
19 for grants to tribes under subsection (e); and

20 “(F) not less than 7 percent shall be used
21 for grants for culturally specific programs ad-
22 dressing sexual assault under subsection (e).”.

1 **SEC. 203. AMENDMENTS TO THE RURAL DOMESTIC VIO-**
 2 **LENCE AND CHILD ABUSE ENFORCEMENT AS-**
 3 **SISTANCE PROGRAM.**

4 Section 40295 of the Safe Homes for Women Act of
 5 1994 (42 U.S.C. 13971) is amended to read as follows:

6 **“SEC. 40295. RURAL DOMESTIC VIOLENCE, DATING VIO-**
 7 **LENCE, SEXUAL ASSAULT, STALKING, AND**
 8 **CHILD ABUSE ENFORCEMENT ASSISTANCE.**

9 “(a) PURPOSES.—The purposes of this section are—
 10 “(1) to identify, assess, and appropriately re-
 11 spond to child, youth, and adult victims of domestic
 12 violence, sexual assault, dating violence, and stalking
 13 in rural communities, by encouraging collaboration
 14 among—

15 “(A) domestic violence, dating violence,
 16 sexual assault, and stalking victim service pro-
 17 viders;

18 “(B) law enforcement agencies;

19 “(C) prosecutors;

20 “(D) courts;

21 “(E) other criminal justice service pro-
 22 viders;

23 “(F) human and community service pro-
 24 viders;

25 “(G) educational institutions; and

26 “(H) health care providers;

1 ~~“(2) to establish and expand nonprofit, non-~~
2 ~~governmental, State, tribal, territorial, and local gov-~~
3 ~~ernment victim services in rural communities to~~
4 ~~child, youth, and adult victims; and~~

5 ~~“(3) to increase the safety and well-being of~~
6 ~~women and children in rural communities, by—~~

7 ~~“(A) dealing directly and immediately with~~
8 ~~domestic violence, sexual assault, dating vio-~~
9 ~~lence, and stalking occurring in rural commu-~~
10 ~~nities; and~~

11 ~~“(B) creating and implementing strategies~~
12 ~~to increase awareness and prevent domestic vio-~~
13 ~~lence, sexual assault, dating violence, and stalk-~~
14 ~~ing.~~

15 ~~“(b) GRANTS AUTHORIZED.—The Attorney General,~~
16 ~~acting through the Director of the Office on Violence~~
17 ~~Against Women (referred to in this section as the ‘Direc-~~
18 ~~tor’), may award grants to States, Indian tribes, local gov-~~
19 ~~ernments, and nonprofit, public or private entities, includ-~~
20 ~~ing tribal nonprofit organizations, to carry out programs~~
21 ~~serving rural areas or rural communities that address do-~~
22 ~~mestic violence, dating violence, sexual assault, and stalk-~~
23 ~~ing by—~~

24 ~~“(1) implementing, expanding, and establishing~~
25 ~~cooperative efforts and projects among law enforce-~~

1 ment officers, prosecutors, victim advocacy groups,
2 and other related parties to investigate and pros-
3 ecute incidents of domestic violence, dating violence,
4 sexual assault, and stalking;

5 “(2) providing treatment, counseling, advocacy,
6 and other long- and short-term assistance to adult
7 and minor victims of domestic violence, dating vio-
8 lence, sexual assault, and stalking in rural commu-
9 nities; and

10 “(3) working in cooperation with the commu-
11 nity to develop education and prevention strategies
12 directed toward such issues.

13 “(c) USE OF FUNDS.—Funds appropriated pursuant
14 to this section shall be used only for specific programs and
15 activities expressly described in subsection (a).

16 “(d) ALLOTMENTS AND PRIORITIES.—

17 “(1) ALLOTMENT FOR INDIAN TRIBES.—Not
18 less than 10 percent of the total amount made avail-
19 able for each fiscal year to carry out this section
20 shall be allocated for grants to Indian tribes or trib-
21 al organizations.

22 “(2) ALLOTMENT FOR SEXUAL ASSAULT SERV-
23 ICES.—Not less than 25 percent of the total amount
24 made available for each fiscal year to carry out this

1 section shall be allocated for grants that meaning-
 2 fully address sexual assault in rural communities.

3 ~~“(3) ALLOTMENT FOR TECHNICAL ASSIST-~~
 4 ~~ANCE.—Of the amounts appropriated for each fiscal~~
 5 ~~year to carry out this section, not more than 8 per-~~
 6 ~~cent may be used by the Director for technical as-~~
 7 ~~sistance costs.~~

8 ~~“(4) UNDERSERVED POPULATIONS.—In award-~~
 9 ~~ing grants under this section, the Director shall give~~
 10 ~~priority to racial, ethnic, and other underserved pop-~~
 11 ~~ulations.~~

12 ~~“(5) ALLOCATION OF FUNDS FOR RURAL~~
 13 ~~STATES.—Not less than 75 percent of the total~~
 14 ~~amount made available for each fiscal year to carry~~
 15 ~~out this section shall be allocated to eligible entities~~
 16 ~~located in rural States.~~

17 ~~“(e) AUTHORIZATION OF APPROPRIATIONS.—~~

18 ~~“(1) IN GENERAL.—There are authorized to be~~
 19 ~~appropriated \$55,000,000 for each of the fiscal~~
 20 ~~years 2006 through 2010 to carry out this section.~~

21 ~~“(2) ADDITIONAL FUNDING.—In addition to~~
 22 ~~funds received through a grant under subsection (b);~~
 23 ~~a law enforcement agency may use funds received~~
 24 ~~through a grant under part Q of title I of the Omni-~~
 25 ~~bus Crime Control and Safe Streets Act of 1968 (42~~

1 U.S.C. 3796dd et seq.) to accomplish the objectives
 2 of this section.”.

3 **SEC. 204. TRAINING AND SERVICES TO END VIOLENCE**
 4 **AGAINST WOMEN WITH DISABILITIES.**

5 (a) IN GENERAL.—Section 1402 of the Violence
 6 Against Women Act of 2000 (42 U.S.C. 3796gg–7) is
 7 amended to read as follows:

8 **“SEC. 1402. EDUCATION, TRAINING, AND ENHANCED SERV-**
 9 **ICES TO END VIOLENCE AGAINST AND ABUSE**
 10 **OF WOMEN WITH DISABILITIES.**

11 “(a) IN GENERAL.—The Attorney General, in con-
 12 sultation with the Secretary of Health and Human Serv-
 13 ices, may award grants to eligible entities—

14 “(1) to provide training, consultation, and in-
 15 formation on domestic violence, dating violence,
 16 stalking, and sexual assault against women and girls
 17 who are individuals with disabilities (as defined in
 18 section 3 of the Americans with Disabilities Act of
 19 1990 (42 U.S.C. 12102)); and

20 “(2) to enhance direct services to such individ-
 21 uals.

22 “(b) USE OF FUNDS.—Grants awarded under this
 23 section shall be used—

24 “(1) to provide personnel, training, technical
 25 assistance, advocacy, intervention, risk reduction and

1 prevention of domestic violence, dating violence,
2 stalking, and sexual assault against disabled women
3 and girls;

4 “(2) to conduct outreach activities to ensure
5 that disabled women and girls who are victims of do-
6 mestic violence, dating violence, stalking, or sexual
7 assault receive appropriate assistance;

8 “(3) to conduct cross-training for victim service
9 organizations, governmental agencies, courts, law en-
10 forcement, and nonprofit, nongovernmental organi-
11 zations serving individuals with disabilities about
12 risk reduction, intervention, prevention and the na-
13 ture of domestic violence, dating violence, stalking,
14 and sexual assault for disabled women and girls;

15 “(4) to provide technical assistance to assist
16 with modifications to existing policies, protocols, and
17 procedures to ensure equal access to the services,
18 programs, and activities of victim service organiza-
19 tions for disabled women and girls;

20 “(5) to provide training and technical assist-
21 ance on the requirements of shelters and victim serv-
22 ices organizations under Federal antidiscrimination
23 laws, including—

24 “(A) the Americans with Disabilities Act of
25 1990; and

1 ~~“(B) section 504 of the Rehabilitation Act~~
 2 ~~of 1973;~~

3 ~~“(6) to rehabilitate facilities; purchase equip-~~
 4 ~~ment; and provide personnel so that shelters and vic-~~
 5 ~~tim service organizations can accommodate the~~
 6 ~~needs of disabled women and girls;~~

7 ~~“(7) to provide advocacy and intervention serv-~~
 8 ~~ices for disabled women and girls who are victims of~~
 9 ~~domestic violence; dating violence; stalking; or sexual~~
 10 ~~assault; or~~

11 ~~“(8) to develop model programs providing advo-~~
 12 ~~cacy and intervention services within organizations~~
 13 ~~serving disabled women and girls who are victims of~~
 14 ~~domestic violence; dating violence; sexual assault; or~~
 15 ~~stalking.~~

16 ~~“(c) ELIGIBLE ENTITIES.—~~

17 ~~“(1) IN GENERAL.—An entity shall be eligible~~
 18 ~~to receive a grant under this section if the entity~~
 19 ~~is—~~

20 ~~“(A) a State;~~

21 ~~“(B) a unit of local government;~~

22 ~~“(C) an Indian tribal government or tribal~~
 23 ~~organization; or~~

24 ~~“(D) a nonprofit and nongovernmental vic-~~
 25 ~~tim services organization; such as a State do-~~

1 mestic violence or sexual assault coalition or a
 2 nonprofit, nongovernmental organization serv-
 3 ing disabled women and girls.

4 “(2) LIMITATION.—A grant awarded for the
 5 purpose described in subsection (b)(8) shall only be
 6 awarded to an eligible agency (as defined in section
 7 410 of the Rehabilitation Act of 1973 (29 U.S.C.
 8 796f-5)).

9 “(d) UNDERSERVED POPULATIONS.—In awarding
 10 grants under this section, the Director shall ensure that
 11 the needs of underserved populations are being addressed.

12 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 13 are authorized to be appropriated \$10,000,000 for each
 14 of the fiscal years 2006 through 2010 to carry out this
 15 section.”.

16 **SEC. 205. TRAINING AND SERVICES TO END VIOLENCE**
 17 **AGAINST WOMEN IN LATER LIFE.**

18 (a) TRAINING PROGRAMS.—Section 40802 of the Vi-
 19 olence Against Women Act of 1994 (42 U.S.C. 14041a)
 20 is amended to read as follows:

1 **“SEC. 40802. ENHANCED TRAINING AND SERVICES TO END**
2 **VIOLENCE AGAINST AND ABUSE OF WOMEN**
3 **LATER IN LIFE.**

4 “(a) GRANTS AUTHORIZED.—The Attorney General,
5 through the Director of the Office on Violence Against
6 Women, may award grants, which may be used for—

7 “(1) training programs to assist law enforce-
8 ment, prosecutors, governmental agencies, victim as-
9 sistants, and relevant officers of Federal, State, trib-
10 al, territorial, and local courts in recognizing, ad-
11 dressing, investigating, and prosecuting instances of
12 elder abuse, neglect and exploitation, including do-
13 mestic violence or sexual assault, against victims
14 who are 60 years of age or older;

15 “(2) providing or enhancing services for victims
16 of elder abuse, neglect, and exploitation, including
17 domestic and sexual violence, who are 60 years of
18 age or older;

19 “(3) increasing the physical accessibility of
20 buildings in which services are or will be rendered
21 for victims of elder abuse, neglect, and exploitation,
22 including domestic and sexual violence, who are 60
23 years of age or older;

24 “(4) creating or supporting multidisciplinary
25 collaborative community responses to victims of elder
26 abuse, neglect, and exploitation, including domestic

1 and sexual violence, who are 60 years of age or
2 older; and

3 ~~“(5) conducting cross-training for victim service~~
4 ~~organizations; governmental agencies; courts; law en-~~
5 ~~forcement; and nonprofit, nongovernmental organi-~~
6 ~~zations serving victims of domestic and sexual abuse~~
7 ~~who are 60 years of age or older.~~

8 “(b) ELIGIBLE ENTITIES.—An entity shall be eligible
9 to receive a grant under this section if the entity is—

10 ~~“(1) a State;~~

11 ~~“(2) a unit of local government;~~

12 ~~“(3) an Indian tribal government or tribal orga-~~
13 ~~nization; or~~

14 ~~“(4) a nonprofit and nongovernmental victim~~
15 ~~services organization with demonstrated experience~~
16 ~~in assisting elderly women or demonstrated experi-~~
17 ~~ence in addressing domestic violence or sexual as-~~
18 ~~sault.”.~~

19 “(c) AUTHORIZATION OF APPROPRIATIONS.—Section
20 ~~40803~~ of the Violence Against Women Act of 1994 (~~42~~
21 ~~U.S.C. 14041b~~) is amended by striking “\$5,000,000 for
22 each of fiscal years 2001 through 2005” and inserting
23 “\$10,000,000 for each of the fiscal years 2006 through
24 2010”.

1 **SEC. 206. STRENGTHENING THE NATIONAL DOMESTIC VIO-**
 2 **LENCE HOTLINE.**

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

5 (1) in subsection (d), by adding at the end the
 6 following:

7 “(5) provide technology and telecommunication
 8 training and assistance for advocates, volunteers,
 9 staff, and others affiliated with the hotline so that
 10 such persons are able to effectively use improved
 11 equipment made available through the Connections
 12 Campaign.”; and

13 (2) in subsection (g)—

14 (A) in paragraph (1), by striking
 15 “\$3,500,000” and all that follows and inserting
 16 “\$5,000,000 for each of fiscal years 2006
 17 through 2010.”;

18 (B) by striking paragraph (2); and

19 (C) by redesignating paragraph (3) as
 20 paragraph (2).

21 **TITLE III—SERVICES, PROTEC-**
 22 **TION, AND JUSTICE FOR**
 23 **YOUNG VICTIMS OF VIO-**
 24 **LENCE**

25 **SEC. 301. FINDINGS.**

26 Congress finds the following:

1 (1) Youth, under the age of 18, account for 67
2 percent of all sexual assault victimizations reported
3 to law enforcement officials.

4 (2) The Department of Justice consistently
5 finds that young women between the ages of 16 and
6 24 experience the highest rate of non-fatal intimate
7 partner violence.

8 (3) In 1 year, over 4,000 incidents of rape or
9 sexual assault occurred in public schools across the
10 country.

11 (4) Young people experience particular obsta-
12 cles to seeking help. They often do not have access
13 to money, transportation, or shelter services. They
14 must overcome issues such as distrust of adults, lack
15 of knowledge about available resources, or pressure
16 from peers and parents.

17 (5) A needs assessment on teen relationship
18 abuse for the State of California, funded by the Cali-
19 fornia Department of Health Services, identified a
20 desire for confidentiality and confusion about the
21 law as 2 of the most significant barriers to young
22 victims of domestic and dating violence seeking help.

23 (6) Only one State specifically allows for minors
24 to petition the court for protection orders.

1 (7) Many youth are involved in dating relation-
2 ships, and these relationships can include the same
3 kind of domestic violence and dating violence seen in
4 the adult population. In fact, more than 40 percent
5 of all incidents of domestic violence involve people
6 who are not married.

7 (8) 40 percent of girls ages 14 to 17 report
8 knowing someone their age who has been hit or
9 beaten by a boyfriend, and 13 percent of college
10 women report being stalked.

11 (9) Of college women who said they had been
12 the victims of rape or attempted rape, 12.8 percent
13 of completed rapes, 35 percent of attempted rapes,
14 and 22.9 percent of threatened rapes took place on
15 a date. Almost 60 percent of the completed rapes
16 that occurred on campus took place in the victim's
17 residence.

18 (10) According to a 3-year study of student-
19 athletes at 10 Division I universities, male athletes
20 made up only 3.3 percent of the general male uni-
21 versity population, but they accounted for 19 percent
22 of the students reported for sexual assault and 35
23 percent of domestic violence perpetrators.

1 **SEC. 302. RAPE PREVENTION AND EDUCATION.**

2 Section 393B(e) of part J of title III of the Public
3 Health Service Act (42 U.S.C. 280b-1e(c)) is amended to
4 read as follows:

5 “(e) **AUTHORIZATION OF APPROPRIATIONS.**—

6 “(1) **IN GENERAL.**—There is authorized to be
7 appropriated to carry out this section \$80,000,000
8 for each of fiscal years 2006 through 2010.

9 “(2) **NATIONAL SEXUAL VIOLENCE RESOURCE**
10 **CENTER ALLOTMENT.**—Of the total amount made
11 available under this subsection in each fiscal year,
12 not less than \$1,500,000 shall be available for allot-
13 ment under subsection (b).”.

14 **SEC. 303. SERVICES, EDUCATION, PROTECTION, AND JUS-**
15 **TICE FOR YOUNG VICTIMS OF VIOLENCE.**

16 The Violence Against Women Act of 1994 (Public
17 Law 103-322, Stat. 1902 et seq.) is amended by adding
18 at the end the following:

19 **“Subtitle L—Services, Education,**
20 **Protection and Justice for**
21 **Young Victims of Violence**

22 **“SEC. 41201. SERVICES TO ADVOCATE FOR AND RESPOND**
23 **TO TEENS.**

24 “(a) **GRANTS AUTHORIZED.**—The Secretary of the
25 Department of Health and Human Services (in this sec-
26 tion referred to as the ‘Secretary’), acting through the

1 Family and Youth Services Bureau, in consultation with
2 the Department of Justice, shall award grants to eligible
3 entities to conduct programs to serve victims of domestic
4 violence, dating violence, sexual assault, and stalking who
5 are between the ages of 12 and 24. Amounts appropriated
6 under this section may only be used for programs and ac-
7 tivities described under subsection (c).

8 “(b) ELIGIBLE GRANTEEES.—To be eligible to receive
9 a grant under this section, an entity shall be—

10 “(1) a nonprofit, nongovernmental entity, the
11 primary purpose of which is to provide services to
12 teen and young adult victims of domestic violence,
13 dating violence, sexual assault, or stalking;

14 “(2) a community-based organization special-
15 izing in intervention or violence prevention services
16 for youth;

17 “(3) an Indian Tribe or tribal organization pro-
18 viding services primarily to tribal youth or tribal vic-
19 tims of domestic violence, dating violence, sexual as-
20 sault or stalking; or

21 “(4) a nonprofit, nongovernmental entity pro-
22 viding services for runaway or homeless youth af-
23 fected by domestic or sexual abuse.

24 “(c) USE OF FUNDS.—

1 “(1) IN GENERAL.—An entity that receives a
2 grant under this section shall use amounts provided
3 under the grant to design or replicate, and imple-
4 ment, programs and services, using domestic vio-
5 lence, dating violence, sexual assault, and stalking
6 intervention models to respond to the needs of youth
7 who are victims of domestic violence, dating violence,
8 sexual assault or stalking.

9 “(2) TYPES OF PROGRAMS.—Such a program—

10 “(A) shall provide direct counseling and
11 advocacy for teens and young adults, who have
12 experienced domestic violence, dating violence,
13 sexual assault or stalking;

14 “(B) shall include linguistically, culturally,
15 and community relevant services for racial, eth-
16 nic, and other underserved populations or link-
17 ages to existing services in the community tai-
18 lored to the needs of underserved populations;

19 “(C) may include mental health services
20 for teens and young adults who have experi-
21 enced domestic violence, dating violence, sexual
22 assault, or stalking;

23 “(D) may include legal advocacy efforts on
24 behalf of minors and young adults with respect

1 to domestic violence, dating violence, sexual as-
 2 sault or stalking;

3 “(E) may work with public officials and
 4 agencies to develop and implement policies;
 5 rules, and procedures in order to reduce or
 6 eliminate domestic violence, dating violence,
 7 sexual assault, and stalking against youth and
 8 young adults; and

9 “(F) may use not more than 25 percent of
 10 the grant funds to provide additional services
 11 and resources for youth, including childcare,
 12 transportation, educational support, and respite
 13 care.

14 “(d) AWARDS BASIS.—

15 “(1) GRANTS TO INDIAN TRIBES.—Not less
 16 than 7 percent of funds appropriated under this sec-
 17 tion in any year shall be available for grants to In-
 18 dian Tribes or tribal organizations.

19 “(2) ADMINISTRATION.—The Secretary shall
 20 not use more than 2.5 percent of funds appropriated
 21 under this section in any year for administration,
 22 monitoring, and evaluation of grants made available
 23 under this section.

24 “(3) TECHNICAL ASSISTANCE.—Not less than 5
 25 percent of funds appropriated under this section in

1 any year shall be available to provide technical as-
 2 sistance for programs funded under this section.

3 ~~“(e) TERM.—The Secretary shall make the grants~~
 4 ~~under this section for a period of 3 fiscal years.~~

5 ~~“(f) AUTHORIZATION OF APPROPRIATIONS.—There~~
 6 ~~is authorized to be appropriated to carry out this section,~~
 7 ~~\$15,000,000 for each of fiscal years 2006 through 2010.~~

8 ~~“SEC. 41202. ACCESS TO JUSTICE FOR TEENS.~~

9 ~~“(a) PURPOSE.—It is the purpose of this section to~~
 10 ~~encourage cross training and collaboration between the~~
 11 ~~courts, domestic violence and sexual assault service pro-~~
 12 ~~viders, youth organizations and service providers, violence~~
 13 ~~prevention programs, and law enforcement agencies, so~~
 14 ~~that communities can establish and implement policies,~~
 15 ~~procedures, and practices to protect and more comprehen-~~
 16 ~~sively and effectively serve young victims of dating vio-~~
 17 ~~lence, domestic violence, sexual assault, and stalking who~~
 18 ~~are between the ages of 12 and 24, and to engage, where~~
 19 ~~necessary, other entities addressing the safety, health,~~
 20 ~~mental health, social service, housing, and economic needs~~
 21 ~~of young victims of domestic violence, dating violence, sex-~~
 22 ~~ual assault, and stalking, including community-based sup-~~
 23 ~~ports such as schools, local health centers, community ac-~~
 24 ~~tion groups, and neighborhood coalitions.~~

25 ~~“(b) GRANT AUTHORITY.—~~

1 “(1) IN GENERAL.—The Attorney General,
2 through the Director of the Office on Violence
3 Against Women (in this section referred to as the
4 ‘Director’), shall make grants to eligible entities to
5 carry out the purposes of this section.

6 “(2) GRANT PERIODS.—Grants shall be award-
7 ed under this section for a period of 2 fiscal years.

8 “(3) ELIGIBLE ENTITIES.—To be eligible for a
9 grant under this section, a grant applicant shall es-
10 tablish a collaboration that—

11 “(A) shall include a victim service provider
12 that has a documented history of effective work
13 concerning domestic violence, dating violence,
14 sexual assault, or stalking and the effect that
15 those forms of abuse have on young people;

16 “(B) shall include a court; and

17 “(C) may include—

18 “(i) batterer intervention programs or
19 sex offender treatment programs with spe-
20 cialized knowledge and experience working
21 with youth offenders;

22 “(ii) community-based youth organiza-
23 tions that deal specifically with the con-
24 cerns and problems faced by youth, includ-
25 ing programs that target teen parents and

1 racial, ethnic, and other underserved com-
 2 munities;

3 “(iii) schools or school-based pro-
 4 grams designed to provide prevention or
 5 intervention services to youth experiencing
 6 problems;

7 “(iv) faith-based entities that deal
 8 with the concerns and problems faced by
 9 youth;

10 “(v) healthcare entities eligible for re-
 11 imbursement under title XVIII of the So-
 12 cial Security Act, including providers that
 13 target the special needs of youth;

14 “(vi) education programs on HIV and
 15 other sexually transmitted diseases that
 16 are designed to target teens; or

17 “(vii) Indian Health Services, Indian
 18 Child Welfare, the Bureau of Indian Af-
 19 fairs, or the Federal Bureau of Investiga-
 20 tions.

21 “(e) USES OF FUNDS.—An entity that receives a
 22 grant under this section shall use the funds made available
 23 through the grant for cross-training and collaborative ef-
 24 forts—

1 “(1) addressing domestic violence, dating vio-
2 lence, sexual assault, and stalking, assessing and
3 analyzing currently available services for youth and
4 young adult victims, determining relevant barriers to
5 such services in a particular locality, and developing
6 a community protocol to address such problems col-
7 laboratively;

8 “(2) to establish and enhance linkages and col-
9 laboration between—

10 “(A) domestic violence and sexual assault
11 service providers; and

12 “(B) where applicable, law enforcement
13 agencies, courts, Federal agencies, and other
14 entities addressing the safety, health, mental
15 health, social service, housing, and economic
16 needs of young victims of abuse, including com-
17 munity-based supports such as schools, local
18 health centers, community action groups, and
19 neighborhood coalitions—

20 “(i) to respond effectively and com-
21 prehensively to the varying needs of young
22 victims of abuse;

23 “(ii) to include linguistically, cul-
24 turally, and community relevant services
25 for racial, ethnic, and other underserved

1 populations or linkages to existing services
2 in the community tailored to the needs of
3 underserved populations; and

4 “(iii) to include where appropriate
5 legal assistance, referral services, and pa-
6 rental support;

7 “(3) to educate the staff of courts, domestic vi-
8 olence and sexual assault service providers, and, as
9 applicable, the staff of law enforcement agencies, In-
10 dian child welfare agencies, youth organizations,
11 schools, healthcare providers, and other community
12 prevention and intervention programs to responsibly
13 address minor victims and perpetrators of domestic
14 violence, dating violence, sexual assault, and stalk-
15 ing;

16 “(4) to identify, assess, and respond appro-
17 priately to dating violence, domestic violence, sexual
18 assault, or stalking against minors and young adults
19 and meet the needs of young victims of violence; and

20 “(5) to provide appropriate resources in juvenile
21 court matters to respond to dating violence, domestic
22 violence, sexual assault, and stalking and ensure
23 necessary services dealing with the health and men-
24 tal health of victims are available.

1 “(d) GRANT APPLICATIONS.—To be eligible for a
 2 grant under this section, the entities that are members
 3 of the applicant collaboration described in subsection
 4 (b)(3) shall jointly submit an application to the Director
 5 at such time, in such manner, and containing such infor-
 6 mation as the Director may require.

7 “(e) PRIORITY.—In awarding grants under this sec-
 8 tion, the Director shall give priority to entities that have
 9 submitted applications in partnership with community or-
 10 ganizations and service providers that work primarily with
 11 youth, especially teens, and who have demonstrated a com-
 12 mitment to coalition building and cooperative problem
 13 solving in dealing with problems of dating violence, domes-
 14 tic violence, sexual assault, and stalking in teen popu-
 15 lations.

16 “(f) DISTRIBUTION.—In awarding grants under this
 17 section—

18 “(1) not less than 7 percent of funds appro-
 19 priated under this section in any year shall be avail-
 20 able for grants to collaborations involving tribal
 21 courts, tribal coalitions, tribal organizations, or do-
 22 mestic violence or sexual assault service providers
 23 the primary purpose of which is to provide culturally
 24 relevant services to American Indian or Alaska Na-
 25 tive women or youth;

1 “(2) the Director shall not use more than 2.5
2 percent of funds appropriated under this section in
3 any year for monitoring and evaluation of grants
4 made available under this section;

5 “(3) the Attorney General of the United States
6 shall not use more than 2.5 percent of funds appro-
7 priated under this section in any year for adminis-
8 tration of grants made available under this section;
9 and

10 “(4) up to 8 percent of funds appropriated
11 under this section in any year shall be available to
12 provide technical assistance for programs funded
13 under this section.

14 “(g) DISSEMINATION OF INFORMATION.—Not later
15 than 12 months after the end of the grant period under
16 this section, the Director shall prepare, submit to Con-
17 gress, and make widely available, including through elec-
18 tronic means, summaries that contain information on—

19 “(1) the activities implemented by the recipients
20 of the grants awarded under this section; and

21 “(2) related initiatives undertaken by the Direc-
22 tor to promote attention to dating violence, domestic
23 violence, sexual assault, and stalking and their im-
24 pact on young victims by—

25 “(A) the staffs of courts;

1 “(B) domestic violence, dating violence,
2 sexual assault, and stalking service providers;
3 and

4 “(C) law enforcement agencies and com-
5 munity organizations.

6 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section,
8 \$5,000,000 in each of fiscal years 2006 through 2010.

9 **“SEC. 41203. GRANTS FOR TRAINING AND COLLABORATION**
10 **ON THE INTERSECTION BETWEEN DOMESTIC**
11 **VIOLENCE AND CHILD MALTREATMENT.**

12 “(a) PURPOSE.—The purpose of this section is to
13 support efforts by child welfare agencies, domestic violence
14 or dating violence victim services providers, courts, law en-
15 forcement, and other related professionals and community
16 organizations to develop collaborative responses and serv-
17 ices and provide cross-training to enhance community re-
18 sponses to families where there is both child maltreatment
19 and domestic violence.

20 “(b) GRANTS AUTHORIZED.—The Secretary of the
21 Department of Health and Human Services (in this sec-
22 tion referred to as the ‘Secretary’), through the Family
23 and Youth Services Bureau, and in consultation with the
24 Office on Violence Against Women, shall award grants on

1 a competitive basis to eligible entities for the purposes and
 2 in the manner described in this section.

3 ~~“(c) AUTHORIZATION OF APPROPRIATIONS.—~~There
 4 are authorized to be appropriated to carry out this section
 5 \$5,000,000 for each of fiscal years 2006 through 2010.
 6 Funds appropriated under this section shall remain avail-
 7 able until expended. Of the amounts appropriated to carry
 8 out this section for each fiscal year, the Secretary shall—

9 ~~“(1) use not more than 3 percent for evalua-~~
 10 ~~tion; monitoring, site visits, grantee conferences, and~~
 11 ~~other administrative costs associated with con-~~
 12 ~~ducting activities under this section;~~

13 ~~“(2) set aside not more than 7 percent for~~
 14 ~~grants to programs addressing child maltreatment~~
 15 ~~and domestic violence or dating violence that are op-~~
 16 ~~erated by, or in partnership with, a tribal organiza-~~
 17 ~~tion; and~~

18 ~~“(3) set aside up to 8 percent for technical as-~~
 19 ~~sistance and training to be provided by organizations~~
 20 ~~having demonstrated expertise in developing collabo-~~
 21 ~~rative community and system responses to families~~
 22 ~~in which there is both child maltreatment and do-~~
 23 ~~mestic violence or dating violence, which technical~~
 24 ~~assistance and training may be offered to jurisdic-~~
 25 ~~tions in the process of developing community re-~~

1 sponses to families in which children are exposed to
2 child maltreatment and domestic violence or dating
3 violence, whether or not they are receiving funds
4 under this section.

5 “(d) UNDERSERVED POPULATIONS.—In awarding
6 grants under this section, the Secretary shall consider the
7 needs of racial, ethnic, and other underserved populations.

8 “(e) GRANT AWARDS.—The Secretary shall award
9 grants under this section for periods of not more than 2
10 fiscal years.

11 “(f) USES OF FUNDS.—Entities receiving grants
12 under this section shall use amounts provided to develop
13 collaborative responses and services and provide cross-
14 training to enhance community responses to families
15 where there is both child maltreatment and domestic vio-
16 lence or dating violence. Amounts distributed under this
17 section may only be used for programs and activities de-
18 scribed in subsection (g).

19 “(g) PROGRAMS AND ACTIVITIES.—The programs
20 and activities developed under this section shall—

21 “(1) encourage cross training, education, serv-
22 ice development, and collaboration among child wel-
23 fare agencies, domestic violence victim service pro-
24 viders, and courts, law enforcement agencies, com-
25 munity-based programs, and other entities, in order

1 to ensure that such entities have the capacity to and
2 will identify, assess, and respond appropriately to—

3 “(A) domestic violence or dating violence
4 in homes where children are present and may
5 be exposed to the violence;

6 “(B) domestic violence or dating violence
7 in child protection cases; and

8 “(C) the needs of both the child and non-
9 abusing parent;

10 “(2) establish and implement policies, proce-
11 dures, programs, and practices for child welfare
12 agencies, domestic violence victim service providers,
13 courts, law enforcement agencies, and other entities,
14 that are consistent with the principles of protecting
15 and increasing the immediate and long-term safety
16 and well being of children and non-abusing parents
17 and caretakers;

18 “(3) increase cooperation and enhance linkages
19 between child welfare agencies, domestic violence vic-
20 tim service providers, courts, law enforcement agen-
21 cies, and other entities to provide more comprehen-
22 sive community-based services (including health,
23 mental health, social service, housing, and neighbor-
24 hood resources) to protect and to serve both child
25 and adult victims;

1 “(4) identify, assess, and respond appropriately
2 to domestic violence or dating violence in child pro-
3 tection cases and to child maltreatment when it co-
4 occurs with domestic violence or dating violence;

5 “(5) analyze and change policies, procedures,
6 and protocols that contribute to overrepresentation
7 of racial and ethnic minorities in the court and child
8 welfare system; and

9 “(6) provide appropriate referrals to commu-
10 nity-based programs and resources, such as health
11 and mental health services, shelter and housing as-
12 sistance for adult and youth victims and their chil-
13 dren, legal assistance and advocacy for adult and
14 youth victims, assistance for parents to help their
15 children cope with the impact of exposure to domes-
16 tic violence or dating violence and child maltreat-
17 ment, appropriate intervention and treatment for
18 adult perpetrators of domestic violence or dating vio-
19 lence whose children are the subjects of child protec-
20 tion cases, programs providing support and assist-
21 ance to racial and ethnic populations, and other nec-
22 essary supportive services.

23 “(i) GRANTEE REQUIREMENTS.—

24 “(1) APPLICATIONS.—Under this section, an
25 entity shall prepare and submit to the Secretary an

1 application at such time, in such manner, and con-
2 taining such information as the Secretary may re-
3 quire, consistent with the requirements described
4 herein. The application shall—

5 “(A) ensure that communities impacted by
6 these systems or organizations are adequately
7 represented in the development of the applica-
8 tion, the programs and activities to be under-
9 taken, and that they have a significant role in
10 evaluating the success of the project;

11 “(B) describe how the training and col-
12 laboration activities will enhance or ensure the
13 safety and economic security of families where
14 both child maltreatment and domestic violence
15 or dating violence occurs by providing appro-
16 priate resources, protection, and support to the
17 victimized parents of such children and to the
18 children themselves; and

19 “(C) outline methods and means partici-
20 pating entities will use to ensure that all serv-
21 ices are provided in a developmentally, linguis-
22 tically and culturally competent manner and
23 will utilize community-based supports and re-
24 sources.

1 “(2) ELIGIBLE ENTITIES.—To be eligible for a
2 grant under this section, an entity shall be a collabor-
3 ration that—

4 “(A) shall include a State or local child
5 welfare agency or Indian Tribe;

6 “(B) shall include a domestic violence or
7 dating violence victim service provider;

8 “(C) shall include a law enforcement agen-
9 cy or Bureau of Indian Affairs providing tribal
10 law enforcement;

11 “(D) may include a court; and

12 “(E) may include any other such agencies
13 or private nonprofit organizations and faith-
14 based organizations, including community-based
15 organizations, with the capacity to provide ef-
16 fective help to the child and adult victims
17 served by the collaboration.”.

18 **SEC. 304. GRANTS TO REDUCE VIOLENCE AGAINST WOMEN**
19 **ON CAMPUS.**

20 Section 826 of the Higher Education Amendments of
21 1998 (20 U.S.C. 1152) is amended—

22 (1) in subsection (a)(2), by adding at the end
23 the following: “The Attorney General, through the
24 Director of the Office on Violence Against Women,
25 shall award the grants in amounts of not more than

1 \$500,000 for individual institutions of higher edu-
2 cation and not more than \$1,000,000 for consortia
3 of such institutions.”;

4 (2) in subsection (b)—

5 (A) in paragraph (2)—

6 (i) by inserting “develop and imple-
7 ment campus policies, protocols, and serv-
8 ices that” after “boards to”; and

9 (ii) by adding at the end the fol-
10 lowing: “Within 90 days after the date of
11 enactment of the Violence Against Women
12 Act of 2005, the Attorney General shall
13 issue and make available minimum stand-
14 ards of training relating to violent crimes
15 against women on campus, for all campus
16 security personnel and personnel serving
17 on campus disciplinary or judicial
18 boards.”;

19 (B) in paragraph (4), by striking all that
20 follows “strengthen” and inserting: “victim
21 services programs on the campuses of the insti-
22 tutions involved, including programs providing
23 legal, medical, or psychological counseling, for
24 victims of domestic violence, dating violence, or
25 sexual assault, and to improve delivery of victim

1 assistance on campus. To the extent prac-
 2 ticable, such an institution shall collaborate
 3 with any entities carrying out nonprofit and
 4 other victim services programs, including sexual
 5 assault, domestic violence, and dating violence
 6 victim services programs in the community in
 7 which the institution is located. If appropriate
 8 victim services programs are not available in
 9 the community or are not accessible to stu-
 10 dents, the institution shall, to the extent prac-
 11 ticable, provide a victim services program on
 12 campus or create a victim services program in
 13 collaboration with a community-based organiza-
 14 tion. The institution shall use not less than 20
 15 percent of the funds made available through the
 16 grant for a victim services program provided in
 17 accordance with this paragraph.”;

18 (C) by striking paragraphs (6) and (8);

19 (D) by redesignating paragraphs (7), (9),
 20 and (10) as paragraphs (6), (7), and (8), re-
 21 spectively;

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

24 “(B) include proof that the institution of
 25 higher education collaborated with any non-

profit, nongovernmental entities carrying out other victim services programs, including sexual assault, domestic violence, and dating violence victim services programs in the community in which the institution is located;”;

(4) in subsection (d)—

(A) by striking paragraph (4);

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

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

“(2) NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE INFORMATION.—

“(A) IN GENERAL.—In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, grantee and subgrantees under this title shall protect the confidentiality and privacy of persons receiving services.

“(B) NONDISCLOSURE.—Subject to subparagraph (C), grantees and subgrantees shall not—

“(i) disclose any personally identifying information or individual information col-

1 lected in connection with services re-
2 quested, utilized, or denied through grant-
3 ees' and subgrantees' programs; or

4 “(ii) reveal individual client informa-
5 tion without the informed, written, reason-
6 ably time-limited consent of the person (or
7 in the case of an unemancipated minor, the
8 minor and the parent or guardian or in the
9 case of persons with disabilities, the guard-
10 ian) about whom information is sought,
11 whether for this program or any other
12 Federal, State, tribal, or territorial grant
13 program.

14 “(C) RELEASE.—If release of information
15 described in subparagraph (B) is compelled by
16 statutory or court mandate—

17 “(i) grantees and subgrantees shall
18 make reasonable attempts to provide notice
19 to victims affected by the disclosure of in-
20 formation; and

21 “(ii) grantees and subgrantees shall
22 take steps necessary to protect the privacy
23 and safety of the persons affected by the
24 release of the information.

1 “(D) INFORMATION SHARING.—Grantees
2 and subgrantees may share—

3 “(i) nonpersonally identifying data in
4 the aggregate regarding services to their
5 clients and nonpersonally identifying demo-
6 graphic information in order to comply
7 with Federal, State, tribal, or territorial
8 reporting, evaluation, or data collection re-
9 quirements;

10 “(ii) court-generated information and
11 law-enforcement generated information
12 contained in secure, governmental reg-
13 istries for protection order enforcement
14 purposes; and

15 “(iii) law-enforcement and prosecu-
16 tion-generated information for law enforce-
17 ment and prosecution purposes.

18 “(E) PERSONALLY IDENTIFYING INFORMA-
19 TION OR PERSONAL INFORMATION.—The term
20 ‘personally identifying information’ or ‘personal
21 information’ means individually identifying in-
22 formation for or about an individual including
23 information likely to disclose the location of a
24 victim of domestic violence, dating violence, sex-
25 ual assault, or stalking, including—

1 “(i) a first and last name;

2 “(ii) a home or other physical address;

3 “(iii) contact information (including a
4 postal, e-mail or Internet protocol address, or
5 telephone or facsimile number);

6 “(iv) a social security number; and

7 “(v) any other information, including, date
8 of birth, racial or ethnic background, or reli-
9 gious affiliation, that, in combination with any
10 of clauses (i) through (iv), would serve to iden-
11 tify any individual.”; and

12 (5) in subsection (g), by—

13 (A) striking “\$10,000,000” and inserting
14 “\$15,000,000”;

15 (B) striking “2001” and inserting “2006”;

16 and

17 (C) striking “2005” and inserting “2010”.

18 **SEC. 305. JUVENILE JUSTICE.**

19 (a) STATE PLANS.—Section 223(a) of the Juvenile
20 Justice and Delinquency Prevention Act of 1974 (42
21 U.S.C. 5633(a)) is amended—

22 (1) in paragraph (7)(B)—

23 (A) by redesignating clauses (i), (ii) and
24 (iii), as clauses (ii), (iii), and (iv), respectively;

25 and

1 (B) by inserting before clause (ii) the fol-
2 lowing:

3 “(i) an analysis of gender-specific services
4 for the prevention and treatment of juvenile de-
5 linquency, including the types of such services
6 available and the need for such services for fe-
7 males;”.

8 (b) USE OF FUNDS.—Section 223(a)(9) of the Juve-
9 nile Justice and Delinquency Prevention Act of 1974 (42
10 U.S.C. 5633(a)(9)) is amended—

11 (1) in subparagraph (R), by striking “and” at
12 the end;

13 (2) in subparagraph (S), by striking the period
14 at the end and inserting “; and”; and

15 (3) by adding at the end the following:

16 “(T) developing and adopting policies to
17 prohibit disparate treatment of female juveniles
18 in placement and treatment, and establishing
19 gender-specific services to ensure that female
20 juveniles have access to the full range of health
21 and mental health services; treatment for phys-
22 ical or sexual assault and abuse; education in
23 parenting; education in general; and other
24 training and vocational services.”.

1 **SEC. 306. SAFE HAVENS.**

2 Section 1301 of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 10420) is amended—

3
4
5 (1) by striking the section heading and inserting the following:

6
7 **“SEC. 10402. SAFE HAVENS FOR CHILDREN.”;**

8 (2) in subsection (a)—

9 (A) by inserting “, through the Director of the Office on Violence Against Women,” after
10
11 “Attorney General”;

12 (B) by inserting “dating violence,” after
13 “domestic violence,”;

14 (C) by striking “to provide” and inserting the following:

15
16 “(1) to provide”;

17 (D) by striking the period at the end and inserting a semicolon; and

18
19 (E) by adding at the end the following:

20 “(2) to protect children from the trauma of witnessing domestic or dating violence or experiencing
21 abduction, injury, or death during parent and child visitation exchanges;

22
23
24 “(3) to protect parents or caretakers who are
25 victims of domestic and dating violence from experi-

1 encing further violence, abuse, and threats during
 2 child visitation exchanges; and

3 “(4) to protect children from the trauma of ex-
 4 periencing sexual assault or other forms of physical
 5 assault or abuse during parent and child visitation
 6 and visitation exchanges.”; and

7 (3) by striking subsection (c) and inserting the
 8 following:

9 “(c) AUTHORIZATION OF APPROPRIATIONS.—

10 “(1) IN GENERAL.—There is authorized to be
 11 appropriated to carry out this section, \$20,000,000
 12 for each of fiscal years 2006 through 2010. Funds
 13 appropriated under this section shall remain avail-
 14 able until expended.

15 “(2) USE OF FUNDS.—Of the amounts appro-
 16 priated to carry out this section for each fiscal year,
 17 the Attorney General shall—

18 “(A) set aside not less than 5 percent for
 19 grants to Indian tribal governments or tribal
 20 organizations;

21 “(B) use not more than 3 percent for eval-
 22 uation, monitoring, site visits, grantee con-
 23 ferences, and other administrative costs associ-
 24 ated with conducting activities under this sec-
 25 tion; and

“(C) set aside not more than 8 percent for technical assistance and training to be provided by organizations having nationally recognized expertise in the design of safe and secure supervised visitation programs and visitation exchange of children in situations involving domestic violence, dating violence, sexual assault, or stalking.”.

**TITLE IV—STRENGTHENING
AMERICA’S FAMILIES BY PRE-
VENTING VIOLENCE**

**SEC. 401. PREVENTING VIOLENCE AGAINST WOMEN AND
CHILDREN.**

The Violence Against Women Act of 1994 (108 Stat. 1902 et seq.) is amended by adding at the end the following:

**“Subtitle M—Strengthening Amer-
ica’s Families by Preventing Vi-
olence Against Women and Chil-
dren**

“SEC. 41301. FINDINGS.

“Congress finds that—

“(1) the former United States Advisory Board on Child Abuse suggests that domestic violence may

1 be the single major precursor to child abuse and ne-
2 glect fatalities in this country;

3 “(2) studies suggest that as many as
4 10,000,000 children witness domestic violence every
5 year;

6 “(3) studies suggest that among children and
7 teenagers, recent exposure to violence in the home
8 was a significant factor in predicting a child’s violent
9 behavior;

10 “(4) a study by the Nurse-Family Partnership
11 found that children whose parents did not partici-
12 pate in home visitation programs that provided
13 coaching in parenting skills, advice and support,
14 were almost 5 times more likely to be abused in
15 their first 2 years of life;

16 “(5) a child’s exposure to domestic violence
17 seems to pose the greatest independent risk for
18 being the victim of any act of partner violence as an
19 adult;

20 “(6) children exposed to domestic violence are
21 more likely to believe that using violence is an effec-
22 tive means of getting one’s needs met and managing
23 conflict in close relationships;

1 “(7) children exposed to abusive parenting;
2 harsh or erratic discipline, or domestic violence are
3 at increased risk for juvenile crime; and

4 “(8) in a national survey of more than 6,000
5 American families, 50 percent of men who frequently
6 assaulted their wives also frequently abused their
7 children.

8 **“SEC. 41302. PURPOSE.**

9 “The purpose of this subtitle is to—

10 “(1) prevent crimes involving violence against
11 women, children, and youth;

12 “(2) increase the resources and services avail-
13 able to prevent violence against women, children,
14 and youth;

15 “(3) reduce the impact of exposure to violence
16 in the lives of children and youth so that the
17 intergenerational cycle of violence is interrupted;

18 “(4) develop and implement education and serv-
19 ices programs to prevent children in vulnerable fami-
20 lies from becoming victims or perpetrators of domes-
21 tic violence, dating violence, sexual assault, or stalk-
22 ing;

23 “(5) promote programs to ensure that children
24 and youth receive the assistance they need to end

1 the cycle of violence and develop mutually respectful,
 2 nonviolent relationships; and

3 ~~“(6) encourage collaboration among community-~~
 4 ~~based organizations and governmental agencies serv-~~
 5 ~~ing children and youth, providers of health and men-~~
 6 ~~tal health services and providers of domestic vio-~~
 7 ~~lence, dating violence, sexual assault, and stalking~~
 8 ~~victim services to prevent violence against women~~
 9 ~~and children.~~

10 **~~“SEC. 41303. GRANTS TO ASSIST CHILDREN AND YOUTH EX-~~**
 11 **~~POSED TO VIOLENCE.~~**

12 ~~“(a) GRANTS AUTHORIZED.—~~

13 ~~“(1) IN GENERAL.—The Attorney General, act-~~
 14 ~~ing through the Director of the Office on Violence~~
 15 ~~Against Women, and in collaboration with the Ad-~~
 16 ~~ministration for Children, Youth, and Families of~~
 17 ~~the Department of Health and Human Services, is~~
 18 ~~authorized to award grants on a competitive basis to~~
 19 ~~eligible entities for the purpose of mitigating the ef-~~
 20 ~~fects of domestic violence, dating violence, sexual as-~~
 21 ~~sault, and stalking on children exposed to such vio-~~
 22 ~~lence, and reducing the risk of future victimization~~
 23 ~~or perpetration of domestic violence, dating violence,~~
 24 ~~sexual assault, and stalking.~~

1 ~~“(2) TERM.—~~The Director shall make grants
2 under this section for a period of 2 fiscal years.

3 ~~“(3) AWARD BASIS.—~~The Director shall award
4 grants—

5 ~~“(A) considering the needs of underserved~~
6 populations;

7 ~~“(B) awarding not less than 7 percent of~~
8 such amounts for the funding of tribal projects
9 from the amounts made available under this
10 section for a fiscal year;

11 ~~“(C) awarding up to 8 percent for the~~
12 funding of technical assistance programs from
13 the amounts made available under this section
14 for a fiscal year; and

15 ~~“(D) awarding not less than 66 percent to~~
16 programs described in subsection (c)(1) from
17 the amounts made available under this section
18 for a fiscal year.

19 ~~“(b) AUTHORIZATION OF APPROPRIATIONS.—~~There
20 is authorized to be appropriated to carry out this section
21 \$20,000,000 for each of fiscal years 2006 through 2010.

22 ~~“(c) USE OF FUNDS.—~~The funds appropriated under
23 this section shall be used for—

24 ~~“(1) programs that provide services for children~~
25 exposed to domestic violence, dating violence, sexual

1 assault, or stalking, which may include direct coun-
 2 seling, advocacy, or mentoring, and must include
 3 support for the nonabusing parent or the child's
 4 caretaker; or

5 “(2) training, coordination, and advocacy for
 6 programs that serve children and youth (such as
 7 Head Start, child care, and after-school programs)
 8 on how to safely and confidentially identify children
 9 and families experiencing domestic violence and
 10 properly refer them to programs that can provide di-
 11 rect services to the family and children, and coordi-
 12 nation with other domestic violence or other pro-
 13 grams serving children exposed to domestic violence,
 14 dating violence, sexual assault, or stalking that can
 15 provide the training and direct services referenced in
 16 this subsection.

17 “(d) ELIGIBLE ENTITIES.—To be eligible to receive
 18 a grant under this section, an entity shall be a—

19 “(1) a victim service provider, tribal nonprofit
 20 organization or community-based organization that
 21 has a documented history of effective work con-
 22 cerning children or youth exposed to domestic vio-
 23 lence, dating violence, sexual assault, or stalking, in-
 24 cluding programs that provide culturally specific
 25 services, Head Start, childcare, faith-based organiza-

1 tions, after school programs, and health and mental
 2 health providers; or

3 ~~“(2) a State, territorial, or tribal, or local unit~~
 4 ~~of government agency that is partnered with an or-~~
 5 ~~ganization described in paragraph (1).~~

6 ~~“(e) GRANTEE REQUIREMENTS.—Under this section,~~
 7 ~~an entity shall—~~

8 ~~“(1) prepare and submit to the Director an ap-~~
 9 ~~plication at such time, in such manner, and con-~~
 10 ~~taining such information as the Director may re-~~
 11 ~~quire; and~~

12 ~~“(2) at a minimum, describe in the application~~
 13 ~~the policies and procedures that the entity has or~~
 14 ~~will adopt to—~~

15 ~~“(A) enhance or ensure the safety and se-~~
 16 ~~curity of children who have been or are being~~
 17 ~~exposed to violence and their nonabusing par-~~
 18 ~~ent, enhance or ensure the safety and security~~
 19 ~~of children and their nonabusing parent in~~
 20 ~~homes already experiencing domestic violence,~~
 21 ~~dating violence, sexual assault, or stalking; and~~

22 ~~“(B) ensure linguistically, culturally, and~~
 23 ~~community relevant services for racial, ethnic,~~
 24 ~~and other underserved communities.~~

1 **“SEC. 41304. DEVELOPMENT OF CURRICULA AND PILOT**
2 **PROGRAMS FOR HOME VISITATION**
3 **PROJECTS.**

4 **“(a) GRANTS AUTHORIZED.—**

5 **“(1) IN GENERAL.—**The Attorney General, act-
6 ing through the Director of the Office on Violence
7 Against Women, and in collaboration with the Ad-
8 ministration for Children, Youth, and Families of
9 the Department of Health and Human Services,
10 shall award grants on a competitive basis to home
11 visitation programs, in collaboration with victim
12 service providers, for the purposes of developing and
13 implementing model policies and procedures to train
14 home visitation service providers on addressing do-
15 mestic violence, dating violence, sexual assault, and
16 stalking in families experiencing violence, or at risk
17 of violence, to reduce the impact of that violence on
18 children, maintain safety, improve parenting skills,
19 and break intergenerational cycles of violence.

20 **“(2) TERM.—**The Director shall make the
21 grants under this section for a period of 2 fiscal
22 years.

23 **“(3) AWARD BASIS.—**The Director shall—

24 **“(A) consider the needs of underserved**
25 **populations;**

1 “(B) award not less than 7 percent of such
2 amounts for the funding of tribal projects from
3 the amounts made available under this section
4 for a fiscal year; and

5 “(C) award up to 8 percent for the funding
6 of technical assistance programs from the
7 amounts made available under this section for
8 a fiscal year.

9 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
10 is authorized to be appropriated to carry out this section
11 \$7,000,000 for each of fiscal years 2006 through 2010.

12 “(c) ELIGIBLE ENTITIES.—To be eligible to receive
13 a grant under this section, an entity shall be a national,
14 Federal, State, local, territorial, or tribal—

15 “(1) home visitation program that provides
16 services to pregnant women and to young children
17 and their parent or primary caregiver that are pro-
18 vided in the permanent or temporary residence or in
19 other familiar surroundings of the individual or fam-
20 ily receiving such services; or

21 “(2) victim services organization or agency in
22 collaboration with an organization or organizations
23 listed in paragraph (1).

24 “(d) GRANTEE REQUIREMENTS.—Under this section,
25 an entity shall—

1 “(1) prepare and submit to the Director an ap-
2 plication at such time, in such manner, and con-
3 taining such information as the Director may re-
4 quire; and

5 “(2) describe in the application the policies and
6 procedures that the entity has or will adopt to—

7 “(A) enhance or ensure the safety and se-
8 curity of children and their nonabusing parent
9 in homes already experiencing domestic vio-
10 lence, dating violence, sexual assault, or stalk-
11 ing;

12 “(B) ensure linguistically, culturally, and
13 community relevant services for racial ethnic
14 and other underserved communities;

15 “(C) ensure the adequate training by do-
16 mestic violence, dating violence, sexual assault
17 or stalking victim service providers of home visi-
18 tation grantee program staff to—

19 “(i) safely screen for and/or recognize
20 domestic violence, dating violence, sexual
21 assault, and stalking;

22 “(ii) understand the impact of domes-
23 tic violence or sexual assault on children
24 and protective actions taken by a non-
25 abusing parent or caretaker in response to

1 violence against anyone in the household;
 2 and

3 “(iii) link new parents with existing
 4 community resources in communities where
 5 resources exist; and

6 “(D) ensure that relevant State and local
 7 domestic violence, dating violence, sexual as-
 8 sault, and stalking victim service providers and
 9 coalitions are aware of the efforts of organiza-
 10 tions receiving grants under this section, and
 11 are included as training partners, where pos-
 12 sible.

13 **“SEC. 41305. ENGAGING MEN AND YOUTH IN PREVENTING**
 14 **DOMESTIC VIOLENCE, DATING VIOLENCE,**
 15 **SEXUAL ASSAULT, AND STALKING.**

16 “(a) GRANTS AUTHORIZED.—

17 “(1) IN GENERAL.—The Attorney General, act-
 18 ing through the Director of the Office on Violence
 19 Against Women, and in collaboration with the Ad-
 20 ministration for Children, Youth, and Families of
 21 the Department of Health and Human Services,
 22 shall award grants on a competitive basis to eligible
 23 entities for the purpose of developing or enhancing
 24 programs related to engaging men and youth in pre-
 25 venting domestic violence, dating violence, sexual as-

1 sault, and stalking by helping them to develop mutu-
2 ally respectful, nonviolent relationships.

3 “(2) TERM.—The Director shall make grants
4 under this section for a period of 2 fiscal years.

5 “(3) AWARD BASIS.—The Director shall award
6 grants—

7 “(A) considering the needs of underserved
8 populations;

9 “(B) awarding not less than 7 percent of
10 such amounts for the funding of tribal projects
11 from the amounts made available under this
12 section for a fiscal year; and

13 “(C) awarding up to 8 percent for the
14 funding of technical assistance for grantees and
15 non-grantees working in this area from the
16 amounts made available under this section for
17 a fiscal year.

18 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated to carry out this section
20 \$10,000,000 for each of fiscal years 2006 through 2010.

21 “(c) USE OF FUNDS.—

22 “(1) PROGRAMS.—The funds appropriated
23 under this section shall be used by eligible entities
24 for—

1 “(A) to develop or enhance community-
2 based programs, including gender-specific pro-
3 grams in accordance with applicable laws
4 that—

5 “(i) encourage children and youth to
6 pursue nonviolent relationships and reduce
7 their risk of becoming victims or perpetra-
8 tors of domestic violence, dating violence,
9 sexual assault, or stalking; and

10 “(ii) that include at a minimum—

11 “(I) information on domestic vio-
12 lence, dating violence, sexual assault,
13 stalking, or child sexual abuse and
14 how they affect children and youth;
15 and

16 “(II) strategies to help partici-
17 pants be as safe as possible; or

18 “(B) create public education campaigns
19 and community organizing to encourage men
20 and boys to work as allies with women and girls
21 to prevent violence against women and girls
22 conducted by entities that have experience in
23 conducting public education campaigns that ad-
24 dress domestic violence, dating violence, sexual
25 assault, or stalking.

1 ~~“(2) MEDIA LIMITS.—~~No more than 40 percent
 2 of funds received by a grantee under this section
 3 may be used to create and distribute media mate-
 4 rials.

5 ~~“(d) ELIGIBLE ENTITIES.—~~

6 ~~“(1) RELATIONSHIPS.—~~Eligible entities under
 7 subsection (c)(1)(A) are—

8 ~~“(A) nonprofit, nongovernmental domestic~~
 9 violence, dating violence, sexual assault, or
 10 stalking victim service providers or coalitions;

11 ~~“(B) community-based child or youth serv-~~
 12 ices organizations with demonstrated experience
 13 and expertise in addressing the needs and con-
 14 cerns of young people;

15 ~~“(C) a State, territorial, tribal, or unit of~~
 16 local governmental entity that is partnered with
 17 an organization described in subparagraph (A)
 18 or (B); or

19 ~~“(D) a program that provides culturally~~
 20 specific services.

21 ~~“(2) AWARENESS CAMPAIGN.—~~Eligible entities
 22 under subsection (c)(1)(B) are—

23 ~~“(A) nonprofit, nongovernmental organiza-~~
 24 tions or coalitions that have a documented his-
 25 tory of creating and administering effective

1 public education campaigns addressing the pre-
 2 vention of domestic violence, dating violence,
 3 sexual assault or stalking; or

4 “(B) a State, territorial, tribal, or unit of
 5 local governmental entity that is partnered with
 6 an organization described in subparagraph (A).

7 “(c) GRANTEE REQUIREMENTS.—Under this section,
 8 an entity shall—

9 “(1) prepare and submit to the Director an ap-
 10 plication at such time, in such manner, and con-
 11 taining such information as the Director may re-
 12 quire; and

13 “(2) describe in the application the policies and
 14 procedures that the entity has or will adopt to—

15 “(A) enhance or ensure the safety and se-
 16 curity of children and youth already experi-
 17 encing domestic violence, dating violence, sexual
 18 assault, or stalking in their lives;

19 “(B) ensure linguistically, culturally, and
 20 community relevant services for racial, ethnic,
 21 and other underserved communities;

22 “(C) inform participants about laws, serv-
 23 ices, and resources in the community, and make
 24 referrals as appropriate; and

1 “(D) ensure that State and local domestic
 2 violence, dating violence, sexual assault, and
 3 stalking victim service providers and coalitions
 4 are aware of the efforts of organizations receiv-
 5 ing grants under this section.”.

6 **SEC. 402. STUDY CONDUCTED BY THE CENTERS FOR DIS-**
 7 **EASE CONTROL AND PREVENTION.**

8 (a) **PURPOSES.**—The Secretary of Health and
 9 Human Services acting through the National Center for
 10 Injury Prevention and Control at the Centers for Disease
 11 Control Prevention shall make grants to entities, including
 12 sexual assault coalitions and programs, research organiza-
 13 tions, tribal organizations, and academic institutions to
 14 support research to examine prevention and intervention
 15 programs to further the understanding of sexual and do-
 16 mestic violence by and against adults, youth, and children.

17 (b) **USE OF FUNDS.**—The research conducted under
 18 this section shall include the following areas:

19 (1) Evaluation and study of best practices for
 20 reducing and preventing violence against women and
 21 children addressed by the strategies included in this
 22 title, including strategies addressing racial, ethnic,
 23 and other underserved communities.

24 (2) An evaluation of the efficacy and effective-
 25 ness of interventions and policies targeting offenders

1 and potential offenders to prevent perpetration of
2 sexual and domestic violence.

3 ~~(3) An examination of the social norms and~~
4 ~~family structure that support sexual and domestic~~
5 ~~violence and to evaluate strategies to change them.~~

6 ~~(c) AUTHORIZATION OF APPROPRIATIONS.—There~~
7 ~~shall be authorized to be appropriated to carry out this~~
8 ~~title \$2,000,000 for each of the fiscal years 2006 through~~
9 ~~2010.~~

10 **TITLE V—STRENGTHENING THE**
11 **HEALTHCARE SYSTEM’S RE-**
12 **SPONSE TO DOMESTIC VIO-**
13 **LENCE, DATING VIOLENCE,**
14 **SEXUAL ASSAULT, AND**
15 **STALKING**

16 **SEC. 501. FINDINGS.**

17 Congress makes the following findings:

18 ~~(1) The health-related costs of intimate partner~~
19 ~~violence in the United States exceed \$5,800,000,000~~
20 ~~annually.~~

21 ~~(2) Thirty-seven percent of all women who~~
22 ~~sought care in hospital emergency rooms for vio-~~
23 ~~lence-related injuries were injured by a current or~~
24 ~~former spouse, boyfriend, or girlfriend.~~

1 (3) In addition to injuries sustained during vio-
2 lent episodes, physical and psychological abuse is
3 linked to a number of adverse physical and mental
4 health effects. Women who have been abused are
5 much more likely to suffer from chronic pain, diabe-
6 tes, depression, unintended pregnancies, substance
7 abuse and sexually transmitted infections, including
8 HIV/AIDS.

9 (4) Health plans spend an average of \$1,775
10 more a year on abused women than on general en-
11 rollees.

12 (5) Each year about 324,000 pregnant women
13 in the United States are battered by the men in
14 their lives. This battering leads to complications of
15 pregnancy, including low weight gain, anemia, infec-
16 tions, and first and second trimester bleeding.

17 (6) Pregnant and recently pregnant women are
18 more likely to be victims of homicide than to die of
19 any other pregnancy-related cause, and evidence ex-
20 ists that a significant proportion of all female homi-
21 cide victims are killed by their intimate partners.

22 (7) Children who witness domestic violence are
23 more likely to exhibit behavioral and physical health
24 problems including depression, anxiety, and violence
25 towards peers. They are also more likely to attempt

1 suicide, abuse drugs and alcohol, run away from
2 home, engage in teenage prostitution, and commit
3 sexual assault crimes.

4 (8) Recent research suggests that women experi-
5 encing domestic violence significantly increase their
6 safety-promoting behaviors over the short- and long-
7 term when health care providers screen for, identify,
8 and provide followup care and information to ad-
9 dress the violence.

10 (9) Currently, only about 10 percent of primary
11 care physicians routinely screen for intimate partner
12 abuse during new patient visits and 9 percent rou-
13 tinely screen for intimate partner abuse during peri-
14 odic checkups.

15 (10) Recent clinical studies have proven the ef-
16 fectiveness of a 2-minute screening for early detec-
17 tion of abuse of pregnant women. Additional longitu-
18 dinal studies have tested a 10-minute intervention
19 that was proven highly effective in increasing the
20 safety of pregnant abused women. Comparable re-
21 search does not yet exist to support the effectiveness
22 of screening men.

23 (11) Seventy to 81 percent of the patients stud-
24 ied reported that they would like their healthcare

1 providers to ask them privately about intimate part-
 2 ner violence.

3 **SEC. 502. PURPOSE.**

4 It is the purpose of this title to improve the health
 5 care system's response to domestic violence, dating vio-
 6 lence, sexual assault, and stalking through the training
 7 and education of health care providers; developing com-
 8 prehensive public health responses to violence against
 9 women and children; increasing the number of women
 10 properly screened, identified, and treated for lifetime expo-
 11 sure to violence; and expanding research on effective inter-
 12 ventions in the health care setting.

13 **SEC. 503. TRAINING AND EDUCATION OF HEALTH PROFES-**
 14 **SIONALS IN DOMESTIC AND SEXUAL VIO-**
 15 **LENCE.**

16 Part D of title VII of the Public Health Service Act
 17 (42 U.S.C. 294 et seq.) is amended by adding at the end
 18 the following:

19 **“SEC. 758. INTERDISCIPLINARY TRAINING AND EDUCATION**
 20 **ON DOMESTIC VIOLENCE AND OTHER TYPES**
 21 **OF VIOLENCE AND ABUSE.**

22 “(a) GRANTS.—The Secretary, acting through the
 23 Director of the Health Resources and Services Adminis-
 24 tration, shall award grants under this section to develop
 25 interdisciplinary training and education programs that

1 provide undergraduate, graduate, post-graduate medical,
 2 nursing (including advanced practice nursing students),
 3 and other health professions students with an under-
 4 standing of, and clinical skills pertinent to, domestic vio-
 5 lence, sexual assault, stalking, and dating violence.

6 “(b) ELIGIBILITY.—To be eligible to receive a grant
 7 under this section an entity shall—

8 “(1) be an accredited school of allopathic or os-
 9 teopathic medicine;

10 “(2) prepare and submit to the Secretary an
 11 application at such time, in such manner, and con-
 12 taining such information as the Secretary may re-
 13 quire, including—

14 “(A) information to demonstrate that the
 15 applicant includes the meaningful participation
 16 of a school of nursing and at least one other
 17 school of health professions or graduate pro-
 18 gram in public health, dentistry, social work,
 19 midwifery, or behavioral and mental health;

20 “(B) strategies for the dissemination and
 21 sharing of curricula and other educational ma-
 22 terials developed under the grant to other inter-
 23 ested medical and nursing schools and national
 24 resource repositories for materials on domestic
 25 violence and sexual assault; and

1 ~~“(C) a plan for consulting with, and com-~~
 2 ~~pensating community-based coalitions or indi-~~
 3 ~~viduals who have experience and expertise in~~
 4 ~~issues related to domestic violence, sexual as-~~
 5 ~~sault, dating violence, and stalking for services~~
 6 ~~provided under the program carried out under~~
 7 ~~the grant.~~

8 ~~“(e) USE OF FUNDS.—~~

9 ~~“(1) REQUIRED USES.—Amounts provided~~
 10 ~~under a grant under this section shall be used to—~~

11 ~~“(A) fund interdisciplinary training and~~
 12 ~~education projects that are designed to train~~
 13 ~~medical, nursing, and other health professions~~
 14 ~~students and residents to identify and provide~~
 15 ~~health care services (including mental or behav-~~
 16 ~~ioral health care services and referrals to appro-~~
 17 ~~priate community services) to individuals who~~
 18 ~~are or who have experienced domestic violence,~~
 19 ~~sexual assault, and stalking or dating violence;~~
 20 ~~and~~

21 ~~“(B) plan and develop culturally competent~~
 22 ~~clinical components for integration into ap-~~
 23 ~~proved residency training programs that ad-~~
 24 ~~dress health issues related to domestic violence,~~
 25 ~~sexual assault, dating violence, and stalking;~~

1 along with other forms of violence as appro-
2 priate, and include the primacy of victim safety
3 and confidentiality.

4 “(2) PERMISSIVE USES.—Amounts provided
5 under a grant under this section may be used to—

6 “(A) offer community-based training op-
7 portunities in rural areas for medical, nursing,
8 and other students and residents on domestic
9 violence, sexual assault, stalking, and dating vi-
10 olence, and other forms of violence and abuse,
11 which may include the use of distance learning
12 networks and other available technologies need-
13 ed to reach isolated rural areas; or

14 “(B) provide stipends to students from ra-
15 cial and ethnic population groups who are
16 underrepresented in the health professions as
17 necessary to promote and enable their partici-
18 pation in clerkships, preceptorships, or other
19 offsite training experiences that are designed to
20 develop health care clinical skills related to do-
21 mestic violence, sexual assault, dating violence,
22 and stalking.

23 “(3) REQUIREMENTS.—

24 “(A) CONFIDENTIALITY AND SAFETY.—
25 Grantees under this section shall ensure that all

1 educational programs developed with grant
2 funds address issues of confidentiality and pa-
3 tient safety; and that faculty and staff associ-
4 ated with delivering educational components are
5 fully trained in procedures that will protect the
6 immediate and ongoing security of the patients;
7 patient records; and staff. Advocacy-based coal-
8 itions or other expertise available in the commu-
9 nity shall be consulted on the development and
10 adequacy of confidentiality and security proce-
11 dures, and shall be fairly compensated by
12 grantees for their services.

13 “(B) RURAL PROGRAMS.—Rural training
14 programs carried out under paragraph (2)(A)
15 shall reflect adjustments in protocols and proce-
16 dures or referrals that may be needed to protect
17 the confidentiality and safety of patients who
18 live in small or isolated communities and who
19 are currently or have previously experienced vio-
20 lence or abuse.

21 “(4) CHILD AND ELDER ABUSE.—Issues related
22 to child and elder abuse may be addressed as part
23 of a comprehensive programmatic approach imple-
24 mented under a grant under this section.

25 “(d) REQUIREMENTS OF GRANTEES.—

1 “(1) LIMITATION ON ADMINISTRATIVE EX-
 2 PENSES.—A grantee shall not use more than 10 per-
 3 cent of the amounts received under a grant under
 4 this section for administrative expenses.

5 “(2) CONTRIBUTION OF FUNDS.—A grantee
 6 under this section, and any entity receiving assist-
 7 ance under the grant for training and education,
 8 shall contribute non-Federal funds, either directly or
 9 through in-kind contributions, to the costs of the ac-
 10 tivities to be funded under the grant in an amount
 11 that is not less than 25 percent of the total cost of
 12 such activities.

13 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 14 is authorized to be appropriated to carry out this section,
 15 \$3,000,000 for each of fiscal years 2006 through 2010.
 16 Amounts appropriated under this subsection shall remain
 17 available until expended.”.

18 **SEC. 504. GRANTS TO FOSTER PUBLIC HEALTH RESPONSES**
 19 **TO DOMESTIC VIOLENCE, DATING VIOLENCE,**
 20 **SEXUAL ASSAULT, AND STALKING GRANTS.**

21 Part P of title III of the Public Health Service Act
 22 (42 U.S.C. 280g et seq.) is amended by adding at the end
 23 the following:

1 **“SEC. 399P. GRANTS TO FOSTER PUBLIC HEALTH RE-**
 2 **SPONSES TO DOMESTIC VIOLENCE, DATING**
 3 **VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

4 **“(a) AUTHORITY TO AWARD GRANTS.—**

5 **“(1) IN GENERAL.—**The Secretary, acting
 6 through the Director of the Centers for Disease
 7 Control and Prevention, shall award grants to eligi-
 8 ble State, tribal, territorial, or local entities to
 9 strengthen the response of State, tribal, territorial,
 10 or local health care systems to domestic violence,
 11 dating violence, sexual assault, and stalking.

12 **“(2) ELIGIBLE ENTITIES.—**To be eligible to re-
 13 ceive a grant under this section, an entity shall—

14 **“(A) be—**

15 **“(i)** a State department (or other divi-
 16 sion) of health, a State domestic or sexual
 17 assault coalition or service-based program,
 18 State law enforcement task force, or any
 19 other nonprofit, nongovernmental, tribal,
 20 territorial, or State entity with a history of
 21 effective work in the fields of domestic vio-
 22 lence, dating violence, sexual assault or
 23 stalking, and health care; or

24 **“(ii)** a local, nonprofit domestic vio-
 25 lence, dating violence, sexual assault, or
 26 stalking service-based program, a local de-

1 partment (or other division) of health, a
2 local health clinic, hospital, or health sys-
3 tem, or any other nonprofit, tribal, or local
4 entity with a history of effective work in
5 the field of domestic or sexual violence and
6 health;

7 “(B) prepare and submit to the Secretary
8 an application at such time, in such manner,
9 and containing such agreements, assurances,
10 and information as the Secretary determines to
11 be necessary to carry out the purposes for
12 which the grant is to be made; and

13 “(C) demonstrate that the entity is rep-
14 resenting a team of organizations and agencies
15 working collaboratively to strengthen the re-
16 sponse of the health care system involved to do-
17 mestic violence, dating violence, sexual assault,
18 or stalking and that such team includes domes-
19 tic violence, dating violence, sexual assault or
20 stalking and health care organizations.

21 “(3) DURATION.—A program conducted under
22 a grant awarded under this section shall not exceed
23 2 years.

24 “(b) USE OF FUNDS.—

1 “(1) IN GENERAL.—An entity shall use
2 amounts received under a grant under this section to
3 design and implement comprehensive strategies to
4 improve the response of the health care system in-
5 volved to domestic or sexual violence in clinical and
6 public health settings, hospitals, clinics, managed
7 care settings (including behavioral and mental
8 health), and other health settings.

9 “(2) MANDATORY STRATEGIES.—Strategies im-
10 plemented under paragraph (1) shall include the fol-
11 lowing:

12 “(A) The implementation, dissemination,
13 and evaluation of policies and procedures to
14 guide health care professionals and behavioral
15 and public health staff in responding to domes-
16 tic violence, dating violence, sexual assault, and
17 stalking, including strategies to ensure that
18 health information is maintained in a manner
19 that protects the patient’s privacy and safety
20 and prohibits insurance discrimination.

21 “(B) The development of on-site access to
22 services to address the safety, medical, mental
23 health, and economic needs of patients either by
24 increasing the capacity of existing health care
25 professionals and behavioral and public health

1 staff to address domestic violence, dating vio-
 2 lence, sexual assault, and stalking, by con-
 3 tracting with or hiring domestic or sexual as-
 4 sault advocates to provide the services, or to
 5 model other services appropriate to the geo-
 6 graphic and cultural needs of a site.

7 “(C) The evaluation of practice and the in-
 8 stitutionalization of identification, intervention,
 9 and documentation including quality improve-
 10 ment measurements.

11 “(D) The provision of training and fol-
 12 lowup technical assistance to health care profes-
 13 sionals, behavioral and public health staff, and
 14 allied health professionals to identify, assess,
 15 treat, and refer clients who are victims of do-
 16 mestic violence, dating violence, sexual violence,
 17 or stalking.

18 “(3) PERMISSIVE STRATEGIES.—Strategies im-
 19 plemented under paragraph (1) may include the fol-
 20 lowing:

21 “(A) Where appropriate, the development
 22 of training modules and policies that address
 23 the overlap of child abuse, domestic violence,
 24 dating violence, sexual assault, and stalking and

1 elder abuse as well as childhood exposure to do-
2 mestic violence.

3 “(B) The creation, adaptation, and imple-
4 mentation of public education campaigns for
5 patients concerning domestic violence, dating vi-
6 olence, sexual assault, and stalking prevention.

7 “(C) The development, adaptation, and
8 dissemination of domestic violence, dating vio-
9 lence, sexual assault, and stalking education
10 materials to patients and health care profes-
11 sionals and behavioral and public health staff.

12 “(D) The promotion of the inclusion of do-
13 mestic violence, dating violence, sexual assault,
14 and stalking into health professional training
15 schools, including medical, dental, nursing
16 school, social work, and mental health cur-
17 riculum.

18 “(E) The integration of domestic violence,
19 dating violence, sexual assault, and stalking
20 into health care accreditation and professional
21 licensing examinations, such as medical, dental,
22 social work, and nursing boards.

23 “(e) ALLOCATION OF FUNDS.—Funds appropriated
24 under this section shall be distributed equally between
25 State and local programs.

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated to award grants under
 3 this section, \$5,000,000 for each of fiscal years 2006
 4 through 2010.”.

5 **SEC. 505. RESEARCH ON EFFECTIVE INTERVENTIONS IN**
 6 **THE HEALTHCARE SETTING.**

7 Subtitle B of the Violence Against Women Act of
 8 1994 (Public Law 103–322; 108 Stat. 1902 et seq.), as
 9 amended by the Violence Against Women Act of 2000
 10 (114 Stat. 1491 et seq.), and as amended by this Act,
 11 is further amended by adding at the end the following:

12 **“CHAPTER 11—RESEARCH ON EFFECTIVE**
 13 **INTERVENTIONS TO ADDRESS VIO-**
 14 **LENCE AGAINST WOMEN**

15 **“SEC. 40297. RESEARCH ON EFFECTIVE INTERVENTIONS IN**
 16 **THE HEALTH CARE SETTING.**

17 “(a) PURPOSE.—The Secretary, acting through the
 18 Director of the Centers for Disease Control and Preven-
 19 tion and the Director of the Agency for Healthcare Re-
 20 search and Quality, shall award grants and contracts to
 21 fund research on effective interventions in the health care
 22 setting that prevent domestic violence, dating violence, and
 23 sexual assault across the lifespan and that prevent the
 24 health effects of such violence and improve the safety and
 25 health of individuals who are currently being victimized.

1 “(b) USE OF FUNDS.—Research conducted with
2 amounts received under a grant or contract under this sec-
3 tion shall include the following:

4 “(1) With respect to the authority of the Cen-
5 ters for Disease Control and Prevention—

6 “(A) research on the effects of domestic vi-
7 olence, dating violence, sexual assault, and
8 childhood exposure to domestic, dating, or sex-
9 ual violence, on health behaviors, health condi-
10 tions, and the health status of individuals, fami-
11 lies, and populations; and

12 “(B) research and testing of best messages
13 and strategies to mobilize public and health
14 care provider action concerning the prevention
15 of domestic, dating, or sexual violence; and

16 “(2) With respect to the authority of the Agen-
17 cy for Healthcare Research and Quality—

18 “(A) research on the impact on the health
19 care system, health care utilization, health care
20 costs, and health status of domestic and dating
21 violence and childhood exposure to domestic
22 and dating violence; and

23 “(B) research on effective interventions
24 within primary care and emergency health care
25 settings and with health care settings that in-

1 clude clinical partnerships within community
 2 domestic violence providers for adults and chil-
 3 dren exposed to domestic or dating violence.

4 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
 5 is authorized to be appropriated to carry out this section,
 6 \$5,000,000 for each of fiscal years 2006 through 2010.”.

7 **TITLE VI—HOUSING OPPORTU-**
 8 **NITIES AND SAFETY FOR BAT-**
 9 **TERED WOMEN AND CHIL-**
 10 **DREN**

11 **SEC. 601. ADDRESSING THE HOUSING NEEDS OF VICTIMS**
 12 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**
 13 **SEXUAL ASSAULT, AND STALKING.**

14 The Violence Against Women Act of 1994 (42 U.S.C.
 15 13701 et seq.) is amended by adding at the end the fol-
 16 lowing:

17 **“Subtitle N—Addressing the Hous-**
 18 **ing Needs of Victims of Domes-**
 19 **tic Violence, Dating Violence,**
 20 **Sexual Assault, and Stalking**

21 **“SEC. 41401. FINDINGS.**

22 “Congress finds that:

23 “(1) There is a strong link between domestic vi-
 24 olence and homelessness. Among cities surveyed, 44

1 percent identified domestic violence as a primary
2 cause of homelessness.

3 “(2) 92 percent of homeless women have experi-
4 enced severe physical or sexual abuse at some point
5 in their lives. Of all homeless women and children,
6 60 percent had been abused by age 12, and 63 per-
7 cent have been victims of intimate partner violence
8 as adults.

9 “(3) Women and families across the country
10 are being discriminated against, denied access to,
11 and even evicted from public and subsidized housing
12 because of their status as victims of domestic vio-
13 lence.

14 “(4) A recent survey of legal service providers
15 around the country found that these providers have
16 responded to almost 150 documented eviction cases
17 in the last year alone where the tenant was evicted
18 because of the domestic violence crimes committed
19 against her. In addition, nearly 100 clients were de-
20 nied housing because of their status as victims of
21 domestic violence.

22 “(5) Women who leave their abusers frequently
23 lack adequate emergency shelter options. The lack of
24 adequate emergency options for victims presents a
25 serious threat to their safety and the safety of their

1 children. Requests for emergency shelter by home-
2 less women with children increased by 78 percent of
3 United States cities surveyed in 2004. In the same
4 year, 32 percent of the requests for shelter by home-
5 less families went unmet due to the lack of available
6 emergency shelter beds.

7 “(6) The average stay at an emergency shelter
8 is 60 days, while the average length of time it takes
9 a homeless family to secure housing is 6 to 10
10 months.

11 “(7) Victims of domestic violence often return
12 to abusive partners because they cannot find long-
13 term housing.

14 “(8) There are not enough Federal housing
15 rent vouchers available to accommodate the number
16 of people in need of long-term housing. Some people
17 remain on the waiting list for Federal housing rent
18 vouchers for years, while some lists are closed.

19 “(9) Transitional housing resources and serv-
20 ices provide an essential continuum between emer-
21 gency shelter provision and independent living. A
22 majority of women in transitional housing programs
23 stated that had these programs not existed, they
24 would have likely gone back to abusive partners.

1 “(10) Because abusers frequently manipulate fi-
 2 nances in an effort to control their partners, victims
 3 often lack steady income, credit history, landlord ref-
 4 erences, and a current address, all of which are nec-
 5 essary to obtain long-term permanent housing.

6 “(11) Victims of domestic violence in rural
 7 areas face additional barriers, challenges, and
 8 unique circumstances, such as geographical isolation,
 9 poverty, lack of public transportation systems, short-
 10 ages of health care providers, under-insurance or
 11 lack of health insurance, difficulty ensuring con-
 12 fidentiality in small communities, and decreased ac-
 13 cess to many resources (such as advanced education,
 14 job opportunities, and adequate childcare).

15 “(12) Congress and the Secretary of Housing
 16 and Urban Development have recognized in recent
 17 years that families experiencing domestic violence
 18 have unique needs that should be addressed by those
 19 administering the Federal housing programs.

20 **“SEC. 41402. PURPOSE.**

21 “The purpose of this subtitle is to reduce domestic
 22 violence, dating violence, sexual assault, and stalking, and
 23 to prevent homelessness by—

24 “(1) protecting the safety of victims of domestic
 25 violence, dating violence, sexual assault, and stalking

1 who reside in homeless shelters, public housing, as-
2 sisted housing, Indian housing, or other emergency,
3 transitional, permanent, or affordable housing, and
4 ensuring that such victims have meaningful access to
5 the criminal justice system without jeopardizing such
6 housing;

7 “(2) creating long-term housing solutions that
8 develop communities and provide sustainable living
9 solutions for victims of domestic violence, dating vio-
10 lence, sexual assault, and stalking;

11 “(3) building collaborations between victim
12 service providers, homeless service providers, housing
13 providers, and housing agencies to provide appro-
14 priate services, interventions, and training to ad-
15 dress the housing needs of victims of domestic vio-
16 lence, dating violence, sexual assault, and stalking;
17 and

18 “(4) enabling public and assisted housing agen-
19 cies, Indian housing authorities, private landlords,
20 property management companies, and other housing
21 providers and agencies to respond appropriately to
22 domestic violence, dating violence, sexual assault,
23 and stalking, while maintaining a safe environment
24 for all housing residents.

1 **“SEC. 41403. DEFINITIONS.**

2 “For purposes of this subtitle—

3 “(1) the term ‘assisted housing’ means housing
4 assisted—

5 “(A) under section 221(d)(3), section
6 221(d)(4), or section 236 of the National Hous-
7 ing Act (12 U.S.C. 1715l(d)(3), (d)(4), or
8 1715z-1);

9 “(B) under section 101 of the Housing
10 and Urban Development Act of 1965 (12
11 U.S.C. 1701s); or

12 “(C) under section 8 of the United States
13 Housing Act of 1937 (42 U.S.C. 1437f);

14 “(2) the term ‘continuum of care’ means a com-
15 munity plan developed to organize and deliver hous-
16 ing and services to meet the specific needs of people
17 who are homeless as they move to stable housing
18 and achieve maximum self-sufficiency;

19 “(3) the term ‘Indian housing’ means housing
20 assistance described in the Native American Hous-
21 ing Assistance and Self-Determination Act of 1996
22 (25 U.S.C. 4101 et seq.);

23 “(4) the term ‘low-income housing assistance
24 voucher’ means housing assistance described in sec-
25 tion 8 of the United States Housing Act of 1937 (42
26 U.S.C. 1437f);

1 “(5) the term ‘public housing’ means housing
2 described in section 3(b)(1) of the United States
3 Housing Act of 1937 (42 U.S.C. 1437a(b)(1));

4 “(6) the term ‘public housing agency’ means an
5 agency described in section 3(b)(6) of the United
6 States Housing Act of 1937 (42 U.S.C.
7 1437a(b)(6));

8 “(7) the terms ‘homeless’, ‘homeless individual’,
9 and ‘homeless person’—

10 “(A) mean an individual who lacks a fixed,
11 regular, and adequate nighttime residence; and

12 “(B) includes—

13 “(i) an individual who—

14 “(I) is sharing the housing of
15 other persons due to loss of housing,
16 economic hardship, or a similar rea-
17 son;

18 “(II) is living in a motel, hotel,
19 trailer park, or campground due to
20 the lack of alternative adequate ac-
21 commodations;

22 “(III) is living in an emergency
23 or transitional shelter;

24 “(IV) is abandoned in a hospital;
25 or

1 “(V) is awaiting foster care
2 placement;

3 “(ii) an individual who has a primary
4 nighttime residence that is a public or pri-
5 vate place not designed for or ordinarily
6 used as a regular sleeping accommodation
7 for human beings; or

8 “(iii) migratory children (as defined in
9 section 1309 of the Elementary and Sec-
10 ondary Education Act of 1965; 20 U.S.C.
11 6399) who qualify as homeless under this
12 section because the children are living in
13 circumstances described in this paragraph;
14 and

15 “(8) the term ‘homeless service provider’ means
16 a nonprofit, nongovernmental homeless service pro-
17 vider, such as a homeless shelter, a homeless service
18 or advocacy program, a tribal organization serving
19 homeless individuals, or coalition or other nonprofit,
20 nongovernmental organization carrying out a com-
21 munity-based homeless or housing program that has
22 a documented history of effective work concerning
23 homelessness.

1 **“SEC. 41404. COLLABORATIVE GRANTS TO DEVELOP LONG-**
 2 **TERM HOUSING FOR VICTIMS.**

3 **“(a) GRANTS AUTHORIZED.—**

4 **“(1) IN GENERAL.—**The Secretary of Health
 5 and Human Services, acting through the Adminis-
 6 tration on Children, Youth and Families (“ACYF”),
 7 and in consultation with the Secretary of Housing
 8 and Urban Development, shall award grants and
 9 contracts for a period of not less than 2 years to eli-
 10 gible entities to develop long-term housing options
 11 for adult and youth victims of domestic violence,
 12 dating violence, sexual assault, and stalking who are
 13 currently homeless or at risk for becoming homeless.

14 **“(2) AMOUNT.—**The Secretary of Health and
 15 Human Services shall award—

16 **“(A) grants for projects that do not in-**
 17 **clude the cost of construction in amounts—**

18 **“(i) not less than \$25,000 per year;**

19 **and**

20 **“(ii) not more than \$350,000 per**
 21 **year; and**

22 **“(B) grants for projects that do include**
 23 **the cost of construction in amounts—**

24 **“(i) not less than \$75,000 per year;**

25 **and**

1 “(ii) not more than \$1,000,000 per
2 year.

3 ~~“(b) ELIGIBLE ENTITIES.—~~To be eligible to receive
4 a grant under this section, an entity shall demonstrate
5 that it is a coalition or partnership, applying jointly,
6 that—

7 ~~“(1) shall include a domestic violence victim~~
8 ~~service provider;~~

9 ~~“(2) shall include—~~

10 ~~“(A) a homeless service provider;~~

11 ~~“(B) a nonprofit, nongovernmental com-~~
12 ~~munity housing development organization or a~~
13 ~~Department of Agriculture rural housing service~~
14 ~~program; or~~

15 ~~“(C) in the absence of a homeless service~~
16 ~~provider on tribal lands or nonprofit, non-~~
17 ~~governmental community housing development~~
18 ~~organization on tribal lands; an Indian housing~~
19 ~~authority or tribal housing consortium;~~

20 ~~“(3) may include a dating violence, sexual as-~~
21 ~~sault, or stalking victim service provider;~~

22 ~~“(4) may include housing developers, housing~~
23 ~~corporations, State housing finance agencies, other~~
24 ~~housing agencies, and associations representing~~
25 ~~landlords;~~

1 “(5) may include a public housing agency or In-
2 dian housing authority;

3 “(6) may include tenant organizations in public
4 or Indian housing; as well as nonprofit, nongovern-
5 mental tenant organizations;

6 “(7) may include other nonprofit, nongovern-
7 mental organizations participating in the Depart-
8 ment of Housing and Urban Development’s Con-
9 tinuum of Care process;

10 “(8) may include a State, tribal, territorial, or
11 local government or government agency; and

12 “(9) may include any other such agencies or
13 nonprofit, nongovernmental organizations with the
14 capacity to provide effective help to adult and youth
15 victims of domestic violence, dating violence, sexual
16 assault, or stalking.

17 “(e) APPLICATION.—

18 “(1) IN GENERAL.—Each eligible entity seeking
19 a grant under this section shall submit an applica-
20 tion to the Secretary of Health and Human Services
21 at such time, in such manner, and containing such
22 information as the Secretary of Health and Human
23 Services may require.

24 “(2) CONTENTS.—Each application shall be
25 submitted to the Secretary at such time, in such

1 manner, and containing such information as the Sec-
2 retary may require.

3 ~~“(d) USE OF FUNDS.—~~Grants and contracts awarded
4 to eligible entities pursuant to subsection (a) shall be used
5 to design or replicate and implement new activities, serv-
6 ices, and programs to develop long-term housing options
7 for adult and youth victims of domestic violence, dating
8 violence, sexual assault, or stalking, and their dependents,
9 who are currently homeless or at risk of becoming home-
10 less. Such activities, services, or programs—

11 ~~“(1) shall participate in the Department of~~
12 ~~Housing and Urban Development’s Continuum of~~
13 ~~Care process, unless such a process does not exist in~~
14 ~~the community to be served;~~

15 ~~“(2) shall develop sustainable long-term housing~~
16 ~~in the community by—~~

17 ~~“(A) coordinating efforts and resources~~
18 ~~among the various groups and organizations~~
19 ~~comprised in the entity to access existing pri-~~
20 ~~vate and public funding;~~

21 ~~“(B) placing individuals and families in~~
22 ~~long-term housing; and~~

23 ~~“(C) providing services to help individuals~~
24 ~~or families find and maintain long-term hous-~~
25 ~~ing, including financial and support assistance;~~

1 “(3) may provide capital costs for the purchase,
2 preconstruction, construction, renovation, repair, or
3 conversion of affordable housing units;

4 “(4) may use funds for the continuing oper-
5 ation, upkeep, maintenance, and use of housing de-
6 scribed in paragraph (3); and

7 “(5) may provide to the community information
8 about housing and housing programs, and the pro-
9 cess to locate and obtain long-term housing.

10 “(e) UNDERSERVED POPULATIONS AND PRIOR-
11 ITIES.—In awarding grants under this section, the Sec-
12 retary of Health and Human Services, acting through the
13 ACYF, shall—

14 “(1) give priority to linguistically and culturally
15 specific services;

16 “(2) give priority to applications from entities
17 that include a sexual assault service provider as de-
18 scribed in subsection (b)(3);

19 “(3) award a minimum of 15 percent of the
20 funds appropriated under this section in any fiscal
21 year to tribal organizations; and

22 “(4) ensure that at least 2 of the grants award-
23 ed must fund projects that include construction con-
24 sistent with the purposes in subsection (a)(i).

25 “(f) DEFINITIONS.—For purposes of this section—

1 “(1) the term ‘long-term housing’ means hous-
 2 ing that is sustainable, accessible, affordable, and
 3 safe for the foreseeable future and is—

4 “(A) rented or owned by the individual;

5 “(B) subsidized by a voucher or other pro-
 6 gram which is not time-limited and is available
 7 for as long as the individual meets the eligibility
 8 requirements for the voucher or program; or

9 “(C) provided directly by a program, agen-
 10 cy, or organization and is not time-limited and
 11 is available for as long as the individual meets
 12 the eligibility requirements for the program,
 13 agency, or organization; and

14 “(2) the term ‘affordable housing’ means hous-
 15 ing that complies with the conditions set forth in
 16 section 215 of the Cranston-Gonzalez National Af-
 17 fordable Housing Act (42 U.S.C. 12745).

18 “(g) EVALUATION, MONITORING, ADMINISTRATION,
 19 AND TECHNICAL ASSISTANCE.—For purposes of this sec-
 20 tion—

21 “(1) up to 3 percent of the funds appropriated
 22 under subsection (h) for each fiscal year may be
 23 used by the Secretary of Health and Human Serv-
 24 ices for evaluation, monitoring, and administration
 25 costs under this section; and

1 “(2) up to 8 percent of the funds appropriated
 2 under subsection (h) for each fiscal year may be
 3 used to provide technical assistance to grantees
 4 under this section.

5 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
 6 are authorized to be appropriated \$10,000,000 for each
 7 of fiscal years 2006 through 2010 to carry out the provi-
 8 sions of this section.

9 **“SEC. 41405. GRANTS TO COMBAT VIOLENCE AGAINST**
 10 **WOMEN IN PUBLIC AND ASSISTED HOUSING.**

11 “(a) PURPOSE.—It is the purpose of this section to
 12 assist eligible grantees in responding appropriately to do-
 13 mestic violence, dating violence, sexual assault, and stalk-
 14 ing so that the status of being a victim of such a crime
 15 is not a reason for the denial or loss of housing. Such
 16 assistance shall be accomplished through—

17 “(1) education and training of eligible entities;

18 “(2) development and implementation of appro-
 19 priate housing policies and practices;

20 “(3) enhancement of collaboration with victim
 21 service providers and tenant organizations; and

22 “(4) reduction of the number of victims of such
 23 crimes who are evicted or denied housing because of
 24 crimes and lease violations committed or directly
 25 caused by the perpetrators of such crimes.

1 “(b) GRANTS AUTHORIZED.—

2 “(1) IN GENERAL.—The Attorney General, act-
 3 ing through the Director of the Violence Against
 4 Women Office of the Department of Justice (‘Direc-
 5 tor’), and in consultation with the Secretary of
 6 Housing and Urban Development (‘Secretary’), and
 7 the Secretary of Health and Human Services, acting
 8 through the Administration for Children, Youth and
 9 Families (‘ACYF’), shall award grants and contracts
 10 for not less than 2 years to eligible grantees to pro-
 11 mote the full and equal access to and use of housing
 12 by adult and youth victims of domestic violence, dat-
 13 ing violence, sexual assault, and stalking.

14 “(2) AMOUNTS.—Not less than 15 percent of
 15 the funds appropriated to carry out this section shall
 16 be available for grants to Indian housing authorities.

17 “(3) AWARD BASIS.—The Attorney General
 18 shall award grants and contracts under this section
 19 on a competitive basis.

20 “(4) LIMITATION.—Appropriated funds may
 21 only be used for the purposes described in sub-
 22 sections (f) and (i).

23 “(c) ELIGIBLE GRANTEEES.—

24 “(1) IN GENERAL.—Eligible grantees are—

25 “(A) public housing agencies;

1 “(B) principally managed public housing
2 resident management corporations, as deter-
3 mined by the Secretary;

4 “(C) public housing projects owned by
5 public housing agencies;

6 “(D) agencies and authorities receiving as-
7 sistance under the Native American Housing
8 Assistance and Self-Determination Act of 1996
9 (25 U.S.C. 4101 et seq.); and

10 “(E) private, for-profit, and nonprofit own-
11 ers or managers of assisted housing.

12 “(2) SUBMISSION REQUIRED FOR ALL GRANT-
13 EES.—To receive assistance under this section, an
14 eligible grantee shall certify that—

15 “(A) its policies and practices do not pro-
16 hibit or limit a resident’s right to summon po-
17 lice or other emergency assistance in response
18 to domestic violence, dating violence, sexual as-
19 sault, or stalking;

20 “(B) programs and services are developed
21 that give a preference in admission to adult and
22 youth victims of such violence, consistent with
23 local housing needs, and applicable law and the
24 Secretary’s instructions;

1 “(C) it does not discriminate against any
2 person—

3 “(i) because that person is or is per-
4 ceived to be, or has a family or household
5 member who is or is perceived to be, a vic-
6 tim of such violence; or

7 “(ii) because of the actions or threat-
8 ened actions of the individual who the vic-
9 tim, as certified in subsection (c), states
10 has committed or threatened to commit
11 acts of such violence against the victim, or
12 against the victim’s family or household
13 member;

14 “(D) plans are developed that establish
15 meaningful consultation and coordination with
16 local victim service providers, tenant organiza-
17 tions, linguistically and culturally specific serv-
18 ice providers, State domestic violence and sex-
19 ual assault coalitions, and, where they exist,
20 tribal domestic violence and sexual assault coa-
21 litions; and

22 “(E) its policies and practices will be in
23 compliance with those described in this para-
24 graph within the later of 1 year or a period se-

1 lected by the Attorney General in consultation
2 with the Secretary and ACYF.

3 “(d) APPLICATION.—Each eligible entity seeking a
4 grant under this section shall submit an application to the
5 Attorney General at such a time, in such a manner, and
6 containing such information as the Attorney General may
7 require.

8 “(e) CERTIFICATION.—

9 “(1) IN GENERAL.—A public housing agency,
10 Indian housing authority, or assisted housing pro-
11 vider receiving funds under this section may request
12 that an individual claiming relief under this section
13 certify that the individual is a victim of domestic vio-
14 lence, dating violence, sexual assault, or stalking.
15 The individual shall provide a copy of such certifi-
16 cation to the public housing agency, Indian housing
17 authority, or assisted housing provider within a rea-
18 sonable period of time after the agency or authority
19 requests such certification.

20 “(2) CONTENTS.—An individual may satisfy the
21 certification requirement of paragraph (1) by—

22 “(A) providing the public housing agency,
23 Indian housing authority, or assisted housing
24 provider with documentation, signed by an em-
25 ployee, agent, or volunteer of a victim service

1 provider, an attorney, a member of the clergy,
2 a medical professional, or any other professional
3 from whom the victim has sought assistance in
4 addressing domestic violence, dating violence,
5 sexual assault, or stalking, or the effects of
6 abuse; or

7 “(B) producing a Federal, State, tribal,
8 territorial, or local police or court record.

9 “(3) LIMITATION.—Nothing in this subsection
10 shall be construed to require any housing agency, as-
11 sisted housing provider, Indian housing authority,
12 owner, or manager to demand that an individual
13 produce official documentation or physical proof of
14 the individual’s status as a victim of domestic vio-
15 lence, dating violence, sexual assault, or stalking, in
16 order to receive any of the benefits provided in this
17 section. A housing authority may provide benefits to
18 an individual based solely on the individual’s state-
19 ment or other corroborating evidence.

20 “(4) CONFIDENTIALITY.—

21 “(A) IN GENERAL.—All information pro-
22 vided to any housing agency, assisted housing
23 provider, Indian housing authority, owner, or
24 manager pursuant to paragraph (1), including
25 the fact that an individual is a victim of domes-

1 tie violence, dating violence, sexual assault, or
 2 stalking, shall be retained in the strictest con-
 3 fidence by such housing authority, and shall
 4 neither be entered into any shared database,
 5 nor provided to any related housing agency, as-
 6 sisted housing provider, Indian housing author-
 7 ity, owner, or manager, except to the extent
 8 that disclosure is—

9 “(i) requested or consented to by the
 10 individual in writing; or

11 “(ii) otherwise required by applicable
 12 law.

13 “(B) NOTIFICATION.—An individual shall
 14 be notified of the limits of such confidentiality
 15 and informed in advance about circumstances
 16 in which the housing agency, assisted housing
 17 provider, Indian housing authority, owner, or
 18 manager will be compelled to disclose the indi-
 19 vidual’s information.

20 “(f) USE OF FUNDS.—Grants and contracts awarded
 21 pursuant to subsection (a) shall provide to eligible entities
 22 personnel, training, and technical assistance to develop
 23 and implement policies, practices, and procedures, making
 24 physical improvements or changes, and developing or en-
 25 hancing collaborations for the purposes of—

1 “(1) enabling victims of domestic violence, dat-
2 ing violence, sexual assault, and stalking with other-
3 wise disqualifying rental, credit, or criminal histories
4 to be eligible to obtain housing or housing assist-
5 ance, if such victims would otherwise qualify for
6 housing or housing assistance and can provide docu-
7 mented evidence that demonstrates the causal con-
8 nection between such violence or abuse and the vic-
9 tims’ negative histories;

10 “(2) permitting applicants for housing or hous-
11 ing assistance to provide incomplete rental and em-
12 ployment histories, otherwise required as a condition
13 of admission or assistance, if the victim believes that
14 providing such rental and employment history would
15 endanger the victim’s or the victim children’s safety;

16 “(3) protecting victims’ confidentiality, includ-
17 ing protection of victims’ personally identifying in-
18 formation, address, or rental history;

19 “(4) assisting victims who need to leave a pub-
20 lic housing, Indian housing, or assisted housing unit
21 quickly to protect their safety, including those who
22 are seeking transfer to a new public housing unit,
23 Indian housing unit, or assisted housing unit, wheth-
24 er in the same or a different neighborhood or juris-
25 diction;

1 “(5) enabling the public housing agency, Indian
2 housing authority, or assisted housing provider, or
3 the victim, to remove, consistent with applicable
4 State law, the perpetrator of domestic violence, dat-
5 ing violence, sexual assault, or stalking without
6 evicting, removing, or otherwise penalizing the vic-
7 tim;

8 “(6) enabling the public housing agency, Indian
9 housing authority, or assisted housing provider to
10 comply with court orders, including civil protection
11 orders issued to protect the victim, when notified
12 and issued to address the distribution or possession
13 of property among the household members in cases
14 where a family breaks up;

15 “(7) developing and implementing more effec-
16 tive security policies, protocols, and services;

17 “(8) allotting not more than 15 percent of
18 funds awarded under the grant to make physical im-
19 provements;

20 “(9) training all personnel to more effectively
21 identify and respond to victims of domestic violence,
22 dating violence, sexual assault, and stalking; and

23 “(10) effectively providing notice to applicants
24 and residents of the above housing policies, prac-
25 tices, and procedures.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
 2 are authorized to be appropriated \$10,000,000 for each
 3 of fiscal years 2006 through 2010 to carry out the provi-
 4 sions of this section.

5 “(h) TECHNICAL ASSISTANCE.—Up to 12 percent of
 6 the amount appropriated under subsection (g) for each fis-
 7 cal year shall be used by the Attorney General for tech-
 8 nical assistance costs under this section.”.

9 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
 10 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
 11 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**
 12 **ING.**

13 (a) IN GENERAL.—Section 40299 of the Violence
 14 Against Women Act of 1994 (42 U.S.C. 13975) is amend-
 15 ed—

16 (1) in subsection (a)—

17 (A) by inserting “the Department of Hous-
 18 ing and Urban Development, and the Depart-
 19 ment of Health and Human Services,” after
 20 “Department of Justice,”

21 (B) by inserting “, including domestic vio-
 22 lence victim service providers, domestic violence
 23 coalitions, other nonprofit, nongovernmental or-
 24 ganizations, or community-based and culturally
 25 specific organizations, that have a documented

history of effective work concerning domestic violence, dating violence, sexual assault, or stalking” after “other organizations”; and

(C) in paragraph (1), by inserting “, dating violence, sexual assault, or stalking” after “domestic violence”;

(2) in subsection (b)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(B) in paragraph (3), as redesignated, by inserting “, dating violence, sexual assault, or stalking” after “violence”;

(C) by inserting before paragraph (2), as redesignated, the following:

“(1) transitional housing, or acquire land or buildings, or rehabilitate or construct buildings for the purpose of providing transitional housing to persons described in subsection (a), including funding for—

“(A) the predevelopment cost and capital expenses involved in the development of transitional housing; and

“(B) the operating expenses of newly developed or existing transitional housing.”; and

- 1 ~~(D)~~ in paragraph ~~(3)~~(B) as redesignated;
- 2 by inserting “Participation in the support serv-
- 3 ices shall be voluntary. Receipt of the benefits
- 4 of the housing assistance described in para-
- 5 graph ~~(2)~~ shall not be conditioned upon the
- 6 participation of the youth, adults, or their de-
- 7 pendents in any or all of the support services
- 8 offered them.” after “assistance.”;
- 9 ~~(3)~~ in paragraph ~~(1)~~ of subsection ~~(c)~~; by strik-
- 10 ing “18 months” and inserting “24 months”;
- 11 ~~(4)~~ in subsection ~~(d)~~(2)—
- 12 (A) by striking “and” at the end of sub-
- 13 paragraph (A);
- 14 (B) by redesignating subparagraph (B) as
- 15 subparagraph (C); and
- 16 (C) by inserting after subparagraph (A)
- 17 the following:
- 18 “(B) provide assurances that any sup-
- 19 portive services offered to participants in pro-
- 20 grams developed under subsection ~~(b)~~(3) are
- 21 voluntary and that refusal to receive such serv-
- 22 ices shall not be grounds for termination from
- 23 the program or eviction from the victim’s hous-
- 24 ing; and”;
- 25 ~~(5)~~ in subsection ~~(c)~~(2)—

1 (A) in subparagraph (A), by inserting
2 “purpose and” before “amount”;

3 (B) in clause (ii) of subparagraph (C), by
4 striking “and”;

5 (C) in subparagraph (D), by striking the
6 period and inserting “; and”; and

7 (D) by adding at the end the following new
8 subparagraph:

9 “(E) the client population served and the
10 number of individuals requesting services that
11 the transitional housing program is unable to
12 serve as a result of a lack of resources.”; and
13 (6) in subsection (g)—

14 (A) in paragraph (1), by striking
15 “\$30,000,000” and inserting “\$40,000,000”;

16 (B) in paragraph (1), by striking “2004”
17 and inserting “2006”;

18 (C) in paragraph (1), by striking “2008.”
19 and inserting “2010”;

20 (D) in paragraph (2), by striking “not
21 more than 3 percent” and inserting “up to 5
22 percent”;

23 (E) in paragraph (2), by inserting “evalua-
24 tion, monitoring, technical assistance,” before
25 “salaries”; and

(F) in paragraph (3), by adding at the end the following new subparagraphs:

“(C) UNDERSERVED POPULATIONS.—

“(i) A minimum of 7 percent of the total amount appropriated in any fiscal year shall be allocated to tribal organizations serving adult and youth victims of domestic violence, dating violence, sexual assault, or stalking, and their dependents.

“(ii) Priority shall be given to projects developed under subsection (b) that primarily serve racial, ethnic, or other underserved populations.”.

**SEC. 603. PUBLIC AND INDIAN HOUSING AUTHORITY PLANS
REPORTING REQUIREMENT.**

Section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437e–1) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “paragraph (2)” and inserting “paragraph (3)”;

(B) by redesignating paragraph (2) as paragraph (3); and

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

1 ~~“(2) STATEMENT OF GOALS.—~~The 5-year plan
 2 shall include a statement by any public housing
 3 agency or Indian housing authority of the goals, ob-
 4 jectives, policies, or programs that will enable the
 5 housing authority to serve the needs of child and
 6 adult victims of domestic violence, dating violence,
 7 sexual assault, or stalking.”;

8 ~~(2)~~ in subsection (d), by redesignating para-
 9 graphs ~~(13)~~, ~~(14)~~, ~~(15)~~, ~~(16)~~, ~~(17)~~, and ~~(18)~~, as
 10 paragraphs ~~(14)~~, ~~(15)~~, ~~(16)~~, ~~(17)~~, ~~(18)~~, and ~~(19)~~, re-
 11 spectively; and

12 ~~(3)~~ by inserting after paragraph ~~(12)~~ the fol-
 13 lowing:

14 ~~“(13) DOMESTIC VIOLENCE, DATING VIOLENCE,~~
 15 ~~SEXUAL ASSAULT, OR STALKING PROGRAMS.—~~A de-
 16 scription of—

17 ~~“(A) any activities, services, or programs~~
 18 provided or offered by an agency, either directly
 19 or in partnership with other service providers,
 20 to child or adult victims of domestic violence,
 21 dating violence, sexual assault, or stalking;

22 ~~“(B) any activities, services, or programs~~
 23 provided or offered by a public housing agency
 24 or Indian housing authority that helps child
 25 and adult victims of domestic violence, dating

1 violence, sexual assault, or stalking, to obtain or
 2 maintain housing; and

3 “(C) any activities, services, or programs
 4 provided or offered by a public housing agency
 5 or Indian housing authority to prevent domestic
 6 violence, dating violence, sexual assault, and
 7 stalking, or to enhance victim safety in assisted
 8 families.”.

9 **SEC. 604. HOUSING STRATEGIES.**

10 Section 105(b)(1) of the Cranston-Gonzalez National
 11 Affordable Housing Act (42 U.S.C. 12705(b)(1)) is
 12 amended by inserting after “immunodeficiency syn-
 13 drome,” the following: “victims of domestic violence, dat-
 14 ing violence, sexual assault, and stalking”.

15 **SEC. 605. AMENDMENT TO THE MCKINNEY-VENTO HOME-**
 16 **LESS ASSISTANCE ACT.**

17 Section 423 of the Stewart B. McKinney Homeless
 18 Assistance Act (42 U.S.C. 11383) is amended—

19 (1) by adding at the end of subsection (a) the
 20 following:

21 “(8) CONFIDENTIALITY.—

22 “(A) IN GENERAL.—In the course of
 23 awarding grants or implementing programs
 24 under this subsection, the Secretary shall in-
 25 struct any recipient or subgrantee not to dis-

1 close to any person, agency, or entity any per-
2 sonally identifying information about any client
3 where the Secretary, recipient, or subgrantee
4 believes based upon reasonable evidence that
5 the client is either a child or an adult victim of
6 domestic violence, dating violence, sexual as-
7 sault, or stalking, or is the parent or guardian
8 of a child victim of domestic violence, dating vi-
9 olence, sexual assault, or stalking. The Sec-
10 retary shall not require or ask a recipient or
11 subgrantee of any other Federal or State pro-
12 gram to disclose personally identifying informa-
13 tion about any clients where the persons, agen-
14 cies, or entities implementing those programs
15 believe, based upon reasonable evidence, that
16 those clients either are child or adult victims of
17 domestic violence, dating violence, sexual as-
18 sault, or stalking or are the parents or guard-
19 ians of child victims of domestic violence, dating
20 violence, sexual assault, or stalking. The Sec-
21 retary shall instruct any recipient or subgrantee
22 under this subsection or any recipient or sub-
23 grantee of any other Federal or State program
24 participating in the Homeless Management In-
25 formation System that personally identifying in-

formation about any client may only be disclosed if the program seeking to disclose such information has obtained informed, reasonably time-limited, written consent from the client to whom the information relates. The Secretary may require or ask any recipient or subgrantee to share nonpersonally identifying data in the aggregate regarding services to clients and nonpersonally identifying demographic information in order to comply with the data collection requirements of the Homeless Management Information System.

“(B) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, including—

“(i) a first and last name;

“(ii) a home or other physical address;

“(iii) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

1 “(iv) a social security number; and
 2 “(v) any other information, including
 3 date of birth, racial or ethnic background,
 4 or religious affiliation; that, in combination
 5 with any of clauses (i) through (iv), would
 6 serve to identify any individual.”.

7 **SEC. 606. AMENDMENTS TO THE LOW-INCOME HOUSING AS-**
 8 **SISTANCE VOUCHER PROGRAM.**

9 Section 8 of the United States Housing Act of 1937
 10 (42 U.S.C. 1437f) is amended—

11 (1) in subsection (d)—

12 (A) in paragraph (1)(B)(ii), by inserting
 13 after “other good cause” the following: “, and
 14 that an incident or incidents of actual or
 15 threatened domestic violence, dating violence, or
 16 stalking will not be construed as a serious or
 17 repeated violation of the lease by the victim or
 18 threatened victim of that violence and will not
 19 be good cause for terminating a lease held by
 20 the victim of such violence”; and

21 (B) in paragraph (1)(B)(iii), by inserting
 22 after “termination of tenancy” the following: “,
 23 except that (I) criminal activity directly relating
 24 to domestic violence, dating violence, or stalk-
 25 ing, engaged in by a member of a tenant’s

household or any guest or other person under the tenant's control, shall not be cause for termination of the tenancy; if the tenant or immediate member of the tenant's family is a victim of domestic violence, dating violence, or stalking and, as a result, could not control or prevent the criminal activity; (II) nothing in subclause (I) may be construed to limit the authority of an owner or manager consistent with applicable State law to evict or the public housing agency or assisted housing provider to terminate voucher assistance to individuals who engage in criminal acts of physical violence against family members or others; and (III) nothing in subclause (I) may be construed to limit the authority of an owner or manager to evict, or the public housing agency or assisted housing provider to terminate, voucher assistance to any tenant if the owner, manager, public housing agency, or assisted housing provider can demonstrate an actual and imminent threat to the larger community if that tenant is not evicted or terminated from assistance.”;

(2) in subsection (f)—

(A) in paragraph (6), by striking “and”;

1 (B) in paragraph (7), by striking the pe-
2 riod at the end and inserting a semicolon; and

3 (C) by adding at the end the following new
4 paragraphs:

5 “(8) the term ‘domestic violence’ has the same
6 meaning given the term in section 2003 of title I of
7 the Omnibus Crime Control and Safe Streets Act of
8 1968 (42 U.S.C. 3796gg-2);

9 “(9) the term ‘dating violence’ has the same
10 meaning given the term in section 2003 of title I of
11 the Omnibus Crime Control and Safe Streets Act of
12 1968 (42 U.S.C. 3796gg-2); and

13 “(10) the term ‘stalking’ means engaging in a
14 course of conduct directed at a specific person that
15 would cause a reasonable person to—

16 “(A) fear for his or her safety or the safety
17 of others; or

18 “(B) suffer significant emotional or phys-
19 ical distress; and

20 “(11) the term ‘sexual assault’ has the same
21 meaning given the term in section 2003 of title I of
22 the Omnibus Crime Control and Safe Streets Act of
23 1968 (42 U.S.C. 3796gg-2).”;

24 (3) in subsection (o)—

(A) by inserting at the end of paragraph (6)(B) the following new sentence: “That an applicant is or is perceived to be, or has been or has been perceived to be, a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance by a public housing authority.”;

(B) in paragraph (7)(C), by inserting after “other good cause” the following: “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating a lease held by the victim of such violence”; and

(C) in paragraph (7)(D), by inserting after “termination of tenancy” the following: “, except that (i) criminal activity relating directly to domestic violence, dating violence, or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control shall not be cause for termination of the tenancy, if the tenant or immediate member of the tenant’s family is a victim

1 of domestic violence, dating violence, or stalking
 2 and, as a result, could not control or prevent
 3 the criminal activity; (ii) nothing in clause (i)
 4 may be construed to limit the authority of an
 5 owner or manager consistent with applicable
 6 State law to evict or the public housing agency
 7 or assisted housing provider to terminate vouch-
 8 er assistance to individuals who engage in
 9 criminal acts of physical violence against family
 10 members or others; and (iii) nothing in clause
 11 (i) may be construed to limit the authority of
 12 an owner or manager to evict, or the public
 13 housing agency or assisted housing provider to
 14 terminate, voucher assistance to any tenant if
 15 the owner, manager, public housing agency, or
 16 assisted housing provider can demonstrate an
 17 actual and imminent threat to the larger com-
 18 munity if that tenant is not evicted or termi-
 19 nated from assistance.”;

20 (4) in subsection (r)(5), by inserting after “vio-
 21 lation of a lease” the following: “, except that a fam-
 22 ily may receive a voucher from a public housing
 23 agency and move to another jurisdiction under the
 24 tenant-based assistance program if the family has
 25 moved out of the assisted dwelling unit in order to

1 protect the health or safety of an individual who is
 2 or has been the victim of domestic violence, dating
 3 violence, or stalking and who reasonably believed he
 4 or she was imminently threatened by harm from fur-
 5 ther violence if he or she remained in the assisted
 6 dwelling unit"; and

7 (5) by adding at the end the following new sub-
 8 section:

9 “(cc) CERTIFICATION AND CONFIDENTIALITY.—

10 “(1) CERTIFICATION.—

11 “(A) IN GENERAL.—An owner, manager,
 12 public housing agency, or assisted housing pro-
 13 vider responding to subsections (d)(1)(B)(ii),
 14 (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), and (r)(5)
 15 may request that an individual certify that the
 16 individual is a victim of domestic violence, dat-
 17 ing violence, or stalking, and that the incident
 18 or incidents in question are bona fide incidents
 19 of such actual or threatened abuse and meet
 20 the requirements set forth in the aforemen-
 21 tioned paragraphs. The individual shall provide
 22 a copy of such certification within a reasonable
 23 period of time after the owner, manager, public
 24 housing agency, or assisted housing provider re-
 25 quests such certification.

1 “(B) CONTENTS.—An individual may sat-
2 isfy the certification requirement of subpara-
3 graph (A) by—

4 “(i) providing the requesting owner,
5 manager, public housing agency, or as-
6 sisted housing provider with documentation
7 signed by an employee, agent, or volunteer
8 of a victim service provider, an attorney, a
9 member of the clergy, a medical profes-
10 sional, or any other professional, from
11 whom the victim has sought assistance in
12 addressing domestic violence, dating vio-
13 lence, sexual assault, or stalking, or the ef-
14 fects of the abuse; or

15 “(ii) producing a Federal, State, trib-
16 al, territorial, or local police or court
17 record.

18 “(C) LIMITATION.—Nothing in this sub-
19 section shall be construed to require an owner,
20 manager, public housing agency, or assisted
21 housing provider to demand that an individual
22 produce official documentation or physical proof
23 of the individual’s status as a victim of domes-
24 tic violence, dating violence, sexual assault, or
25 stalking in order to receive any of the benefits

provided in this section. At their discretion, the owner, manager, public housing agency, or assisted housing provider may provide benefits to an individual based solely on the individual's statement or other corroborating evidence.

~~“(2) CONFIDENTIALITY.—~~

~~“(A) IN GENERAL.—All information provided to an owner, manager, public housing agency, or assisted housing provider pursuant to paragraph (1), including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, shall be retained in the strictest confidence by an owner, manager, public housing agency, or assisted housing provider, and shall neither be entered into any shared database nor provided to any related entity, except to the extent that disclosure is—~~

~~“(i) requested or consented to by the individual in writing; or~~

~~“(ii) otherwise required by applicable law.~~

~~“(B) NOTIFICATION.—An individual must be notified of the limits of such confidentiality and informed in advance about circumstances~~

1 in which the person or entity will be compelled
2 to disclose the individual's information.”.

3 **SEC. 607. AMENDMENTS TO THE PUBLIC HOUSING PRO-**
4 **GRAM.**

5 Section 6 of the United States Housing Act of 1937
6 (~~42 U.S.C. 1437d~~) is amended—

7 (1) in subsection (c), by redesignating para-
8 graph (3) and (4), as paragraphs (4) and (5), re-
9 spectively;

10 (2) by inserting after paragraph (2) the fol-
11 lowing:

12 “~~(3)~~ the public housing agency shall not deny
13 admission to the project to any applicant on the
14 basis that the applicant is or is perceived to be, or
15 has been or has been perceived to be, a victim of do-
16 mestic violence, dating violence, or stalking”;

17 (3) in subsection (1)(5), by inserting after
18 “other good cause” the following: “, and that an in-
19 cident or incidents of actual or threatened domestic
20 violence, dating violence, or stalking will not be con-
21 strued as a serious or repeated violation of the lease
22 by the victim or threatened victim of that violence
23 and will not be good cause for terminating a lease
24 held by the victim of such violence”;

1 (4) in subsection (l)(6), by inserting after “ter-
2 mination of tenancy” the following: “; except that
3 (A) criminal activity directly relating to domestic vi-
4 olence, dating violence, or stalking, engaged in by a
5 member of a tenant’s household or any guest or
6 other person under the tenant’s control, shall not be
7 cause for termination of the tenancy, if the tenant
8 or immediate member of the tenant’s family is a vic-
9 tim of domestic violence, dating violence, or stalking
10 and, as a result, could not control or prevent the
11 criminal activity; (B) nothing in subparagraph (A)
12 may be construed to limit the authority of a public
13 housing agency consistent with applicable State law
14 to evict, or the public housing agency or assisted
15 housing provider to terminate, voucher assistance to
16 individuals who engage in criminal acts of physical
17 violence against family members or others; and (C)
18 nothing in subparagraph (A) may be construed to
19 limit the authority of a public housing agency to ter-
20 minate the tenancy of any tenant if the public hous-
21 ing agency can demonstrate an actual and imminent
22 threat to the larger community if that tenant’s ten-
23 ancy is not terminated.”; and
24 (5) by inserting at the end of subsection (t) the
25 following new subsection:

1 ~~“(u) CERTIFICATION AND CONFIDENTIALITY.—~~

2 ~~“(1) CERTIFICATION.—~~

3 ~~“(A) IN GENERAL.—A public housing~~
4 ~~agency responding to subsection (1) (5) and (6)~~
5 ~~may request that an individual certify that the~~
6 ~~individual is a victim of domestic violence, dat-~~
7 ~~ing violence, or stalking, and that the incident~~
8 ~~or incidents in question are bona fide incidents~~
9 ~~of such actual or threatened abuse and meet~~
10 ~~the requirements set forth in the aforemen-~~
11 ~~tioned paragraphs. The individual shall provide~~
12 ~~a copy of such certification within a reasonable~~
13 ~~period of time after the public housing agency~~
14 ~~requests such certification.~~

15 ~~“(B) CONTENTS.—An individual may sat-~~
16 ~~isfy the certification requirement of subpara-~~
17 ~~graph (A) by—~~

18 ~~“(i) providing the requesting public~~
19 ~~housing agency with documentation signed~~
20 ~~by an employee, agent, or volunteer of a~~
21 ~~victim service provider, an attorney, a~~
22 ~~member of the clergy, a medical profes-~~
23 ~~sional, or any other professional from~~
24 ~~whom the victim has sought assistance in~~
25 ~~addressing domestic violence, dating vio-~~

1 lence, or stalking, or the effects of the
2 abuse; or

3 ~~“(ii) producing a Federal, State, trib-~~
4 ~~al, territorial, or local police or court~~
5 ~~record.~~

6 ~~“(C) LIMITATION.—~~Nothing in this sub-
7 section shall be construed to require any public
8 housing agency to demand that an individual
9 produce official documentation or physical proof
10 of the individual’s status as a victim of domes-
11 tic violence, dating violence, or stalking in order
12 to receive any of the benefits provided in this
13 section. At the public housing agency’s discre-
14 tion, a public housing agency may provide bene-
15 fits to an individual based solely on the individ-
16 ual’s statement or other corroborating evidence.

17 ~~“(2) CONFIDENTIALITY.—~~

18 ~~“(A) IN GENERAL.—~~All information pro-
19 vided to any public housing agency pursuant to
20 paragraph (1), including the fact that an indi-
21 vidual is a victim of domestic violence, dating
22 violence, or stalking, shall be retained in the
23 strictest confidence by such public housing
24 agency, and shall neither be entered into any

shared database nor provided to any related entity, except to the extent that disclosure is—

“(i) requested or consented to by the individual in writing; or

“(ii) otherwise required by applicable law.

“(B) NOTIFICATION.—An individual must be notified of the limits of such confidentiality and informed in advance about circumstances in which the person or entity will be compelled to disclose the individual’s information.

“(3) DEFINITIONS.—For purposes of this subsection and subsection (4) (5) and (6)—

“(A) the term ‘domestic violence’ has the same 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);

“(B) the term ‘dating violence’ has the same 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

“(C) the term ‘stalking’ means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

“(i) fear for his or her safety or the safety of others; or

“(ii) suffer significant emotional distress.”.

TITLE VII—PROVIDING ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. EMERGENCY LEAVE.

(a) IN GENERAL.—The Violence Against Women Act of 1994 (Public Law 103–322; 108 Stat. 1902) is amended by adding after subtitle N the following:

“Subtitle O—Assistance for Individuals Experiencing Domestic or Sexual Violence

“CHAPTER 1—EMERGENCY LEAVE

“SEC. 41501. FINDINGS.

“Congress makes the following findings:

“(1) Violence against women is a leading cause of physical injury to women. Such violence has a devastating impact on women’s physical and emotional health, financial security, and ability to main-

1 tain their jobs, and thus impacts interstate com-
2 merce.

3 “(2) Studies indicate that one of the best pre-
4 dictors of whether a victim of such violence will be
5 able to stay away from her abuser is her degree of
6 economic independence. However, domestic violence,
7 dating violence, sexual assault, and stalking (re-
8 ferred to in this subtitle as ‘domestic or sexual vio-
9 lence’) often negatively impact victims’ ability to
10 maintain employment.

11 “(3) The Bureau of National Affairs has esti-
12 mated that domestic violence costs United States
13 employers between \$3,000,000,000 and
14 \$5,000,000,000 annually in lost time and produc-
15 tivity. Other reports have estimated that domestic
16 violence costs United States employers between
17 \$5,800,000,000 and \$13,000,000,000 annually.

18 “(4) Ninety-four percent of corporate security
19 and safety directors at companies nationwide rank
20 domestic violence as a high security concern.

21 “(5) Abusers frequently seek to exert financial
22 control over their partners by actively interfering
23 with the ability of their partners to work, including
24 preventing their partners from going to work,
25 harassing their partners at work, limiting the access

1 of their partners to cash or transportation, and sab-
2 otaging the child care arrangements of their part-
3 ners.

4 “(6) Studies indicate that between 35 and 56
5 percent of employed battered women surveyed were
6 harassed at work by their abusers.

7 “(7) Victims of domestic violence also fre-
8 quently miss work due to injuries, court proceedings,
9 and safety concerns requiring legal protections. Vic-
10 tims of intimate partner violence lose 8,000,000
11 days of paid work each year—the equivalent of over
12 32,000 full-time jobs and 5,600,000 days of house-
13 hold productivity.

14 “(8) According to a 1998 report of the Govern-
15 ment Accountability Office, between 25 percent and
16 50 percent of victims of domestic violence surveyed
17 reported that the victims lost a job due, at least in
18 part, to domestic violence.

19 “(9) Women who have experienced domestic vi-
20 olence or dating violence are more likely than other
21 women to be unemployed, to suffer from health
22 problems that can affect employability and job per-
23 formance, to report lower personal income, and to
24 rely on welfare.

1 “(10) Domestic violence also affects abusers’
2 ability to work. A recent study found that 48 per-
3 cent of abusers reported having difficulty concen-
4 trating at work and 42 percent reported being late
5 to work. 78 percent reported using their own com-
6 pany’s resources in connection with the abusive rela-
7 tionship.

8 “(11) About 36,500 individuals, 80 percent of
9 whom are women, were raped or sexually assaulted
10 in the workplace each year from 1993 through 1999.
11 Half of all female victims of violent workplace crimes
12 know their abusers. Nearly 1 out of 10 violent work-
13 place incidents are committed by spouses or other
14 partners.

15 “(12) Sexual assault, whether occurring in or
16 out of the workplace, can impair an employee’s work
17 performance, require time away from work, and un-
18 dermine the employee’s ability to maintain a job. Al-
19 most 50 percent of sexual assault victims lose their
20 jobs or are forced to quit in the aftermath of the as-
21 saults.

22 “(13) More than 35 percent of stalking victims
23 report losing time from work due to the stalking and
24 7 percent never return to work.

1 “(14) Five States provide victims of domestic or
2 sexual violence with leave from work to attend court
3 proceedings, to go to the doctor, or to take other
4 steps to address the violence in their lives, and sev-
5 eral other States provide time off to victims of
6 crimes, which can include victims of domestic or sex-
7 ual violence, to attend court proceedings.

8 **“SEC. 41502. PURPOSES.**

9 “The purposes of this chapter are, pursuant to the
10 affirmative power of Congress to enact legislation under
11 the portions of section 8 of article I of the Constitution
12 relating to providing for the general welfare and to regula-
13 tion of commerce among the several States, and under sec-
14 tion 5 of the 14th amendment to the Constitution—

15 “(1) to promote the national interest in reduc-
16 ing domestic or sexual violence by enabling victims
17 of domestic or sexual violence to maintain the finan-
18 cial independence necessary to leave abusive situa-
19 tions, achieve safety, and minimize the physical and
20 emotional injuries from domestic or sexual violence;
21 and to reduce the devastating economic con-
22 sequences of domestic or sexual violence to employ-
23 ers and employees;

24 “(2) to promote the national interest in ensur-
25 ing that victims of domestic or sexual violence can

1 recover from and cope with the effects of such vio-
2 lence, and participate in criminal and civil justice
3 processes, without fear of adverse economic con-
4 sequences;

5 “(3) to reduce the negative impact on interstate
6 commerce produced by dislocations of employees and
7 harmful effects on productivity, employment, health
8 care costs, and employer costs, caused by domestic
9 or sexual violence, including related intentional ef-
10 forts to frustrate women’s ability to participate in
11 employment and interstate commerce; and

12 “(4) to enforce the 14th amendment’s guar-
13 antee of equal protection of the laws by—

14 “(A) preventing and remedying sex-based
15 discrimination and discrimination against vic-
16 tims of domestic and sexual violence in employ-
17 ment leave by addressing the failure of existing
18 laws to protect the employment rights of women
19 and such victims; and

20 “(B) thus furthering the equal opportunity
21 of women for economic self-sufficiency and em-
22 ployment free from discrimination.

23 **“SEC. 41503. DEFINITIONS.**

24 “In this title, except as otherwise expressly provided:

1 ~~“(1) COMMERCE.—The terms ‘commerce’ and~~
 2 ~~‘industry or activity affecting commerce’ have the~~
 3 ~~meanings given the terms in section 101 of the~~
 4 ~~Family and Medical Leave Act of 1993 (29 U.S.C.~~
 5 ~~2611).~~

6 ~~“(2) ELECTRONIC COMMUNICATIONS.—The~~
 7 ~~term ‘electronic communications’ includes commu-~~
 8 ~~nications via telephone (including mobile phone),~~
 9 ~~computer, e-mail, video recorder, fax machine, telex,~~
 10 ~~or pager.~~

11 ~~“(3) EMPLOY; STATE.—The terms ‘employ’ and~~
 12 ~~‘State’ have the meanings given the terms in section~~
 13 ~~3 of the Fair Labor Standards Act of 1938 (29~~
 14 ~~U.S.C. 203).~~

15 ~~“(4) EMPLOYEE.—~~

16 ~~“(A) IN GENERAL.—The term ‘employee’~~
 17 ~~means any person employed by an employer. In~~
 18 ~~the case of an individual employed by a public~~
 19 ~~agency, such term means an individual em-~~
 20 ~~ployed as described in section 3(e)(2) of the~~
 21 ~~Fair Labor Standards Act of 1938 (29 U.S.C.~~
 22 ~~203(e)(2)).~~

23 ~~“(B) BASIS.—The term includes a person~~
 24 ~~employed as described in subparagraph (A)—~~

25 ~~“(i) on a full- or part-time basis; or~~

1 “(ii) as a participant in a work as-
 2 signment as a condition of receipt of Fed-
 3 eral or State income-based public assist-
 4 ance.

5 ~~“(5) EMPLOYER.—~~The term ‘employer’—

6 ~~“(A) means any person engaged in com-~~
 7 ~~merce or in any industry or activity affecting~~
 8 ~~commerce who employs 50 or more individuals~~
 9 ~~for each working day during each of the 20 or~~
 10 ~~more calendar weeks in the current or pre-~~
 11 ~~ceding calendar year; and~~

12 ~~“(B) includes any person acting directly or~~
 13 ~~indirectly in the interest of an employer in rela-~~
 14 ~~tion to an employee, and includes a public agen-~~
 15 ~~cy that employs individuals as described in sec-~~
 16 ~~tion 3(c)(2) of the Fair Labor Standards Act of~~
 17 ~~1938, but does not include any labor organiza-~~
 18 ~~tion (other than when acting as an employer) or~~
 19 ~~anyone acting in the capacity of officer or agent~~
 20 ~~of such labor organization.~~

21 ~~“(6) EMPLOYMENT BENEFITS.—~~The term ‘em-
 22 ~~ployment benefits’ means all benefits provided or~~
 23 ~~made available to employees by an employer (includ-~~
 24 ~~ing group life insurance, health insurance, disability~~
 25 ~~insurance, sick leave, annual leave, educational bene-~~

fits, and pensions), regardless of whether such benefits are provided or made available by a practice or written policy of an employer or through an ‘employee benefit plan’, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)).

“(7) FAMILY OR HOUSEHOLD MEMBER.—The term ‘family or household member’, used with respect to an individual, means a nonabusive spouse, former spouse, parent, son or daughter, or person residing or formerly residing in the same dwelling unit as the individual.

“(8) PARENT, SON OR DAUGHTER.—The terms ‘parent’ and ‘son or daughter’ have the meanings given the terms in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611).

“(9) PERSON.—The term ‘person’ has the meaning given the term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

“(10) PUBLIC AGENCY.—The term ‘public agency’ has the meaning given the term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

“(11) PUBLIC ASSISTANCE.—The term ‘public assistance’ includes cash, food stamps, medical as-

sistance, housing assistance, and other benefits provided on the basis of income by a public agency.

~~“(12) REDUCED LEAVE SCHEDULE.—~~The term ‘reduced leave schedule’ means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

~~“(13) SECRETARY.—~~The term ‘Secretary’ means the Secretary of Labor.

~~“SEC. 41504. ENTITLEMENT TO EMERGENCY LEAVE FOR ADDRESSING DOMESTIC OR SEXUAL VIOLENCE.~~

~~“(a) LEAVE REQUIREMENT.—~~

~~“(1) BASIS.—~~An employee who is a victim of domestic or sexual violence may take leave from work to address domestic or sexual violence, by—

~~“(A) seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee’s family or household member;~~

~~“(B) obtaining emergency housing, temporary or permanent, or taking other actions to increase the safety of the employee or the employee’s family or household member; or~~

~~“(C) seeking legal or law enforcement assistance or remedies to ensure the health and~~

safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

~~“(2) PERIOD.—~~An employee may take not more than 10 days of leave, as described in paragraph (1), in any 12-month period.

~~“(3) SCHEDULE.—~~Leave described in paragraph (1) may be taken intermittently or on a reduced leave schedule.

~~“(b) NOTICE.—~~The employee shall provide the employer with reasonable notice of the employee's intention to take the leave, unless providing such notice is not practicable.

~~“(c) CERTIFICATION.—~~

~~“(1) IN GENERAL.—~~The employer may require the employee to provide certification to the employer, within a reasonable period after the employer requires the certification, that—

~~“(A) the employee or the employee's family or household member is a victim of domestic or sexual violence; and~~

~~“(B) the leave is for 1 of the purposes described in subsection (a)(1).~~

1 ~~“(2) CONTENTS.—~~An employee may satisfy the
 2 certification requirement of paragraph (1) by pro-
 3 viding to the employer—

4 ~~“(A) documentation from an employee;~~
 5 agent, or volunteer of a victim service provider,
 6 an attorney, a member of the clergy, or a med-
 7 ical or other professional, from whom the em-
 8 ployee or the employee’s family or household
 9 member has sought assistance in addressing do-
 10 mestic or sexual violence and the effects of the
 11 violence;

12 ~~“(B) a police or court record; or~~

13 ~~“(C) other corroborating evidence.~~

14 ~~“(d) CONFIDENTIALITY.—~~All information provided to
 15 the employer pursuant to subsection (b) or (c), and the
 16 fact that the employee has requested or obtained leave
 17 pursuant to this section, shall be retained in the strictest
 18 confidence by the employer, except to the extent that dis-
 19 closure is—

20 ~~“(1) requested or consented to by the employee~~
 21 in writing; or

22 ~~“(2) otherwise required by applicable Federal or~~
 23 State law.

24 ~~“(e) EMPLOYMENT AND BENEFITS.—~~

25 ~~“(1) RESTORATION TO POSITION.—~~

1 “(A) IN GENERAL.—Except as provided in
2 paragraph (2), any employee who takes leave
3 under this section for the intended purpose of
4 the leave shall be entitled, on return from such
5 leave—

6 “(i) to be restored by the employer to
7 the position of employment held by the em-
8 ployee when the leave commenced; or

9 “(ii) to be restored to an equivalent
10 position with equivalent employment bene-
11 fits, pay, and other terms and conditions of
12 employment.

13 “(B) LOSS OF BENEFITS.—The taking of
14 leave under this section shall not result in the
15 loss of any employment benefit accrued prior to
16 the date on which the leave commenced.

17 “(C) LIMITATIONS.—Nothing in this sub-
18 section shall be construed to entitle any re-
19 stored employee to—

20 “(i) the accrual of any seniority or
21 employment benefits during any period of
22 leave; or

23 “(ii) any right, benefit, or position of
24 employment other than any right, benefit,
25 or position to which the employee would

1 have been entitled had the employee not
2 taken the leave.

3 ~~“(D) CONSTRUCTION.—~~Nothing in this
4 paragraph shall be construed to prohibit an em-
5 ployer from requiring an employee on leave
6 under this section to report periodically to the
7 employer on the status and intention of the em-
8 ployee to return to work.

9 ~~“(2) EXEMPTION CONCERNING CERTAIN HIGH-~~
10 ~~LY COMPENSATED EMPLOYEES.—~~

11 ~~“(A) DENIAL OF RESTORATION.—~~An em-
12 ployer may deny restoration under paragraph
13 ~~(1)~~ to any employee described in subparagraph
14 ~~(B)~~ if—

15 ~~“(i) such denial is necessary to pre-~~
16 vent substantial and grievous economic in-
17 jury to the operations of the employer;

18 ~~“(ii) the employer notifies the em-~~
19 ployee of the intent of the employer to
20 deny restoration on such basis at the time
21 the employer determines that such injury
22 would occur; and

23 ~~“(iii) in any case in which the leave~~
24 has commenced, the employee elects not to

1 return to employment after receiving such
2 notice.

3 ~~“(B) AFFECTED EMPLOYEES.—An em-~~
4 ~~ployee referred to in subparagraph (A) is a sal-~~
5 ~~aried employee who is among the highest paid~~
6 ~~25 percent of the employees employed by the~~
7 ~~employer within 75 miles of the facility at~~
8 ~~which the employee is employed.~~

9 ~~“(3) MAINTENANCE OF HEALTH BENEFITS.—~~

10 ~~“(A) COVERAGE.—Except as provided in~~
11 ~~subparagraph (B), during any period that an~~
12 ~~employee takes leave under this section, the em-~~
13 ~~ployer shall maintain coverage under any group~~
14 ~~health plan (as defined in section 5000(b)(1) of~~
15 ~~the Internal Revenue Code of 1986) for the du-~~
16 ~~ration of such leave at the level and under the~~
17 ~~conditions coverage would have been provided if~~
18 ~~the employee had continued in employment con-~~
19 ~~tinuously for the duration of such leave.~~

20 ~~“(B) FAILURE TO RETURN FROM~~
21 ~~LEAVE.—The employer may recover the pre-~~
22 ~~mium that the employer paid for maintaining~~
23 ~~coverage for the employee under such group~~
24 ~~health plan during any period of leave under~~
25 ~~this section if—~~

1 “(i) the employee fails to return from
2 leave under this section after the period of
3 leave to which the employee is entitled for
4 the domestic or sexual violence involved
5 has expired; and

6 “(ii) the employee fails to return to
7 work for a reason other than the continu-
8 ation or recurrence of domestic or sexual
9 violence; that entitles the employee to leave
10 pursuant to this section.

11 “(C) CERTIFICATION.—An employer may
12 require an employee who claims that the em-
13 ployee is unable to return to work because of a
14 reason described in subparagraph (B)(ii) to
15 provide, within a reasonable period after mak-
16 ing the claim, certification to the employer that
17 the employee is unable to return to work be-
18 cause of that reason.

19 “(D) CONFIDENTIALITY.—All information
20 provided to the employer pursuant to subpara-
21 graph (C), and the fact that the employee is not
22 returning to work because of a reason described
23 in subparagraph (B)(ii), shall be retained in the
24 strictest confidence by the employer, except to
25 the extent that disclosure is—

1 “(i) requested or consented to by the
2 employee in writing; or

3 “(ii) otherwise required by applicable
4 Federal or State law.

5 ~~“(f) PROHIBITED ACTS.—~~

6 ~~“(1) INTERFERENCE WITH RIGHTS.—~~

7 ~~“(A) EXERCISE OF RIGHTS.—It shall be~~
8 ~~unlawful for any employer to interfere with, re-~~
9 ~~strain, or deny the exercise of or the attempt to~~
10 ~~exercise, any right provided under this section.~~

11 ~~“(B) EMPLOYER DISCRIMINATION.—It~~
12 ~~shall be unlawful for any employer to discharge~~
13 ~~or harass any individual, or otherwise discrimi-~~
14 ~~nate against any individual with respect to com-~~
15 ~~pensation, terms, conditions, or privileges of~~
16 ~~employment of the individual (including retalia-~~
17 ~~tion in any form or manner) because the indi-~~
18 ~~vidual—~~

19 ~~“(i) exercised any right provided~~
20 ~~under this section; or~~

21 ~~“(ii) opposed any practice made un-~~
22 ~~lawful by this section.~~

23 ~~“(2) INTERFERENCE WITH PROCEEDINGS OR~~
24 ~~INQUIRIES.—It shall be unlawful for any person to~~
25 ~~discharge or in any other manner discriminate (as~~

described in paragraph (1)(B)) against any individual because such individual—

“(A) has filed any charge, or has instituted or caused to be instituted any proceeding, under or related to this section;

“(B) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this section; or

“(C) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this section.

“(g) ENFORCEMENT.—

“(1) CIVIL ACTION BY AFFECTED INDIVIDUALS.—

“(A) LIABILITY.—Any employer that violates subsection (f) shall be liable to any individual affected—

“(i) for damages equal to—

“(I) the amount of—

“(aa) any wages, salary, employment benefits, public assistance, or other compensation denied or lost to such individual by reason of the violation; or

1 “(bb) in a case in which
2 wages, salary, employment bene-
3 fits, public assistance, or other
4 compensation has not been de-
5 nied or lost to the individual, any
6 actual monetary losses sustained
7 by the individual as a direct re-
8 sult of the violation;

9 “(H) the interest on the amount
10 described in subclause (I) calculated
11 at the prevailing rate; and

12 “(III) an additional amount as
13 liquidated damages equal to the sum
14 of the amount described in subclause
15 (I) and the interest described in sub-
16 clause (II), except that if an employer
17 that has violated subsection (f) proves
18 to the satisfaction of the court that
19 the act or omission that violated sub-
20 section (f) was in good faith and that
21 the employer had reasonable grounds
22 for believing that the act or omission
23 was not a violation of subsection (f),
24 such court may, in the discretion of
25 the court, reduce the amount of the li-

1 ability to the amount and interest de-
 2 termined under subclauses (I) and
 3 (II), respectively; and

4 “(ii) for such equitable relief as may
 5 be appropriate, including employment, re-
 6 instatement, and promotion.

7 “(B) RIGHT OF ACTION.—An action to re-
 8 cover the damages or equitable relief prescribed
 9 in subparagraph (A) may be maintained against
 10 any employer in any Federal or State court of
 11 competent jurisdiction by any 1 or more af-
 12 fected individuals for and on behalf of—

13 “(i) the individuals; or

14 “(ii) the individuals and other individ-
 15 uals similarly situated.

16 “(C) FEES AND COSTS.—The court in such
 17 an action shall, in addition to any judgment
 18 awarded to the plaintiff, allow a reasonable at-
 19 torney’s fee, reasonable expert witness fees, and
 20 other costs of the action to be paid by the de-
 21 fendant.

22 “(D) LIMITATIONS.—The right provided
 23 by subparagraph (B) to bring an action by or
 24 on behalf of any affected individual shall termi-
 25 nate—

1 “(i) on the filing of a complaint by
 2 the Secretary in an action under para-
 3 graph (4) in which restraint is sought of
 4 any further delay in the payment of the
 5 amount described in subparagraph (A)(i)
 6 to such individual by an employer respon-
 7 sible under subparagraph (A) for the pay-
 8 ment; or

9 “(ii) on the filing of a complaint by
 10 the Secretary in an action under para-
 11 graph (2) in which a recovery is sought of
 12 the damages described in subparagraph
 13 (A)(i) owing to an affected individual by
 14 an employer liable under subparagraph
 15 (A);

16 unless the action described in clause (i) or (ii)
 17 is dismissed without prejudice on motion of the
 18 Secretary.

19 “(2) ACTION BY THE SECRETARY.—

20 “(A) ADMINISTRATIVE ACTION.—The Sec-
 21 retary shall receive, investigate, and attempt to
 22 resolve complaints of violations of subsection (f)
 23 in the same manner as the Secretary receives,
 24 investigates, and attempts to resolve complaints
 25 of violations of sections 6 and 7 of the Fair

1 Labor Standards Act of 1938 (29 U.S.C. 206
2 and 207).

3 “(B) CIVIL ACTION.—The Secretary may
4 bring an action in any court of competent juris-
5 diction to recover the damages described in
6 paragraph (1)(A)(i).

7 “(C) SUMS RECOVERED.—Any sums recov-
8 ered by the Secretary pursuant to subparagraph
9 (B) shall be held in a special deposit account
10 and shall be paid, on order of the Secretary, di-
11 rectly to each individual affected. Any such
12 sums not paid to such an individual because of
13 inability to do so within a period of 3 years
14 shall be deposited into the Treasury of the
15 United States as miscellaneous receipts.

16 “(3) LIMITATION.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraph (B), an action may be brought
19 under this subsection not later than 2 years
20 after the date of the last event constituting the
21 alleged violation for which the action is brought.

22 “(B) WILLFUL VIOLATION.—In the case of
23 such action brought for a willful violation of
24 subsection (f), such action may be brought
25 within 3 years after the date of the last event

1 constituting the alleged violation for which such
2 action is brought.

3 ~~“(C) COMMENCEMENT.—In determining~~
4 ~~when an action is commenced by the Secretary~~
5 ~~under this subsection for the purposes of this~~
6 ~~paragraph, it shall be considered to be com-~~
7 ~~menced on the date when the complaint is filed.~~

8 ~~“(4) ACTION FOR INJUNCTION BY SEC-~~
9 ~~RETARY.—The district courts of the United States~~
10 ~~shall have jurisdiction, for cause shown, in an action~~
11 ~~brought by the Secretary—~~

12 ~~“(A) to restrain violations of subsection~~
13 ~~(f), including the restraint of any withholding of~~
14 ~~payment of wages, salary, employment benefits,~~
15 ~~public assistance, or other compensation, plus~~
16 ~~interest, found by the court to be due to af-~~
17 ~~ected individuals; or~~

18 ~~“(B) to award such other equitable relief~~
19 ~~as may be appropriate, including employment,~~
20 ~~reinstatement, and promotion.~~

21 ~~“(5) SOLICITOR OF LABOR.—The Solicitor of~~
22 ~~Labor may appear for and represent the Secretary~~
23 ~~on any litigation brought under this subsection.~~

24 ~~“(6) EMPLOYER LIABILITY UNDER OTHER~~
25 ~~LAWS.—Nothing in this section shall be construed to~~

1 limit the liability of an employer to an individual, for
 2 harm suffered relating to the individual's experience
 3 of domestic or sexual violence, pursuant to any other
 4 Federal or State law, including a law providing for
 5 a legal remedy.

6 ~~“(7) LIBRARY OF CONGRESS.—~~Notwithstanding
 7 any other provision of this subsection, in the case of
 8 the Library of Congress, the authority of the Sec-
 9 retary under this subsection shall be exercised by the
 10 Librarian of Congress.

11 ~~“(8) CERTAIN PUBLIC AGENCIES.—~~

12 ~~“(A) AGENCIES.—~~Notwithstanding any
 13 other provision of this subsection, in the case of
 14 a public agency that employs individuals as de-
 15 scribed in subparagraph (A) or (B) of section
 16 3(e)(2) of the Fair Labor Standards Act of
 17 1938 (29 U.S.C. 203(e)(2)) (other than an en-
 18 tity of the legislative branch of the Federal
 19 Government), subparagraph (B) shall apply.

20 ~~“(B) AUTHORITY.—~~In the case described
 21 in subparagraph (A), the powers, remedies, and
 22 procedures provided in title 5, United States
 23 Code, to an employing agency, provided in
 24 chapter 12 of that title to the Merit Systems
 25 Protection Board, or provided in that title to

1 any person, alleging a violation of chapter 62 of
 2 that title, shall be the powers, remedies, and
 3 procedures this chapter provides to that agency,
 4 that Board, or any person, respectively, alleging
 5 a violation of subsection (f) against an employee
 6 who is such an individual.

7 **“SEC. 41505. EXISTING LEAVE USABLE FOR ADDRESSING**
 8 **DOMESTIC OR SEXUAL VIOLENCE.**

9 “An employee who is entitled to take paid or unpaid
 10 leave (including family, medical, sick, annual, personal, or
 11 similar leave) from employment, pursuant to Federal,
 12 State, or local law, a collective bargaining agreement, or
 13 an employment benefits program or plan, may elect to
 14 substitute any period of such leave for an equivalent pe-
 15 riod of leave provided under section 41504.

16 **“SEC. 41506. EMERGENCY BENEFITS.**

17 “(a) IN GENERAL.—A State may use funds provided
 18 to the State under part A of title IV of the Social Security
 19 Act (42 U.S.C. 601 et seq.) to provide nonrecurrent short-
 20 term emergency benefits to an individual for any period
 21 of leave the individual takes pursuant to section 41504.

22 “(b) ELIGIBILITY.—In calculating the eligibility of an
 23 individual for such emergency benefits, the State shall
 24 count only the cash available or accessible to the indi-
 25 vidual.

1 “(c) TIMING.—

2 “(1) APPLICATIONS.—An individual seeking
3 emergency benefits under subsection (a) from a
4 State shall submit an application to the State.

5 “(2) BENEFITS.—The State shall provide bene-
6 fits to an eligible applicant under paragraph (1) on
7 an expedited basis, and not later than 7 days after
8 the applicant submits an application under para-
9 graph (1).

10 **“SEC. 41507. EFFECT ON OTHER LAWS AND EMPLOYMENT**
11 **BENEFITS.**

12 “(a) MORE PROTECTIVE LAWS, AGREEMENTS, PRO-
13 GRAMS, AND PLANS.—Nothing in this chapter shall be
14 construed to supersede any provision of any Federal,
15 State, or local law, collective bargaining agreement, or em-
16 ployment benefits program or plan that provides—

17 “(1) greater leave benefits for victims of domes-
18 tic or sexual violence than the rights established
19 under this chapter; or

20 “(2) leave benefits for a larger population of
21 victims of domestic or sexual violence (as defined in
22 such law, agreement, program, or plan) than the vic-
23 tims of domestic or sexual violence covered under
24 this chapter.

1 “(b) LESS PROTECTIVE LAWS, AGREEMENTS, PRO-
 2 GRAMS, AND PLANS.—The rights established for victims
 3 of domestic or sexual violence under this chapter shall not
 4 be diminished by any State or local law, collective bar-
 5 gaining agreement, or employment benefits program or
 6 plan.

7 **“SEC. 41508. REGULATIONS AND NOTIFICATION.**

8 “(a) IN GENERAL.—Except as provided in sub-
 9 sections (b) and (c), the Secretary shall issue regulations
 10 to carry out this chapter. The regulations shall include
 11 regulations requiring every employer to post and keep
 12 posted, in conspicuous places on the premises of the em-
 13 ployer where notices to employees are customarily posted,
 14 a notice, to be prepared or approved by the Secretary,
 15 summarizing the provisions of this chapter and providing
 16 information on procedures for filing complaints of viola-
 17 tions. The Secretary shall develop such a notice and pro-
 18 vide copies of such notice to employers upon request with-
 19 out charge.

20 “(b) LIBRARY OF CONGRESS.—The Librarian of
 21 Congress shall prescribe the regulations described in sub-
 22 section (a) with respect to employees of the Library of
 23 Congress.

24 “(c) CERTAIN PUBLIC AGENCIES.—The head of a
 25 public agency that employs individuals as described in sub-

1 paragraph (A) or (B) of section 3(e)(2) of the Fair Labor
 2 Standards Act of 1938 (29 U.S.C. 203(e)(2)) (other than
 3 an entity of the legislative branch of the Federal Govern-
 4 ment) shall prescribe the regulations described in sub-
 5 section (a) with respect to those individuals.”.

6 (b) CONFORMING AMENDMENTS.—

7 (1) SOCIAL SECURITY ACT.—Section 404 of the
 8 Social Security Act (42 U.S.C. 604) is amended by
 9 adding at the end the following:

10 “(1) AUTHORITY TO PROVIDE EMERGENCY BENE-
 11 FITS.—A State that receives a grant under section 403
 12 may use the grant to provide nonrecurrent short-term
 13 emergency benefits, in accordance with section 41506 of
 14 the Violence Against Women Act of 1994, to individuals
 15 who take leave pursuant to section 40404 of that Act,
 16 without regard to whether the individuals receive assist-
 17 ance under the State program funded under this part.”.

18 (2) REHABILITATION ACT AMENDMENTS OF
 19 1986.—Section 1003(a)(1) of the Rehabilitation Act
 20 Amendments of 1986 (42 U.S.C. 2000d–7(a)(1)) is
 21 amended by inserting “chapter 1 of subtitle O of the
 22 Violence Against Women Act of 1994,” before “or
 23 the provisions”.

1 (e) EFFECTIVE DATE.—The amendments made by
 2 this section take effect 180 days after the date of enact-
 3 ment of this Act.

4 **SEC. 702. GRANT FOR NATIONAL CLEARINGHOUSE AND RE-**
 5 **SOURCE CENTER ON WORKPLACE RE-**
 6 **SPONSES TO ASSIST VICTIMS OF DOMESTIC**
 7 **AND SEXUAL VIOLENCE.**

8 Subtitle O of the Violence Against Women Act of
 9 1994 (as added by section 701) is amended by adding at
 10 the end the following:

11 **“CHAPTER 2—NATIONAL CLEARINGHOUSE**
 12 **AND RESOURCE CENTER**

13 **“SEC. 41511. GRANT FOR NATIONAL CLEARINGHOUSE AND**
 14 **RESOURCE CENTER ON WORKPLACE RE-**
 15 **SPONSES TO ASSIST VICTIMS OF DOMESTIC**
 16 **AND SEXUAL VIOLENCE.**

17 “(a) AUTHORITY.—The Attorney General, acting
 18 through the Director of the Violence Against Women Of-
 19 fice, may award a grant to an eligible nonprofit non-
 20 governmental entity or tribal organization, in order to pro-
 21 vide for the establishment and operation of a national
 22 clearinghouse and resource center on workplace responses
 23 to assist victims of domestic and sexual violence. The
 24 clearinghouse and resource center shall provide informa-
 25 tion and assistance to employers, labor organizations, and

1 advocates on behalf of victims of domestic or sexual vio-
2 lence, to aid in their efforts to develop and implement ap-
3 propriate responses to such violence in order to assist
4 those victims.

5 “(b) APPLICATIONS.—To be eligible to receive a
6 grant under this section, an entity or organization shall
7 submit an application to the Attorney General at such
8 time, in such manner, and containing such information as
9 the Attorney General may require, including—

10 “(1) information that demonstrates that the en-
11 tity or organization has nationally recognized exper-
12 tise in the area of domestic or sexual violence, and
13 a record of commitment to reducing domestic or sex-
14 ual violence;

15 “(2) a plan to maximize, to the extent prac-
16 ticable, outreach to employers (including private
17 companies and public entities such as public institu-
18 tions of higher education and State and local govern-
19 ments), labor organizations, and advocates described
20 in subsection (a) concerning developing and imple-
21 menting appropriate workplace responses to assist
22 victims of domestic or sexual violence; and

23 “(3) a plan for developing materials and train-
24 ing for materials for employers that address the
25 needs of employees in cases of domestic violence;

1 dating violence, sexual assault, and stalking impact-
2 ing the workplace, including the needs of racial and
3 ethnic and other underserved communities.

4 “(c) USE OF GRANT AMOUNT.—

5 “(1) IN GENERAL.—An entity or organization
6 that receives a grant under this section may use the
7 funds made available through the grant for staff sal-
8 aries, travel expenses, equipment, printing, and
9 other reasonable expenses necessary to develop,
10 maintain, and disseminate to employers, labor orga-
11 nizations, and advocates described in subsection (a),
12 information and assistance concerning appropriate
13 workplace responses to assist victims of domestic or
14 sexual violence.

15 “(2) RESPONSES.—Responses referred to in
16 paragraph (1) may include—

17 “(A) providing training to promote a bet-
18 ter understanding of appropriate workplace as-
19 sistance to victims of domestic or sexual vio-
20 lence;

21 “(B) providing conferences and other edu-
22 cational opportunities;

23 “(C) developing protocols and model work-
24 place policies;

1 “(D) providing employer-sponsored and
2 labor organization-sponsored victim assistance
3 and outreach counseling; and

4 “(E) conducting assessments of the work-
5 place costs of domestic or sexual violence.

6 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
7 is authorized to be appropriated to carry out this section
8 \$1,000,000 for each of fiscal years 2006 through 2010.

9 “(e) AVAILABILITY OF GRANT FUNDS.—Funds ap-
10 propriated under this section shall remain available until
11 expended.”.

12 **TITLE VIII—PROTECTION OF**
13 **BATTERED AND TRAFFICKED**
14 **IMMIGRANT WOMEN**

15 **Subtitle A—Victims of Crime**

16 **SEC. 801. TREATMENT OF SPOUSE AND CHILDREN OF VIC-**
17 **TIMS.**

18 (a) TREATMENT OF SPOUSE AND CHILDREN OF VIC-
19 TIMS OF TRAFFICKING.—Section 101(a)(15)(T) of the
20 Immigration and Nationality Act (8 U.S.C.
21 1101(a)(15)(T)) is amended—

22 (1) in clause (i)—

23 (A) in the matter preceding subclause (I),
24 by striking “Attorney General” and inserting
25 “Secretary of Homeland Security”; and

1 (B) by amending subclause (III) to read as
2 follows:

3 “(III)(aa) complied with any reason-
4 able request for assistance in the Federal,
5 State, or local investigation or prosecution
6 of acts of trafficking or crimes related to
7 trafficking; or

8 “(bb) has provided credible evidence
9 (as defined in section 204(a)(1)(J)) that
10 physical or psychological abuse, injury, or
11 trauma prohibits such alien from meeting
12 the requirements of item (aa); or

13 “(cc) has not attained 18 years of
14 age; and”;

15 (2) by amending clause (ii) to read as follows:

16 “(ii) if accompanying, or following to join, the
17 alien described in clause (i)—

18 “(I) in the case of an alien described in
19 clause (i) who is under 21 years of age, the
20 spouse, children, unmarried siblings under 18
21 years of age on the date on which such alien
22 applied for status under such clause, and par-
23 ents of such alien; and

1 “(H) in the case of an alien described in
2 clause (i) who is 21 years of age or older, the
3 spouse and children of such alien;”.

4 (b) TREATMENT OF SPOUSES AND CHILDREN OF
5 VICTIMS OF ABUSE.—Section 101(a)(15)(U) of the Immi-
6 gration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) is
7 amended—

8 (1) in clause (i)—

9 (A) in the matter preceding subclause (I),
10 by striking “Attorney General” and inserting
11 “Secretary of Homeland Security”; and

12 (B) in subclause (I), by inserting “or in-
13 jury” after “physical or mental abuse”;

14 (2) by amending clause (ii) to read as follows:

15 “(ii) if accompanying, or following to join, the
16 alien described in clause (i)—

17 “(I) in the case of an alien described in
18 clause (i) who is under 21 years of age, the
19 spouse, children, unmarried siblings under 18
20 years of age on the date on which such alien
21 applied for status under such clause, and par-
22 ents of such alien; and

23 “(II) in the case of an alien described in
24 clause (i) who is 21 years of age or older, the
25 spouse and children of such alien; and”; and

1 (2) in clause (iii), by inserting “child abuse;
2 stalking (including physical or electronic stalking);”
3 after “false imprisonment;”.

4 (c) DEFINITION OF AGGRAVATED FELONY.—Section
5 101(a)(43) of the Immigration and Nationality Act (8
6 U.S.C. 1101(a)(43)) is amended—

7 (A) in subparagraphs (F) and (G), by
8 striking “at least one year” each place it ap-
9 pears and inserting “is more than 1 year”;

10 (B) in subparagraph (J), by striking “one
11 year imprisonment or more” and inserting
12 “more than 1 year imprisonment”;

13 (C) in subparagraph (P)(ii), by striking
14 “at least 12 months” and inserting “more than
15 1 year”; and

16 (D) in subparagraphs (R) and (S), by
17 striking “at least one year” each place it ap-
18 pears and inserting “more than 1 year”.

19 (d) TECHNICAL AMENDMENTS.—Section 101(i) of
20 the Immigration and Nationality Act (8 U.S.C. 1101(i))
21 is amended—

22 (1) in paragraph (1), by striking “Attorney
23 General” and inserting “Secretary of Homeland Se-
24 curity, the Attorney General,”; and

1 (2) in paragraph (2), by striking “Attorney
2 General” and inserting “Secretary of Homeland Se-
3 curity”.

4 **SEC. 802. PRESENCE OF VICTIMS OF A SEVERE FORM OF**
5 **TRAFFICKING IN PERSONS.**

6 (a) **IN GENERAL.**—Section 212(a)(9)(B)(iii) of the
7 Immigration and Nationality Act (8 U.S.C.
8 1182(a)(9)(B)(iii)) is amended by adding at the end the
9 following:

10 “(V) **VICTIMS OF A SEVERE FORM OF**
11 **TRAFFICKING IN PERSONS.**—Clause (i) shall not
12 apply to an alien who demonstrates that there
13 was a connection between the alien being a vic-
14 tim of a severe form of trafficking (as that term
15 is defined in section 103 of the Trafficking Vic-
16 tims Protection Act of 2000 (22 U.S.C. 7102))
17 and the alien’s unlawful presence in the United
18 States.”.

19 (b) **TECHNICAL AMENDMENT.**—Paragraphs (13) and
20 (14) of section 212(d) of the Immigration and Nationality
21 Act (8 U.S.C. 1182(d)) are amended by striking “Attor-
22 ney General” each place it appears and inserting “Sec-
23 retary of Homeland Security”.

1 **SEC. 803. ADJUSTMENT OF STATUS FOR VICTIMS OF TRAF-**
 2 **FICKING.**

3 Section 245(l) of the Immigration and Nationality
 4 Act (8 U.S.C. 1255(l)) is amended—

5 (1) in paragraph (1)—

6 (A) by striking “Attorney General” each
 7 place it appears and inserting “Secretary of
 8 Homeland Security”; and

9 (B) in subparagraph (A), by striking “for
 10 a continuous period of at least 3 years”;

11 (2) in paragraph (2), by striking “Attorney
 12 General” each place it appears and inserting “Sec-
 13 retary of Homeland Security”; and

14 (3) in paragraph (5), by striking “Attorney
 15 General” and inserting “Secretary of Homeland Se-
 16 curity”.

17 **SEC. 804. PROTECTION AND ASSISTANCE FOR VICTIMS OF**
 18 **TRAFFICKING.**

19 (a) CERTIFICATION PROCESS.—Section 107(b)(1)(E)
 20 of the Trafficking Victims Protection Act of 2000 (22
 21 U.S.C. 7105(b)(1)(E)) is amended—

22 (1) in clause (i)—

23 (A) in the matter preceding subclause (I),
 24 by striking “Attorney General, that the person
 25 referred to in subparagraph (C)(ii)(II)—” and
 26 inserting “Attorney General or the Secretary of

1 Homeland Security, as appropriate, that the
 2 person referred to in subparagraph (C)(ii)(II)
 3 has not attained 18 years of age or—”;

4 (B) in subclause (I), by striking “investigation and prosecution” and inserting “investigation or prosecution, by the United States or
 5 a State or local government,”; and

6 (C) in subclause (II)(bb), by inserting “or
 7 the Secretary of Homeland Security” after “Attorney General”;

8 (2) in clause (ii), by striking “Attorney General” and inserting “Secretary of Homeland Security”;

9 (3) in clause (iii)—

10 (A) in subclause (II), by striking “and” at
 11 the end;

12 (B) in subclause (III), by striking the period at the end and inserting “; or”; and

13 (C) by adding at the end the following:

14 “(IV) responding to and cooperating with requests for evidence and
 15 information; and

16 (4) by striking “investigation and prosecution”
 17 each place it appears and inserting “investigation or
 18 prosecution”.

1 (b) ~~TRAFFICKING VICTIM REGULATIONS.—~~Section
2 107(e) of the Trafficking Victims Protection Act of 2000
3 ~~(22 U.S.C. 7105(e))~~ is amended—

4 (1) in the matter preceding paragraph (1), by
5 inserting “, the Secretary of Homeland Security,”
6 after “Attorney General”; and

7 (2) in paragraph (3)—

8 (A) by striking “Federal law enforcement
9 officials” and inserting “The Department of
10 Homeland Security”; and

11 (B) by adding at the end the following:
12 “State or local law enforcement officials may
13 petition the Department of Homeland Security
14 for the continued presence for trafficking vic-
15 tims. If such a petition contains a certification
16 that a trafficking victim is a victim of a severe
17 form of trafficking, the presence of the traf-
18 ficking victim may be permitted in accordance
19 with this paragraph.”.

20 (c) ~~PROTECTION FROM REMOVAL FOR CERTAIN~~
21 ~~CRIME VICTIMS.—~~Section 107(e)(5) of the Trafficking
22 Victims Protection Act of 2000 ~~(22 U.S.C. 7105(e)(5))~~
23 is amended by striking “Attorney General” each place it
24 occurs and inserting “Secretary of Homeland Security”.

1 (d) ~~ANNUAL REPORT.~~—Section 107(g) of the Traf-
 2 ficking Victims Protection Act of 2000 (22 U.S.C.
 3 7105(g)) is amended by inserting “or the Secretary of
 4 Homeland Security” after “Attorney General”.

5 **SEC. 805. PROTECTING VICTIMS OF CHILD ABUSE.**

6 (a) ~~AGING OUT CHILDREN.~~—Section 204(a)(1)(D) of
 7 the Immigration and Nationality Act (8 U.S.C.
 8 1154(a)(1)(D)) is amended—

9 (1) in clause (i)—

10 (A) in subclause (I), by inserting “or sec-
 11 tion 204(a)(1)(B)(iii)” after “204(a)(1)(A)”
 12 each place it appears; and

13 (B) in subclause (III), by striking “a peti-
 14 tioner for preference status under paragraph
 15 (1), (2), or (3) of section 203(a), whichever
 16 paragraph is applicable,” and inserting “a
 17 VAWA self-petitioner”; and

18 (2) by adding at the end the following:

19 “(iv) Any alien who benefits from this subparagraph
 20 may adjust status in accordance with subsections (a) and
 21 (e) of section 245 as an alien having an approved petition
 22 for classification under subparagraph (A)(iii), (A)(iv),
 23 (B)(ii), or (B)(iii).”.

24 (b) ~~APPLICATION OF CSPA PROTECTIONS.~~—

1 (1) IMMEDIATE RELATIVE RULES.—Section
 2 201(f) of the Immigration and Nationality Act (8
 3 U.S.C. 1151(f)) is amended by adding at the end
 4 the following:

5 “(4) APPLICATION TO SELF-PETITIONS.—Para-
 6 graphs (1) through (3) shall apply to self-petitioners
 7 and derivatives of self-petitioners.”.

8 (2) CHILDREN RULES.—Section 203(h) of the
 9 Immigration and Nationality Act (8 U.S.C. 1153(h))
 10 is amended by adding at the end the following:

11 “(4) APPLICATION TO SELF-PETITIONS.—Para-
 12 graphs (1) through (3) shall apply to self-petitioners
 13 and derivatives of self-petitioners.”.

14 (c) LATE PETITION PERMITTED FOR IMMIGRANT
 15 SONS AND DAUGHTERS BATTERED AS CHILDREN.—

16 (1) IN GENERAL.—Section 204(a)(1)(D) of the
 17 Immigration and Nationality Act (8 U.S.C.
 18 1154(a)(1)(D)), as amended by subsection (a), is
 19 further amended by adding at the end the following:

20 “(v) For purposes of this paragraph, an individual
 21 who is not less than 21 years of age, who qualified to file
 22 a petition under subparagraph (A)(iv) as of the day before
 23 the date on which the individual attained 21 years of age,
 24 and who did not file such a petition before such day, shall
 25 be treated as having filed a petition under such subpara-

1 graph as of such day if a petition is filed for the status
 2 described in such subparagraph before the individual at-
 3 tains 25 years of age. Clauses (i) through (iv) of this sub-
 4 paragraph shall apply to an individual described in this
 5 clause in the same manner as an individual filing a peti-
 6 tion under subparagraph (A)(iv).”.

7 (d) REMOVING A 2-YEAR CUSTODY AND RESIDENCY
 8 REQUIREMENT FOR BATTERED ADOPTED CHILDREN.—
 9 Section 101(b)(1)(E)(i) of the Immigration and Nation-
 10 ality Act (8 U.S.C. 1101(b)(1)(E)(i)) is amended by in-
 11 serting before the colon the following: “or if the child has
 12 been battered or subject to extreme cruelty by the adopt-
 13 ing parent or by a family member of the adopting parent
 14 residing in the same household”.

15 **Subtitle B—VAWA Self-Petitioners**

16 **SEC. 811. DEFINITION OF VAWA SELF-PETITIONER.**

17 Section 101(a) of the Immigration and Nationality
 18 Act (8 U.S.C. 1101(a)) is amended by adding at the end
 19 the following:

20 “(51) The term ‘VAWA self-petitioner’ means
 21 an alien, or a child of the alien, who qualifies for re-
 22 lief under—

23 “(A) clause (iii), (iv), or (vii) of section
 24 204(a)(1)(A);

1 “(B) clause (ii) or (iii) of section
2 204(a)(1)(B);

3 “(C) the first section of Public Law 89–
4 732 (8 U.S.C. 1255 note) (commonly known as
5 the Cuban Adjustment Act) as a child or spouse
6 who has been battered or subjected to extreme
7 cruelty;

8 “(D) section 902(d)(1)(B) of the Haitian
9 Refugee Immigration Fairness Act of 1998 (8
10 U.S.C. 1255 note);

11 “(E) section 202(d)(1) of the Nicaraguan
12 Adjustment and Central American Relief Act;
13 or

14 “(F) section 309 of the Illegal Immigration
15 Reform and Immigrant Responsibility Act of
16 1996 (division C of Public Law 104–208).”.

17 **SEC. 812. APPLICATION TO FIANCEES WHO DO NOT MARRY**
18 **WITHIN 90 DAY PERIOD.**

19 (a) IN GENERAL.—Section 214(d) of the Immigra-
20 tion and Nationality Act (8 U.S.C. 1184(d)) is amended
21 by inserting before the period at the end the following:
22 “; unless the alien is eligible for status as a VAWA self-
23 petitioner, for relief under section 240A(b)(2), or for relief
24 under section 244(a)(3) (as in effect prior to March 31,

1 1997), and the alien married the United States citizen
 2 who filed the petition under section 101(a)(15)(K)(i)).

3 (b) EXEMPTION FOR BATTERED IMMIGRANT WOMEN
 4 WHO ENTERED THE UNITED STATES ON FINANCE VISAS
 5 FROM CONDITIONAL RESIDENCY STATUS REQUIRE-
 6 MENT.—Section 245(d) of the Immigration and Nation-
 7 ality Act (8 U.S.C. 1255(d)) is amended—

8 (1) by inserting “(1)” after “(d)”; and

9 (2) by adding at the end the following:

10 “(2) The failure of a nonimmigrant described in sec-
 11 tion 101(a)(15)(K) to marry within 3 months of being ad-
 12 mitted in such status does not restrict the Secretary of
 13 Homeland Security’s or the Attorney General’s authority
 14 to adjust the status of the nonimmigrant, or grant relief
 15 under section 240A(b)(2), or under section 244(a)(3) (as
 16 in effect prior to March 31, 1997), provided that—

17 “(A) the alien married the United States citizen
 18 who filed the petition under section
 19 101(a)(15)(K)(i); and

20 “(B) the United States citizen petitioner sub-
 21 jected a VAWA self-petitioner to battery or extreme
 22 cruelty.”.

1 **SEC. 813. APPLICATION IN CASE OF VOLUNTARY DEPART-**
 2 **TURE.**

3 Section 240B(d) of the Immigration and Nationality
 4 Act (8 U.S.C. 1229e(d)) is amended to read as follows:

5 “(d) CIVIL PENALTY FOR FAILURE TO DEPART.—

6 “(1) IN GENERAL.—Subject to paragraph (2),
 7 if an alien is permitted to depart voluntarily under
 8 this section and voluntarily fails to depart the
 9 United States within the time period specified, the
 10 alien—

11 “(A) shall be subject to a civil penalty of
 12 not less than \$1,000 and not more than
 13 \$5,000; and

14 “(B) shall be ineligible, for a period of 10
 15 years, to receive any further relief under this
 16 section and sections 240A, 245, 248, and 249.

17 “(2) APPLICATION OF VAWA PROTECTIONS.—

18 The restrictions on relief under paragraph (1) shall
 19 not apply to relief under section 240A or 245 on the
 20 basis of a petition filed by a VAWA self-petitioner,
 21 or a petition filed under section 240A(b)(2), or
 22 under section 244(a)(3) (as in effect prior to March
 23 31, 1997), if the extreme cruelty or battering oc-
 24 curred before the alien overstayed the grant of vol-
 25 untary departure.

1 ~~“(3) NOTICE OF PENALTIES.—~~The order per-
 2 mitting an alien to depart voluntarily shall inform
 3 the alien of the penalties under this subsection.”.

4 **SEC. 814. REMOVAL PROCEEDINGS.**

5 ~~(a) EXCEPTIONAL CIRCUMSTANCES.—~~

6 ~~(1) IN GENERAL.—~~Section 240(c)(1) of the Im-
 7 migration and Nationality Act (8 U.S.C.
 8 1229a(c)(1)) is amended by striking “serious illness
 9 of the alien” and inserting “battery or extreme cru-
 10 elty to the alien or any child or parent of the alien;
 11 serious illness of the alien,”.

12 ~~(2) EFFECTIVE DATE.—~~The amendment made
 13 by paragraph (1) shall apply to a failure to appear
 14 that occurs before, on, or after the date of the enact-
 15 ment of this Act.

16 ~~(b) NONAPPLICATION OF REINSTATEMENT OF RE-~~
 17 MOVAL.—

18 ~~(1) IN GENERAL.—~~Section 241(a)(5) of the Im-
 19 migration and Nationality Act (8 U.S.C. 1231(a)(5))
 20 is amended—

21 ~~(A) by striking “If the Attorney General”~~
 22 and inserting the following:

23 ~~“(A) IN GENERAL.—~~If the Secretary of
 24 Homeland Security”; and

25 ~~(B) by adding at the end the following:~~

1 “~~(B) EXEMPTION.~~—The provisions of sub-
 2 paragraph (A) shall not apply to an alien who
 3 has been battered or subjected to extreme cru-
 4 elty or who is a crime victim whom the Attor-
 5 ney General or Secretary of Homeland Security
 6 determines may be statutorily eligible for classi-
 7 fication under subparagraph (T) or (U) of sec-
 8 tion 101(a)(15), for classification under sub-
 9 paragraph (A)(1)(iii), (A)(1)(iv), (B)(ii),
 10 (B)(iii), or (B)(iv) of section 204(a)(1), for
 11 classification as a VAWA self-petitioner, or for
 12 relief under section 240A(b)(2) or section
 13 244(a)(3) (as in effect prior to March 31,
 14 1997).”.

15 ~~(2) EFFECTIVE DATE.~~—The amendments made
 16 by paragraph (1) and the exemption in paragraph
 17 (2) shall apply to those eligible relief before, on, or
 18 after the date of enactment of this Act.

19 ~~(c) RESTRICTION ON REMOVAL WHILE VAWA PETI-~~
 20 ~~TION PENDING.—~~

21 ~~(1) IN GENERAL.~~—Section 240 of the Immigra-
 22 tion and Nationality Act (8 U.S.C. 1229a) is amend-
 23 ed by adding at the end the following:

24 “~~(f) RESTRICTION ON REMOVAL WHILE PETITION~~
 25 ~~PENDING.~~—An alien who is a VAWA self-petitioner, the

1 beneficiary under subparagraph (T) or (U) of section
 2 101(a)(15) who meets the requirement of section
 3 240A(b)(2) or subparagraphs (A) through (C) of section
 4 216(c)(4), or who qualifies for relief under section
 5 244(a)(3) (as in effect on March 31, 1997)—

6 “(1) shall not be removed or deported unless
 7 the petition is denied and all opportunities for ap-
 8 peal of the denial have been exhausted; and

9 “(2) shall not be detained while in removal pro-
 10 ceedings, unless mandatory detention is required
 11 under section 236A or 236(c).”.

12 (2) WAIVERS AND EXCEPTIONS.—Section
 13 236(c)(2) of the Immigration and Nationality Act (8
 14 U.S.C. 1226) is amended—

15 (A) in paragraph (2) by inserting “(A)”
 16 before “The Attorney General may release an
 17 alien described in paragraph (1) only”; and

18 (B) adding at the end the following:

19 “(B) The Secretary of Homeland Security
 20 or the Attorney General may release on their
 21 own recognizance an alien described in para-
 22 graph (1) if the Secretary or the Attorney Gen-
 23 eral determines that the alien may qualify for—

1 “(i) a waiver under section
 2 212(d)(13), 212(d)(14), 212(h),
 3 237(a)(2)(A)(v), or 237(a)(7); or
 4 “(ii) an exception under section
 5 204(a)(1)(C); or
 6 “(iii) relief under section 240A(a).”.

7 (d) CLARIFYING APPLICATION OF DOMESTIC VIO-
 8 LENCE WAIVER AUTHORITY IN CANCELLATION OF RE-
 9 MOVAL.—

10 (1) IN GENERAL.—Section 240A(b) of the Im-
 11 migration and Nationality Act (8 U.S.C. 1229b(b))
 12 is amended—

13 (A) in paragraph (1)(C), by striking “(ex-
 14 cept in a case described in section 237(a)(7)
 15 where the Attorney General exercises discretion
 16 to grant a waiver)” and inserting “, subject to
 17 paragraph (5)”;

18 (B) in paragraph (2)(A)(iv), by striking
 19 “(except in a case described in section
 20 237(a)(7) where the Attorney General exercises
 21 discretion to grant a waiver)” and inserting “,
 22 subject to paragraph (5)”;

23 (C) by adding at the end the following:

24 “(5) APPLICATION OF DOMESTIC VIOLENCE
 25 WAIVER AUTHORITY.—The authority provided under

1 section 237(a)(7) shall apply under paragraphs
 2 (1)(B), (1)(C), and (2)(A)(iv) in a cancellation of re-
 3 moval and adjustment of status proceeding.”.

4 **SEC. 815. ELIMINATING ABUSERS’ CONTROL OVER APPLI-**
 5 **CATIONS FOR ADJUSTMENTS OF STATUS.**

6 (a) APPLICATION OF VAWA DEPORTATION PROTEC-
 7 TIONS TO ALIENS ELIGIBLE FOR RELIEF UNDER CUBAN
 8 ADJUSTMENT AND HAITIAN REFUGEE IMMIGRATION
 9 FAIRNESS ACT.—Section 1506(c)(2) of the Violence
 10 Against Women Act of 2000 (8 U.S.C. 1229a note; divi-
 11 sion B of Public Law 106–386) is amended—

12 (1) in subparagraph (A)—

13 (A) by amending clause (i) to read as fol-
 14 lows:

15 “(i) if the basis of the motion is to
 16 apply for relief under—

17 “(I) clause (iii) or (iv) of section
 18 204(a)(1)(A) of the Immigration and
 19 Nationality Act (8 U.S.C.
 20 1154(a)(1)(A));

21 “(II) clause (ii) or (iii) of section
 22 204(a)(1)(B) of such Act (8 U.S.C.
 23 1154(a)(1)(B));

24 “(III) section 244(a)(3) of such
 25 Act (8 U.S.C. 8 U.S.C. 1254(a)(3));

1 “(IV) the first section of Public
 2 Law 89-732 (8 U.S.C. 1255 note)
 3 (commonly known as the Cuban Ad-
 4 justment Act) as a child or spouse
 5 who has been battered or subjected to
 6 extreme cruelty; or

7 “(V) section 902(d)(1)(B) of the
 8 Haitian Refugee Immigration Fair-
 9 ness Act of 1998 (8 U.S.C. 1255
 10 note); and”; and

11 (B) in clause (ii), by inserting “or adjust-
 12 ment of status” after “suspension of deporta-
 13 tion”; and

14 (2) in subparagraph (B)(ii), by striking “for re-
 15 lief” and all that follows through “1101 note))” and
 16 inserting “for relief described in subparagraph
 17 (A)(i)”.

18 (b) EMPLOYMENT AUTHORIZATION FOR VAWA
 19 SELF-PETITIONERS.—Section 204(a)(1) of the Immigra-
 20 tion and Nationality Act (8 U.S.C. 1154(a)(1)) is amend-
 21 ed by adding at the end the following:

22 “(1) An alien who is in the United States and has
 23 a petition, pending or approved as a VAWA self-petitioner,
 24 that sets forth a prima facie case for status or classifica-

tion under such clause shall be eligible for employment authorization.”.

SEC. 816. APPLICATION FOR VAWA-RELATED RELIEF.

(a) **IN GENERAL.**—Section 202(d)(1) of the Nicaraguan Adjustment and Central American Relief Act (8 U.S.C. 1255 note; Public Law 105–100) is amended—

(1) in subparagraph (B)(ii), by inserting “, or was eligible for adjustment,” after “whose status is adjusted”; and

(2) in subparagraph (E), by inserting “, or, in the case of an alien who qualifies under subparagraph (B)(ii), applies for such adjustment during the 18-month period beginning on the date of enactment of the Violence Against Women Act of 2005” after “April 1, 2000”.

(b) **TECHNICAL AMENDMENT.**—Section 202(d)(3) of such Act (8 U.S.C. 1255 note; Public Law 105–100) is amended by striking “204(a)(1)(H)” and inserting “204(a)(1)(J)”.

(c) **EFFECTIVE DATE.**—The amendment made by subsection (b) shall take effect as if included in the enactment of the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491).

1 **SEC. 817. SELF-PETITIONING PARENTS.**

2 Section 204(a)(1)(A) of the Immigration and Nation-
3 ality Act (8 U.S.C. 1154(a)(1)(A)) is amended by adding
4 at the end the following:

5 “(vii) An alien may file a petition with the Secretary
6 of Homeland Security under this subparagraph for classi-
7 fication of the alien under section 201(b)(2)(A)(i) if the
8 alien—

9 “(I) is the parent of a citizen of the United
10 States or was a parent of a citizen of the United
11 States who, within the past 2 years, lost or re-
12 nounced citizenship status related to an incident of
13 domestic violence or died;

14 “(II) is a person of good moral character;

15 “(III) is eligible to be classified as an imme-
16 diate relative under section 201(b)(2)(A)(i);

17 “(IV) resides, or has resided, with the citizen
18 daughter or son; and

19 “(V) demonstrates that the alien has been bat-
20 tered or subject to extreme cruelty by the citizen
21 daughter or son.”.

22 **SEC. 818. VAWA CONFIDENTIALITY NON-DISCLOSURE.**

23 Section 384 of the Illegal Immigration Reform and
24 Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a))
25 is amended—

26 (1) in subsection (a)—

(A) in the matter preceding paragraph (1),
 by striking “(including any bureau or agency of
 such Department)” and inserting “, the Sec-
 retary of Homeland Security, the Secretary of
 State, or any other official or employee of the
 Department of Homeland Security or Depart-
 ment of State (including any bureau or agency
 of either of such Departments)”; and

(B) in paragraph (1)—

(i) in subparagraph (D), by striking
 “or” at the end;

(ii) in subparagraph (E), by adding
 “or” at the end; and

(iii) by inserting after subparagraph
 (E) the following:

“(F) in the case of an alien applying for
 status under section 101(a)(15)(T) of the Im-
 migration and Nationality Act (8 U.S.C.
 1101(a)(15)(T)), under section
 107(b)(1)(E)(i)(II)(bb) of the Trafficking Vie-
 tims Protection Act of 2000 (22 U.S.C. 7105),
 under section 244(a)(3) of the Immigration and
 Nationality Act (8 U.S.C. 1254a(a)(3)), as in
 effect prior to March 31, 1999, or as a VAWA
 self-petitioner (as defined in section 101(a)(51)

1 of the Immigration and Nationality Act (8
 2 U.S.C. 1101(a)(51)), the trafficker or perpe-
 3 trator.”.

4 (2) in subsection (b)(2), by inserting “or his
 5 other designee” after “the discretion of the Attorney
 6 General.”.

7 **Subtitle C—Miscellaneous** 8 **Amendments**

9 **SEC. 821. DURATION OF T AND U VISAS.**

10 (a) T VISAS.—Section 214(o) of the Immigration and
 11 Nationality Act (8 U.S.C. 1184(o)) is amended by adding
 12 at the end the following:

13 “(7)(A) Except as provided in subparagraph (B), an
 14 alien who is issued a visa or otherwise provided non-
 15 immigrant status under section 101(a)(15)(T) may be
 16 granted such status for a period of not more than 4 years.

17 “(B) An alien who is issued a visa or otherwise pro-
 18 vided nonimmigrant status under section 101(a)(15)(T)
 19 may extend the period of such status beyond the period
 20 described in subparagraph (A) if a Federal, State, or local
 21 law enforcement official, prosecutor, judge, or other au-
 22 thority investigating or prosecuting activity relating to
 23 human trafficking or certifies that the presence of the
 24 alien in the United States is necessary to assist in the
 25 investigation or prosecution of such activity.”.

1 (b) U VISAS.—Section 214(p) of the Immigration
 2 and Nationality Act (8 U.S.C. 1184(p)) is amended by
 3 adding at the end the following:

4 “(6) DURATION OF STATUS.—The authorized
 5 period of status of an alien as a nonimmigrant
 6 under section 101(a)(15)(U) shall be 4 years, but
 7 shall be extended upon certification from a Federal,
 8 State, or local law enforcement official, prosecutor,
 9 judge, or other Federal, State, or local authority in-
 10 vestigating or prosecuting criminal activity described
 11 in section 101(a)(15)(U)(iii) that the alien’s contin-
 12 ued presence in the United States is required to as-
 13 sist in the investigation or prosecution of such crimi-
 14 nal activity.”.

15 (c) PERMITTING CHANGE OF NONIMMIGRANT STA-
 16 TUS TO T AND U NONIMMIGRANT STATUS.—

17 (1) IN GENERAL.—Section 248 of the Immigra-
 18 tion and Nationality Act (8 U.S.C. 1258) is amend-
 19 ed—

20 (A) by striking “The Attorney General”
 21 and inserting “(a) The Secretary of Homeland
 22 Security”;

23 (B) by inserting “(subject to subsection
 24 (b))” after “except”; and

25 (C) by adding at the end the following:

1 “(b) The exceptions specified in paragraphs (1)
 2 through (4) of subsection (a) shall not apply to a change
 3 of nonimmigrant classification to that of a nonimmigrant
 4 under subparagraph (T) or (U) of section 101(a)(15).”.

5 (2) CONFORMING AMENDMENT.—Section
 6 214(l)(2)(A) of the Immigration and Nationality Act
 7 (8 U.S.C. 1184(l)(2)(A)) is amended by striking
 8 “248(2)” and inserting “248(a)(2)”.

9 **SEC. 822. TECHNICAL CORRECTION TO REFERENCES IN AP-**
 10 **PLICATION OF SPECIAL PHYSICAL PRESENCE**
 11 **AND GOOD MORAL CHARACTER RULES.**

12 (a) PHYSICAL PRESENCE RULES.—Section
 13 240A(b)(2)(B) of the Immigration and Nationality Act (8
 14 U.S.C. 1229b(b)(2)(B)) is amended—

15 (1) in the first sentence, by striking
 16 “(A)(i)(II)” and inserting “(A)(ii)”; and

17 (2) in the fourth sentence, by striking “sub-
 18 section (b)(2)(B) of this section” and inserting “this
 19 subparagraph, subparagraph (A)(ii),”.

20 (b) MORAL CHARACTER RULES.—Section
 21 240A(b)(2)(C) of the Immigration and Nationality Act (8
 22 U.S.C. 1229b(b)(2)(C)) is amended by striking
 23 “(A)(i)(III)” and inserting “(A)(iii)”.

24 (c) CORRECTION OF CROSS-REFERENCE ERROR IN
 25 APPLYING GOOD MORAL CHARACTER.—

1 (1) IN GENERAL.—Section 101(f)(3) of the Im-
 2 migration and Nationality Act (8 U.S.C. 1101(f)(3))
 3 is amended by striking “(9)(A)” and inserting
 4 “(10)(A)”.

5 (2) EFFECTIVE DATE.—The amendment made
 6 by paragraph (1) shall be effective as if included in
 7 section 603(a)(1) of the Immigration Act of 1990
 8 (Public Law 101–649; 104 Stat. 5082).

9 **SEC. 823. PETITIONING RIGHTS OF CERTAIN FORMER**
 10 **SPOUSES UNDER CUBAN ADJUSTMENT.**

11 (a) IN GENERAL.—The first section of Public Law
 12 ~~89–732~~ (8 U.S.C. 1255 note) (commonly known as the
 13 Cuban Adjustment Act) is amended—

14 (1) in the last sentence, by striking
 15 “204(a)(1)(H)” and inserting “204(a)(1)(J)”; and

16 (2) by adding at the end the following: “An
 17 alien who was the spouse of any Cuban alien de-
 18 scribed in this section and has resided with such
 19 spouse shall continue to be treated as such a spouse
 20 for 2 years after the date on which the Cuban alien
 21 dies (or, if later, 2 years after the date of enactment
 22 of Violence Against Women Act of 2005), or for 2
 23 years after the date of termination of the marriage
 24 (or, if later, 2 years after the date of enactment of
 25 Violence Against Women Act of 2005) if there is

1 demonstrated a connection between the termination
 2 of the marriage and the battering or extreme cruelty
 3 by the Cuban alien.”.

4 (b) **EFFECTIVE DATE.**—The amendment made by
 5 subsection (a)(1) shall take effect as if included in the en-
 6 actment of the Violence Against Women Act of 2000 (divi-
 7 sion B of Public Law 106–386; 114 Stat. 1491).

8 **SEC. 824. SELF-PETITIONING RIGHTS OF HRIFA APPLI-**
 9 **CANTS.**

10 (a) **IN GENERAL.**—Section 902(d)(1)(B) of the Hai-
 11 tian Refugee Immigration Fairness Act of 1998 (8 U.S.C.
 12 1255 note) is amended—

13 (1) in clause (i), by striking “whose status is
 14 adjusted to that of an alien lawfully admitted for
 15 permanent residence” and inserting “who is or was
 16 eligible for classification”;

17 (2) in clause (ii), by striking “whose status is
 18 adjusted to that of an alien lawfully admitted for
 19 permanent residence” and inserting “who is or was
 20 eligible for classification”; and

21 (3) in clause (iii), by striking “204(a)(1)(H)”
 22 and inserting “204(a)(1)(J)”.

23 (b) **EFFECTIVE DATE.**—The amendment made by
 24 subsection (a)(3) shall take effect as if included in the en-

1 actment of the Violence Against Women Act of 2000 (divi-
 2 sion B of Public Law 106–386; 114 Stat. 1491).

3 **SEC. 825. DEPORTATION PROCEEDINGS.**

4 (a) DEPORTATION OR REMOVAL PROCEEDINGS.—

5 (1) IN GENERAL.—Section 240(c)(6)(C) of the
 6 Immigration and Nationality Act (8 U.S.C.
 7 1229a(c)(6)(C)) is amended—

8 (A) in clause (iv), by striking “The dead-
 9 line specified in subsection (b)(5)(C) for filing
 10 a motion to reopen does not apply—” and in-
 11 serting “No limitation on number of motions or
 12 on deadlines for filing motions under other pro-
 13 visions of this section shall apply—”; and

14 (B) by adding at the end the following:

15 “(v) STAY OF REMOVAL.—The filing
 16 of the motion described in clause (iv) shall
 17 stay the removal of the alien pending a
 18 final disposition of the motion, including
 19 the exhaustion of all appeals. Only 1 spe-
 20 cial motion under clause (iv) is per-
 21 mitted.”.

22 (2) EFFECTIVE DATE.—The amendments made
 23 by paragraph (1) shall take effect as if included in
 24 the enactment of section 442(a) of the Antiterrorism

1 and Effective Death Penalty Act of 1996 (Public
2 Law ~~104-132~~; 110 Stat. 1279).

3 (b) MOTIONS TO REOPEN DEPORTATION PRO-
4 CEEDINGS.—Section 1506(c)(2)(A) of the Violence
5 Against Women Act of 2000 (division B of Public Law
6 ~~106-386~~; 8 U.S.C. 1229a note) is amended—

7 (1) by inserting “on number of motions or
8 deadlines for filing motions” after “Notwithstanding
9 any limitation”;

10 (2) by inserting “, deadline, or limit on number
11 of motions” after “there is no time limit”; and

12 (3) by striking “, and the” and inserting “. The
13 filing of a motion described in clauses (i) and (ii)
14 shall stay the removal of the aliens pending a final
15 disposition of the motion, including the exhaustion
16 of all appeals. Only 1 motion under clauses (i) and
17 (ii) is permitted. The”.

18 (c) CONFORMING AMENDMENTS.—Section 212(a) of
19 the Immigration and Nationality Act (8 U.S.C. 1182(a))
20 is amended—

21 (1) in paragraph (6)(A)(ii)(III), by striking
22 “substantial”; and

23 (2) in paragraph (9)(B)(iii)(IV), by striking
24 “who would be described in paragraph (6)(A)(ii)”
25 and inserting “who demonstrates that the alien is

1 described in subclauses (I) and (II) of paragraph
 2 (b)(A)(ii)”.
 3

3 **SEC. 826. LIMITATIONS ON ENFORCEMENT.**

4 Section 287 of the Immigration and Nationality Act
 5 (8 U.S.C. 1357) is amended by adding at the end the fol-
 6 lowing:

7 “(h) Immigration officers and employees shall not un-
 8 dertake any civil immigration enforcement action—

9 “(1) at a domestic violence shelter, a victims
 10 services organization or program, a rape crisis cen-
 11 ter, a family justice center, or a supervised visitation
 12 center; or

13 “(2) at, or in connection with the appearance
 14 at, a courthouse of an alien who is appearing in con-
 15 nection with a protection order case, child custody
 16 case, or other civil or criminal case relating to do-
 17 mestic violence, sexual assault, trafficking, or stalk-
 18 ing in which the alien has been battered or subject
 19 to extreme cruelty or who is described in subpara-
 20 graph (T) or (U) of section 101(a)(15).”.

21 **SEC. 827. PROTECTING ABUSED JUVENILES.**

22 Section 287 of the Immigration and Nationality Act
 23 (8 U.S.C. 1357), as amended by section 726, is further
 24 amended by adding at the end the following—

1 “(i) An alien described in section ~~101(a)(27)(J)~~ of
 2 the Immigration and Nationality Act who has been bat-
 3 tered, abused, neglected, or abandoned, shall not be com-
 4 pelled to contact the alleged abuser (or family member of
 5 the alleged abuser) at any stage of applying for special
 6 immigrant juvenile status, including after a request for
 7 the consent of the Secretary of Homeland Security under
 8 section ~~101(a)(27)(J)(iii)(I)~~ of such Act.”.

9 **SEC. 828. RULEMAKING.**

10 Not later than 180 days after the date of enactment
 11 of this Act, the Attorney General, the Secretary of Home-
 12 land Security, and the Secretary of State shall promulgate
 13 regulations to implement the provisions contained in the
 14 Battered Immigrant Women Protection Act of 2000 (title
 15 v of Public Law ~~106–386~~), this Act, and the amendments
 16 made by this Act.

17 **TITLE IX—SAFETY FOR INDIAN**
 18 **WOMEN**

19 **SEC. 901. FINDINGS.**

20 Congress finds that—

- 21 (1) ~~1~~ out of every ~~3~~ Indian (including Alaska
 22 Native) women are raped in their lifetimes;
- 23 (2) Indian women experience ~~7~~ sexual assaults
 24 per 1,000, compared with 4 per 1,000 among Black
 25 Americans, ~~3~~ per 1,000 among Caucasians, ~~2~~ per

1 1,000 among Hispanic women, and 1 per 1,000
2 among Asian women;

3 ~~(3)~~ Indian women experience the violent crime
4 of battering at a rate of 23.2 per 1,000, compared
5 with 8 per 1,000 among Caucasian women;

6 ~~(4)~~ during the period 1979 through 1992,
7 homicide was the third leading cause of death of In-
8 dian females aged 15 to 34, and 75 percent were
9 killed by family members or acquaintances;

10 ~~(5)~~ Indian tribes require additional criminal
11 justice and victim services resources to respond to
12 violent assaults against women; and

13 ~~(6)~~ the unique legal relationship of the United
14 States to Indian tribes creates a Federal trust re-
15 sponsibility to assist tribal governments in safe-
16 guarding the lives of Indian women.

17 **SEC. 902. PURPOSES.**

18 The purposes of this title are—

19 ~~(1)~~ to decrease the incidence of violent crimes
20 against Indian women;

21 ~~(2)~~ to strengthen the capacity of Indian tribes
22 to exercise their sovereign authority to respond to
23 violent crimes committed against Indian women; and

1 ~~(3)~~ to ensure that perpetrators of violent crimes
 2 committed against Indian women are held account-
 3 able for their criminal behavior.

4 **SEC. 903. CONSULTATION.**

5 ~~(a)~~ IN GENERAL.—The Attorney General shall con-
 6 duct annual consultations with Indian tribal governments
 7 concerning the Federal administration of tribal funds and
 8 programs established under this Act, the Violence Against
 9 Women Act of 1994 (title IV of Public Law 103–322; 108
 10 Stat. 1902) and the Violence Against Women Act of 2000
 11 (division B of Public Law 106–386; 114 Stat. 1491).

12 ~~(b)~~ RECOMMENDATIONS.—During consultations
 13 under subsection (a), the Secretary and the Attorney Gen-
 14 eral shall solicit recommendations from Indian tribes con-
 15 cerning—

- 16 ~~(1)~~ administering tribal funds and programs;
- 17 ~~(2)~~ enhancing the safety of Indian women from
- 18 domestic violence, dating violence, sexual assault,
- 19 and stalking; and
- 20 ~~(3)~~ strengthening the Federal response to such
- 21 violent crimes.

22 **SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**
 23 **INDIAN WOMEN.**

24 ~~(a)~~ NATIONAL BASELINE STUDY.—

1 (1) IN GENERAL.—The National Institute of
2 Justice, in consultation with the Office on Violence
3 Against Women, shall conduct a national baseline
4 study to examine violence against Indian women in
5 Indian country.

6 (2) SCOPE.—

7 (A) IN GENERAL.—The study shall exam-
8 ine violence committed against Indian women,
9 including—

10 (i) domestic violence;

11 (ii) dating violence;

12 (iii) sexual assault;

13 (iv) stalking; and

14 (v) murder.

15 (B) EVALUATION.—The study shall evalu-
16 ate the effectiveness of Federal, State, tribal,
17 and local responses to the violations described
18 in subparagraph (A) committed against Indian
19 women.

20 (C) RECOMMENDATIONS.—The study shall
21 propose recommendations to improve the effec-
22 tiveness of Federal, State, tribal, and local re-
23 sponses to the violation described in subpara-
24 graph (A) committed against Indian women.

25 (3) TASK FORCE.—

1 ~~(A) IN GENERAL.—~~The Attorney General,
 2 acting through the Director of the Office on Vi-
 3 olence Against Women, shall establish a task
 4 force to assist in the development and imple-
 5 mentation of the study under paragraph (1)
 6 and guide implementation of the recommenda-
 7 tion in paragraph ~~(2)(C)~~.

8 ~~(B) MEMBERS.—~~The Director shall ap-
 9 point to the task force representatives from—

10 (i) national tribal domestic violence
 11 and sexual assault nonprofit organizations;

12 (ii) tribal governments; and

13 (iii) representatives from the national
 14 tribal organizations.

15 ~~(4) REPORT.—~~Not later than 2 years after the
 16 date of enactment of this Act, the Attorney General
 17 shall submit to the Committee on Indian Affairs of
 18 the Senate, the Committee on the Judiciary of the
 19 Senate, and the Committee on the Judiciary of the
 20 House of Representatives a report that describes the
 21 study.

22 ~~(5) AUTHORIZATION OF APPROPRIATIONS.—~~
 23 There is authorized to be appropriated to carry out
 24 this section \$1,000,000 for each of fiscal years 2006
 25 and 2007, to remain available until expended.

1 (b) INJURY STUDY.—

2 (1) IN GENERAL.—The Secretary of Health and
3 Human Services, acting through the Indian Health
4 Service and the Injury Control Division of the Cen-
5 ters for Disease Control and Prevention, shall con-
6 duct a study to obtain a national projection of—

7 (A) the incidence of injuries and homicides
8 resulting from domestic violence, dating vio-
9 lence, sexual assault, or stalking committed
10 against American Indian and Alaska Native
11 women; and

12 (B) the cost of providing health care for
13 the injuries described in subparagraph (A).

14 (2) REPORT.—Not later than 2 years after the
15 date of enactment of this Act, the Secretary of
16 Health and Human Services shall submit to the
17 Committee on Indian Affairs of the Senate, the
18 Committee on the Judiciary of the Senate, and the
19 Committee on the Judiciary of the House of Rep-
20 resentatives a report that describes the findings
21 made in the study and recommends for health care
22 strategies for reducing the incidence and cost of the
23 injuries described in paragraph (1).

24 (3) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to carry out

1 this section \$500,000 for each of fiscal years 2006
2 and 2007, to remain available until expended.

3 **SEC. 905. TRACKING OF VIOLENCE AGAINST INDIAN**
4 **WOMEN.**

5 (a) ACCESS TO FEDERAL CRIMINAL INFORMATION
6 DATABASES.—Section 534 of title 28, United States Code,
7 is amended—

8 (1) by redesignating subsection (d) as sub-
9 section (e); and

10 (2) by inserting after subsection (e) the fol-
11 lowing:

12 “(d) INDIAN LAW ENFORCEMENT AGENCIES.—The
13 Attorney General shall permit Indian law enforcement
14 agencies, in cases of domestic violence, dating violence,
15 sexual assault, and stalking, to enter information into
16 Federal criminal information databases and to obtain in-
17 formation from the databases.”.

18 (b) TRIBAL REGISTRY.—

19 (1) ESTABLISHMENT.—The Attorney General
20 shall contract with any interested Indian tribe, tribal
21 organization, or tribal nonprofit organization to de-
22 velop and maintain—

23 (A) a national tribal sex offender registry;
24 and

1 ~~(B)~~ a tribal protection order registry con-
 2 taining civil and criminal orders of protection
 3 issued by Indian tribes and participating juris-
 4 dictions.

5 ~~(2) AUTHORIZATION OF APPROPRIATIONS.—~~

6 There is authorized to be appropriated to carry out
 7 this section \$1,000,000 for each of fiscal years 2006
 8 through 2010, to remain available until expended.

9 **SEC. 906. TRIBAL DEPUTY IN THE OFFICE ON VIOLENCE**
 10 **AGAINST WOMEN.**

11 Part T of title I of the Omnibus Crime Control and
 12 Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is
 13 amended by adding at the end the following:

14 **“SEC. 2007. TRIBAL DEPUTY.**

15 ~~“(a) ESTABLISHMENT.—~~There is established in the
 16 Office on Violence Against Women a Deputy Director for
 17 Tribal Affairs.

18 ~~“(b) DUTIES.—~~

19 ~~“(1) IN GENERAL.—~~The Deputy Director shall
 20 under the guidance and authority of the Director of
 21 the Office on Violence Against Women—

22 ~~“(A) oversee and manage the administra-~~
 23 tion of grants to and contracts with Indian
 24 tribes, tribal courts, tribal organizations, or
 25 tribal nonprofit organizations;

1 “(B) ensure that, if a grant under this Act
2 or a contract pursuant to such a grant is made
3 to an organization to perform services that ben-
4 efit more than 1 Indian tribe, the approval of
5 each Indian tribe to be benefited shall be a pre-
6 requisite to the making of the grant or letting
7 of the contract;

8 “(C) coordinate development of Federal
9 policy, protocols, and guidelines on matters re-
10 lating to violence against Indian women;

11 “(D) advise the Director of the Office on
12 Violence Against Women concerning policies,
13 legislation, implementation of laws, and other
14 issues relating to violence against Indian
15 women;

16 “(E) represent the Office on Violence
17 Against Women in the annual consultations
18 under section 903;

19 “(F) provide technical assistance, coordina-
20 tion, and support to other offices and bureaus
21 in the Department of Justice to develop policy
22 and to enforce Federal laws relating to violence
23 against Indian women, including through litiga-
24 tion of civil and criminal actions relating to
25 those laws;

1 “(G) maintain a liaison with the judicial
2 branches of Federal, State, and tribal govern-
3 ments on matters relating to violence against
4 Indian women;

5 “(H) support enforcement of tribal protec-
6 tion orders and implementation of full faith and
7 credit educational projects and comity agree-
8 ments between Indian tribes and States; and

9 “(I) ensure that adequate tribal technical
10 assistance is made available to Indian tribes,
11 tribal courts, tribal organizations, and tribal
12 nonprofit organizations for all programs relat-
13 ing to violence against Indian women.

14 “(e) AUTHORITY.—

15 “(1) IN GENERAL.—The Deputy Director shall
16 ensure that a portion of the tribal set-aside funds
17 from any grant awarded under this Act, the Violence
18 Against Women Act of 1994 (title IV of Public Law
19 103–322; 108 Stat. 1902), or the Violence Against
20 Women Act of 2000 (division B of Public Law 106–
21 386; 114 Stat. 1491) is used to enhance the capac-
22 ity of Indian tribes to address the safety of Indian
23 women.

24 “(2) ACCOUNTABILITY.—The Deputy Director
25 shall ensure that some portion of the tribal set-aside

1 funds from any grant made under this part is used
 2 to hold offenders accountable through—

3 “(A) enhancement to the response of In-
 4 dian tribes to crimes of domestic violence, dat-
 5 ing violence, sexual assault, and stalking
 6 against Indian women, including legal services
 7 for victims and Indian-specific offender pro-
 8 grams;

9 “(B) development and maintenance of trib-
 10 al domestic violence shelters or programs for
 11 battered Indian women, including sexual assault
 12 services, that are based upon the unique cir-
 13 cumstances of the Indian women to be served;

14 “(C) development of tribal educational
 15 awareness programs and materials;

16 “(D) support for customary tribal activities
 17 to strengthen the intolerance of an Indian tribe
 18 to violence against Indian women; and

19 “(E) development, implementation, and
 20 maintenance of tribal electronic databases for
 21 tribal protection order registries.”.

22 **SEC. 907. ENHANCED CRIMINAL LAW RESOURCES.**

23 (a) FIREARMS POSSESSION PROHIBITIONS.—Section
 24 921(33)(A)(i) of title 18, United States Code, is amended

1 to read: “(i) is a misdemeanor under Federal, State, or
2 Tribal law; and”.

3 (b) LAW ENFORCEMENT AUTHORITY.—Section 4(3)
4 of the Indian Law Enforcement Reform Act (25 U.S.C.
5 2803(3) is amended—

6 (1) in subparagraph (A), by striking “or”;

7 (2) in subparagraph (B), by striking the semi-
8 colon and inserting “, or”; and

9 (3) by adding at the end the following:

10 “(C) the offense is a misdemeanor crime of
11 domestic violence and has, as an element, the
12 use or attempted use of physical force, or the
13 threatened use of a deadly weapon, committed
14 by a current or former spouse, parent, or
15 guardian of the victim; by a person with whom
16 the victim shares a child in common; by a per-
17 son who is cohabitating with or has cohabited
18 with the victim as a spouse, parent, or guard-
19 ian; or by a person similarly situated to a
20 spouse, parent or guardian of the victim, and
21 the employee has reasonable grounds to believe
22 that the person to be arrested has committed,
23 or is committing the crime;”.

1 **SEC. 908. DOMESTIC ASSAULT BY AN HABITUAL OFFENDER.**

2 Chapter 7 of title 18, United States Code, is amended
3 by adding at the end the following:

4 **“§ 117. DOMESTIC ASSAULT BY AN HABITUAL OF-**
5 **FENDER.**

6 “Any person who commits a domestic assault within
7 the special maritime and territorial jurisdiction of the
8 United States or Indian country and who has a final con-
9 viction on at least 2 separate prior occasions in Federal,
10 State, or Indian tribal court proceedings for offenses that
11 would be, if subject to Federal jurisdiction—

12 “(1) any assault, sexual abuse, or serious vio-
13 lent felony against a spouse or intimate partner; or

14 “(2) an offense under chapter 110A,
15 shall be fined under this title, imprisoned for a term of
16 not more than 5 years, or both, except that if substantial
17 bodily injury results from violation under this section, the
18 offender shall be imprisoned for a term of not more than
19 10 years.”

20 **SECTION 1. SHORT TITLE.**

21 *This Act may be cited as the “Violence Against Women*
22 *Act of 2005”.*

23 **SEC. 2. TABLE OF CONTENTS.**

24 *The table of contents for this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Universal definitions and grant provisions.

*TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS
TO COMBAT VIOLENCE AGAINST WOMEN*

- Sec. 101. Stop grants improvements.*
- Sec. 102. Grants to encourage arrest and enforce protection orders improvements.*
- Sec. 103. Legal assistance for victims improvements.*
- Sec. 104. Ensuring crime victim access to legal services.*
- Sec. 105. The Violence Against Women Act court training and improvements.*
- Sec. 106. Full faith and credit improvements.*
- Sec. 107. Privacy protections for victims of domestic violence, dating violence, sexual violence, and stalking.*
- Sec. 108. Sex offender management.*
- Sec. 109. Stalker database.*
- Sec. 110. Federal victim assistants reauthorization.*
- Sec. 111. Grants for law enforcement training programs.*
- Sec. 112. Reauthorization of the Court-Appointed Special Advocate Program.*
- Sec. 113. Preventing cyberstalking.*
- Sec. 114. Criminal provision relating to stalking.*
- Sec. 115. Repeat offender provision.*
- Sec. 116. Prohibiting dating violence.*
- Sec. 117. Prohibiting violence in special maritime and territorial jurisdiction.*

*TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC
VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING*

- Sec. 201. Findings.*
- Sec. 202. Sexual assault services program.*
- Sec. 203. Amendments to the rural domestic violence and child abuse enforcement assistance program.*
- Sec. 204. Training and services to end violence against women with disabilities.*
- Sec. 205. Training and services to end violence against women in later life.*
- Sec. 206. Strengthening the national domestic violence hotline.*

*TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG
VICTIMS OF VIOLENCE*

- Sec. 301. Findings.*
- Sec. 302. Rape prevention and education.*
- Sec. 303. Services, education, protection, and justice for young victims of violence.*
- Sec. 304. Grants to reduce violence against women on campus.*
- Sec. 305. Juvenile justice.*
- Sec. 306. Safe havens.*

*TITLE IV—STRENGTHENING AMERICA'S FAMILIES BY PREVENTING
VIOLENCE*

- Sec. 401. Preventing violence against women and children.*
- Sec. 402. Study conducted by the Centers for Disease Control and Prevention.*

*TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RE-
SPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL
ASSAULT, AND STALKING*

- Sec. 501. Findings.*
- Sec. 502. Purpose.*
- Sec. 503. Training and education of health professionals in domestic and sexual violence.*

Sec. 504. Grants to foster public health responses to domestic violence, dating violence, sexual assault, and stalking grants.

Sec. 505. Research on effective interventions in the healthcare setting.

TITLE VI—HOUSING OPPORTUNITIES AND SAFETY FOR BATTERED WOMEN AND CHILDREN

Sec. 601. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, or stalking.

Sec. 603. Public and Indian housing authority plans reporting requirement.

Sec. 604. Housing strategies.

Sec. 605. Amendment to the McKinney-Vento Homeless Assistance Act.

Sec. 606. Amendments to the low-income housing assistance voucher program.

Sec. 607. Amendments to the public housing program.

TITLE VII—PROVIDING ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. Emergency leave.

Sec. 702. Grant for national clearinghouse and resource center on workplace responses to assist victims of domestic and sexual violence.

TITLE VIII—PROTECTION OF BATTERED AND TRAFFICKED IMMIGRANT WOMEN

Subtitle A—Victims of Crime

Sec. 801. Treatment of spouse and children of victims.

Sec. 802. Presence of victims of a severe form of trafficking in persons.

Sec. 803. Adjustment of status for victims of trafficking.

Sec. 804. Protection and assistance for victims of trafficking.

Sec. 805. Protecting victims of child abuse.

Subtitle B—VAWA Self-Petitioners

Sec. 811. Definition of VAWA self-petitioner.

Sec. 812. Application to fiancées who do not marry within 90-day period.

Sec. 813. Application in case of voluntary departure.

Sec. 814. Removal proceedings.

Sec. 815. Eliminating abusers' control over applications for adjustments of status.

Sec. 816. Application for VAWA-related relief.

Sec. 817. Self-petitioning parents.

Sec. 818. VAWA confidentiality nondisclosure.

Subtitle C—Miscellaneous Amendments

Sec. 821. Duration of T and U visas.

Sec. 822. Technical correction to references in application of special physical presence and good moral character rules.

Sec. 823. Petitioning rights of certain former spouses under Cuban adjustment.

Sec. 824. Self-petitioning rights of HRIFA applicants.

Sec. 825. Deportation proceedings.

Sec. 826. Limitations on enforcement.

Sec. 827. Protecting abused juveniles.

Sec. 828. Rulemaking.

*Subtitle D—International Marriage Broker Regulation**Sec. 831. Short title.**Sec. 832. Definitions.**Sec. 833. Regulation of international marriage brokers.**Sec. 834. Information about legal rights and resources for immigrant victims of domestic violence.**Sec. 835. Changes in processing K nonimmigrant visas; consular confidentiality.**Sec. 836. Study and report.**Sec. 837. Effective date.***TITLE IX—SAFETY FOR INDIAN WOMEN***Sec. 901. Findings.**Sec. 902. Purposes.**Sec. 903. Consultation.**Sec. 904. Analysis and research on violence against Indian women.**Sec. 905. Tracking of violence against Indian women.**Sec. 906. Tribal deputy in the Office on Violence Against Women.**Sec. 907. Enhanced criminal law resources.**Sec. 908. Domestic assault by an habitual offender.***TITLE X—DNA FINGERPRINTING***Sec. 1001. Short title.**Sec. 1002. Use of opt-out procedure to remove samples from national DNA index.**Sec. 1003. Expanded use of CODIS grants.**Sec. 1004. Authorization to conduct DNA sample collection from persons arrested or detained under Federal authority.**Sec. 1005. Tolling of statute of limitations for sexual-abuse offenses.***1 SEC. 3. UNIVERSAL DEFINITIONS AND GRANT PROVISIONS.**

2 (a) *IN GENERAL.*—*The Violence Against Women Act*
3 *of 1994 (108 Stat. 1902 et seq.) is amended by adding after*
4 *section 40001 the following:*

5 “SEC. 40002. DEFINITIONS AND GRANT PROVISIONS.

6 “(a) *DEFINITIONS.*—*In this title:*

7 “(1) *COURTS.*—*The term ‘courts’ means any*
8 *civil or criminal, tribal, and Alaskan Village, Fed-*
9 *eral, State, local or territorial court having jurisdic-*
10 *tion to address domestic violence, dating violence, sex-*
11 *ual assault or stalking, including immigration, fam-*
12 *ily, juvenile, and dependency courts, and the judicial*

1 *officers serving in those courts, including judges, mag-*
 2 *istrate judges, commissioners, justices of the peace, or*
 3 *any other person with decisionmaking authority.*

4 “(2) *CHILD ABUSE AND NEGLECT.*—*The term*
 5 *‘child abuse and neglect’ means any recent act or fail-*
 6 *ure to act on the part of a parent or caregiver which*
 7 *results in death, serious physical or emotional harm,*
 8 *sexual abuse, or exploitation, or an act or failure to*
 9 *act which presents an imminent risk of serious harm.*

10 “(3) *CHILD MALTREATMENT.*—*The term ‘child*
 11 *maltreatment’ means the physical or psychological*
 12 *abuse or neglect of a child or youth, including sexual*
 13 *assault and abuse.*

14 “(4) *COURT-BASED AND COURT-RELATED PER-*
 15 *SONNEL.*—*The term ‘court-based’ and ‘court-related*
 16 *personnel’ mean persons working in the court, wheth-*
 17 *er paid or volunteer, including—*

18 “(A) *clerks, special masters, domestic rela-*
 19 *tions officers, administrators, mediators, custody*
 20 *evaluators, guardians ad litem, lawyers, nego-*
 21 *tiators, probation, parole, interpreters, victim as-*
 22 *sistants, victim advocates, and judicial, adminis-*
 23 *trative, or any other professionals or personnel*
 24 *similarly involved in the legal process;*

25 “(B) *court security personnel;*

1 “(C) personnel working in related, supple-
 2 mentary offices or programs (such as child sup-
 3 port enforcement); and

4 “(D) any other court-based or community-
 5 based personnel having responsibilities or au-
 6 thority to address domestic violence, dating vio-
 7 lence, sexual assault, or stalking in the court sys-
 8 tem.

9 “(5) DOMESTIC VIOLENCE.—The term ‘domestic
 10 violence’ includes felony or misdemeanor crimes of vi-
 11 olence committed by a current or former spouse of the
 12 victim, by a person with whom the victim shares a
 13 child in common, by a person who is cohabitating
 14 with or has cohabitated with the victim as a spouse,
 15 by a person similarly situated to a spouse of the vic-
 16 tim under the domestic or family violence laws of the
 17 jurisdiction receiving grant monies, or by any other
 18 person against an adult, youth, or child victim who
 19 is protected from that person’s acts under the domes-
 20 tic or family violence laws of the jurisdiction.

21 “(6) DATING PARTNER.—The term ‘dating part-
 22 ner’ refers to a person who is or has been in a social
 23 relationship of a romantic or intimate nature with
 24 the abuser, and where the existence of such a relation-

1 *ship shall be determined based on a consideration*
 2 *of—*

3 *“(A) the length of the relationship;*

4 *“(B) the type of relationship; and*

5 *“(C) the frequency of interaction between*
 6 *the persons involved in the relationship.*

7 *“(7) DATING VIOLENCE.—The term ‘dating vio-*
 8 *lence’ means violence committed by a person—*

9 *“(A) who is or has been in a social relation-*
 10 *ship of a romantic or intimate nature with the*
 11 *victim; and*

12 *“(B) where the existence of such a relation-*
 13 *ship shall be determined based on a consider-*
 14 *ation of the following factors:*

15 *“(i) The length of the relationship.*

16 *“(ii) The type of relationship.*

17 *“(iii) The frequency of interaction be-*
 18 *tween the persons involved in the relation-*
 19 *ship.*

20 *“(8) ELDER ABUSE.—The term ‘elder abuse’*
 21 *means any action against a person who is 60 years*
 22 *of age or older that constitutes the willful—*

23 *“(A) infliction of injury, unreasonable con-*
 24 *finement, intimidation, or cruel punishment*

1 *with resulting physical harm, pain, or mental*
2 *anguish; or*

3 “(B) *deprivation by a person, including a*
4 *caregiver, of goods or services that are necessary*
5 *to avoid physical harm, mental anguish, or men-*
6 *tal illness.*

7 “(9) *INDIAN.*—*The term ‘Indian’ means a mem-*
8 *ber of an Indian tribe.*

9 “(10) *INDIAN HOUSING.*—*The term ‘Indian hous-*
10 *ing’ means housing assistance described in the Native*
11 *American Housing Assistance and Self-Determination*
12 *Act of 1996 (25 U.S.C. 4101 et seq., as amended).*

13 “(11) *INDIAN TRIBE.*—*The term ‘Indian tribe’*
14 *means a tribe, band, pueblo, nation, or other orga-*
15 *nized group or community of Indians, including any*
16 *Alaska Native village or regional or village corpora-*
17 *tion (as defined in, or established pursuant to, the*
18 *Alaska Native Claims Settlement Act (43 U.S.C. 1601*
19 *et seq.)), that is recognized as eligible for the special*
20 *programs and services provided by the United States*
21 *to Indians because of their status as Indians.*

22 “(12) *INDIAN LAW ENFORCEMENT.*—*The term*
23 *‘Indian law enforcement’ means the departments or*
24 *individuals under the direction of the Indian tribe*
25 *that maintain public order.*

1 “(13) *LAW ENFORCEMENT.*—*The term ‘law en-*
 2 *forcement’ means a public agency charged with polic-*
 3 *ing functions, including any of its component bureaus*
 4 *(such as governmental victim services programs), in-*
 5 *cluding those referred to in section 3 of the Indian*
 6 *Enforcement Reform Act (25 U.S.C. 2802).*

7 “(14) *LEGAL ASSISTANCE.*—*The term ‘legal as-*
 8 *sistance’ includes assistance to adult and youth vic-*
 9 *tims of domestic violence, dating violence, sexual as-*
 10 *sault, and stalking in—*

11 “(A) *family, tribal, territorial, immigra-*
 12 *tion, employment, administrative agency, hous-*
 13 *ing matters, campus administrative or protec-*
 14 *tion or stay away order proceedings, and other*
 15 *similar matters; and*

16 “(B) *criminal justice investigations, pros-*
 17 *ecutions and post-trial matters (including sen-*
 18 *tencing, parole, and probation) that impact the*
 19 *victim’s safety and privacy.*

20 “(15) *LINGUISTICALLY AND CULTURALLY SPE-*
 21 *CIFIC SERVICES.*—*The term ‘linguistically and cul-*
 22 *turally specific services’ means community-based serv-*
 23 *ices that offer full linguistic access and culturally spe-*
 24 *cific services and resources, including outreach, col-*
 25 *laboration, and support mechanisms primarily di-*

1 *rected toward racial and ethnic populations and other*
 2 *underserved communities.*

3 “(16) *PERSONALLY IDENTIFYING INFORMATION*
 4 *OR PERSONAL INFORMATION.*—*The term ‘personally*
 5 *identifying information’ or ‘personal information’*
 6 *means individually identifying information for or*
 7 *about an individual including information likely to*
 8 *disclose the location of a victim of domestic violence,*
 9 *dating violence, sexual assault, or stalking, includ-*
 10 *ing—*

11 “(A) *a first and last name;*

12 “(B) *a home or other physical address;*

13 “(C) *contact information (including a post-*
 14 *al, e-mail or Internet protocol address, or tele-*
 15 *phone or facsimile number);*

16 “(D) *a social security number; and*

17 “(E) *any other information, including date*
 18 *of birth, racial or ethnic background, or religious*
 19 *affiliation, that, in combination with any of sub-*
 20 *paragraphs (A) through (D), would serve to*
 21 *identify any individual.*

22 “(17) *PROSECUTION.*—*The term ‘prosecution’*
 23 *means any public agency charged with direct respon-*
 24 *sibility for prosecuting criminal offenders, including*

1 *such agency's component bureaus (such as govern-*
2 *mental victim services programs).*

3 “(18) *PROTECTION ORDER OR RESTRAINING*
4 *ORDER.—The term ‘protection order’ or ‘restraining*
5 *order’ includes—*

6 “(A) *any injunction, restraining order, or*
7 *any other order issued by a civil or criminal*
8 *court for the purpose of preventing violent or*
9 *threatening acts or harassment against, sexual*
10 *violence or contact or communication with or*
11 *physical proximity to, another person, including*
12 *any temporary or final orders issued by civil or*
13 *criminal courts whether obtained by filing an*
14 *independent action or as a pendente lite order in*
15 *another proceeding so long as any civil order*
16 *was issued in response to a complaint, petition,*
17 *or motion filed by or on behalf of a person seek-*
18 *ing protection; and*

19 “(B) *any support, child custody or visita-*
20 *tion provisions, orders, remedies, or relief issued*
21 *as part of a protection order, restraining order,*
22 *or stay away injunction pursuant to State, trib-*
23 *al, territorial, or local law authorizing the*
24 *issuance of protection orders, restraining orders,*
25 *or injunctions for the protection of victims of do-*

1 *mestic violence, dating violence, sexual assault,*
 2 *or stalking.*

3 “(19) *RURAL AREA AND RURAL COMMUNITY.*—

4 *The term ‘rural area’ and ‘rural community’ mean—*

5 “(A) *any area or community, respectively,*
 6 *no part of which is within an area designated as*
 7 *a standard metropolitan statistical area by the*
 8 *Office of Management and Budget; or*

9 “(B) *any area or community, respectively,*
 10 *that is—*

11 “(i) *within an area designated as a*
 12 *metropolitan statistical area or considered*
 13 *as part of a metropolitan statistical area;*
 14 *and*

15 “(ii) *located in a rural census tract.*

16 “(20) *RURAL STATE.*—*The term ‘rural State’*
 17 *means a State that has a population density of 52 or*
 18 *fewer persons per square mile or a State in which the*
 19 *largest county has fewer than 150,000 people, based*
 20 *on the most recent decennial census.*

21 “(21) *SEXUAL ASSAULT.*—*The term ‘sexual as-*
 22 *sault’ means any conduct prescribed by chapter 109A*
 23 *of title 18, United States Code, whether or not the*
 24 *conduct occurs in the special maritime and territorial*
 25 *jurisdiction of the United States or in a Federal pris-*

1 *on and includes both assaults committed by offenders*
 2 *who are strangers to the victim and assaults com-*
 3 *mitted by offenders who are known or related by blood*
 4 *or marriage to the victim.*

5 *“(22) STALKING.—The term ‘stalking’ means en-*
 6 *gaging in a course of conduct directed at a specific*
 7 *person that would cause a reasonable person to—*

8 *“(A) fear for his or her safety or the safety*
 9 *of others; or*

10 *“(B) suffer substantial emotional distress.*

11 *“(23) STATE.—The term ‘State’ means each of*
 12 *the several States and the District of Columbia, and*
 13 *except as otherwise provided, the Commonwealth of*
 14 *Puerto Rico, Guam, American Samoa, the Virgin Is-*
 15 *lands, and the Northern Mariana Islands.*

16 *“(24) STATE DOMESTIC VIOLENCE COALITION.—*
 17 *The term ‘State domestic violence coalition’ means a*
 18 *program determined by the Administration for Chil-*
 19 *dren and Families under the Family Violence Preven-*
 20 *tion and Services Act (42 U.S.C. 10410(b)).*

21 *“(25) STATE SEXUAL ASSAULT COALITION.—The*
 22 *term ‘State sexual assault coalition’ means a program*
 23 *determined by the Center for Injury Prevention and*
 24 *Control of the Centers for Disease Control and Pre-*

1 *vention under the Public Health Service Act (42*
2 *U.S.C. 280b et seq.).*

3 “(26) *TERRITORIAL DOMESTIC VIOLENCE OR*
4 *SEXUAL ASSAULT COALITION.*—*The term ‘territorial*
5 *domestic violence or sexual assault coalition’ means a*
6 *program addressing domestic or sexual violence that*
7 *is—*

8 “(A) *an established nonprofit, nongovern-*
9 *mental territorial coalition addressing domestic*
10 *violence or sexual assault within the territory; or*

11 “(B) *a nongovernmental organization with*
12 *a demonstrated history of addressing domestic*
13 *violence or sexual assault within the territory*
14 *that proposes to incorporate as a nonprofit, non-*
15 *governmental territorial coalition.*

16 “(27) *TRIBAL COALITION.*—*The term ‘tribal coa-*
17 *lition’ means—*

18 “(A) *an established nonprofit, nongovern-*
19 *mental tribal coalition addressing domestic vio-*
20 *lence and sexual assault against American In-*
21 *dian or Alaskan Native women; or*

22 “(B) *individuals or organizations that pro-*
23 *pose to incorporate as nonprofit, nongovern-*
24 *mental tribal coalitions to address domestic vio-*

1 *lence and sexual assault against American In-*
2 *dian or Alaskan Native women.*

3 “(28) *TRIBAL GOVERNMENT.*—*The term ‘tribal*
4 *government’ means—*

5 “(A) *the governing body of an Indian tribe;*
6 *or*

7 “(B) *a tribe, band, pueblo, nation, or other*
8 *organized group or community of Indians, in-*
9 *cluding any Alaska Native village or regional or*
10 *village corporation (as defined in, or established*
11 *pursuant to, the Alaska Native Claims Settle-*
12 *ment Act (43 U.S.C. 1601 et seq.)), that is recog-*
13 *nized as eligible for the special programs and*
14 *services provided by the United States to Indians*
15 *because of their status as Indians.*

16 “(29) *TRIBAL ORGANIZATION.*—*The term ‘tribal*
17 *organization’ means—*

18 “(A) *the governing body of any Indian*
19 *tribe;*

20 “(B) *any legally established organization of*
21 *Indians which is controlled, sanctioned, or char-*
22 *tered by such governing body of a tribe or tribes*
23 *to be served, or which is democratically elected*
24 *by the adult members of the Indian community*
25 *to be served by such organization and which in-*

1 *cludes the maximum participation of Indians in*
2 *all phases of its activities; or*

3 “(C) *any tribal nonprofit organization.*

4 “(30) *UNDERSERVED POPULATIONS.—The term*
5 *‘underserved populations’ includes populations under-*
6 *served because of geographic location, underserved ra-*
7 *cial and ethnic populations, populations underserved*
8 *because of special needs (such as language barriers,*
9 *disabilities, alienage status, or age), and any other*
10 *population determined to be underserved by the Attor-*
11 *ney General.*

12 “(31) *VICTIM ADVOCATE.—The term ‘victim ad-*
13 *vocate’ means a person, whether paid or serving as a*
14 *volunteer, who provides services to victims of domestic*
15 *violence, sexual assault, stalking, or dating violence*
16 *under the auspices or supervision of a victim services*
17 *program.*

18 “(32) *VICTIM ASSISTANT.—The term ‘victim as-*
19 *stant’ means a person, whether paid or serving as*
20 *a volunteer, who provides services to victims of domes-*
21 *tic violence, sexual assault, stalking, or dating vio-*
22 *lence under the auspices or supervision of a court or*
23 *a law enforcement or prosecution agency.*

24 “(33) *VICTIM SERVICES OR VICTIM SERVICE PRO-*
25 *VIDER.—The term ‘victim services’ or ‘victim service*

1 *provider’ means a nonprofit, nongovernmental orga-*
 2 *nization that assists domestic violence, dating vio-*
 3 *lence, sexual assault, or stalking victims, including*
 4 *rape crisis centers, domestic violence shelters, faith-*
 5 *based organizations, and other organizations, with a*
 6 *documented history of effective work concerning do-*
 7 *mestic violence, dating violence, sexual assault, or*
 8 *stalking.*

9 “(34) *YOUTH.*—*The term ‘youth’ means teen and*
 10 *young adult victims of domestic violence, dating vio-*
 11 *lence, sexual assault, or stalking.*

12 “(b) *GRANT CONDITIONS.*—

13 “(1) *MATCH.*—*No matching funds shall be re-*
 14 *quired for a grant or subgrant made under this title*
 15 *for any unit of local government, tribe, territory, or*
 16 *victim service provider.*

17 “(2) *NONDISCLOSURE OF CONFIDENTIAL OR PRI-*
 18 *VATE INFORMATION.*—

19 “(A) *IN GENERAL.*—*In order to ensure the*
 20 *safety of adult, youth, and child victims of do-*
 21 *mestic violence, dating violence, sexual assault,*
 22 *or stalking, and their families, grantees and sub-*
 23 *grantees under this title shall protect the con-*
 24 *fidentiality and privacy of persons receiving*
 25 *services.*

1 “(B) *NONDISCLOSURE.*—*Subject to subpara-*
2 *graphs (C) and (D), grantees and subgrantees*
3 *shall not—*

4 “(i) *disclose any personally identifying*
5 *information or individual information col-*
6 *lected in connection with services requested,*
7 *utilized, or denied through grantees’ and*
8 *subgrantees’ programs; or*

9 “(ii) *reveal individual client informa-*
10 *tion without the informed, written, reason-*
11 *ably time-limited consent of the person (or*
12 *in the case of an unemancipated minor, the*
13 *minor and the parent or guardian or in the*
14 *case of persons with disabilities, the guard-*
15 *ian) about whom information is sought,*
16 *whether for this program or any other Fed-*
17 *eral, State, tribal, or territorial grant pro-*
18 *gram, except that consent for release may*
19 *not be given by the abuser of the minor,*
20 *person with disabilities, or the abuser of the*
21 *other parent of the minor.*

22 “(C) *RELEASE.*—*If release of information*
23 *described in subparagraph (B) is compelled by*
24 *statutory or court mandate—*

1 “(i) grantees and subgrantees shall
2 make reasonable attempts to provide notice
3 to victims affected by the disclosure of infor-
4 mation; and

5 “(ii) grantees and subgrantees shall
6 take steps necessary to protect the privacy
7 and safety of the persons affected by the re-
8 lease of the information.

9 “(D) INFORMATION SHARING.—Grantees
10 and subgrantees may share—

11 “(i) nonpersonally identifying data in
12 the aggregate regarding services to their cli-
13 ents and nonpersonally identifying demo-
14 graphic information in order to comply
15 with Federal, State, tribal, or territorial re-
16 porting, evaluation, or data collection re-
17 quirements;

18 “(ii) court-generated information and
19 law-enforcement generated information con-
20 tained in secure, governmental registries for
21 protection order enforcement purposes; and

22 “(iii) law enforcement- and prosecu-
23 tion-generated information necessary for
24 law enforcement and prosecution purposes.

1 “(3) *APPROVED ACTIVITIES.*—*In carrying out*
2 *the activities under this title, grantees and sub-*
3 *grantees may collaborate with and provide informa-*
4 *tion to Federal, State, local, tribal, and territorial*
5 *public officials and agencies to develop and imple-*
6 *ment policies to reduce or eliminate domestic violence,*
7 *dating violence, sexual assault, and stalking.*

8 “(4) *NON-SUPPLANTATION.*—*Any Federal funds*
9 *received under this title shall be used to supplement,*
10 *not supplant, non-Federal funds that would otherwise*
11 *be available for activities under this title.*

12 “(5) *USE OF FUNDS.*—*Funds authorized and ap-*
13 *propriated under this title may be used only for the*
14 *specific purposes described in this title and shall re-*
15 *main available until expended.*

16 “(6) *REPORTS.*—*An entity receiving a grant*
17 *under this title shall submit to the disbursing agency*
18 *a report detailing the activities undertaken with the*
19 *grant funds, including and providing additional in-*
20 *formation as the agency shall require.*

21 “(7) *EVALUATION.*—*Federal agencies disbursing*
22 *funds under this title shall set aside up to 3 percent*
23 *of such funds in order to conduct—*

1 “(A) evaluations of specific programs or
 2 projects funded by the disbursing agency under
 3 this title or related research; or

4 “(B) evaluations of promising practices or
 5 problems emerging in the field or related re-
 6 search, in order to inform the agency or agencies
 7 as to which programs or projects are likely to be
 8 effective or responsive to needs in the field.

9 “(8) *NONEXCLUSIVITY*.—Nothing in this title
 10 shall be construed to prohibit male victims of domes-
 11 tic violence, dating violence, sexual assault, and stalk-
 12 ing from receiving benefits and services under this
 13 title.”.

14 (b) *DEFINITIONS AND GRANT CONDITIONS IN CRIME*
 15 *CONTROL ACT*.—

16 (1) *PART T*.—Part T of title I of the Omnibus
 17 Crime Control and Safe Streets Act of 1968 (42
 18 U.S.C. 3796gg et seq.) is amended by striking section
 19 2008 and inserting the following:

20 **“SEC. 2008. DEFINITIONS AND GRANT CONDITIONS.**

21 “In this part the definitions and grant conditions in
 22 section 40002 of the Violence Against Women Act of 1994
 23 shall apply.”.

1 (2) *PART U.—Section 2105 of the Omnibus*
 2 *Crime Control and Safe Streets Act of 1968 is amend-*
 3 *ed to read as follows:*

4 **“SEC. 2105. DEFINITIONS AND GRANT CONDITIONS.**

5 *“In this part the definitions and grant conditions in*
 6 *section 40002 of the Violence Against Women Act of 1994*
 7 *shall apply.”.*

8 (c) *DEFINITIONS AND GRANT CONDITIONS IN 2000*
 9 *ACT.—Section 1002 of the Violence Against Women Act of*
 10 *2000 (42 U.S.C. 3796gg–2 note) is amended to read as fol-*
 11 *lows:*

12 **“SEC. 1002. DEFINITIONS AND GRANT CONDITIONS.**

13 *“In this division the definitions and grant conditions*
 14 *in section 40002 of the Violence Against Women Act of 1994*
 15 *shall apply.”.*

16 **TITLE I—ENHANCING JUDICIAL**
 17 **AND LAW ENFORCEMENT**
 18 **TOOLS TO COMBAT VIOLENCE**
 19 **AGAINST WOMEN**

20 **SEC. 101. STOP GRANTS IMPROVEMENTS.**

21 (a) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 22 *1001(a)(18) of title I of the Omnibus Crime Control and*
 23 *Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)) is amend-*
 24 *ed by striking “\$185,000,000 for each of fiscal years 2001*

1 *through 2005” and inserting “\$225,000,000 for each of fis-*
 2 *cal years 2006 through 2010”.*

3 (b) *PURPOSE AREA ENHANCEMENTS.—Section*
 4 *2001(b) of title I of the Omnibus Crime Control and Safe*
 5 *Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended—*

6 (1) *in paragraph (10), by striking “and” after*
 7 *the semicolon;*

8 (2) *in paragraph (11), by striking the period*
 9 *and inserting “; and”; and*

10 (3) *by adding at the end the following:*

11 “(12) *maintaining core victim services and*
 12 *criminal justice initiatives, while supporting com-*
 13 *plementary new initiatives and emergency services for*
 14 *victims and their families.”.*

15 (c) *CLARIFICATION OF ACTIVITIES REGARDING UN-*
 16 *DERSERVED POPULATIONS.—Section 2007 of the Omnibus*
 17 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
 18 *3796gg–1) is amended—*

19 (1) *in subsection (c)(2), by inserting before the*
 20 *semicolon the following: “and describe how the State*
 21 *will address the needs of racial and ethnic popu-*
 22 *lations and underserved populations”; and*

23 (2) *in subsection (e)(2), by striking subpara-*
 24 *graph (D) and inserting the following:*

1 “(D) recognize and meaningfully respond to
 2 the needs of underserved populations and ensure
 3 that monies set aside to fund linguistically and
 4 culturally specific services and activities for un-
 5 derserved populations are distributed equitably
 6 among those populations.”.

7 (d) *TRIBAL AND TERRITORIAL SETASIDES*.—Section
 8 2007 of the Omnibus Crime Control and Safe Streets Act
 9 of 1968 (42 U.S.C. 3796gg–1) is amended—

10 (1) in subsection (b)—

11 (A) in paragraph (1), by striking “5 per-
 12 cent” and inserting “10 percent”;

13 (B) in paragraph (2), striking by “ $\frac{1}{54}$ ”
 14 and inserting “ $\frac{1}{56}$ ”;

15 (C) in paragraph (3), by striking “and the
 16 coalition for the combined Territories of the
 17 United States, each receiving an amount equal
 18 to $\frac{1}{54}$ ” and inserting “coalitions for Guam,
 19 American Samoa, the United States Virgin Is-
 20 lands, and the Commonwealth of the Northern
 21 Mariana Islands, each receiving an amount
 22 equal to $\frac{1}{56}$ ”; and

23 (D) in paragraph (4), by striking “ $\frac{1}{54}$ ”
 24 and inserting “ $\frac{1}{56}$ ”; and

25 (2) in subsection (d)—

1 (A) in paragraph (2), by striking “and”
2 after the semicolon;

3 (B) in paragraph (3), by striking the period
4 and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(4) documentation showing that tribal, terri-
7 torial, State or local prosecution, law enforcement,
8 and court and victim service providers have consulted
9 with tribal, territorial, State, or local victim service
10 programs during the course of developing their grant
11 applications in order to ensure that proposed services,
12 activities and equipment acquisitions are designed to
13 promote the safety, confidentiality, and economic
14 independence of victims of domestic violence, sexual
15 assault, stalking, and dating violence.”.

16 (e) *TRAINING, TECHNICAL ASSISTANCE, AND DATA*
17 *COLLECTION*.—Section 2007 of the Omnibus Crime Control
18 and Safe Streets Act of 1968 (42 U.S.C. 3796gg–1) is
19 amended by adding at the end the following:

20 “(i) *TRAINING, TECHNICAL ASSISTANCE, AND DATA*
21 *COLLECTION*.—

22 “(1) *IN GENERAL*.—Of the total amounts appro-
23 priated under this part, not less than 3 percent and
24 up to 8 percent shall be available for providing train-
25 ing and technical assistance relating to the purpose

1 *areas of this part to improve the capacity of grantees,*
2 *subgrantees and other entities.*

3 “(2) *INDIAN TRAINING.—The Director of the Of-*
4 *fice on Violence Against Women shall ensure that*
5 *training or technical assistance regarding violence*
6 *against Indian women will be developed and provided*
7 *by entities having expertise in tribal law, customary*
8 *practices, and Federal Indian law.”.*

9 (f) *AVAILABILITY OF FORENSIC MEDICAL EXAMS.—*
10 *Section 2010 of the Omnibus Crime Control and Safe*
11 *Streets Act of 1968 (42 U.S.C. 3796gg–4) is amended by*
12 *adding at the end the following:*

13 “(c) *USE OF FUNDS.—A State or Indian tribal gov-*
14 *ernment may use Federal grant funds under this part to*
15 *pay for forensic medical exams performed by trained exam-*
16 *iners for victims of sexual assault, except that such funds*
17 *may not be used to pay for forensic medical exams by any*
18 *State, Indian tribal government, or territorial government*
19 *that requires victims of sexual assault to seek reimburse-*
20 *ment for such exams from their insurance carriers.*

21 “(d) *RULE OF CONSTRUCTION.—Nothing in this sec-*
22 *tion shall be construed to permit a State, Indian tribal gov-*
23 *ernment, or territorial government to require a victim of*
24 *sexual assault to participate in the criminal justice system*
25 *or cooperate with law enforcement in order to be provided*

1 *with a forensic medical exam, reimbursement for charges*
 2 *incurred on account of such an exam, or both.*

3 “(e) *JUDICIAL NOTIFICATION.*—

4 “(1) *IN GENERAL.*—A State, Indian tribal gov-
 5 *ernment, or unit of local government shall not be enti-*
 6 *tled to funds under this part unless the State, Indian*
 7 *tribal government, or unit of local government—*

8 “(A) *certifies that its judicial administra-*
 9 *tive policies and practices include notification to*
 10 *domestic violence offenders of the requirements*
 11 *delineated in section 922(g)(8) and (g)(9) of title*
 12 *18, United States Code, and any applicable re-*
 13 *lated Federal, State, or local laws; or*

14 “(B) *gives the Attorney General assurances*
 15 *that its judicial administrative policies and*
 16 *practices will be in compliance with the require-*
 17 *ments of subparagraph (A) within the later of—*

18 “(i) *the period ending on the date on*
 19 *which the next session of the State legisla-*
 20 *ture ends; or*

21 “(ii) *2 years.*

22 “(2) *REDISTRIBUTION.*—Funds withheld from a
 23 *State, unit of local government, or Indian tribal gov-*
 24 *ernment under subsection (a) shall be distributed to*

1 *other States, units of local government, and Indian*
2 *tribal governments, pro rata.”.*

3 *(g) POLYGRAPH TESTING PROHIBITION.—Part T of*
4 *title I of the Omnibus Crime Control and Safe Streets Act*
5 *of 1968 (42 U.S.C. 3796gg et seq.) is amended by adding*
6 *at the end the following:*

7 **“SEC. 2013. POLYGRAPH TESTING PROHIBITION.**

8 *“(a) IN GENERAL.—In order to be eligible for grants*
9 *under this part, a State, Indian tribal government, terri-*
10 *torial government, or unit of local government shall certify*
11 *that, not later than 3 years after the date of enactment of*
12 *this section, their laws, policies, or practices will ensure*
13 *that no law enforcement officer, prosecuting officer or other*
14 *government official shall ask or require an adult, youth, or*
15 *child victim of an alleged sex offense as defined under Fed-*
16 *eral, tribal, State, territorial, or local law to submit to a*
17 *polygraph examination or other truth telling device as a*
18 *condition for proceeding with the investigation of such an*
19 *offense.*

20 *“(b) PROSECUTION.—The refusal of a victim to submit*
21 *to an examination described in subsection (a) shall not pre-*
22 *vent the investigation, charging, or prosecution of the of-*
23 *fense.”.*

1 **SEC. 102. GRANTS TO ENCOURAGE ARREST AND ENFORCE**
 2 **PROTECTION ORDERS IMPROVEMENTS.**

3 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Section
 4 1001(a)(19) of title I of the Omnibus Crime Control and
 5 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amend-
 6 ed by striking “\$65,000,000 for each of fiscal years 2001
 7 through 2005” and inserting “\$75,000,000 for each of fiscal
 8 years 2006 through 2010. Funds appropriated under this
 9 paragraph shall remain available until expended.”.

10 (b) *GRANTEE REQUIREMENTS.*—Section 2101 of the
 11 Omnibus Crime Control and Safe Streets Act of 1968 (42
 12 U.S.C. 3796hh) is amended—

13 (1) in subsection (a), by striking “to treat do-
 14 mestic violence as a serious violation” and inserting
 15 “to treat domestic violence, dating violence, sexual as-
 16 sault, and stalking as serious violations”;

17 (2) in subsection (b)—

18 (A) in the matter before paragraph (1), by
 19 inserting after “State” the following: “, tribal,
 20 territorial,”;

21 (B) in paragraph (1), by—

22 (i) striking “mandatory arrest or”;

23 and

24 (ii) striking “mandatory arrest pro-
 25 grams and”;

26 (C) in paragraph (2), by—

1 (i) inserting after “educational pro-
2 grams,” the following: “protection order reg-
3 istries,”;

4 (ii) striking “domestic violence and
5 dating violence” and inserting “domestic vi-
6 olence, dating violence, sexual assault, and
7 stalking. Policies, educational programs,
8 protection order registries, and training de-
9 scribed in this paragraph shall incorporate
10 confidentiality, and privacy protections for
11 victims of domestic violence, dating vio-
12 lence, sexual assault, and stalking”;

13 (D) in paragraph (3), by—

14 (i) striking “domestic violence cases”
15 and inserting “domestic violence, dating vi-
16 olence, sexual assault, and stalking cases”;
17 and

18 (ii) striking “groups” and inserting
19 “teams”;

20 (E) in paragraph (5), by striking “domestic
21 violence and dating violence” and inserting “do-
22 mestic violence, dating violence, sexual assault,
23 and stalking”;

24 (F) in paragraph (6), by—

1 (i) striking “other” and inserting
2 “civil”; and

3 (ii) inserting after “domestic violence”
4 the following: “, dating violence, sexual as-
5 sault, and stalking”; and

6 (G) by adding at the end the following:

7 “(9) To develop State, tribal, territorial, or local
8 policies, procedures, and protocols for preventing dual
9 arrests and prosecutions in cases of domestic violence,
10 dating violence, sexual assault, and stalking, and to
11 develop effective methods for identifying the pattern
12 and history of abuse that indicates which party is the
13 actual perpetrator of abuse.

14 “(10) To plan, develop and establish comprehen-
15 sive victim service and support centers, such as fam-
16 ily justice centers, designed to bring together victim
17 advocates from non-profit, non-governmental victim
18 services organizations, law enforcement officers, pros-
19 ecutors, probation officers, governmental victim as-
20 sistants, forensic medical professionals, civil legal at-
21 torneys, chaplains, legal advocates, representatives
22 from community-based organizations and other rel-
23 evant public or private agencies or organizations into
24 one centralized location, in order to improve safety,
25 access to services, and confidentiality for victims and

1 *families. Although funds may be used to support the*
 2 *colocation of project partners under this paragraph,*
 3 *funds may not support construction or major renova-*
 4 *tion expenses or activities that fall outside of the*
 5 *scope of the other statutory purpose areas.*

6 *“(11) To develop and implement policies and*
 7 *training for police, prosecutors, probation and parole*
 8 *officers, and the judiciary in recognizing, inves-*
 9 *tigating, and prosecuting instances of sexual assault,*
 10 *with an emphasis on recognizing the threat to the*
 11 *community for repeat crime perpetration by such in-*
 12 *dividuals.”;*

13 *(3) in subsection (c)—*

14 *(A) in paragraph (3), by striking “and”*
 15 *after the semicolon;*

16 *(B) in paragraph (4), by striking the period*
 17 *and inserting “; and”; and*

18 *(C) by adding at the end the following:*

19 *“(5) certify that, not later than 3 years after the*
 20 *date of enactment of this section, their laws, policies,*
 21 *or practices will ensure that—*

22 *“(A) no law enforcement officer, prosecuting*
 23 *officer or other government official shall ask or*
 24 *require an adult, youth, or child victim of a sex*
 25 *offense as defined under Federal, tribal, State,*

1 *territorial, or local law to submit to a polygraph*
 2 *examination or other truth telling device as a*
 3 *condition for proceeding with the investigation of*
 4 *such an offense; and*

5 *“(B) the refusal of a victim to submit to an*
 6 *examination described in subparagraph (A) shall*
 7 *not prevent the investigation of the offense.”; and*
 8 *(4) by striking subsections (d) and (e) and in-*
 9 *serting the following:*

10 *“(d) ALLOTMENT FOR INDIAN TRIBES.—Not less than*
 11 *10 percent of the total amount made available for grants*
 12 *under this section for each fiscal year shall be available for*
 13 *grants to Indian tribal governments.”.*

14 *(c) APPLICATIONS.—Section 2102(b) of the Omnibus*
 15 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
 16 *3796hh–1(b)) is amended in each of paragraphs (1) and*
 17 *(2) by inserting after “involving domestic violence” the fol-*
 18 *lowing: “, dating violence, sexual assault, or stalking”.*

19 *(d) TRAINING, TECHNICAL ASSISTANCE, CONFIDEN-*
 20 *TIALITY.—Part U of title I of the Omnibus Crime Control*
 21 *and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.)*
 22 *is amended by adding at the end the following:*

23 **“SEC. 2106. TRAINING AND TECHNICAL ASSISTANCE.**

24 *“Of the total amounts appropriated under this part,*
 25 *not less than 5 percent and up to 8 percent shall be avail-*

1 *able for providing training and technical assistance relat-*
 2 *ing to the purpose areas of this part to improve the capacity*
 3 *of grantees and other entities.”.*

4 **SEC. 103. LEGAL ASSISTANCE FOR VICTIMS IMPROVE-**
 5 **MENTS.**

6 *Section 1201 of the Violence Against Women Act of*
 7 *2000 (42 U.S.C. 3796gg–6) is amended—*

8 *(1) in subsection (a), by—*

9 *(A) inserting before “legal assistance” the*
 10 *following: “civil and criminal”;*

11 *(B) inserting after “effective aid to” the fol-*
 12 *lowing: “adult and youth”; and*

13 *(C) inserting at the end the following:*
 14 *“Criminal legal assistance provided for under*
 15 *this section shall be limited to criminal matters*
 16 *relating to domestic violence, sexual assault, dat-*
 17 *ing violence, and stalking.”;*

18 *(2) in subsection (c), by inserting “and tribal or-*
 19 *ganizations, territorial organizations” after “Indian*
 20 *tribal governments”;*

21 *(3) in subsection (d) by striking paragraph (2)*
 22 *and inserting the following:*

23 *“(2) any training program conducted in satis-*
 24 *faction of the requirement of paragraph (1) has been*
 25 *or will be developed with input from and in collabo-*

1 *ration with a tribal, State, territorial, or local domes-*
 2 *tic violence, dating violence, sexual assault or stalking*
 3 *organization or coalition, as well as appropriate trib-*
 4 *al, State, territorial, and local law enforcement offi-*
 5 *cials;*

6 (4) *in subsection (e), by inserting “dating vio-*
 7 *lence,” after “domestic violence,”; and*

8 (5) *in subsection (f)—*

9 (A) *by striking paragraph (1) and inserting*
 10 *the following:*

11 “(1) *IN GENERAL.—There is authorized to be ap-*
 12 *propriated to carry out this section \$65,000,000 for*
 13 *each of fiscal years 2006 through 2010.”; and*

14 (B) *in paragraph (2)(A), by—*

15 (i) *striking “5 percent” and inserting*
 16 *“10 percent”; and*

17 (ii) *inserting “adult and youth” after*
 18 *“that assist”.*

19 **SEC. 104. ENSURING CRIME VICTIM ACCESS TO LEGAL**
 20 **SERVICES.**

21 (a) *IN GENERAL.—Section 502 of the Department of*
 22 *Commerce, Justice, and State, the Judiciary, and Related*
 23 *Agencies Appropriations Act, 1998 (Public Law 105–119;*
 24 *111 Stat. 2510) is amended—*

25 (1) *in subsection (a)(2)(C)—*

1 (A) in the matter preceding clause (i), by
2 striking “using funds derived from a source other
3 than the Corporation to provide” and inserting
4 “providing”;

5 (B) in clause (i), by striking “in the United
6 States” and all that follows and inserting “or a
7 victim of sexual assault or trafficking in the
8 United States, or qualifies for immigration relief
9 under section 101(a)(15)(U) of the Immigration
10 and Nationality Act (8 U.S.C. 1101(a)(15)(U));
11 or”; and

12 (C) in clause (ii), by striking “has been bat-
13 tered” and all that follows and inserting “, with-
14 out the active participation of the alien, has been
15 battered or subjected to extreme cruelty or a vic-
16 tim of sexual assault or trafficking in the United
17 States, or qualifies for immigration relief under
18 section 101(a)(15)(U) of the Immigration and
19 Nationality Act (8 U.S.C. 1101(a)(15)(U)).”;
20 and

21 (2) in subsection (b)(2), by striking “described in
22 such subsection” and inserting “, sexual assault or
23 trafficking, or the crimes listed in section
24 101(a)(15)(U)(iii) of the Immigration and Nation-
25 ality Act (8 U.S.C. 1101(a)(15)(U)(iii))”.

1 (b) *SAVINGS PROVISION.*—*Nothing in this Act, or the*
 2 *amendments made by this Act, shall be construed to restrict*
 3 *the legal assistance provided to victims of trafficking and*
 4 *certain family members authorized under section 107(b)(1)*
 5 *of the Trafficking Victims Protection Act of 2000 (22 U.S.C.*
 6 *7105(b)(1)).*

7 **SEC. 105. THE VIOLENCE AGAINST WOMEN ACT COURT**
 8 **TRAINING AND IMPROVEMENTS.**

9 (a) *VIOLENCE AGAINST WOMEN ACT COURT TRAINING*
 10 *AND IMPROVEMENTS.*—*The Violence Against Women Act of*
 11 *1994 (108 Stat. 1902 et seq.) is amended by adding at the*
 12 *end the following:*

13 **“Subtitle J—Violence Against**
 14 **Women Act Court Training and**
 15 **Improvements**

16 **“SEC. 41001. SHORT TITLE.**

17 *“This subtitle may be cited as the ‘Violence Against*
 18 *Women Act Court Training and Improvements Act of*
 19 *2005’.*

20 **“SEC. 41002. PURPOSE.**

21 *“The purpose of this subtitle is to enable the Attorney*
 22 *General, through the Director of the Office on Violence*
 23 *Against Women, to award grants to improve court responses*
 24 *to adult and youth domestic violence, dating violence, sex-*
 25 *ual assault, and stalking to be used for—*

1 “(1) improved internal civil and criminal court
2 functions, responses, practices, and procedures;

3 “(2) education for court-based and court-related
4 personnel on issues relating to victims’ needs, includ-
5 ing safety, security, privacy, confidentiality, and eco-
6 nomic independence, as well as information about
7 perpetrator behavior and best practices for holding
8 perpetrators accountable;

9 “(3) collaboration and training with Federal,
10 State, tribal, territorial, and local public agencies
11 and officials and nonprofit, nongovernmental organi-
12 zations to improve implementation and enforcement
13 of relevant Federal, State, tribal, territorial, and local
14 law;

15 “(4) enabling courts or court-based or court-re-
16 lated programs to develop new or enhance current—

17 “(A) court infrastructure (such as special-
18 ized courts, dockets, intake centers, or interpreter
19 services);

20 “(B) community-based initiatives within
21 the court system (such as court watch programs,
22 victim assistants, or community-based supple-
23 mentary services);

24 “(C) offender management, monitoring, and
25 accountability programs;

1 “(D) *safe and confidential information-storage and -sharing databases within and between*
 2 *court systems;*

4 “(E) *education and outreach programs to*
 5 *improve community access, including enhanced*
 6 *access for racial and ethnic communities and*
 7 *underserved populations; and*

8 “(F) *other projects likely to improve court*
 9 *responses to domestic violence, dating violence,*
 10 *sexual assault, and stalking; and*

11 “(5) *providing technical assistance to Federal,*
 12 *State, tribal, territorial, or local courts wishing to*
 13 *improve their practices and procedures or to develop*
 14 *new programs.*

15 **“SEC. 41003. GRANT REQUIREMENTS.**

16 “*Grants awarded under this subtitle shall be subject*
 17 *to the following conditions:*

18 “(1) *ELIGIBLE GRANTEES.—Eligible grantees*
 19 *may include—*

20 “(A) *Federal, State, tribal, territorial, or*
 21 *local courts or court-based programs; and*

22 “(B) *national, State, tribal, territorial, or*
 23 *local private, nonprofit organizations with dem-*
 24 *onstrated expertise in developing and providing*

1 *judicial education about domestic violence, dat-*
2 *ing violence, sexual assault, or stalking.*

3 “(2) *CONDITIONS OF ELIGIBILITY.—To be eligible*
4 *for a grant under this section, applicants shall certify*
5 *in writing that—*

6 “(A) *any courts or court-based personnel*
7 *working directly with or making decisions about*
8 *adult or youth parties experiencing domestic vio-*
9 *lence, dating violence, sexual assault, and stalk-*
10 *ing have completed or will complete education*
11 *about domestic violence, dating violence, sexual*
12 *assault, and stalking;*

13 “(B) *any education program developed*
14 *under section 41002 has been or will be devel-*
15 *oped with significant input from and in collabo-*
16 *ration with a national, tribal, State, territorial,*
17 *or local victim services provider or coalition; and*

18 “(C) *the grantee’s internal organizational*
19 *policies, procedures, or rules do not require me-*
20 *diation or counseling between offenders and vic-*
21 *tims physically together in cases where domestic*
22 *violence, dating violence, sexual assault, or stalk-*
23 *ing is an issue.*

1 **“SEC. 41004. NATIONAL EDUCATION CURRICULA.**

2 “(a) *IN GENERAL.*—*The Attorney General, through the*
 3 *Director of the Office on Violence Against Women, shall*
 4 *fund efforts to develop a national education curriculum for*
 5 *use by State and national judicial educators to ensure that*
 6 *all courts and court personnel have access to information*
 7 *about relevant Federal, State, territorial, or local law,*
 8 *promising practices, procedures, and policies regarding*
 9 *court responses to adult and youth domestic violence, dating*
 10 *violence, sexual assault, and stalking.*

11 “(b) *ELIGIBLE ENTITIES.*—*Any curricula developed*
 12 *under this section—*

13 “(1) *shall be developed by an entity or entities*
 14 *having demonstrated expertise in developing judicial*
 15 *education curricula on issues relating to domestic vio-*
 16 *lence, dating violence, sexual assault, and stalking; or*

17 “(2) *if the primary grantee does not have dem-*
 18 *onstrated expertise with such issues, shall be developed*
 19 *by the primary grantee in partnership with an orga-*
 20 *nization having such expertise.*

21 **“SEC. 41005. TRIBAL CURRICULA.**

22 “(a) *IN GENERAL.*—*The Attorney General, through the*
 23 *Office on Violence Against Women, shall fund efforts to de-*
 24 *velop education curricula for tribal court judges to ensure*
 25 *that all tribal courts have relevant information about prom-*
 26 *ising practices, procedures, policies, and law regarding trib-*

1 *al court responses to adult and youth domestic violence, dat-*
 2 *ing violence, sexual assault, and stalking.*

3 “(b) *ELIGIBLE ENTITIES.*—*Any curricula developed*
 4 *under this section—*

5 “(1) *shall be developed by a tribal organization*
 6 *having demonstrated expertise in developing judicial*
 7 *education curricula on issues relating to domestic vio-*
 8 *lence, dating violence, sexual assault, and stalking;*
 9 *and*

10 “(2) *if the primary grantee does not have such*
 11 *expertise, the curricula shall be developed by the pri-*
 12 *mary grantee through partnership with organizations*
 13 *having such expertise.*

14 **“SEC. 41006. AUTHORIZATION OF APPROPRIATIONS.**

15 “(a) *IN GENERAL.*—*There is authorized to be appro-*
 16 *priated to carry out this subtitle \$5,000,000 for each of fis-*
 17 *cal years 2006 to 2010.*

18 “(b) *AVAILABILITY.*—*Funds appropriated under this*
 19 *section shall remain available until expended and may only*
 20 *be used for the specific programs and activities described*
 21 *in this subtitle.*

22 “(c) *SET ASIDE.*—*Of the amounts made available*
 23 *under this subsection in each fiscal year, not less than 10*
 24 *percent shall be used for grants for tribal courts, tribal*
 25 *court-related programs, and tribal nonprofits.”.*

1 **SEC. 106. FULL FAITH AND CREDIT IMPROVEMENTS.**

2 (a) *ENFORCEMENT OF PROTECTION ORDERS ISSUED*
 3 *BY TERRITORIES.*—Section 2265 of title 18, United States
 4 Code, is amended by—

5 (1) striking “or Indian tribe” each place it ap-
 6 pears and inserting “, Indian tribe, or territory”; and

7 (2) striking “State or tribal” each place it ap-
 8 pears and inserting “State, tribal, or territorial”.

9 (b) *CLARIFICATION OF ENTITIES HAVING ENFORCE-*
 10 *MENT AUTHORITY AND RESPONSIBILITIES.*—Section
 11 2265(a) of title 18, United States Code, is amended by strik-
 12 ing “and enforced as if it were” and inserting “and en-
 13 forced by the court and law enforcement personnel of the
 14 other State, Indian tribal government or Territory as if it
 15 were”.

16 (c) *LIMITS ON INTERNET PUBLICATION OF PROTEC-*
 17 *TION ORDER INFORMATION.*—Section 2265(d) of title 18,
 18 United States Code, is amended by adding at the end the
 19 following:

20 “(3) *LIMITS ON INTERNET PUBLICATION OF REG-*
 21 *ISTRATION INFORMATION.*—A State, Indian tribe, or
 22 territory shall not publish publicly on the Internet
 23 any information regarding the registration or filing
 24 of a protection order, restraining order, or injunction
 25 in either the issuing or enforcing State, tribal or ter-
 26 ritorial jurisdiction, if such publication would be like-

1 *ly to publicly reveal the identity or location of the*
 2 *party protected under such order. A State, Indian*
 3 *tribe, or territory may share court-generated and law*
 4 *enforcement-generated information contained in se-*
 5 *cure, governmental registries for protection order en-*
 6 *forcement purposes.”.*

7 *(d) DEFINITIONS.—Section 2266 of title 18, United*
 8 *States Code, is amended—*

9 *(1) by striking paragraph (5) and inserting the*
 10 *following:*

11 *“(5) PROTECTION ORDER.—The term ‘protection*
 12 *order’ includes—*

13 *“(A) any injunction, restraining order, or*
 14 *any other order issued by a civil or criminal*
 15 *court for the purpose of preventing violent or*
 16 *threatening acts or harassment against, sexual*
 17 *violence, or contact or communication with or*
 18 *physical proximity to, another person, including*
 19 *any temporary or final order issued by a civil*
 20 *or criminal court whether obtained by filing an*
 21 *independent action or as a pendente lite order in*
 22 *another proceeding so long as any civil or crimi-*
 23 *nal order was issued in response to a complaint,*
 24 *petition, or motion filed by or on behalf of a per-*
 25 *son seeking protection; and*

1 “(B) any support, child custody or visita-
 2 tion provisions, orders, remedies or relief issued
 3 as part of a protection order, restraining order,
 4 or injunction pursuant to State, tribal, terri-
 5 torial, or local law authorizing the issuance of
 6 protection orders, restraining orders, or injunc-
 7 tions for the protection of victims of domestic vi-
 8 olence, sexual assault, dating violence, or stalk-
 9 ing.”; and

10 (2) in clauses (i) and (ii) of paragraph (7)(A),
 11 by striking “2261A, a spouse or former spouse of the
 12 abuser, a person who shares a child in common with
 13 the abuser, and a person who cohabits or has
 14 cohabited as a spouse with the abuser” and inserting
 15 “2261A—

16 “(I) a spouse or former spouse of
 17 the abuser, a person who shares a child
 18 in common with the abuser, and a per-
 19 son who cohabits or has cohabited as a
 20 spouse with the abuser; or

21 “(II) a person who is or has been
 22 in a social relationship of a romantic
 23 or intimate nature with the abuser, as
 24 determined by the length of the rela-
 25 tionship, the type of relationship, and

1 *the frequency of interaction between the*
 2 *persons involved in the relationship”.*

3 **SEC. 107. PRIVACY PROTECTIONS FOR VICTIMS OF DOMES-**
 4 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**
 5 **VIOLENCE, AND STALKING.**

6 *The Violence Against Women Act of 1994 (108 Stat.*
 7 *1902 et seq.) is amended by adding at the end the following:*
 8 **“Subtitle K—Privacy Protections for**
 9 **Victims of Domestic Violence,**
 10 **Dating Violence, Sexual Vio-**
 11 **lence, and Stalking**

12 **“SEC. 41101. GRANTS TO PROTECT THE PRIVACY AND CON-**
 13 **FIDENTIALITY OF VICTIMS OF DOMESTIC VIO-**
 14 **LENCE, DATING VIOLENCE, SEXUAL ASSAULT,**
 15 **AND STALKING.**

16 *“The Attorney General, through the Director of the Of-*
 17 *fice on Violence Against Women, may award grants under*
 18 *this subtitle to States, Indian tribes, territories, or local*
 19 *agencies or nonprofit, nongovernmental organizations to en-*
 20 *sure that personally identifying information of adult,*
 21 *youth, and child victims of domestic violence, sexual vio-*
 22 *lence, stalking, and dating violence shall not be released or*
 23 *disclosed to the detriment of such victimized persons.*

24 **“SEC. 41102. PURPOSE AREAS.**

25 *“Grants made under this subtitle may be used—*

1 “(1) to develop or improve protocols, procedures,
2 and policies for the purpose of preventing the release
3 of personally identifying information of victims (such
4 as developing alternative identifiers);

5 “(2) to defray the costs of modifying or improv-
6 ing existing databases, registries, and victim notifica-
7 tion systems to ensure that personally identifying in-
8 formation of victims is protected from release, unau-
9 thorized information sharing and disclosure;

10 “(3) to develop confidential opt out systems that
11 will enable victims of violence to make a single re-
12 quest to keep personally identifying information out
13 of multiple databases, victim notification systems,
14 and registries; or

15 “(4) to develop safe uses of technology (such as
16 notice requirements regarding electronic surveillance
17 by government entities), to protect against abuses of
18 technology (such as electronic or GPS stalking), or
19 providing training for law enforcement on high tech
20 electronic crimes of domestic violence, dating violence,
21 sexual assault, and stalking.

22 **“SEC. 41103. ELIGIBLE ENTITIES.**

23 “Entities eligible for grants under this subtitle in-
24 clude—

1 “(1) jurisdictions or agencies within jurisdic-
 2 tions having authority or responsibility for developing
 3 or maintaining public databases, registries or victim
 4 notification systems;

5 “(2) nonprofit nongovernmental victim advocacy
 6 organizations having expertise regarding confiden-
 7 tiality, privacy, and information technology and how
 8 these issues are likely to impact the safety of victims;

9 “(3) States or State agencies;

10 “(4) local governments or agencies;

11 “(5) Indian tribal governments or tribal organi-
 12 zations;

13 “(6) territorial governments, agencies, or organi-
 14 zations; or

15 “(7) nonprofit nongovernmental victim advocacy
 16 organizations, including statewide domestic violence
 17 and sexual assault coalitions.

18 **“SEC. 41104. GRANT CONDITIONS.**

19 “Applicants described in paragraph (1) and para-
 20 graphs (3) through (6) shall demonstrate that they have en-
 21 tered into a significant partnership with a State, tribal,
 22 territorial, or local victim service or advocacy organization
 23 or condition in order to develop safe, confidential, and effec-
 24 tive protocols, procedures, policies, and systems for pro-
 25 tecting personally identifying information of victims.

1 **“SEC. 41105. AUTHORIZATION OF APPROPRIATIONS.**

2 “(a) *IN GENERAL.*—*There is authorized to be appro-*
 3 *priated to carry out this subtitle \$5,000,000 for each of fis-*
 4 *cal years 2006 through 2010.*

5 “(b) *TRIBAL ALLOCATION.*—*Of the amount made*
 6 *available under this section in each fiscal year, 10 percent*
 7 *shall be used for grants to Indian tribes for programs that*
 8 *assist victims of domestic violence, dating violence, stalking,*
 9 *and sexual assault.*

10 “(c) *TECHNICAL ASSISTANCE AND TRAINING.*—*Of the*
 11 *amount made available under this section in each fiscal*
 12 *year, not less than 5 percent shall be used for grants to*
 13 *organizations that have expertise in confidentiality, pri-*
 14 *vacy, and technology issues impacting victims of domestic*
 15 *violence, dating violence, sexual assault, and stalking to*
 16 *provide technical assistance and training to grantees and*
 17 *non-grantees on how to improve safety, privacy, confiden-*
 18 *tiality, and technology to protect victimized persons.”.*

19 **SEC. 108. SEX OFFENDER MANAGEMENT.**

20 *Section 40152 of the Violent Crime Control and Law*
 21 *Enforcement Act of 1994 (42 U.S.C. 13941) is amended by*
 22 *striking subsection (c) and inserting the following:*

23 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 24 *authorized to be appropriated to carry out this section*
 25 *\$3,000,000 for each of fiscal years 2006 through 2010.”.*

1 **SEC. 109. STALKER DATABASE.**

2 *Section 40603 of the Violence Against Women Act of*
 3 *1994 (42 U.S.C. 14032) is amended—*

4 *(1) by striking “2001” and inserting “2006”;*

5 *and*

6 *(2) by striking “2006” and inserting “2010”.*

7 **SEC. 110. FEDERAL VICTIM ASSISTANTS REAUTHORIZA-**
 8 **TION.**

9 *Section 40114 of the Violence Against Women Act of*
 10 *1994 (Public Law 103–322) is amended to read as follows:*

11 **“SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM ASSIST-**
 12 **ANTS.**

13 *“There are authorized to be appropriated for the*
 14 *United States attorneys for the purpose of appointing vic-*
 15 *tim assistants for the prosecution of sex crimes and domes-*
 16 *tic violence crimes where applicable (such as the District*
 17 *of Columbia), \$1,000,000 for each of fiscal years 2006*
 18 *through 2010.”.*

19 **SEC. 111. GRANTS FOR LAW ENFORCEMENT TRAINING PRO-**
 20 **GRAMS.**

21 *(a) DEFINITIONS.—In this section:*

22 *(1) ACT OF TRAFFICKING.—The term “act of*
 23 *trafficking” means an act or practice described in*
 24 *paragraph (8) of section 103 of the Trafficking Vic-*
 25 *tims Protection Act of 2000 (22 U.S.C. 7102).*

1 (2) *ELIGIBLE ENTITY.*—The term “eligible enti-
2 ty” means a State or a local government.

3 (3) *STATE.*—The term “State” means any State
4 of the United States, the District of Columbia, the
5 Commonwealth of Puerto Rico, Guam, the United
6 States Virgin Islands, the Commonwealth of the
7 Northern Mariana Islands, American Samoa, and
8 any other territory or possession of the United States.

9 (4) *VICTIM OF TRAFFICKING.*—The term “victim
10 of trafficking” means a person subjected to an act of
11 trafficking.

12 (b) *GRANTS AUTHORIZED.*—The Attorney General
13 may award grants to eligible entities to provide training
14 to State and local law enforcement personnel to identify
15 and protect victims of trafficking.

16 (c) *USE OF FUNDS.*—A grant awarded under this sec-
17 tion shall be used to—

18 (1) train law enforcement personnel to identify
19 and protect victims of trafficking, including training
20 such personnel to utilize Federal, State, or local re-
21 sources to assist victims of trafficking;

22 (2) train law enforcement or State or local pros-
23 ecutors to identify, investigate, or prosecute acts of
24 trafficking; or

1 (3) *train law enforcement or State or local pros-*
 2 *ecutors to utilize laws that prohibit acts of trafficking*
 3 *and to assist in the development of State and local*
 4 *laws to prohibit acts of trafficking.*

5 (d) *RESTRICTIONS.*—

6 (1) *ADMINISTRATIVE EXPENSES.*—*An eligible en-*
 7 *tity that receives a grant under this section may use*
 8 *not more than 5 percent of the total amount of such*
 9 *grant for administrative expenses.*

10 (2) *NONEXCLUSIVITY.*—*Nothing in this section*
 11 *may be construed to restrict the ability of an eligible*
 12 *entity to apply for or obtain funding from any other*
 13 *source to carry out the training described in sub-*
 14 *section (c).*

15 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 16 *authorized to be appropriated \$10,000,000 for each of the*
 17 *fiscal years 2006 through 2010 to carry out the provisions*
 18 *of this section.*

19 **SEC. 112. REAUTHORIZATION OF THE COURT-APPOINTED**
 20 **SPECIAL ADVOCATE PROGRAM.**

21 (a) *FINDINGS.*—*Section 215 of the Victims of Child*
 22 *Abuse Act of 1990 (42 U.S.C. 13011) is amended by striking*
 23 *paragraphs (1) and (2) and inserting the following:*

24 “(1) *Court Appointed Special Advocates, who*
 25 *may serve as guardians ad litem, are trained volun-*

1 *teers appointed by courts to advocate for the best in-*
 2 *terests of children who are involved in the juvenile*
 3 *and family court system due to abuse or neglect;*

4 *“(2) the National Court Appointed Special Ad-*
 5 *vocate Association maintains a system of account-*
 6 *ability, including standards, quality assurance, train-*
 7 *ing, and technical assistance for a network of 70,000*
 8 *volunteers in more than 850 programs operating in*
 9 *49 States, the District of Columbia, and the Virgin*
 10 *Islands; and*

11 *“(3) in 2003, Court Appointed Special Advocate*
 12 *volunteers represented 288,000 children, more than 50*
 13 *percent of the estimated 540,000 children in foster*
 14 *care because of substantiated cases of child abuse or*
 15 *neglect.”.*

16 *(b) IMPLEMENTATION DATE.—Section 216 of the Vic-*
 17 *tims of Child Abuse Act of 1990 (42 U.S.C. 13012) is*
 18 *amended by striking “January 1, 1995” and inserting*
 19 *“January 1, 2010”.*

20 *(c) CLARIFICATION OF PROGRAM GOALS.—Section 217*
 21 *of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13013)*
 22 *is amended—*

23 *(1) in subsection (a), by striking “to expand”*
 24 *and inserting “to initiate, sustain, and expand”;*

25 *(2) subsection (b)—*

1 (A) in paragraph (1), by striking “to ini-
 2 tiate or expand” and inserting “to initiate, sus-
 3 tain, and expand”; and

4 (B) in paragraph (2), by—

5 (i) striking “(1)(a)” and inserting
 6 “(1)(A)”; and

7 (ii) striking “to initiate and to ex-
 8 pand” and inserting “to initiate, sustain,
 9 and expand”; and

10 (3) by adding at the end the following:

11 “(d) *BACKGROUND CHECKS.*—State and local Court
 12 Appointed Special Advocate programs are authorized to re-
 13 quest criminal background checks from the Federal Bureau
 14 of Investigation National Crime Information Center for
 15 prospective volunteers. The requesting program is respon-
 16 sible for the reasonable costs associated with the Federal
 17 records check.”.

18 (d) *REAUTHORIZATION.*—Section 218 of the Victims of
 19 Child Abuse Act of 1990 (42 U.S.C. 13014) is amended by
 20 striking subsection (a) and inserting the following:

21 “(a) *AUTHORIZATION.*—There is authorized to be ap-
 22 propriated to carry out this subtitle \$17,000,000 for each
 23 of fiscal years 2006 through 2010.”.

1 **SEC. 113. PREVENTING CYBERSTALKING.**

2 (a) *IN GENERAL.*—Paragraph (1) of section 223(h) of
3 the Communications Act of 1934 (47 U.S.C. 223(h)(1)) is
4 amended—

5 (1) in subparagraph (A), by striking “and” at
6 the end;

7 (2) in subparagraph (B), by striking the period
8 at the end and inserting “; and”; and

9 (3) by adding at the end the following new sub-
10 paragraph:

11 “(C) in the case of subparagraph (C) of sub-
12 section (a)(1), includes any device or software
13 that can be used to originate telecommunications
14 or other types of communications that are trans-
15 mitted, in whole or in part, by the Internet (as
16 such term is defined in section 1104 of the Inter-
17 net Tax Freedom Act (47 U.S.C. 151 note)).”.

18 (b) *RULE OF CONSTRUCTION.*—This section and the
19 amendment made by this section may not be construed to
20 affect the meaning given the term “telecommunications de-
21 vice” in section 223(h)(1) of the Communications Act of
22 1934, as in effect before the date of the enactment of this
23 section.

24 **SEC. 114. CRIMINAL PROVISION RELATING TO STALKING.**

25 (a) *INTERSTATE STALKING.*—Section 2261A of title
26 18, United States Code, is amended to read as follows:

1 **“§ 2261A. Stalking**

2 “Whoever—

3 “(1) *travels in interstate or foreign commerce or*
4 *within the special maritime and territorial jurisdic-*
5 *tion of the United States, or enters or leaves Indian*
6 *country, with the intent to kill, injure, harass, place*
7 *under surveillance, or intimidate another person, and*
8 *in the course of, or as a result of, such travel places*
9 *that person in reasonable fear of the death of, or seri-*
10 *ous bodily injury to, or causes substantial emotional*
11 *distress to that person, a member of the immediate*
12 *family (as defined in section 115) of that person, or*
13 *the spouse or intimate partner of that person; or*

14 “(2) *with the intent—*

15 “(A) *to kill, injure, harass, place under sur-*
16 *veillance, intimidate, or cause substantial emo-*
17 *tional distress to a person in another State or*
18 *tribal jurisdiction or within the special mari-*
19 *time and territorial jurisdiction of the United*
20 *States; or*

21 “(B) *to place a person in another State or*
22 *tribal jurisdiction, or within the special mari-*
23 *time and territorial jurisdiction of the United*
24 *States, in reasonable fear of the death of, or seri-*
25 *ous bodily injury to—*

26 “(i) *that person;*

1 “(ii) a member of the immediate fam-
 2 ily (as defined in section 115 of that person;
 3 or

4 “(iii) a spouse or intimate partner of
 5 that person;

6 uses the mail or any facility of interstate or foreign
 7 commerce to engage in a course of conduct that causes
 8 substantial emotional distress to that person or places
 9 that person in reasonable fear of the death of, or seri-
 10 ous bodily injury to, any of the persons described in
 11 clauses (i) through (iii) of subparagraph (B);

12 shall be punished as provided in section 2261(b) of this
 13 title.”.

14 (b) *ENHANCED PENALTIES FOR STALKING.*—Section
 15 2231(b) of title 18, United States Code, is amended by add-
 16 ing at the end the following:

17 “(6) Whoever commits the crime of stalking in
 18 violation of a temporary or permanent civil or crimi-
 19 nal injunction, restraining order, no-contact order, or
 20 other order described in section 2266 of title 18,
 21 United States Code, shall be punished by imprison-
 22 ment for not less than 1 year.”.

23 **SEC. 115. REPEAT OFFENDER PROVISION.**

24 Chapter 110A of title 18, United States Code, is
 25 amended by adding after section 2265 the following:

1 **“§ 2265A. Repeat offenders**

2 “(a) *MAXIMUM TERM OF IMPRISONMENT.*—*The max-*
 3 *imum term of imprisonment for a violation of this chapter*
 4 *after a prior domestic violence or stalking offense shall be*
 5 *twice the term otherwise provided under this chapter.*

6 “(b) *DEFINITION.*—*For purposes of this section—*

7 “(1) *the term ‘prior domestic violence or stalking*
 8 *offense’ means a conviction for an offense—*

9 “(A) *under section 2261, 2261A, or 2262 of*
 10 *this chapter; or*

11 “(B) *under State law for an offense con-*
 12 *sisting of conduct that would have been an of-*
 13 *fense under a section referred to in subparagraph*
 14 *(A) if the conduct had occurred within the spe-*
 15 *cial maritime and territorial jurisdiction of the*
 16 *United States, or in interstate or foreign com-*
 17 *merce; and*

18 “(2) *the term ‘State’ means a State of the United*
 19 *States, the District of Columbia, or any common-*
 20 *wealth, territory, or possession of the United States.”.*

21 **SEC. 116. PROHIBITING DATING VIOLENCE.**

22 (a) *IN GENERAL.*—*Section 2261(a) of title 18, United*
 23 *States Code, is amended—*

24 (1) *in paragraph (1), striking “or intimate part-*
 25 *ner” and inserting “, intimate partner, or dating*
 26 *partner”; and*

1 (2) in paragraph (2), striking “or intimate part-
 2 ner” and inserting “, intimate partner, or dating
 3 partner”.

4 (b) *DEFINITION.*—Section 2266 of title 18, United
 5 States Code, is amended by adding at the end the following:

6 “(10) *DATING PARTNER.*—The term ‘dating
 7 partner’ refers to a person who is or has been in a
 8 social relationship of a romantic or intimate nature
 9 with the abuser and the existence of such a relation-
 10 ship based on a consideration of—

11 “(A) the length of the relationship; and

12 “(B) the type of relationship; and

13 “(C) the frequency of interaction between
 14 the persons involved in the relationship.”.

15 **SEC. 117. PROHIBITING VIOLENCE IN SPECIAL MARITIME**
 16 **AND TERRITORIAL JURISDICTION.**

17 (a) *DOMESTIC VIOLENCE.*—Section 2261(a)(1) of title
 18 18, United States Code, is amended by inserting after “In-
 19 dian country” the following: “or within the special mari-
 20 time and territorial jurisdiction of the United States”.

21 (b) *PROTECTION ORDER.*—Section 2262(a)(1) of title
 22 18, United States Code, is amended by inserting after “In-
 23 dian country” the following: “or within the special mari-
 24 time and territorial jurisdiction of the United States”.

1 **SEC. 118. UPDATING PROTECTION ORDER DEFINITION.**

2 *Section 9534 of title 28, United States Code, is amend-*
3 *ed by striking subsection (e)(3)(B) and inserting the fol-*
4 *lowing:*

5 “(B) the term ‘protection order’ includes—

6 “(i) any injunction, restraining order,
7 or any other order issued by a civil or
8 criminal court for the purpose of preventing
9 violent or threatening acts or harassment
10 against, sexual violence or contact or com-
11 munication with or physical proximity to,
12 another person, including any temporary or
13 final orders issued by civil or criminal
14 courts whether obtained by filing an inde-
15 pendent action or as a pendente lite order
16 in another proceeding so long as any civil
17 order was issued in response to a com-
18 plaint, petition, or motion filed by or on be-
19 half of a person seeking protection; and

20 “(ii) any support, child custody or vis-
21 itation provisions, orders, remedies, or relief
22 issued as part of a protection order, re-
23 straining order, or stay away injunction
24 pursuant to State, tribal, territorial, or
25 local law authorizing the issuance of protec-
26 tion orders, restraining orders, or injunc-

tions for the protection of victims of domestic violence, dating violence, sexual assault, or stalking.”.

**TITLE II—IMPROVING SERVICES
FOR VICTIMS OF DOMESTIC
VIOLENCE, DATING VIOLENCE,
SEXUAL ASSAULT,
AND STALKING**

SEC. 201. FINDINGS.

Congress finds the following:

(1) Nearly $\frac{1}{3}$ of American women report physical or sexual abuse by a husband or boyfriend at some point in their lives.

(2) According to the National Crime Victimization Survey, 248,000 Americans 12 years of age and older were raped or sexually assaulted in 2002.

(3) Rape and sexual assault in the United States is estimated to cost \$127,000,000,000 per year, including—

(A) lost productivity;

(B) medical and mental health care;

(C) police and fire services;

(D) social services;

(E) loss of and damage to property; and

(F) reduced quality of life.

1 (4) *Nonreporting of sexual assault in rural areas*
 2 *is a particular problem because of the high rate of*
 3 *nonstranger sexual assault.*

4 (5) *Geographic isolation often compounds the*
 5 *problems facing sexual assault victims. The lack of*
 6 *anonymity and accessible support services can limit*
 7 *opportunities for justice for victims.*

8 (6) *Domestic elder abuse is primarily family*
 9 *abuse. The National Elder Abuse Incidence Study*
 10 *found that the perpetrator was a family member in*
 11 *90 percent of cases.*

12 (7) *Barriers for older victims leaving abusive re-*
 13 *lationships include—*

14 (A) *the inability to support themselves;*

15 (B) *poor health that increases their depend-*
 16 *ence on the abuser;*

17 (C) *fear of being placed in a nursing home;*
 18 *and*

19 (D) *ineffective responses by domestic abuse*
 20 *programs and law enforcement.*

21 (8) *Disabled women comprise another vulnerable*
 22 *population with unmet needs. Women with disabil-*
 23 *ities are more likely to be the victims of abuse and*
 24 *violence than women without disabilities because of*

1 *their increased physical, economic, social, or psycho-*
2 *logical dependence on others.*

3 (9) *Many women with disabilities also fail to re-*
4 *port the abuse, since they are dependent on their*
5 *abusers and fear being abandoned or institutional-*
6 *ized.*

7 (10) *Of the 598 battered women's programs sur-*
8 *veyed—*

9 (A) *only 35 percent of these programs of-*
10 *fered disability awareness training for their*
11 *staff; and*

12 (B) *only 16 percent dedicated a staff mem-*
13 *ber to provide services to women with disabil-*
14 *ities.*

15 (11) *Problems of domestic violence are exacer-*
16 *bated for immigrants when spouses control the immi-*
17 *gration status of their family members, and abusers*
18 *use threats of refusal to file immigration papers and*
19 *threats to deport spouses and children as powerful*
20 *tools to prevent battered immigrant women from seek-*
21 *ing help, trapping battered immigrant women in vio-*
22 *lent homes because of fear of deportation.*

23 (12) *Battered immigrant women who attempt to*
24 *flee abusive relationships may not have access to bi-*
25 *lingual shelters or bilingual professionals, and face re-*

1 *strictions on public or financial assistance. They may*
2 *also lack assistance of a certified interpreter in court,*
3 *when reporting complaints to the police or a 9-1-1 op-*
4 *erator, or even in acquiring information about their*
5 *rights and the legal system.*

6 (13) *More than 500 men and women call the Na-*
7 *tional Domestic Violence Hotline every day to get im-*
8 *mediate, informed, and confidential assistance to help*
9 *deal with family violence.*

10 (14) *The National Domestic Violence Hotline*
11 *service is available, toll-free, 24 hours a day and 7*
12 *days a week, with bilingual staff, access to translators*
13 *in 150 languages, and a TTY line for the hearing-im-*
14 *paired.*

15 (15) *With access to over 5,000 shelters and serv-*
16 *ice providers across the United States, Puerto Rico,*
17 *and the United States Virgin Islands, the National*
18 *Domestic Violence Hotline provides crisis intervention*
19 *and immediately connects callers with sources of help*
20 *in their local community.*

21 (16) *Approximately 60 percent of the callers in-*
22 *dicade that calling the Hotline is their first attempt*
23 *to address a domestic violence situation and that they*
24 *have not called the police or any other support serv-*
25 *ices.*

1 (17) *Between 2000 and 2003, there was a 27*
 2 *percent increase in call volume at the National Do-*
 3 *mestic Violence Hotline.*

4 (18) *Improving technology infrastructure at the*
 5 *National Domestic Violence Hotline and training ad-*
 6 *vocates, volunteers, and other staff on upgraded tech-*
 7 *nology will drastically increase the Hotline’s ability*
 8 *to answer more calls quickly and effectively.*

9 **SEC. 202. SEXUAL ASSAULT SERVICES PROGRAM.**

10 *Part T of title I of the Omnibus Crime Control and*
 11 *Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is*
 12 *amended by inserting after section 2012, as added by this*
 13 *Act, the following:*

14 **“SEC. 2014. SEXUAL ASSAULT SERVICES.**

15 “(a) *PURPOSES.—The purposes of this section are—*

16 “(1) *to assist States, Indian tribes, and terri-*
 17 *tries in providing intervention, advocacy, accom-*
 18 *paniment, support services, and related assistance*
 19 *for—*

20 “(A) *adult, youth, and child victims of sex-*
 21 *ual assault;*

22 “(B) *family and household members of such*
 23 *victims; and*

1 “(C) *those collaterally affected by the vic-*
 2 *timization, except for the perpetrator of such vic-*
 3 *timization;*

4 “(2) *to provide for technical assistance and*
 5 *training relating to sexual assault to—*

6 “(A) *Federal, State, tribal, territorial and*
 7 *local governments, law enforcement agencies, and*
 8 *courts;*

9 “(B) *professionals working in legal, social*
 10 *service, and health care settings;*

11 “(C) *nonprofit organizations;*

12 “(D) *faith-based organizations; and*

13 “(E) *other individuals and organizations*
 14 *seeking such assistance.*

15 “(b) *GRANTS TO STATES AND TERRITORIES.—*

16 “(1) *GRANTS AUTHORIZED.—The Attorney Gen-*
 17 *eral shall award grants to States and territories to*
 18 *support the establishment, maintenance, and expan-*
 19 *sion of rape crisis centers and other programs and*
 20 *projects to assist those victimized by sexual assault.*

21 “(2) *ALLOCATION AND USE OF FUNDS.—*

22 “(A) *ADMINISTRATIVE COSTS.—Not more*
 23 *than 5 percent of the grant funds received by a*
 24 *State or territory governmental agency under*

1 *this subsection for any fiscal year may be used*
2 *for administrative costs.*

3 “(B) *GRANT FUNDS.*—*Any funds received*
4 *by a State or territory under this subsection that*
5 *are not used for administrative costs shall be*
6 *used to provide grants to rape crisis centers and*
7 *other nonprofit, nongovernmental organizations*
8 *for programs and activities within such State or*
9 *territory that provide direct intervention and re-*
10 *lated assistance.*

11 “(C) *INTERVENTION AND RELATED ASSIST-*
12 *ANCE.*—*Intervention and related assistance*
13 *under subparagraph (B) may include—*

14 “(i) *24 hour hotline services providing*
15 *crisis intervention services and referral;*

16 “(ii) *accompaniment and advocacy*
17 *through medical, criminal justice, and so-*
18 *cial support systems, including medical fa-*
19 *cilities, police, and court proceedings;*

20 “(iii) *crisis intervention, short-term*
21 *individual and group support services, and*
22 *comprehensive service coordination and su-*
23 *pervision to assist sexual assault victims*
24 *and family or household members;*

1 “(iv) information and referral to assist
2 the sexual assault victim and family or
3 household members;

4 “(v) community-based, linguistically
5 and culturally specific services and support
6 mechanisms, including outreach activities
7 for racial and ethnic, and other underserved
8 communities; and

9 “(vi) the development and distribution
10 of materials on issues related to the services
11 described in clauses (i) through (v).

12 “(3) APPLICATION.—

13 “(A) IN GENERAL.—Each eligible entity de-
14 siring a grant under this subsection shall submit
15 an application to the Attorney General at such
16 time and in such manner as the Attorney Gen-
17 eral may reasonably require.

18 “(B) CONTENTS.—Each application sub-
19 mitted under subparagraph (A) shall—

20 “(i) set forth procedures designed to en-
21 sure meaningful involvement of the State or
22 territorial sexual assault coalition and rep-
23 resentatives from racial and ethnic and
24 other underserved communities in the devel-

1 *opment of the application and the imple-*
 2 *mentation of the plans;*

3 *“(ii) set forth procedures designed to*
 4 *ensure an equitable distribution of grants*
 5 *and grant funds within the State or terri-*
 6 *tory and between urban and rural areas*
 7 *within such State or territory;*

8 *“(iii) identify the State or territorial*
 9 *agency that is responsible for the adminis-*
 10 *tration of programs and activities; and*

11 *“(iv) meet other such requirements as*
 12 *the Attorney General reasonably determines*
 13 *are necessary to carry out the purposes and*
 14 *provisions of this section.*

15 *“(4) MINIMUM AMOUNT.—The Attorney General*
 16 *shall allocate to each State not less than 1.50 percent*
 17 *of the total amount appropriated in a fiscal year for*
 18 *grants under this section, except that the United*
 19 *States Virgin Islands, American Samoa, Guam, the*
 20 *District of Columbia, Puerto Rico, and the Common-*
 21 *wealth of the Northern Mariana Islands shall each be*
 22 *allocated 0.125 percent of the total appropriations.*
 23 *The remaining funds shall be allotted to each State*
 24 *and each territory in an amount that bears the same*
 25 *ratio to such remaining funds as the population of*

1 *such State and such territory bears to the population*
 2 *of the combined States or the population of the com-*
 3 *bined territories.*

4 “(c) *GRANTS FOR CULTURALLY SPECIFIC PROGRAMS*
 5 *ADDRESSING SEXUAL ASSAULT.*—

6 “(1) *GRANTS AUTHORIZED.*—*The Attorney Gen-*
 7 *eral shall award grants to eligible entities to support*
 8 *the establishment, maintenance, and expansion of cul-*
 9 *turally specific intervention and related assistance for*
 10 *victims of sexual assault.*

11 “(2) *ELIGIBLE ENTITIES.*—*To be eligible to re-*
 12 *ceive a grant under this section, an entity shall—*

13 “(A) *be a private nonprofit organization*
 14 *that focuses primarily on racial and ethnic com-*
 15 *munities;*

16 “(B) *must have documented organizational*
 17 *experience in the area of sexual assault interven-*
 18 *tion or have entered into a partnership with an*
 19 *organization having such expertise;*

20 “(C) *have expertise in the development of*
 21 *community-based, linguistically and culturally*
 22 *specific outreach and intervention services rel-*
 23 *evant for the specific racial and ethnic commu-*
 24 *nities to whom assistance would be provided or*
 25 *have the capacity to link to existing services in*

1 *the community tailored to the needs of racial*
2 *and ethnic populations; and*

3 “(D) *have an advisory board or steering*
4 *committee and staffing which is reflective of the*
5 *targeted racial and ethnic community.*

6 “(3) *AWARD BASIS.—The Attorney General shall*
7 *award grants under this section on a competitive*
8 *basis.*

9 “(4) *DISTRIBUTION.—*

10 “(A) *The Attorney General shall not use*
11 *more than 2.5 percent of funds appropriated*
12 *under this subsection in any year for adminis-*
13 *tration, monitoring, and evaluation of grants*
14 *made available under this subsection.*

15 “(B) *Up to 5 percent of funds appropriated*
16 *under this subsection in any year shall be avail-*
17 *able for technical assistance by a national, non-*
18 *profit, nongovernmental organization or organi-*
19 *zations whose primary focus and expertise is in*
20 *addressing sexual assault within racial and eth-*
21 *nic communities.*

22 “(5) *TERM.—The Attorney General shall make*
23 *grants under this section for a period of no less than*
24 *2 fiscal years.*

1 “(6) *REPORTING.*—*Each entity receiving a grant*
 2 *under this subsection shall submit a report to the At-*
 3 *torney General that describes the activities carried out*
 4 *with such grant funds.*

5 “(d) *GRANTS TO STATE, TERRITORIAL, AND TRIBAL*
 6 *SEXUAL ASSAULT COALITIONS.*—

7 “(1) *GRANTS AUTHORIZED.*—

8 “(A) *IN GENERAL.*—*The Attorney General*
 9 *shall award grants to State, territorial, and trib-*
 10 *al sexual assault coalitions to assist in sup-*
 11 *porting the establishment, maintenance, and ex-*
 12 *pansion of such coalitions.*

13 “(B) *MINIMUM AMOUNT.*—*Not less than 10*
 14 *percent of the total amount appropriated to*
 15 *carry out this section shall be used for grants*
 16 *under subparagraph (A).*

17 “(C) *ELIGIBLE APPLICANTS.*—*Each of the*
 18 *State, territorial, and tribal sexual assault coal-*
 19 *tions.*

20 “(2) *USE OF FUNDS.*—*Grant funds received*
 21 *under this subsection may be used to—*

22 “(A) *work with local sexual assault pro-*
 23 *grams and other providers of direct services to*
 24 *encourage appropriate responses to sexual as-*
 25 *sault within the State, territory, or tribe;*

1 “(B) work with judicial and law enforce-
 2 ment agencies to encourage appropriate re-
 3 sponses to sexual assault cases;

4 “(C) work with courts, child protective serv-
 5 ices agencies, and children’s advocates to develop
 6 appropriate responses to child custody and visi-
 7 tation issues when sexual assault has been deter-
 8 mined to be a factor;

9 “(D) design and conduct public education
 10 campaigns;

11 “(E) plan and monitor the distribution of
 12 grants and grant funds to their State, territory,
 13 or tribe; or

14 “(F) collaborate with and inform Federal,
 15 State, or local public officials and agencies to de-
 16 velop and implement policies to reduce or elimi-
 17 nate sexual assault.

18 “(3) ALLOCATION AND USE OF FUNDS.—From
 19 amounts appropriated for grants under this sub-
 20 section for each fiscal year—

21 “(A) not less than 10 percent of the funds
 22 shall be available for grants to tribal sexual as-
 23 sault coalitions;

24 “(B) the remaining funds shall be available
 25 for grants to State and territorial coalitions, and

1 *the Attorney General shall allocate an amount*
 2 *equal to $\frac{1}{56}$ of the amounts so appropriated to*
 3 *each of those State and territorial coalitions.*

4 “(4) *APPLICATION.—Each eligible entity desiring*
 5 *a grant under this subsection shall submit an appli-*
 6 *cation to the Attorney General at such time, in such*
 7 *manner, and containing such information as the At-*
 8 *torney General determines to be essential to carry out*
 9 *the purposes of this section.*

10 “(5) *FIRST-TIME APPLICANTS.—No entity shall*
 11 *be prohibited from submitting an application under*
 12 *this subsection during any fiscal year for which funds*
 13 *are available under this subsection because such enti-*
 14 *ty has not previously applied or received funding*
 15 *under this subsection.*

16 “(e) *GRANTS TO TRIBES.—*

17 “(1) *GRANTS AUTHORIZED.—The Attorney Gen-*
 18 *eral may award grants to Indian tribes, tribal orga-*
 19 *nizations, and nonprofit tribal organizations for the*
 20 *operation of sexual assault programs or projects in*
 21 *Indian country and Alaskan Native villages to sup-*
 22 *port the establishment, maintenance, and expansion*
 23 *of programs and projects to assist those victimized by*
 24 *sexual assault.*

25 “(2) *ALLOCATION AND USE OF FUNDS.—*

1 “(A) *ADMINISTRATIVE COSTS.*—Not more
2 *than 5 percent of the grant funds received by an*
3 *Indian tribe, tribal organization, and nonprofit*
4 *tribal organization under this subsection for any*
5 *fiscal year may be used for administrative costs.*

6 “(B) *GRANT FUNDS.*—Any funds received
7 *under this subsection that are not used for ad-*
8 *ministrative costs shall be used to provide grants*
9 *to tribal organizations and nonprofit tribal or-*
10 *ganizations for programs and activities within*
11 *Indian country and Alaskan native villages that*
12 *provide direct intervention and related assist-*
13 *ance.*

14 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—

15 “(1) *IN GENERAL.*—There are authorized to be
16 *appropriated \$50,000,000 for each of the fiscal years*
17 *2006 through 2010 to carry out the provisions of this*
18 *section.*

19 “(2) *ALLOCATIONS.*—Of the total amounts ap-
20 *propriated for each fiscal year to carry out this sec-*
21 *tion—*

22 “(A) *not more than 2.5 percent shall be*
23 *used by the Attorney General for evaluation,*
24 *monitoring, and other administrative costs*
25 *under this section;*

1 “(B) not more than 2.5 percent shall be
2 used for the provision of technical assistance to
3 grantees and subgrantees under this section;

4 “(C) not less than 65 percent shall be used
5 for grants to States and territories under sub-
6 section (b);

7 “(D) not less than 10 percent shall be used
8 for making grants to State, territorial, and trib-
9 al sexual assault coalitions under subsection (d);

10 “(E) not less than 10 percent shall be used
11 for grants to tribes under subsection (e); and

12 “(F) not less than 10 percent shall be used
13 for grants for culturally specific programs ad-
14 dressing sexual assault under subsection (c).”.

15 **SEC. 203. AMENDMENTS TO THE RURAL DOMESTIC VIO-**
16 **LENCE AND CHILD ABUSE ENFORCEMENT AS-**
17 **SISTANCE PROGRAM.**

18 Section 40295 of the Safe Homes for Women Act of
19 1994 (42 U.S.C. 13971) is amended to read as follows:

20 **“SEC. 40295. RURAL DOMESTIC VIOLENCE, DATING VIO-**
21 **LENCE, SEXUAL ASSAULT, STALKING, AND**
22 **CHILD ABUSE ENFORCEMENT ASSISTANCE.**

23 “(a) *PURPOSES.*—The purposes of this section are—

24 “(1) to identify, assess, and appropriately re-
25 spond to child, youth, and adult victims of domestic

1 *violence, sexual assault, dating violence, and stalking*
 2 *in rural communities, by encouraging collaboration*
 3 *among—*

4 “(A) domestic violence, dating violence, sex-
 5 ual assault, and stalking victim service pro-
 6 viders;

7 “(B) law enforcement agencies;

8 “(C) prosecutors;

9 “(D) courts;

10 “(E) other criminal justice service pro-
 11 viders;

12 “(F) human and community service pro-
 13 viders;

14 “(G) educational institutions; and

15 “(H) health care providers;

16 “(2) to establish and expand nonprofit, non-
 17 governmental, State, tribal, territorial, and local gov-
 18 ernment victim services in rural communities to
 19 child, youth, and adult victims; and

20 “(3) to increase the safety and well-being of
 21 women and children in rural communities, by—

22 “(A) dealing directly and immediately with
 23 domestic violence, sexual assault, dating violence,
 24 and stalking occurring in rural communities;
 25 and

1 “(B) creating and implementing strategies
2 to increase awareness and prevent domestic vio-
3 lence, sexual assault, dating violence, and stalk-
4 ing.

5 “(b) GRANTS AUTHORIZED.—The Attorney General,
6 acting through the Director of the Office on Violence Against
7 Women (referred to in this section as the ‘Director’), may
8 award grants to States, Indian tribes, local governments,
9 and nonprofit, public or private entities, including tribal
10 nonprofit organizations, to carry out programs serving
11 rural areas or rural communities that address domestic vio-
12 lence, dating violence, sexual assault, and stalking by—

13 “(1) implementing, expanding, and establishing
14 cooperative efforts and projects among law enforce-
15 ment officers, prosecutors, victim advocacy groups,
16 and other related parties to investigate and prosecute
17 incidents of domestic violence, dating violence, sexual
18 assault, and stalking;

19 “(2) providing treatment, counseling, advocacy,
20 and other long- and short-term assistance to adult
21 and minor victims of domestic violence, dating vio-
22 lence, sexual assault, and stalking in rural commu-
23 nities, including assistance in immigration matters;
24 and

1 “(3) *working in cooperation with the community*
2 *to develop education and prevention strategies di-*
3 *rected toward such issues.*

4 “(c) *USE OF FUNDS.—Funds appropriated pursuant*
5 *to this section shall be used only for specific programs and*
6 *activities expressly described in subsection (a).*

7 “(d) *ALLOTMENTS AND PRIORITIES.—*

8 “(1) *ALLOTMENT FOR INDIAN TRIBES.—Not less*
9 *than 10 percent of the total amount made available*
10 *for each fiscal year to carry out this section shall be*
11 *allocated for grants to Indian tribes or tribal organi-*
12 *zations.*

13 “(2) *ALLOTMENT FOR SEXUAL ASSAULT.—*

14 “(A) *IN GENERAL.—Not less than 25 per-*
15 *cent of the total amount appropriated in a fiscal*
16 *year under this section shall fund services that*
17 *meaningfully address sexual assault in rural*
18 *communities, however at such time as the*
19 *amounts appropriated reach the amount of*
20 *\$45,000,000, the percentage allocated shall rise to*
21 *30 percent of the total amount appropriated, at*
22 *such time as the amounts appropriated reach the*
23 *amount of \$50,000,000, the percentage allocated*
24 *shall rise to 35 percent of the total amount ap-*
25 *propriated, and at such time as the amounts ap-*

1 *appropriated reach the amount of \$55,000,000, the*
 2 *percentage allocated shall rise to 40 percent of*
 3 *the amounts appropriated.*

4 *“(B) MULTIPLE PURPOSE APPLICATIONS.—*
 5 *Nothing in this section shall prohibit any appli-*
 6 *cant from applying for funding to address sexual*
 7 *assault, domestic violence, stalking, or dating vi-*
 8 *olence in the same application.*

9 *“(3) ALLOTMENT FOR TECHNICAL ASSISTANCE.—*
 10 *Of the amounts appropriated for each fiscal year to*
 11 *carry out this section, not more than 8 percent may*
 12 *be used by the Director for technical assistance costs.*
 13 *Of the amounts appropriated in this section, no less*
 14 *than 25 percent of such amounts shall be available to*
 15 *a nonprofit, nongovernmental organization or organi-*
 16 *zations whose focus and expertise is in addressing sex-*
 17 *ual assault to provide technical assistance to sexual*
 18 *assault grantees.*

19 *“(4) UNDERSERVED POPULATIONS.—In award-*
 20 *ing grants under this section, the Director shall give*
 21 *priority to the needs of racial, ethnic, and other un-*
 22 *derserved populations.*

23 *“(5) ALLOCATION OF FUNDS FOR RURAL*
 24 *STATES.—Not less than 75 percent of the total*
 25 *amount made available for each fiscal year to carry*

1 *out this section shall be allocated to eligible entities*
 2 *located in rural States.*

3 “(e) *AUTHORIZATION OF APPROPRIATIONS.—*

4 “(1) *IN GENERAL.—There are authorized to be*
 5 *appropriated \$55,000,000 for each of the fiscal years*
 6 *2006 through 2010 to carry out this section.*

7 “(2) *ADDITIONAL FUNDING.—In addition to*
 8 *funds received through a grant under subsection (b),*
 9 *a law enforcement agency may use funds received*
 10 *through a grant under part Q of title I of the Omni-*
 11 *bus Crime Control and Safe Streets Act of 1968 (42*
 12 *U.S.C. 3796dd et seq.) to accomplish the objectives of*
 13 *this section.”.*

14 **SEC. 204. TRAINING AND SERVICES TO END VIOLENCE**
 15 **AGAINST WOMEN WITH DISABILITIES.**

16 (a) *IN GENERAL.—Section 1402 of the Violence*
 17 *Against Women Act of 2000 (42 U.S.C. 3796gg–7) is*
 18 *amended to read as follows:*

19 **“SEC. 1402. EDUCATION, TRAINING, AND ENHANCED SERV-**
 20 **ICES TO END VIOLENCE AGAINST AND ABUSE**
 21 **OF WOMEN WITH DISABILITIES.**

22 “(a) *IN GENERAL.—The Attorney General, in con-*
 23 *sultation with the Secretary of Health and Human Serv-*
 24 *ices, may award grants to eligible entities—*

1 “(1) to provide training, consultation, and infor-
2 mation on domestic violence, dating violence, stalking,
3 and sexual assault against individuals with disabili-
4 ties (as defined in section 3 of the Americans with
5 Disabilities Act of 1990 (42 U.S.C. 12102)); and

6 “(2) to enhance direct services to such individ-
7 uals.

8 “(b) *USE OF FUNDS.*—Grants awarded under this sec-
9 tion shall be used—

10 “(1) to provide personnel, training, technical as-
11 sistance, advocacy, intervention, risk reduction and
12 prevention of domestic violence, dating violence, stalk-
13 ing, and sexual assault against disabled individuals;

14 “(2) to conduct outreach activities to ensure that
15 disabled individuals who are victims of domestic vio-
16 lence, dating violence, stalking, or sexual assault re-
17 ceive appropriate assistance;

18 “(3) to conduct cross-training for victim service
19 organizations, governmental agencies, courts, law en-
20 forcement, and nonprofit, nongovernmental organiza-
21 tions serving individuals with disabilities about risk
22 reduction, intervention, prevention and the nature of
23 domestic violence, dating violence, stalking, and sex-
24 ual assault for disabled individuals;

1 “(4) to provide technical assistance to assist with
2 modifications to existing policies, protocols, and pro-
3 cedures to ensure equal access to the services, pro-
4 grams, and activities of victim service organizations
5 for disabled individuals;

6 “(5) to provide training and technical assistance
7 on the requirements of shelters and victim services or-
8 ganizations under Federal antidiscrimination laws,
9 including—

10 “(A) the Americans with Disabilities Act of
11 1990; and

12 “(B) section 504 of the Rehabilitation Act of
13 1973;

14 “(6) to rehabilitate facilities, purchase equip-
15 ment, and provide personnel so that shelters and vic-
16 tim service organizations can accommodate the needs
17 of disabled individuals;

18 “(7) to provide advocacy and intervention serv-
19 ices for disabled individuals who are victims of do-
20 mestic violence, dating violence, stalking, or sexual
21 assault; or

22 “(8) to develop model programs providing advo-
23 cacy and intervention services within organizations
24 serving disabled individuals who are victims of do-

1 *mestic violence, dating violence, sexual assault, or*
 2 *stalking.*

3 “(c) *ELIGIBLE ENTITIES.*—

4 “(1) *IN GENERAL.*—*An entity shall be eligible to*
 5 *receive a grant under this section if the entity is—*

6 “(A) *a State;*

7 “(B) *a unit of local government;*

8 “(C) *an Indian tribal government or tribal*
 9 *organization; or*

10 “(D) *a nonprofit and nongovernmental vic-*
 11 *tim services organization, such as a State domes-*
 12 *tic violence or sexual assault coalition or a non-*
 13 *profit, nongovernmental organization serving*
 14 *disabled individuals.*

15 “(2) *LIMITATION.*—*A grant awarded for the pur-*
 16 *pose described in subsection (b)(8) shall only be*
 17 *awarded to an eligible agency (as defined in section*
 18 *410 of the Rehabilitation Act of 1973 (29 U.S.C.*
 19 *796f–5).*

20 “(d) *UNDERSERVED POPULATIONS.*—*In awarding*
 21 *grants under this section, the Director shall ensure that the*
 22 *needs of racial and ethnic and other underserved popu-*
 23 *lations are being addressed.*

1 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 2 *authorized to be appropriated \$10,000,000 for each of the*
 3 *fiscal years 2006 through 2010 to carry out this section.*”.

4 **SEC. 205. TRAINING AND SERVICES TO END VIOLENCE**
 5 **AGAINST WOMEN IN LATER LIFE.**

6 (a) *TRAINING PROGRAMS.*—*Section 40802 of the Vio-*
 7 *lence Against Women Act of 1994 (42 U.S.C. 14041a) is*
 8 *amended to read as follows:*

9 **“SEC. 40802. ENHANCED TRAINING AND SERVICES TO END**
 10 **VIOLENCE AGAINST AND ABUSE OF WOMEN**
 11 **LATER IN LIFE.**

12 “(a) *GRANTS AUTHORIZED.*—*The Attorney General,*
 13 *through the Director of the Office on Violence Against*
 14 *Women, may award grants, which may be used for—*

15 “(1) *training programs to assist law enforce-*
 16 *ment, prosecutors, governmental agencies, victim as-*
 17 *stants, and relevant officers of Federal, State, tribal,*
 18 *territorial, and local courts in recognizing, address-*
 19 *ing, investigating, and prosecuting instances of elder*
 20 *abuse, neglect, and exploitation, including domestic*
 21 *violence, dating violence, sexual assault, or stalking*
 22 *against victims who are 50 years of age or older;*

23 “(2) *providing or enhancing services for victims*
 24 *of elder abuse, neglect, and exploitation, including do-*

1 *mestic violence, dating violence, sexual assault, or*
 2 *stalking, who are 50 years of age or older;*

3 *“(3) increasing the physical accessibility of*
 4 *buildings in which services are or will be rendered for*
 5 *victims of elder abuse, neglect, and exploitation, in-*
 6 *cluding domestic violence, dating violence, sexual as-*
 7 *sault, and stalking, who are 50 years of age or older;*

8 *“(4) creating or supporting multidisciplinary*
 9 *collaborative community responses to victims of elder*
 10 *abuse, neglect, and exploitation, including domestic*
 11 *violence, dating violence, sexual assault, and stalking,*
 12 *who are 50 years of age or older; and*

13 *“(5) conducting cross-training for victim service*
 14 *organizations, governmental agencies, courts, law en-*
 15 *forcement, and nonprofit, nongovernmental organiza-*
 16 *tions serving victims of elder abuse, neglect, and ex-*
 17 *ploitation, including domestic violence, dating vio-*
 18 *lence, sexual assault, and stalking, who are 50 years*
 19 *of age or older.*

20 *“(b) ELIGIBLE ENTITIES.—An entity shall be eligible*
 21 *to receive a grant under this section if the entity is—*

22 *“(1) a State;*

23 *“(2) a unit of local government;*

24 *“(3) an Indian tribal government or tribal orga-*
 25 *nization; or*

(c) *AUTHORIZATION OF APPROPRIATIONS.—Section 40803 of the Violence Against Women Act of 1994 (42 U.S.C. 14041b) is amended by striking “\$5,000,000 for each of fiscal years 2001 through 2005” and inserting “\$10,000,000 for each of the fiscal years 2006 through 2010”.*

17 *SEC. 206. STRENGTHENING THE NATIONAL DOMESTIC VIO-*
18 *LENCE HOTLINE.*

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

(1) in subsection (d), by adding at the end the following:

23 “(5) provide technology and telecommunication
24 training and assistance for advocates, volunteers,
25 staff, and others affiliated with the hotline so that

1 *such persons are able to effectively use improved*
 2 *equipment made available through the Connections*
 3 *Campaign.”;*

4 *(2) in subsection (g)—*

5 *(A) in paragraph (1), by striking*
 6 *“\$3,500,000” and all that follows and inserting*
 7 *“\$5,000,000 for each of fiscal years 2006 through*
 8 *2010.”;*

9 *(B) by striking paragraph (2); and*

10 *(C) by redesignating paragraph (3) as*
 11 *paragraph (2); and*

12 *(3) by striking subsection (e) and redesignating*
 13 *subsections (f) and (g) as subsections (e) and (f), re-*
 14 *spectively.*

15 ***TITLE III—SERVICES, PROTEC-***
 16 ***TION, AND JUSTICE FOR***
 17 ***YOUNG VICTIMS OF VIO-***
 18 ***LENCE***

19 ***SEC. 301. FINDINGS.***

20 *Congress finds the following:*

21 *(1) Youth, under the age of 18, account for 67*
 22 *percent of all sexual assault victimizations reported to*
 23 *law enforcement officials.*

24 *(2) The Department of Justice consistently finds*
 25 *that young women between the ages of 16 and 24 ex-*

1 *perience the highest rate of non-fatal intimate partner*
2 *violence.*

3 (3) *In 1 year, over 4,000 incidents of rape or*
4 *sexual assault occurred in public schools across the*
5 *country.*

6 (4) *Young people experience particular obstacles*
7 *to seeking help. They often do not have access to*
8 *money, transportation, or shelter services. They must*
9 *overcome issues such as distrust of adults, lack of*
10 *knowledge about available resources, or pressure from*
11 *peers and parents.*

12 (5) *A needs assessment on teen relationship*
13 *abuse for the State of California, funded by the Cali-*
14 *fornia Department of Health Services, identified a de-*
15 *sire for confidentiality and confusion about the law*
16 *as 2 of the most significant barriers to young victims*
17 *of domestic and dating violence seeking help.*

18 (6) *Only one State specifically allows for minors*
19 *to petition the court for protection orders.*

20 (7) *Many youth are involved in dating relation-*
21 *ships, and these relationships can include the same*
22 *kind of domestic violence and dating violence seen in*
23 *the adult population. In fact, more than 40 percent*
24 *of all incidents of domestic violence involve people*
25 *who are not married.*

1 (8) 40 percent of girls ages 14 to 17 report know-
 2 ing someone their age who has been hit or beaten by
 3 a boyfriend, and 13 percent of college women report
 4 being stalked.

5 (9) Of college women who said they had been the
 6 victims of rape or attempted rape, 12.8 percent of
 7 completed rapes, 35 percent of attempted rapes, and
 8 22.9 percent of threatened rapes took place on a date.
 9 Almost 60 percent of the completed rapes that oc-
 10 curred on campus took place in the victim's residence.

11 (10) According to a 3-year study of student-ath-
 12 letes at 10 Division I universities, male athletes made
 13 up only 3.3 percent of the general male university
 14 population, but they accounted for 19 percent of the
 15 students reported for sexual assault and 35 percent of
 16 domestic violence perpetrators.

17 **SEC. 302. RAPE PREVENTION AND EDUCATION.**

18 Section 393B(c) of part J of title III of the Public
 19 Health Service Act (42 U.S.C. 280b-1c(c)) is amended to
 20 read as follows:

21 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—

22 “(1) *IN GENERAL.*—There is authorized to be ap-
 23 propriated to carry out this section \$80,000,000 for
 24 each of fiscal years 2006 through 2010.

1 “(2) *NATIONAL SEXUAL VIOLENCE RESOURCE*
 2 *CENTER ALLOTMENT.*—Of the total amount made
 3 available under this subsection in each fiscal year,
 4 not less than \$1,500,000 shall be available for allot-
 5 ment under subsection (b).”.

6 **SEC. 303. SERVICES, EDUCATION, PROTECTION, AND JUS-**
 7 **TICE FOR YOUNG VICTIMS OF VIOLENCE.**

8 *The Violence Against Women Act of 1994 (Public Law*
 9 *103–322, Stat. 1902 et seq.) is amended by adding at the*
 10 *end the following:*

11 **“Subtitle L—Services, Education,**
 12 **Protection and Justice for**
 13 **Young Victims of Violence**

14 **“SEC. 41201. SERVICES TO ADVOCATE FOR AND RESPOND**
 15 **TO YOUTH.**

16 “(a) *GRANTS AUTHORIZED.*—The Attorney General,
 17 in consultation with the Department of Health and Human
 18 Services, shall award grants to eligible entities to conduct
 19 programs to serve victims of domestic violence, dating vio-
 20 lence, sexual assault, and stalking who are between the ages
 21 of 12 and 24. Amounts appropriated under this section may
 22 only be used for programs and activities described under
 23 subsection (c).

24 “(b) *ELIGIBLE GRANTEES.*—To be eligible to receive
 25 a grant under this section, an entity shall be—

1 “(1) a nonprofit, nongovernmental entity, the
 2 primary purpose of which is to provide services to
 3 teen and young adult victims of domestic violence,
 4 dating violence, sexual assault, or stalking;

5 “(2) a community-based organization special-
 6 izing in intervention or violence prevention services
 7 for youth;

8 “(3) an Indian Tribe or tribal organization pro-
 9 viding services primarily to tribal youth or tribal vic-
 10 tims of domestic violence, dating violence, sexual as-
 11 sault or stalking; or

12 “(4) a nonprofit, nongovernmental entity pro-
 13 viding services for runaway or homeless youth affected
 14 by domestic or sexual abuse.

15 “(c) *USE OF FUNDS.*—

16 “(1) *IN GENERAL.*—An entity that receives a
 17 grant under this section shall use amounts provided
 18 under the grant to design or replicate, and imple-
 19 ment, programs and services, using domestic violence,
 20 dating violence, sexual assault, and stalking interven-
 21 tion models to respond to the needs of youth who are
 22 victims of domestic violence, dating violence, sexual
 23 assault or stalking.

24 “(2) *TYPES OF PROGRAMS.*—Such a program—

1 “(A) shall provide direct counseling and ad-
2 vocacy for youth and young adults, who have ex-
3 perienced domestic violence, dating violence, sex-
4 ual assault or stalking;

5 “(B) shall include linguistically, culturally,
6 and community relevant services for racial, eth-
7 nic, and other underserved populations or link-
8 ages to existing services in the community tai-
9 lored to the needs of underserved populations;

10 “(C) may include mental health services for
11 youth and young adults who have experienced
12 domestic violence, dating violence, sexual assault,
13 or stalking;

14 “(D) may include legal advocacy efforts on
15 behalf of youth and young adults with respect to
16 domestic violence, dating violence, sexual assault
17 or stalking;

18 “(E) may work with public officials and
19 agencies to develop and implement policies,
20 rules, and procedures in order to reduce or elimi-
21 nate domestic violence, dating violence, sexual
22 assault, and stalking against youth and young
23 adults; and

24 “(F) may use not more than 25 percent of
25 the grant funds to provide additional services

1 *and resources for youth, including childcare,*
 2 *transportation, educational support, and respite*
 3 *care.*

4 “(d) *AWARDS BASIS.*—

5 “(1) *GRANTS TO INDIAN TRIBES.*—*Not less than*
 6 *7 percent of funds appropriated under this section in*
 7 *any year shall be available for grants to Indian*
 8 *Tribes or tribal organizations.*

9 “(2) *ADMINISTRATION.*—*The Attorney General*
 10 *shall not use more than 2.5 percent of funds appro-*
 11 *priated under this section in any year for adminis-*
 12 *tration, monitoring, and evaluation of grants made*
 13 *available under this section.*

14 “(3) *TECHNICAL ASSISTANCE.*—*Not less than 5*
 15 *percent of funds appropriated under this section in*
 16 *any year shall be available to provide technical assist-*
 17 *ance for programs funded under this section.*

18 “(e) *TERM.*—*The Attorney General shall make the*
 19 *grants under this section for a period of 3 fiscal years.*

20 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 21 *authorized to be appropriated to carry out this section,*
 22 *\$15,000,000 for each of fiscal years 2006 through 2010.*

23 **“SEC. 41202. ACCESS TO JUSTICE FOR YOUTH.**

24 “(a) *PURPOSE.*—*It is the purpose of this section to en-*
 25 *courage cross training and collaboration between the courts,*

1 *domestic violence and sexual assault service providers,*
 2 *youth organizations and service providers, violence preven-*
 3 *tion programs, and law enforcement agencies, so that com-*
 4 *munities can establish and implement policies, procedures,*
 5 *and practices to protect and more comprehensively and ef-*
 6 *fectively serve young victims of dating violence, domestic*
 7 *violence, sexual assault, and stalking who are between the*
 8 *ages of 12 and 24, and to engage, where necessary, other*
 9 *entities addressing the safety, health, mental health, social*
 10 *service, housing, and economic needs of young victims of*
 11 *domestic violence, dating violence, sexual assault, and stalk-*
 12 *ing, including community-based supports such as schools,*
 13 *local health centers, community action groups, and neigh-*
 14 *borhood coalitions.*

15 “(b) *GRANT AUTHORITY.*—

16 “(1) *IN GENERAL.*—*The Attorney General,*
 17 *through the Director of the Office on Violence Against*
 18 *Women (in this section referred to as the ‘Director’),*
 19 *shall make grants to eligible entities to carry out the*
 20 *purposes of this section.*

21 “(2) *GRANT PERIODS.*—*Grants shall be awarded*
 22 *under this section for a period of 2 fiscal years.*

23 “(3) *ELIGIBLE ENTITIES.*—*To be eligible for a*
 24 *grant under this section, a grant applicant shall es-*
 25 *tablish a collaboration that—*

1 “(A) shall include a victim service provider
2 that has a documented history of effective work
3 concerning domestic violence, dating violence,
4 sexual assault, or stalking and the effect that
5 those forms of abuse have on young people;

6 “(B) shall include a court or law enforce-
7 ment agency partner; and

8 “(C) may include—

9 “(i) batterer intervention programs or
10 sex offender treatment programs with spe-
11 cialized knowledge and experience working
12 with youth offenders;

13 “(ii) community-based youth organiza-
14 tions that deal specifically with the concerns
15 and problems faced by youth, including pro-
16 grams that target teen parents and racial,
17 ethnic, and other underserved communities;

18 “(iii) schools or school-based programs
19 designed to provide prevention or interven-
20 tion services to youth experiencing prob-
21 lems;

22 “(iv) faith-based entities that deal with
23 the concerns and problems faced by youth;

24 “(v) healthcare entities eligible for re-
25 imbursement under title XVIII of the Social

1 *Security Act, including providers that tar-*
 2 *get the special needs of youth;*

3 “(vi) *education programs on HIV and*
 4 *other sexually transmitted diseases that are*
 5 *designed to target teens;*

6 “(vii) *Indian Health Services, Indian*
 7 *Child Welfare, the Bureau of Indian Af-*
 8 *fairs, or the Federal Bureau of Investiga-*
 9 *tions; or*

10 “(viii) *law enforcement agencies of the*
 11 *Bureau of Indian Affairs providing tribal*
 12 *law enforcement.*

13 “(c) *USES OF FUNDS.—An entity that receives a grant*
 14 *under this section shall use the funds made available*
 15 *through the grant for cross-training and collaborative ef-*
 16 *forts—*

17 “(1) *addressing domestic violence, dating vio-*
 18 *lence, sexual assault, and stalking, assessing and ana-*
 19 *lyzing currently available services for youth and*
 20 *young adult victims, determining relevant barriers to*
 21 *such services in a particular locality, and developing*
 22 *a community protocol to address such problems col-*
 23 *laboratively;*

24 “(2) *to establish and enhance linkages and col-*
 25 *laboration between—*

1 “(A) domestic violence and sexual assault
2 service providers; and

3 “(B) where applicable, law enforcement
4 agencies, courts, Federal agencies, and other en-
5 tities addressing the safety, health, mental
6 health, social service, housing, and economic
7 needs of young victims of abuse, including com-
8 munity-based supports such as schools, local
9 health centers, community action groups, and
10 neighborhood coalitions—

11 “(i) to respond effectively and com-
12 prehensively to the varying needs of young
13 victims of abuse;

14 “(ii) to include linguistically, cul-
15 turally, and community relevant services
16 for racial, ethnic, and other underserved
17 populations or linkages to existing services
18 in the community tailored to the needs of
19 underserved populations; and

20 “(iii) to include where appropriate
21 legal assistance, referral services, and pa-
22 rental support;

23 “(3) to educate the staff of courts, domestic vio-
24 lence and sexual assault service providers, and, as ap-
25 plicable, the staff of law enforcement agencies, Indian

1 *child welfare agencies, youth organizations, schools,*
2 *healthcare providers, and other community prevention*
3 *and intervention programs to responsibly address*
4 *youth victims and perpetrators of domestic violence,*
5 *dating violence, sexual assault, and stalking;*

6 *“(4) to identify, assess, and respond appro-*
7 *priately to dating violence, domestic violence, sexual*
8 *assault, or stalking against teens and young adults*
9 *and meet the needs of young victims of violence; and*
10 *“(5) to provide appropriate resources in juvenile*
11 *court matters to respond to dating violence, domestic*
12 *violence, sexual assault, and stalking and ensure nec-*
13 *essary services dealing with the health and mental*
14 *health of victims are available.*

15 *“(d) GRANT APPLICATIONS.—To be eligible for a grant*
16 *under this section, the entities that are members of the ap-*
17 *plicant collaboration described in subsection (b)(3) shall*
18 *jointly submit an application to the Director at such time,*
19 *in such manner, and containing such information as the*
20 *Director may require.*

21 *“(e) PRIORITY.—In awarding grants under this sec-*
22 *tion, the Director shall give priority to entities that have*
23 *submitted applications in partnership with community or-*
24 *ganizations and service providers that work primarily with*
25 *youth, especially teens, and who have demonstrated a com-*

1 *mitment to coalition building and cooperative problem solv-*
2 *ing in dealing with problems of dating violence, domestic*
3 *violence, sexual assault, and stalking in teen populations.*

4 “(f) *DISTRIBUTION.—In awarding grants under this*
5 *section—*

6 “(1) *not less than 10 percent of funds appro-*
7 *priated under this section in any year shall be avail-*
8 *able to Indian tribal governments to establish and*
9 *maintain collaborations involving the appropriate*
10 *tribal justice and social services departments or do-*
11 *mestic violence or sexual assault service providers, the*
12 *purpose of which is to provide culturally appropriate*
13 *services to American Indian women or youth;*

14 “(2) *the Director shall not use more than 2.5*
15 *percent of funds appropriated under this section in*
16 *any year for monitoring and evaluation of grants*
17 *made available under this section;*

18 “(3) *the Attorney General of the United States*
19 *shall not use more than 2.5 percent of funds appro-*
20 *priated under this section in any year for adminis-*
21 *tration of grants made available under this section;*
22 *and*

23 “(4) *up to 8 percent of funds appropriated under*
24 *this section in any year shall be available to provide*

1 *technical assistance for programs funded under this*
2 *section.*

3 “(g) *DISSEMINATION OF INFORMATION.*—*Not later*
4 *than 12 months after the end of the grant period under this*
5 *section, the Director shall prepare, submit to Congress, and*
6 *make widely available, including through electronic means,*
7 *summaries that contain information on—*

8 “(1) *the activities implemented by the recipients*
9 *of the grants awarded under this section; and*

10 “(2) *related initiatives undertaken by the Direc-*
11 *tor to promote attention to dating violence, domestic*
12 *violence, sexual assault, and stalking and their im-*
13 *pact on young victims by—*

14 “(A) *the staffs of courts;*

15 “(B) *domestic violence, dating violence, sex-*
16 *ual assault, and stalking victim service pro-*
17 *viders; and*

18 “(C) *law enforcement agencies and commu-*
19 *nity organizations.*

20 “(h) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
21 *are authorized to be appropriated to carry out this section,*
22 *\$5,000,000 in each of fiscal years 2006 through 2010.*

1 **“SEC. 41203. GRANTS FOR TRAINING AND COLLABORATION**
2 **ON THE INTERSECTION BETWEEN DOMESTIC**
3 **VIOLENCE AND CHILD MALTREATMENT.**

4 “(a) *PURPOSE.*—*The purpose of this section is to sup-*
5 *port efforts by child welfare agencies, domestic violence or*
6 *dating violence victim services providers, courts, law en-*
7 *forcement, and other related professionals and community*
8 *organizations to develop collaborative responses and services*
9 *and provide cross-training to enhance community responses*
10 *to families where there is both child maltreatment and do-*
11 *mestic violence.*

12 “(b) *GRANTS AUTHORIZED.*—*The Secretary of the De-*
13 *partment of Health and Human Services (in this section*
14 *referred to as the ‘Secretary’), through the Family and*
15 *Youth Services Bureau, and in consultation with the Office*
16 *on Violence Against Women, shall award grants on a com-*
17 *petitive basis to eligible entities for the purposes and in the*
18 *manner described in this section.*

19 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
20 *authorized to be appropriated to carry out this section*
21 *\$5,000,000 for each of fiscal years 2006 through 2010.*
22 *Funds appropriated under this section shall remain avail-*
23 *able until expended. Of the amounts appropriated to carry*
24 *out this section for each fiscal year, the Secretary shall—*

25 “(1) *use not more than 3 percent for evaluation,*
26 *monitoring, site visits, grantee conferences, and other*

1 *administrative costs associated with conducting ac-*
2 *tivities under this section;*

3 *“(2) set aside not more than 7 percent for grants*
4 *to Indian tribes to develop programs addressing child*
5 *maltreatment and domestic violence or dating vio-*
6 *lence that are operated by, or in partnership with, a*
7 *tribal organization; and*

8 *“(3) set aside up to 8 percent for technical as-*
9 *sistance and training to be provided by organizations*
10 *having demonstrated expertise in developing collabo-*
11 *rative community and system responses to families in*
12 *which there is both child maltreatment and domestic*
13 *violence or dating violence, which technical assistance*
14 *and training may be offered to jurisdictions in the*
15 *process of developing community responses to families*
16 *in which children are exposed to child maltreatment*
17 *and domestic violence or dating violence, whether or*
18 *not they are receiving funds under this section.*

19 *“(d) UNDERSERVED POPULATIONS.—In awarding*
20 *grants under this section, the Secretary shall consider the*
21 *needs of racial, ethnic, and other underserved populations.*

22 *“(e) GRANT AWARDS.—The Secretary shall award*
23 *grants under this section for periods of not more than 2*
24 *fiscal years.*

1 “(f) *USES OF FUNDS.—Entities receiving grants*
 2 *under this section shall use amounts provided to develop*
 3 *collaborative responses and services and provide cross-train-*
 4 *ing to enhance community responses to families where there*
 5 *is both child maltreatment and domestic violence or dating*
 6 *violence. Amounts distributed under this section may only*
 7 *be used for programs and activities described in subsection*
 8 *(g).*

9 “(g) *PROGRAMS AND ACTIVITIES.—The programs and*
 10 *activities developed under this section shall—*

11 “(1) *encourage cross training, education, service*
 12 *development, and collaboration among child welfare*
 13 *agencies, domestic violence victim service providers,*
 14 *and courts, law enforcement agencies, community-*
 15 *based programs, and other entities, in order to ensure*
 16 *that such entities have the capacity to and will iden-*
 17 *tify, assess, and respond appropriately to—*

18 “(A) *domestic violence or dating violence in*
 19 *homes where children are present and may be ex-*
 20 *posed to the violence;*

21 “(B) *domestic violence or dating violence in*
 22 *child protection cases; and*

23 “(C) *the needs of both the child and non-*
 24 *abusing parent;*

1 “(2) establish and implement policies, proce-
2 dures, programs, and practices for child welfare agen-
3 cies, domestic violence victim service providers, courts,
4 law enforcement agencies, and other entities, that are
5 consistent with the principles of protecting and in-
6 creasing the immediate and long-term safety and well
7 being of children and non-abusing parents and care-
8 takers;

9 “(3) increase cooperation and enhance linkages
10 between child welfare agencies, domestic violence vic-
11 tim service providers, courts, law enforcement agen-
12 cies, and other entities to provide more comprehensive
13 community-based services (including health, mental
14 health, social service, housing, and neighborhood re-
15 sources) to protect and to serve both child and adult
16 victims;

17 “(4) identify, assess, and respond appropriately
18 to domestic violence or dating violence in child pro-
19 tection cases and to child maltreatment when it co-
20 occurs with domestic violence or dating violence;

21 “(5) analyze and change policies, procedures,
22 and protocols that contribute to overrepresentation of
23 racial and ethnic minorities in the court and child
24 welfare system; and

1 “(6) provide appropriate referrals to community-
2 based programs and resources, such as health and
3 mental health services, shelter and housing assistance
4 for adult and youth victims and their children, legal
5 assistance and advocacy for adult and youth victims,
6 assistance for parents to help their children cope with
7 the impact of exposure to domestic violence or dating
8 violence and child maltreatment, appropriate inter-
9 vention and treatment for adult perpetrators of do-
10 mestic violence or dating violence whose children are
11 the subjects of child protection cases, programs pro-
12 viding support and assistance to racial and ethnic
13 populations, and other necessary supportive services.

14 “(i) *GRANTEE REQUIREMENTS.*—

15 “(1) *APPLICATIONS.*—Under this section, an en-
16 tity shall prepare and submit to the Secretary an ap-
17 plication at such time, in such manner, and con-
18 taining such information as the Secretary may re-
19 quire, consistent with the requirements described here-
20 in. The application shall—

21 “(A) ensure that communities impacted by
22 these systems or organizations are adequately
23 represented in the development of the applica-
24 tion, the programs and activities to be under-

1 *taken, and that they have a significant role in*
 2 *evaluating the success of the project;*

3 “(B) *describe how the training and collabo-*
 4 *ration activities will enhance or ensure the safety*
 5 *and economic security of families where both*
 6 *child maltreatment and domestic violence or dat-*
 7 *ing violence occurs by providing appropriate re-*
 8 *sources, protection, and support to the victimized*
 9 *parents of such children and to the children*
 10 *themselves; and*

11 “(C) *outline methods and means partici-*
 12 *parting entities will use to ensure that all services*
 13 *are provided in a developmentally, linguistically*
 14 *and culturally competent manner and will uti-*
 15 *lize community-based supports and resources.*

16 “(2) *ELIGIBLE ENTITIES.—To be eligible for a*
 17 *grant under this section, an entity shall be a collabo-*
 18 *ration that—*

19 “(A) *shall include a State or local child*
 20 *welfare agency or Indian Tribe;*

21 “(B) *shall include a domestic violence or*
 22 *dating violence victim service provider;*

23 “(C) *shall include a law enforcement agency*
 24 *or Bureau of Indian Affairs providing tribal law*
 25 *enforcement;*

1 “(D) may include a court; and

2 “(E) may include any other such agencies
3 or private nonprofit organizations and faith-
4 based organizations, including community-based
5 organizations, with the capacity to provide effec-
6 tive help to the child and adult victims served by
7 the collaboration.”.

8 **SEC. 304. GRANTS TO REDUCE VIOLENCE AGAINST WOMEN**
9 **ON CAMPUS.**

10 Section 826 of the Higher Education Amendments of
11 1998 (20 U.S.C. 1152) is amended—

12 (1) in subsection (a)(2), by adding at the end the
13 following: “The Attorney General, through the Direc-
14 tor of the Office on Violence Against Women, shall
15 award the grants in amounts of not more than
16 \$500,000 for individual institutions of higher edu-
17 cation and not more than \$1,000,000 for consortia of
18 such institutions.”;

19 (2) in subsection (b)—

20 (A) in paragraph (2)—

21 (i) by inserting “develop and imple-
22 ment campus policies, protocols, and serv-
23 ices that” after “boards to”; and

24 (ii) by adding at the end the following:

25 “Within 90 days after the date of enactment

1 *of the Violence Against Women Act of 2005,*
2 *the Attorney General shall issue and make*
3 *available minimum standards of training*
4 *relating to violent crimes against women on*
5 *campus, for all campus security personnel*
6 *and personnel serving on campus discipli-*
7 *nary or judicial boards.”;*

8 *(B) in paragraph (4), by striking all that*
9 *follows “strengthen” and inserting: “victim serv-*
10 *ices programs on the campuses of the institutions*
11 *involved, including programs providing legal,*
12 *medical, or psychological counseling, for victims*
13 *of domestic violence, stalking, dating violence, or*
14 *sexual assault, and to improve delivery of victim*
15 *assistance on campus. To the extent practicable,*
16 *such an institution shall collaborate with any*
17 *entities carrying out nonprofit and other victim*
18 *services programs, including sexual assault, do-*
19 *mestic violence, stalking, and dating violence vic-*
20 *tim services programs in the community in*
21 *which the institution is located. If appropriate*
22 *victim services programs are not available in the*
23 *community or are not accessible to students, the*
24 *institution shall, to the extent practicable, pro-*
25 *vide a victim services program on campus or*

1 *create a victim services program in collaboration*
2 *with a community-based organization. The insti-*
3 *tution shall use not less than 20 percent of the*
4 *funds made available through the grant for a*
5 *victim services program provided in accordance*
6 *with this paragraph.”;*

7 *(C) by striking paragraphs (6) and (8);*

8 *(D) by redesignating paragraphs (7), (9),*
9 *and (10) as paragraphs (6), (7), and (8), respec-*
10 *tively;*

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

13 *“(B) include proof that the institution of*
14 *higher education collaborated with a nonprofit,*
15 *nongovernmental entities carrying out other vic-*
16 *tim services programs, including sexual assault,*
17 *domestic violence, stalking, and dating violence*
18 *victim services programs in the community in*
19 *which the institution is located;”;*

20 *(4) in subsection (f), by striking the text and in-*
21 *serting the following: “In this section, the definitions*
22 *and grant conditions provided in section 40002 of the*
23 *Violence Against Women Act of 1994 shall apply.”;*
24 *and*

25 *(5) in subsection (g), by—*

1 (A) striking “\$10,000,000” and inserting
2 “\$15,000,000”;

3 (B) striking “2001” and inserting “2006”;

4 and

5 (C) striking “2005” and inserting “2010”.

6 **SEC. 305. JUVENILE JUSTICE.**

7 (a) *STATE PLANS*.—Section 223(a) of the *Juvenile*
8 *Justice and Delinquency Prevention Act of 1974* (42 U.S.C.
9 5633(a)) is amended—

10 (1) in paragraph (7)(B)—

11 (A) by redesignating clauses (i), (ii) and
12 (iii), as clauses (ii), (iii), and (iv), respectively;
13 and

14 (B) by inserting before clause (ii) the fol-
15 lowing:

16 “(i) an analysis of gender-specific services
17 for the prevention and treatment of juvenile de-
18 linquency, including the types of such services
19 available and the need for such services for fe-
20 males;”.

21 (b) *USE OF FUNDS*.—Section 223(a)(9) of the *Juvenile*
22 *Justice and Delinquency Prevention Act of 1974* (42 U.S.C.
23 5633(a)(9)) is amended—

24 (1) in subparagraph (R), by striking “and” at
25 the end;

1 (2) *in subparagraph (S), by striking the period*
 2 *at the end and inserting “; and”; and*

3 (3) *by adding at the end the following:*

4 “(T) *developing and adopting policies to*
 5 *prohibit disparate treatment of female juveniles*
 6 *in placement and treatment, and establishing*
 7 *gender-specific services to ensure that female ju-*
 8 *veniles have access to the full range of health and*
 9 *mental health services, treatment for physical or*
 10 *sexual assault and abuse, education in par-*
 11 *enting, education in general, and other training*
 12 *and vocational services.”.*

13 **SEC. 306. SAFE HAVENS.**

14 *Section 1301 of the Victims of Trafficking and Violence*
 15 *Protection Act of 2000 (42 U.S.C. 10420) is amended—*

16 (1) *by striking the section heading and inserting*
 17 *the following:*

18 **“SEC. 10402. SAFE HAVENS FOR CHILDREN.”;**

19 (2) *in subsection (a)—*

20 (A) *by inserting “, through the Director of*
 21 *the Office on Violence Against Women,” after*
 22 *“Attorney General”;*

23 (B) *by inserting “dating violence,” after*
 24 *“domestic violence,”;*

1 (C) by striking “to provide” and inserting
2 the following:

3 “(1) to provide”;

4 (D) by striking the period at the end and
5 inserting a semicolon; and

6 (E) by adding at the end the following:

7 “(2) to protect children from the trauma of wit-
8 nessing domestic or dating violence or experiencing
9 abduction, injury, or death during parent and child
10 visitation exchanges;

11 “(3) to protect parents or caretakers who are vic-
12 tims of domestic and dating violence from experi-
13 encing further violence, abuse, and threats during
14 child visitation exchanges; and

15 “(4) to protect children from the trauma of expe-
16 riencing sexual assault or other forms of physical as-
17 sault or abuse during parent and child visitation and
18 visitation exchanges.”; and

19 (3) by striking subsection (e) and inserting the
20 following:

21 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—

22 “(1) *IN GENERAL.*—There is authorized to be ap-
23 propriated to carry out this section, \$20,000,000 for
24 each of fiscal years 2006 through 2010. Funds appro-

1 *priated under this section shall remain available*
2 *until expended.*

3 *“(2) USE OF FUNDS.—Of the amounts appro-*
4 *priated to carry out this section for each fiscal year,*
5 *the Attorney General shall—*

6 *“(A) set aside not less than 7 percent for*
7 *grants to Indian tribal governments or tribal or-*
8 *ganizations;*

9 *“(B) use not more than 3 percent for eval-*
10 *uation, monitoring, site visits, grantee con-*
11 *ferences, and other administrative costs associ-*
12 *ated with conducting activities under this sec-*
13 *tion; and*

14 *“(C) set aside not more than 8 percent for*
15 *technical assistance and training to be provided*
16 *by organizations having nationally recognized*
17 *expertise in the design of safe and secure super-*
18 *vised visitation programs and visitation ex-*
19 *change of children in situations involving domes-*
20 *tic violence, dating violence, sexual assault, or*
21 *stalking.”.*

1 **TITLE IV—STRENGTHENING**
 2 **AMERICA’S FAMILIES BY PRE-**
 3 **VENTING VIOLENCE**

4 **SEC. 401. PREVENTING VIOLENCE AGAINST WOMEN AND**
 5 **CHILDREN.**

6 *The Violence Against Women Act of 1994 (108 Stat.*
 7 *1902 et seq.) is amended by adding at the end the following:*

8 **“Subtitle M—Strengthening Amer-**
 9 **ica’s Families by Preventing Vio-**
 10 **lence Against Women and Chil-**
 11 **dren**

12 **“SEC. 41301. FINDINGS.**

13 *“Congress finds that—*

14 *“(1) the former United States Advisory Board on*
 15 *Child Abuse suggests that domestic violence may be*
 16 *the single major precursor to child abuse and neglect*
 17 *fatalities in this country;*

18 *“(2) studies suggest that as many as 10,000,000*
 19 *children witness domestic violence every year;*

20 *“(3) studies suggest that among children and*
 21 *teenagers, recent exposure to violence in the home was*
 22 *a significant factor in predicting a child’s violent be-*
 23 *havior;*

24 *“(4) a study by the Nurse-Family Partnership*
 25 *found that children whose parents did not participate*

1 *in home visitation programs that provided coaching*
 2 *in parenting skills, advice and support, were almost*
 3 *5 times more likely to be abused in their first 2 years*
 4 *of life;*

5 “(5) a child’s exposure to domestic violence seems
 6 *to pose the greatest independent risk for being the vic-*
 7 *tim of any act of partner violence as an adult;*

8 “(6) children exposed to domestic violence are
 9 *more likely to believe that using violence is an effec-*
 10 *tive means of getting one’s needs met and managing*
 11 *conflict in close relationships;*

12 “(7) children exposed to abusive parenting, harsh
 13 *or erratic discipline, or domestic violence are at in-*
 14 *creased risk for juvenile crime; and*

15 “(8) in a national survey of more than 6,000
 16 *American families, 50 percent of men who frequently*
 17 *assaulted their wives also frequently abused their chil-*
 18 *dren.*

19 **“SEC. 41302. PURPOSE.**

20 *“The purpose of this subtitle is to—*

21 “(1) *prevent crimes involving violence against*
 22 *women, children, and youth;*

23 “(2) *increase the resources and services available*
 24 *to prevent violence against women, children, and*
 25 *youth;*

1 “(3) reduce the impact of exposure to violence in
2 the lives of children and youth so that the
3 intergenerational cycle of violence is interrupted;

4 “(4) develop and implement education and serv-
5 ices programs to prevent children in vulnerable fami-
6 lies from becoming victims or perpetrators of domestic
7 violence, dating violence, sexual assault, or stalking;

8 “(5) promote programs to ensure that children
9 and youth receive the assistance they need to end the
10 cycle of violence and develop mutually respectful, non-
11 violent relationships; and

12 “(6) encourage collaboration among community-
13 based organizations and governmental agencies serv-
14 ing children and youth, providers of health and men-
15 tal health services and providers of domestic violence,
16 dating violence, sexual assault, and stalking victim
17 services to prevent violence against women and chil-
18 dren.

19 **“SEC. 41303. GRANTS TO ASSIST CHILDREN AND YOUTH EX-**
20 **POSED TO VIOLENCE.**

21 “(a) GRANTS AUTHORIZED.—

22 “(1) IN GENERAL.—The Attorney General, acting
23 through the Director of the Office on Violence Against
24 Women, and in collaboration with the Department of
25 Health and Human Services, is authorized to award

1 *grants on a competitive basis to eligible entities for*
2 *the purpose of mitigating the effects of domestic vio-*
3 *lence, dating violence, sexual assault, and stalking on*
4 *children exposed to such violence, and reducing the*
5 *risk of future victimization or perpetration of domes-*
6 *tic violence, dating violence, sexual assault, and stalk-*
7 *ing.*

8 “(2) *TERM.—The Director shall make grants*
9 *under this section for a period of 2 fiscal years.*

10 “(3) *AWARD BASIS.—The Director shall award*
11 *grants—*

12 “(A) *considering the needs of underserved*
13 *populations;*

14 “(B) *awarding not less than 10 percent of*
15 *such amounts to Indian tribes for the funding of*
16 *tribal projects from the amounts made available*
17 *under this section for a fiscal year;*

18 “(C) *awarding up to 8 percent for the fund-*
19 *ing of technical assistance programs from the*
20 *amounts made available under this section for a*
21 *fiscal year; and*

22 “(D) *awarding not less than 66 percent to*
23 *programs described in subsection (c)(1) from the*
24 *amounts made available under this section for a*
25 *fiscal year.*

1 “(b) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 2 *authorized to be appropriated to carry out this section*
 3 *\$20,000,000 for each of fiscal years 2006 through 2010.*

4 “(c) *USE OF FUNDS.*—*The funds appropriated under*
 5 *this section shall be used for—*

6 “(1) *programs that provide services for children*
 7 *exposed to domestic violence, dating violence, sexual*
 8 *assault, or stalking, which may include direct coun-*
 9 *seling, advocacy, or mentoring, and must include sup-*
 10 *port for the nonabusing parent or the child’s care-*
 11 *taker; or*

12 “(2) *training, coordination, and advocacy for*
 13 *programs that serve children and youth (such as*
 14 *Head Start, child care, and after-school programs) on*
 15 *how to safely and confidentially identify children and*
 16 *families experiencing domestic violence and properly*
 17 *refer them to programs that can provide direct serv-*
 18 *ices to the family and children, and coordination*
 19 *with other domestic violence or other programs serv-*
 20 *ing children exposed to domestic violence, dating vio-*
 21 *lence, sexual assault, or stalking that can provide the*
 22 *training and direct services referenced in this sub-*
 23 *section.*

24 “(d) *ELIGIBLE ENTITIES.*—*To be eligible to receive a*
 25 *grant under this section, an entity shall be a—*

1 “(1) a victim service provider, tribal nonprofit
 2 organization or community-based organization that
 3 has a documented history of effective work concerning
 4 children or youth exposed to domestic violence, dating
 5 violence, sexual assault, or stalking, including pro-
 6 grams that provide culturally specific services, Head
 7 Start, childcare, faith-based organizations, after
 8 school programs, and health and mental health pro-
 9 viders; or

10 “(2) a State, territorial, or tribal, or local unit
 11 of government agency that is partnered with an orga-
 12 nization described in paragraph (1).

13 “(e) *GRANTEE REQUIREMENTS*.—Under this section,
 14 an entity shall—

15 “(1) prepare and submit to the Director an ap-
 16 plication at such time, in such manner, and con-
 17 taining such information as the Director may re-
 18 quire; and

19 “(2) at a minimum, describe in the application
 20 the policies and procedures that the entity has or will
 21 adopt to—

22 “(A) enhance or ensure the safety and secu-
 23 rity of children who have been or are being ex-
 24 posed to violence and their nonabusing parent,
 25 enhance or ensure the safety and security of chil-

1 *dren and their nonabusing parent in homes al-*
 2 *ready experiencing domestic violence, dating vio-*
 3 *lence, sexual assault, or stalking; and*

4 *“(B) ensure linguistically, culturally, and*
 5 *community relevant services for racial and eth-*
 6 *nic, and other underserved communities.*

7 **“SEC. 41304. DEVELOPMENT OF CURRICULA AND PILOT**
 8 **PROGRAMS FOR HOME VISITATION**
 9 **PROJECTS.**

10 *“(a) GRANTS AUTHORIZED.—*

11 *“(1) IN GENERAL.—The Attorney General, acting*
 12 *through the Director of the Office on Violence Against*
 13 *Women, and in collaboration with the Department of*
 14 *Health and Human Services, shall award grants on*
 15 *a competitive basis to home visitation programs, in*
 16 *collaboration with victim service providers, for the*
 17 *purposes of developing and implementing model poli-*
 18 *cies and procedures to train home visitation service*
 19 *providers on addressing domestic violence, dating vio-*
 20 *lence, sexual assault, and stalking in families experi-*
 21 *encing violence, or at risk of violence, to reduce the*
 22 *impact of that violence on children, maintain safety,*
 23 *improve parenting skills, and break intergenerational*
 24 *cycles of violence.*

1 “(2) *TERM.*—*The Director shall make the grants*
2 *under this section for a period of 2 fiscal years.*

3 “(3) *AWARD BASIS.*—*The Director shall—*

4 “(A) *consider the needs of underserved pop-*
5 *ulations;*

6 “(B) *award not less than 7 percent of such*
7 *amounts for the funding of tribal projects from*
8 *the amounts made available under this section*
9 *for a fiscal year; and*

10 “(C) *award up to 8 percent for the funding*
11 *of technical assistance programs from the*
12 *amounts made available under this section for a*
13 *fiscal year.*

14 “(b) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
15 *authorized to be appropriated to carry out this section*
16 *\$7,000,000 for each of fiscal years 2006 through 2010.*

17 “(c) *ELIGIBLE ENTITIES.*—*To be eligible to receive a*
18 *grant under this section, an entity shall be a national, Fed-*
19 *eral, State, local, territorial, or tribal—*

20 “(1) *home visitation program that provides serv-*
21 *ices to pregnant women and to young children and*
22 *their parent or primary caregiver that are provided*
23 *in the permanent or temporary residence or in other*
24 *familiar surroundings of the individual or family re-*
25 *ceiving such services; or*

1 “(2) *victim services organization or agency in*
 2 *collaboration with an organization or organizations*
 3 *listed in paragraph (1).*

4 “(d) *GRANTEE REQUIREMENTS.—Under this section,*
 5 *an entity shall—*

6 “(1) *prepare and submit to the Director an ap-*
 7 *plication at such time, in such manner, and con-*
 8 *taining such information as the Director may re-*
 9 *quire; and*

10 “(2) *describe in the application the policies and*
 11 *procedures that the entity has or will adopt to—*

12 “(A) *enhance or ensure the safety and secu-*
 13 *rity of children and their nonabusing parent in*
 14 *homes already experiencing domestic violence,*
 15 *dating violence, sexual assault, or stalking;*

16 “(B) *ensure linguistically, culturally, and*
 17 *community relevant services for racial and eth-*
 18 *nic and other underserved communities;*

19 “(C) *ensure the adequate training by do-*
 20 *mestic violence, dating violence, sexual assault or*
 21 *stalking victim service providers of home visita-*
 22 *tion grantee program staff to—*

23 “(i) *safely screen for and/or recognize*
 24 *domestic violence, dating violence, sexual*
 25 *assault, and stalking;*

1 “(ii) understand the impact of domes-
 2 tic violence or sexual assault on children
 3 and protective actions taken by a non-
 4 abusing parent or caretaker in response to
 5 violence against anyone in the household;
 6 and

7 “(iii) link new parents with existing
 8 community resources in communities where
 9 resources exist; and

10 “(D) ensure that relevant State and local
 11 domestic violence, dating violence, sexual assault,
 12 and stalking victim service providers and coal-
 13 itions are aware of the efforts of organizations re-
 14 ceiving grants under this section, and are in-
 15 cluded as training partners, where possible.

16 **“SEC. 41305. ENGAGING MEN AND YOUTH IN PREVENTING**
 17 **DOMESTIC VIOLENCE, DATING VIOLENCE,**
 18 **SEXUAL ASSAULT, AND STALKING.**

19 “(a) GRANTS AUTHORIZED.—

20 “(1) IN GENERAL.—The Attorney General, acting
 21 through the Director of the Office on Violence Against
 22 Women, and in collaboration with the Department of
 23 Health and Human Services, shall award grants on
 24 a competitive basis to eligible entities for the purpose
 25 of developing or enhancing programs related to engag-

1 *ing men and youth in preventing domestic violence,*
 2 *dating violence, sexual assault, and stalking by help-*
 3 *ing them to develop mutually respectful, nonviolent*
 4 *relationships.*

5 “(2) *TERM.—The Director shall make grants*
 6 *under this section for a period of 2 fiscal years.*

7 “(3) *AWARD BASIS.—The Director shall award*
 8 *grants—*

9 “(A) *considering the needs of racial and*
 10 *ethnic and other underserved populations;*

11 “(B) *awarding not less than 10 percent of*
 12 *such amounts for the funding of Indian tribes*
 13 *from the amounts made available under this sec-*
 14 *tion for a fiscal year; and*

15 “(C) *awarding up to 8 percent for the fund-*
 16 *ing of technical assistance for grantees and non-*
 17 *grantees working in this area from the amounts*
 18 *made available under this section for a fiscal*
 19 *year.*

20 “(b) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 21 *authorized to be appropriated to carry out this section*
 22 *\$10,000,000 for each of fiscal years 2006 through 2010.*

23 “(c) *USE OF FUNDS.—*

24 “(1) *PROGRAMS.—The funds appropriated under*
 25 *this section shall be used by eligible entities—*

1 “(A) to develop or enhance community-
2 based programs, including gender-specific pro-
3 grams in accordance with applicable laws that—

4 “(i) encourage children and youth to
5 pursue nonviolent relationships and reduce
6 their risk of becoming victims or perpetra-
7 tors of domestic violence, dating violence,
8 sexual assault, or stalking; and

9 “(ii) that include at a minimum—

10 “(I) information on domestic vio-
11 lence, dating violence, sexual assault,
12 stalking, or child sexual abuse and how
13 they affect children and youth; and

14 “(II) strategies to help partici-
15 pants be as safe as possible; or

16 “(B) to create public education campaigns
17 and community organizing to encourage men
18 and boys to work as allies with women and girls
19 to prevent violence against women and girls con-
20 ducted by entities that have experience in con-
21 ducting public education campaigns that address
22 domestic violence, dating violence, sexual assault,
23 or stalking.

1 “(2) *MEDIA LIMITS.*—No more than 40 percent
2 of funds received by a grantee under this section may
3 be used to create and distribute media materials.

4 “(d) *ELIGIBLE ENTITIES.*—

5 “(1) *RELATIONSHIPS.*—Eligible entities under
6 subsection (c)(1)(A) are—

7 “(A) nonprofit, nongovernmental domestic
8 violence, dating violence, sexual assault, or stalk-
9 ing victim service providers or coalitions;

10 “(B) community-based child or youth serv-
11 ices organizations with demonstrated experience
12 and expertise in addressing the needs and con-
13 cerns of young people;

14 “(C) a State, territorial, tribal, or unit of
15 local governmental entity that is partnered with
16 an organization described in subparagraph (A)
17 or (B); or

18 “(D) a program that provides culturally
19 specific services.

20 “(2) *AWARENESS CAMPAIGN.*—Eligible entities
21 under subsection (c)(1)(B) are—

22 “(A) nonprofit, nongovernmental organiza-
23 tions or coalitions that have a documented his-
24 tory of creating and administering effective pub-
25 lic education campaigns addressing the preven-

1 *tion of domestic violence, dating violence, sexual*
 2 *assault or stalking; or*

3 “(B) a State, territorial, tribal, or unit of
 4 local governmental entity that is partnered with
 5 an organization described in subparagraph (A).

6 “(e) *GRANTEE REQUIREMENTS.*—Under this section,
 7 *an entity shall—*

8 “(1) prepare and submit to the Director an ap-
 9 plication at such time, in such manner, and con-
 10 taining such information as the Director may re-
 11 quire; and

12 “(2) eligible entities pursuant to subsection
 13 (c)(1)(A) shall describe in the application the policies
 14 and procedures that the entity has or will adopt to—

15 “(A) enhance or ensure the safety and secu-
 16 rity of children and youth already experiencing
 17 domestic violence, dating violence, sexual assault,
 18 or stalking in their lives;

19 “(B) ensure linguistically, culturally, and
 20 community relevant services for racial and eth-
 21 nic, and other underserved communities;

22 “(C) inform participants about laws, serv-
 23 ices, and resources in the community, and make
 24 referrals as appropriate; and

1 “(D) ensure that State and local domestic
 2 violence, dating violence, sexual assault, and
 3 stalking victim service providers and coalitions
 4 are aware of the efforts of organizations receiving
 5 grants under this section.”.

6 **SEC. 402. STUDY CONDUCTED BY THE CENTERS FOR DIS-**
 7 **EASE CONTROL AND PREVENTION.**

8 (a) *PURPOSES.*—The Secretary of Health and Human
 9 Services acting through the National Center for Injury Pre-
 10 vention and Control at the Centers for Disease Control Pre-
 11 vention shall make grants to entities, including domestic
 12 and sexual assault coalitions and programs, research orga-
 13 nizations, tribal organizations, and academic institutions
 14 to support research to examine prevention and intervention
 15 programs to further the understanding of sexual and domes-
 16 tic violence by and against adults, youth, and children.

17 (b) *USE OF FUNDS.*—The research conducted under
 18 this section shall include evaluation and study of best prac-
 19 tices for reducing and preventing violence against women
 20 and children addressed by the strategies included in De-
 21 partment of Health and Human Services-related provisions
 22 this title, including strategies addressing racial, ethnic, and
 23 other underserved communities.

1 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
 2 *shall be authorized to be appropriated to carry out this title*
 3 *\$2,000,000 for each of the fiscal years 2006 through 2010.*

4 ***TITLE V—STRENGTHENING THE***
 5 ***HEALTHCARE SYSTEM’S RE-***
 6 ***SPONSE TO DOMESTIC VIO-***
 7 ***LENCE, DATING VIOLENCE,***
 8 ***SEXUAL ASSAULT, AND***
 9 ***STALKING***

10 ***SEC. 501. FINDINGS.***

11 *Congress makes the following findings:*

12 (1) *The health-related costs of intimate partner*
 13 *violence in the United States exceed \$5,800,000,000*
 14 *annually.*

15 (2) *Thirty-seven percent of all women who*
 16 *sought care in hospital emergency rooms for violence-*
 17 *related injuries were injured by a current or former*
 18 *spouse, boyfriend, or girlfriend.*

19 (3) *In addition to injuries sustained during vio-*
 20 *lent episodes, physical and psychological abuse is*
 21 *linked to a number of adverse physical and mental*
 22 *health effects. Women who have been abused are much*
 23 *more likely to suffer from chronic pain, diabetes, de-*
 24 *pression, unintended pregnancies, substance abuse*

1 *and sexually transmitted infections, including HIV/*
2 *AIDS.*

3 (4) *Health plans spend an average of \$1,775*
4 *more a year on abused women than on general enroll-*
5 *ees.*

6 (5) *Each year about 324,000 pregnant women in*
7 *the United States are battered by the men in their*
8 *lives. This battering leads to complications of preg-*
9 *nancy, including low weight gain, anemia, infections,*
10 *and first and second trimester bleeding.*

11 (6) *Pregnant and recently pregnant women are*
12 *more likely to be victims of homicide than to die of*
13 *any other pregnancy-related cause, and evidence ex-*
14 *ists that a significant proportion of all female homi-*
15 *cide victims are killed by their intimate partners.*

16 (7) *Children who witness domestic violence are*
17 *more likely to exhibit behavioral and physical health*
18 *problems including depression, anxiety, and violence*
19 *towards peers. They are also more likely to attempt*
20 *suicide, abuse drugs and alcohol, run away from*
21 *home, engage in teenage prostitution, and commit*
22 *sexual assault crimes.*

23 (8) *Recent research suggests that women experi-*
24 *encing domestic violence significantly increase their*
25 *safety-promoting behaviors over the short- and long-*

1 *term when health care providers screen for, identify,*
2 *and provide followup care and information to address*
3 *the violence.*

4 (9) *Currently, only about 10 percent of primary*
5 *care physicians routinely screen for intimate partner*
6 *abuse during new patient visits and 9 percent rou-*
7 *tinely screen for intimate partner abuse during peri-*
8 *odic checkups.*

9 (10) *Recent clinical studies have proven the effec-*
10 *tiveness of a 2-minute screening for early detection of*
11 *abuse of pregnant women. Additional longitudinal*
12 *studies have tested a 10-minute intervention that was*
13 *proven highly effective in increasing the safety of*
14 *pregnant abused women. Comparable research does*
15 *not yet exist to support the effectiveness of screening*
16 *men.*

17 (11) *Seventy to 81 percent of the patients studied*
18 *reported that they would like their healthcare pro-*
19 *viders to ask them privately about intimate partner*
20 *violence.*

21 **SEC. 502. PURPOSE.**

22 *It is the purpose of this title to improve the health care*
23 *system's response to domestic violence, dating violence, sex-*
24 *ual assault, and stalking through the training and edu-*
25 *cation of health care providers, developing comprehensive*

1 *public health responses to violence against women and chil-*
 2 *dren, increasing the number of women properly screened,*
 3 *identified, and treated for lifetime exposure to violence, and*
 4 *expanding research on effective interventions in the health*
 5 *care setting.*

6 **SEC. 503. TRAINING AND EDUCATION OF HEALTH PROFES-**
 7 **SIONALS IN DOMESTIC AND SEXUAL VIO-**
 8 **LENCE.**

9 *Part D of title VII of the Public Health Service Act*
 10 *(42 U.S.C. 294 et seq.) is amended by adding at the end*
 11 *the following:*

12 **“SEC. 758. INTERDISCIPLINARY TRAINING AND EDUCATION**
 13 **ON DOMESTIC VIOLENCE AND OTHER TYPES**
 14 **OF VIOLENCE AND ABUSE.**

15 *“(a) GRANTS.—The Secretary, acting through the Di-*
 16 *rector of the Health Resources and Services Administration,*
 17 *shall award grants under this section to develop inter-*
 18 *disciplinary training and education programs that provide*
 19 *undergraduate, graduate, post-graduate medical, nursing*
 20 *(including advanced practice nursing students), and other*
 21 *health professions students with an understanding of, and*
 22 *clinical skills pertinent to, domestic violence, sexual assault,*
 23 *stalking, and dating violence.*

24 *“(b) ELIGIBILITY.—To be eligible to receive a grant*
 25 *under this section an entity shall—*

1 “(1) be an accredited school of allopathic or os-
2 teopathic medicine;

3 “(2) prepare and submit to the Secretary an ap-
4 plication at such time, in such manner, and con-
5 taining such information as the Secretary may re-
6 quire, including—

7 “(A) information to demonstrate that the
8 applicant includes the meaningful participation
9 of a school of nursing and at least one other
10 school of health professions or graduate program
11 in public health, dentistry, social work, mid-
12 wifery, or behavioral and mental health;

13 “(B) strategies for the dissemination and
14 sharing of curricula and other educational mate-
15 rials developed under the grant to other inter-
16 ested medical and nursing schools and national
17 resource repositories for materials on domestic
18 violence and sexual assault; and

19 “(C) a plan for consulting with, and com-
20 pensating community-based coalitions or indi-
21 viduals who have experience and expertise in
22 issues related to domestic violence, sexual assault,
23 dating violence, and stalking for services pro-
24 vided under the program carried out under the
25 grant.

1 “(c) *USE OF FUNDS.*—

2 “(1) *REQUIRED USES.*—Amounts provided under
3 a grant under this section shall be used to—

4 “(A) *fund interdisciplinary training and*
5 *education projects that are designed to train*
6 *medical, nursing, and other health professions*
7 *students and residents to identify and provide*
8 *health care services (including mental or behav-*
9 *ioral health care services and referrals to appro-*
10 *priate community services) to individuals who*
11 *are or who have experienced domestic violence,*
12 *sexual assault, and stalking or dating violence;*
13 *and*

14 “(B) *plan and develop culturally competent*
15 *clinical components for integration into ap-*
16 *proved residency training programs that address*
17 *health issues related to domestic violence, sexual*
18 *assault, dating violence, and stalking, along with*
19 *other forms of violence as appropriate, and in-*
20 *clude the primacy of victim safety and confiden-*
21 *tiality.*

22 “(2) *PERMISSIVE USES.*—Amounts provided
23 under a grant under this section may be used to—

24 “(A) *offer community-based training oppor-*
25 *tunities in rural areas for medical, nursing, and*

1 *other students and residents on domestic vio-*
 2 *lence, sexual assault, stalking, and dating vio-*
 3 *lence, and other forms of violence and abuse,*
 4 *which may include the use of distance learning*
 5 *networks and other available technologies needed*
 6 *to reach isolated rural areas; or*

7 *“(B) provide stipends to students from ra-*
 8 *cial and ethnic population groups who are*
 9 *underrepresented in the health professions as nec-*
 10 *essary to promote and enable their participation*
 11 *in clerkships, preceptorships, or other offsite*
 12 *training experiences that are designed to develop*
 13 *health care clinical skills related to domestic vio-*
 14 *lence, sexual assault, dating violence, and stalk-*
 15 *ing.*

16 *“(3) REQUIREMENTS.—*

17 *“(A) CONFIDENTIALITY AND SAFETY.—*
 18 *Grantees under this section shall ensure that all*
 19 *educational programs developed with grant funds*
 20 *address issues of confidentiality and patient safe-*
 21 *ty, and that faculty and staff associated with de-*
 22 *livering educational components are fully*
 23 *trained in procedures that will protect the imme-*
 24 *diate and ongoing security of the patients, pa-*
 25 *tient records, and staff. Advocacy-based coal-*

tions or other expertise available in the community shall be consulted on the development and adequacy of confidentiality and security procedures, and shall be fairly compensated by grantees for their services.

“(B) *RURAL PROGRAMS.*—Rural training programs carried out under paragraph (2)(A) shall reflect adjustments in protocols and procedures or referrals that may be needed to protect the confidentiality and safety of patients who live in small or isolated communities and who are currently or have previously experienced violence or abuse.

“(4) *CHILD AND ELDER ABUSE.*—Issues related to child and elder abuse may be addressed as part of a comprehensive programmatic approach implemented under a grant under this section.

“(d) *REQUIREMENTS OF GRANTEES.*—

“(1) *LIMITATION ON ADMINISTRATIVE EXPENSES.*—A grantee shall not use more than 10 percent of the amounts received under a grant under this section for administrative expenses.

“(2) *CONTRIBUTION OF FUNDS.*—A grantee under this section, and any entity receiving assistance under the grant for training and education,

1 *shall contribute non-Federal funds, either directly or*
 2 *through in-kind contributions, to the costs of the ac-*
 3 *tivities to be funded under the grant in an amount*
 4 *that is not less than 25 percent of the total cost of*
 5 *such activities.*

6 “(e) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 7 *authorized to be appropriated to carry out this section,*
 8 *\$3,000,000 for each of fiscal years 2006 through 2010.*
 9 *Amounts appropriated under this subsection shall remain*
 10 *available until expended.”.*

11 **SEC. 504. GRANTS TO FOSTER PUBLIC HEALTH RESPONSES**
 12 **TO DOMESTIC VIOLENCE, DATING VIOLENCE,**
 13 **SEXUAL ASSAULT, AND STALKING GRANTS.**

14 *Part P of title III of the Public Health Service Act*
 15 *(42 U.S.C. 280g et seq.) is amended by adding at the end*
 16 *the following:*

17 **“SEC. 399O. GRANTS TO FOSTER PUBLIC HEALTH RE-**
 18 **SPONSES TO DOMESTIC VIOLENCE, DATING**
 19 **VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

20 “(a) *AUTHORITY TO AWARD GRANTS.—*

21 “(1) *IN GENERAL.—The Secretary, acting*
 22 *through the Director of the Centers for Disease Con-*
 23 *trol and Prevention, shall award grants to eligible*
 24 *State, tribal, territorial, or local entities to strengthen*
 25 *the response of State, tribal, territorial, or local health*

1 *care systems to domestic violence, dating violence, sex-*
 2 *ual assault, and stalking.*

3 “(2) *ELIGIBLE ENTITIES.*—*To be eligible to re-*
 4 *ceive a grant under this section, an entity shall—*

5 “(A) *be—*

6 “(i) *a State department (or other divi-*
 7 *sion) of health, a State domestic or sexual*
 8 *assault coalition or service-based program,*
 9 *State law enforcement task force, or any*
 10 *other nonprofit, nongovernmental, tribal,*
 11 *territorial, or State entity with a history of*
 12 *effective work in the fields of domestic vio-*
 13 *lence, dating violence, sexual assault or*
 14 *stalking, and health care; or*

15 “(ii) *a local, nonprofit domestic vio-*
 16 *lence, dating violence, sexual assault, or*
 17 *stalking service-based program, a local de-*
 18 *partment (or other division) of health, a*
 19 *local health clinic, hospital, or health sys-*
 20 *tem, or any other nonprofit, tribal, or local*
 21 *entity with a history of effective work in the*
 22 *field of domestic or sexual violence and*
 23 *health;*

24 “(B) *prepare and submit to the Secretary*
 25 *an application at such time, in such manner,*

1 *and containing such agreements, assurances, and*
2 *information as the Secretary determines to be*
3 *necessary to carry out the purposes for which the*
4 *grant is to be made; and*

5 “(C) *demonstrate that the entity is rep-*
6 *resenting a team of organizations and agencies*
7 *working collaboratively to strengthen the re-*
8 *sponse of the health care system involved to do-*
9 *mestic violence, dating violence, sexual assault,*
10 *or stalking and that such team includes domestic*
11 *violence, dating violence, sexual assault or stalk-*
12 *ing and health care organizations.*

13 “(3) *DURATION.*—*A program conducted under a*
14 *grant awarded under this section shall not exceed 2*
15 *years.*

16 “(b) *USE OF FUNDS.*—

17 “(1) *IN GENERAL.*—*An entity shall use amounts*
18 *received under a grant under this section to design*
19 *and implement comprehensive strategies to improve*
20 *the response of the health care system involved to do-*
21 *mestic or sexual violence in clinical and public health*
22 *settings, hospitals, clinics, managed care settings (in-*
23 *cluding behavioral and mental health), and other*
24 *health settings.*

1 “(2) *MANDATORY STRATEGIES.*—*Strategies im-*
2 *plemented under paragraph (1) shall include the fol-*
3 *lowing:*

4 “(A) *The implementation, dissemination,*
5 *and evaluation of policies and procedures to*
6 *guide health care professionals and behavioral*
7 *and public health staff in responding to domestic*
8 *violence, dating violence, sexual assault, and*
9 *stalking, including strategies to ensure that*
10 *health information is maintained in a manner*
11 *that protects the patient’s privacy and safety*
12 *and prohibits insurance discrimination.*

13 “(B) *The development of on-site access to*
14 *services to address the safety, medical, mental*
15 *health, and economic needs of patients either by*
16 *increasing the capacity of existing health care*
17 *professionals and behavioral and public health*
18 *staff to address domestic violence, dating vio-*
19 *lence, sexual assault, and stalking, by con-*
20 *tracting with or hiring domestic or sexual as-*
21 *sault advocates to provide the services, or to*
22 *model other services appropriate to the geo-*
23 *graphic and cultural needs of a site.*

24 “(C) *The evaluation of practice and the in-*
25 *stitutionalization of identification, intervention,*

1 *and documentation including quality improve-*
2 *ment measurements.*

3 “(D) *The provision of training and fol-*
4 *lowup technical assistance to health care profes-*
5 *sionals, behavioral and public health staff, and*
6 *allied health professionals to identify, assess,*
7 *treat, and refer clients who are victims of domes-*
8 *tic violence, dating violence, sexual violence, or*
9 *stalking.*

10 “(3) *PERMISSIVE STRATEGIES.—Strategies im-*
11 *plemented under paragraph (1) may include the fol-*
12 *lowing:*

13 “(A) *Where appropriate, the development of*
14 *training modules and policies that address the*
15 *overlap of child abuse, domestic violence, dating*
16 *violence, sexual assault, and stalking and elder*
17 *abuse as well as childhood exposure to domestic*
18 *violence.*

19 “(B) *The creation, adaptation, and imple-*
20 *mentation of public education campaigns for pa-*
21 *tients concerning domestic violence, dating vio-*
22 *lence, sexual assault, and stalking prevention.*

23 “(C) *The development, adaptation, and dis-*
24 *semination of domestic violence, dating violence,*
25 *sexual assault, and stalking education materials*

1 to patients and health care professionals and be-
2 havioral and public health staff.

3 “(D) *The promotion of the inclusion of do-*
4 *mestic violence, dating violence, sexual assault,*
5 *and stalking into health professional training*
6 *schools, including medical, dental, nursing*
7 *school, social work, and mental health cur-*
8 *riculum.*

9 “(E) *The integration of domestic violence,*
10 *dating violence, sexual assault, and stalking into*
11 *health care accreditation and professional licens-*
12 *ing examinations, such as medical, dental, social*
13 *work, and nursing boards.*

14 “(c) *ALLOCATION OF FUNDS.—Funds appropriated*
15 *under this section shall be distributed equally between State*
16 *and local programs.*

17 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
18 *authorized to be appropriated to award grants under this*
19 *section, \$5,000,000 for each of fiscal years 2006 through*
20 *2010.”.*

21 **SEC. 505. RESEARCH ON EFFECTIVE INTERVENTIONS IN**
22 **THE HEALTHCARE SETTING.**

23 *Subtitle B of the Violence Against Women Act of 1994*
24 *(Public Law 103–322; 108 Stat. 1902 et seq.), as amended*
25 *by the Violence Against Women Act of 2000 (114 Stat. 1491*

1 *et seq.*), and as amended by this Act, is further amended
 2 by adding at the end the following:

3 **“CHAPTER 11—RESEARCH ON EFFECTIVE**
 4 **INTERVENTIONS TO ADDRESS VIO-**
 5 **LENCE AGAINST WOMEN**

6 **“SEC. 40297. RESEARCH ON EFFECTIVE INTERVENTIONS IN**
 7 **THE HEALTH CARE SETTING.**

8 “(a) *PURPOSE.*—The Secretary, acting through the Di-
 9 rector of the Centers for Disease Control and Prevention
 10 and the Director of the Agency for Healthcare Research and
 11 Quality, shall award grants and contracts to fund research
 12 on effective interventions in the health care setting that pre-
 13 vent domestic violence, dating violence, and sexual assault
 14 across the lifespan and that prevent the health effects of such
 15 violence and improve the safety and health of individuals
 16 who are currently being victimized.

17 “(b) *USE OF FUNDS.*—Research conducted with
 18 amounts received under a grant or contract under this sec-
 19 tion shall include the following:

20 “(1) *With respect to the authority of the Centers*
 21 *for Disease Control and Prevention—*

22 “(A) *research on the effects of domestic vio-*
 23 *lence, dating violence, sexual assault, and child-*
 24 *hood exposure to domestic, dating, or sexual vio-*
 25 *lence, on health behaviors, health conditions, and*

1 *the health status of individuals, families, and*
 2 *populations; and*

3 *“(B) research and testing of best messages*
 4 *and strategies to mobilize public and health care*
 5 *provider action concerning the prevention of do-*
 6 *mestic, dating, or sexual violence; and*

7 *“(2) With respect to the authority of the Agency*
 8 *for Healthcare Research and Quality—*

9 *“(A) research on the impact on the health*
 10 *care system, health care utilization, health care*
 11 *costs, and health status of domestic violence, dat-*
 12 *ing violence, and childhood exposure to domestic*
 13 *and dating violence, sexual violence and stalking*
 14 *and childhood exposure; and*

15 *“(B) research on effective interventions*
 16 *within primary care and emergency health care*
 17 *settings and with health care settings that in-*
 18 *clude clinical partnerships within community*
 19 *domestic violence providers for adults and chil-*
 20 *dren exposed to domestic or dating violence.*

21 *“(c) USE OF DATA.—Research funded under this sec-*
 22 *tion shall be utilized by eligible entities under section 3990*
 23 *of the Public Health Service Act.*

1 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 2 *authorized to be appropriated to carry out this section,*
 3 *\$5,000,000 for each of fiscal years 2006 through 2010.”.*

4 ***TITLE VI—HOUSING OPPORTUNI-***
 5 ***TIES AND SAFETY FOR BAT-***
 6 ***TERED WOMEN AND CHIL-***
 7 ***DREN***

8 ***SEC. 601. ADDRESSING THE HOUSING NEEDS OF VICTIMS***
 9 ***OF DOMESTIC VIOLENCE, DATING VIOLENCE,***
 10 ***SEXUAL ASSAULT, AND STALKING.***

11 *The Violence Against Women Act of 1994 (42 U.S.C.*
 12 *13701 et seq.) is amended by adding at the end the fol-*
 13 *lowing:*

14 ***“Subtitle N—Addressing the Hous-***
 15 ***ing Needs of Victims of Domestic***
 16 ***Violence, Dating Violence, Sex-***
 17 ***ual Assault, and Stalking***

18 ***“SEC. 41401. FINDINGS.***

19 *“Congress finds that:*

20 *“(1) There is a strong link between domestic vio-*
 21 *lence and homelessness. Among cities surveyed, 44*
 22 *percent identified domestic violence as a primary*
 23 *cause of homelessness.*

24 *“(2) 92 percent of homeless women have experi-*
 25 *enced severe physical or sexual abuse at some point*

1 *in their lives. Of all homeless women and children, 60*
2 *percent had been abused by age 12, and 63 percent*
3 *have been victims of intimate partner violence as*
4 *adults.*

5 *“(3) Women and families across the country are*
6 *being discriminated against, denied access to, and*
7 *even evicted from public and subsidized housing be-*
8 *cause of their status as victims of domestic violence.*

9 *“(4) A recent survey of legal service providers*
10 *around the country found that these providers have*
11 *responded to almost 150 documented eviction cases in*
12 *the last year alone where the tenant was evicted be-*
13 *cause of the domestic violence crimes committed*
14 *against her. In addition, nearly 100 clients were de-*
15 *nied housing because of their status as victims of do-*
16 *mestic violence.*

17 *“(5) Women who leave their abusers frequently*
18 *lack adequate emergency shelter options. The lack of*
19 *adequate emergency options for victims presents a se-*
20 *rious threat to their safety and the safety of their chil-*
21 *dren. Requests for emergency shelter by homeless*
22 *women with children increased by 78 percent of*
23 *United States cities surveyed in 2004. In the same*
24 *year, 32 percent of the requests for shelter by homeless*

1 *families went unmet due to the lack of available emer-*
2 *gency shelter beds.*

3 *“(6) The average stay at an emergency shelter is*
4 *60 days, while the average length of time it takes a*
5 *homeless family to secure housing is 6 to 10 months.*

6 *“(7) Victims of domestic violence often return to*
7 *abusive partners because they cannot find long-term*
8 *housing.*

9 *“(8) There are not enough Federal housing rent*
10 *vouchers available to accommodate the number of peo-*
11 *ple in need of long-term housing. Some people remain*
12 *on the waiting list for Federal housing rent vouchers*
13 *for years, while some lists are closed.*

14 *“(9) Transitional housing resources and services*
15 *provide an essential continuum between emergency*
16 *shelter provision and independent living. A majority*
17 *of women in transitional housing programs stated*
18 *that had these programs not existed, they would have*
19 *likely gone back to abusive partners.*

20 *“(10) Because abusers frequently manipulate fi-*
21 *nances in an effort to control their partners, victims*
22 *often lack steady income, credit history, landlord ref-*
23 *erences, and a current address, all of which are nec-*
24 *essary to obtain long-term permanent housing.*

1 “(11) Victims of domestic violence in rural areas
2 face additional barriers, challenges, and unique cir-
3 cumstances, such as geographical isolation, poverty,
4 lack of public transportation systems, shortages of
5 health care providers, under-insurance or lack of
6 health insurance, difficulty ensuring confidentiality
7 in small communities, and decreased access to many
8 resources (such as advanced education, job opportuni-
9 ties, and adequate childcare).

10 “(12) Congress and the Secretary of Housing
11 and Urban Development have recognized in recent
12 years that families experiencing domestic violence
13 have unique needs that should be addressed by those
14 administering the Federal housing programs.

15 **“SEC. 41402. PURPOSE.**

16 “The purpose of this subtitle is to reduce domestic vio-
17 lence, dating violence, sexual assault, and stalking, and to
18 prevent homelessness by—

19 “(1) protecting the safety of victims of domestic
20 violence, dating violence, sexual assault, and stalking
21 who reside in homeless shelters, public housing, as-
22 sisted housing, Indian housing, or other emergency,
23 transitional, permanent, or affordable housing, and
24 ensuring that such victims have meaningful access to

1 *the criminal justice system without jeopardizing such*
 2 *housing;*

3 “(2) *creating long-term housing solutions that*
 4 *develop communities and provide sustainable living*
 5 *solutions for victims of domestic violence, dating vio-*
 6 *lence, sexual assault, and stalking;*

7 “(3) *building collaborations among victim serv-*
 8 *ice providers, homeless service providers, housing pro-*
 9 *viders, and housing agencies to provide appropriate*
 10 *services, interventions, and training to address the*
 11 *housing needs of victims of domestic violence, dating*
 12 *violence, sexual assault, and stalking; and*

13 “(4) *enabling public and assisted housing agen-*
 14 *cies, tribally designated housing entities, private*
 15 *landlords, property management companies, and*
 16 *other housing providers and agencies to respond ap-*
 17 *propriately to domestic violence, dating violence, sex-*
 18 *ual assault, and stalking, while maintaining a safe*
 19 *environment for all housing residents.*

20 **“SEC. 41403. DEFINITIONS.**

21 *“For purposes of this subtitle—*

22 “(1) *the term ‘assisted housing’ means housing*
 23 *assisted—*

24 “(A) *under sections 213, 220, 221(d)(3),*
 25 *221(d)(4), 223(e), 231, or 236 of the National*

1 *Housing Act (12 U.S.C. 1715l(d)(3), (d)(4), or*
 2 *1715z-1);*

3 “(B) under section 101 of the *Housing and*
 4 *Urban Development Act of 1965 (12 U.S.C.*
 5 *1701s);*

6 “(C) under section 202 of the *Housing Act*
 7 *of 1959 (12 U.S.C. 1701q);*

8 “(D) under section 811 of the *Cranston-*
 9 *Gonzales National Affordable Housing Act (42*
 10 *U.S.C. 8013);*

11 “(E) under title II of the *Cranston-Gonzales*
 12 *National Affordable Housing Act (42 U.S.C.*
 13 *12701 et seq.);*

14 “(F) under subtitle D of title VIII of the
 15 *Cranston-Gonzalez National Affordable Housing*
 16 *Act (42 U.S.C. 12901 et seq.);*

17 “(G) under title I of the *Housing and Com-*
 18 *munity Development Act of 1974 (42 U.S.C.*
 19 *5301 et seq.); or*

20 “(H) under section 8 of the *United States*
 21 *Housing Act of 1937 (42 U.S.C. 1437f);*

22 “(2) the term ‘continuum of care’ means a com-
 23 *munity plan developed to organize and deliver hous-*
 24 *ing and services to meet the specific needs of people*

1 *who are homeless as they move to stable housing and*
 2 *achieve maximum self-sufficiency;*

3 “(3) the term ‘Indian housing’ means housing
 4 *assistance described in the Native American Housing*
 5 *Assistance and Self-Determination Act of 1996 (25*
 6 *U.S.C. 4101 et seq.);*

7 “(4) the term ‘low-income housing assistance
 8 *voucher’ means housing assistance described in section*
 9 *8 of the United States Housing Act of 1937 (42*
 10 *U.S.C. 1437f);*

11 “(5) the term ‘public housing’ means housing de-
 12 *scribed in section 3(b)(1) of the United States Hous-*
 13 *ing Act of 1937 (42 U.S.C. 1437a(b)(1));*

14 “(6) the term ‘public housing agency’ means an
 15 *agency described in section 3(b)(6) of the United*
 16 *States Housing Act of 1937 (42 U.S.C. 1437a(b)(6));*

17 “(7) the terms ‘homeless’, ‘homeless individual’,
 18 *and ‘homeless person’—*

19 “(A) mean an individual who lacks a fixed,
 20 *regular, and adequate nighttime residence; and*

21 “(B) includes—

22 “(i) an individual who—

23 “(I) is sharing the housing of
 24 *other persons due to loss of housing,*

1 *economic hardship, or a similar rea-*
2 *son;*

3 “(II) *is living in a motel, hotel,*
4 *trailer park, or campground due to the*
5 *lack of alternative adequate accom-*
6 *modations;*

7 “(III) *is living in an emergency*
8 *or transitional shelter;*

9 “(IV) *is abandoned in a hospital;*
10 *or*

11 “(V) *is awaiting foster care place-*
12 *ment;*

13 “(ii) *an individual who has a primary*
14 *nighttime residence that is a public or pri-*
15 *vate place not designed for or ordinarily*
16 *used as a regular sleeping accommodation*
17 *for human beings; or*

18 “(iii) *migratory children (as defined*
19 *in section 1309 of the Elementary and Sec-*
20 *ondary Education Act of 1965; 20 U.S.C.*
21 *6399) who qualify as homeless under this*
22 *section because the children are living in*
23 *circumstances described in this paragraph;*
24 *and*

1 “(8) the term ‘homeless service provider’ means
 2 a nonprofit, nongovernmental homeless service pro-
 3 vider, such as a homeless shelter, a homeless service or
 4 advocacy program, a tribal organization serving
 5 homeless individuals, or coalition or other nonprofit,
 6 nongovernmental organization carrying out a com-
 7 munity-based homeless or housing program that has
 8 a documented history of effective work concerning
 9 homelessness.

10 **“SEC. 41404. COLLABORATIVE GRANTS TO DEVELOP LONG-
 11 TERM HOUSING FOR VICTIMS.**

12 “(a) GRANTS AUTHORIZED.—

13 “(1) IN GENERAL.—The Secretary of Health and
 14 Human Services, in consultation with the Secretary
 15 of Housing and Urban Development, shall award
 16 grants and contracts for a period of not less than 2
 17 years to eligible entities to develop long-term housing
 18 options for adult and youth victims of domestic vio-
 19 lence, dating violence, sexual assault, and stalking
 20 who are currently homeless or at risk for becoming
 21 homeless.

22 “(2) AMOUNT.—The Secretary of Health and
 23 Human Services shall award—

24 “(A) grants for projects that do not include
 25 the cost of construction in amounts—

1 “(i) not less than \$25,000 per year;

2 and

3 “(ii) not more than \$350,000 per year;

4 and

5 “(B) grants for projects that do include the
6 cost of construction in amounts—

7 “(i) not less than \$75,000 per year;

8 and

9 “(ii) not more than \$1,000,000 per
10 year.

11 “(b) *ELIGIBLE ENTITIES.*—To be eligible to receive a
12 grant under this section, an entity shall demonstrate that
13 it is a coalition or partnership, applying jointly, that—

14 “(1) shall include a domestic violence victim
15 service provider;

16 “(2) shall include—

17 “(A) a homeless service provider;

18 “(B) a nonprofit, nongovernmental commu-
19 nity housing development organization or a De-
20 partment of Agriculture rural housing service
21 program; or

22 “(C) in the absence of a homeless service
23 provider on tribal lands or nonprofit, nongovern-
24 mental community housing development organi-

1 *zation on tribal lands, a tribally designated*
 2 *housing entity or tribal housing consortium;*

3 *“(3) may include a dating violence, sexual as-*
 4 *sault, or stalking victim service provider;*

5 *“(4) may include housing developers, housing*
 6 *corporations, State housing finance agencies, other*
 7 *housing agencies, and associations representing land-*
 8 *lords;*

9 *“(5) may include a public housing agency or*
 10 *tribally designated housing entity;*

11 *“(6) may include tenant organizations in public*
 12 *or Tribally designated housing, as well as nonprofit,*
 13 *nongovernmental tenant organizations;*

14 *“(7) may include other nonprofit, nongovern-*
 15 *mental organizations participating in the Depart-*
 16 *ment of Housing and Urban Development’s Con-*
 17 *tinuum of Care process;*

18 *“(8) may include a State, tribal, territorial, or*
 19 *local government or government agency; and*

20 *“(9) may include any other such agencies or*
 21 *nonprofit, nongovernmental organizations with the*
 22 *capacity to provide effective help to adult and youth*
 23 *victims of domestic violence, dating violence, sexual*
 24 *assault, or stalking.*

25 *“(c) APPLICATION.—*

1 “(1) *IN GENERAL.*—Each eligible entity seeking
 2 a grant under this section shall submit an applica-
 3 tion to the Secretary of Health and Human Services
 4 at such time, in such manner, and containing such
 5 information as the Secretary of Health and Human
 6 Services may require.

7 “(2) *CONTENTS.*—Each application shall be sub-
 8 mitted to the Secretary at such time, in such manner,
 9 and containing such information as the Secretary
 10 may require.

11 “(d) *USE OF FUNDS.*—Grants and contracts awarded
 12 to eligible entities pursuant to subsection (a) shall be used
 13 to design or replicate and implement new activities, serv-
 14 ices, and programs to develop long-term housing options for
 15 adult and youth victims of domestic violence, dating vio-
 16 lence, sexual assault, or stalking, and their dependents, who
 17 are currently homeless or at risk of becoming homeless. Such
 18 activities, services, or programs—

19 “(1) shall participate in the Department of
 20 Housing and Urban Development’s Continuum of
 21 Care process, unless such a process does not exist in
 22 the community to be served;

23 “(2) shall develop sustainable long-term housing
 24 in the community by—

1 “(A) coordinating efforts and resources
 2 among the various groups and organizations
 3 comprised in the entity to access existing private
 4 and public funding;

5 “(B) placing individuals and families in
 6 long-term housing; and

7 “(C) providing services to help individuals
 8 or families find and maintain long-term hous-
 9 ing, including financial assistance and support
 10 services;

11 “(3) may provide capital costs for the purchase,
 12 preconstruction, construction, renovation, repair, or
 13 conversion of affordable housing units;

14 “(4) may use funds for the continuing operation,
 15 upkeep, maintenance, and use of housing described in
 16 paragraph (3); and

17 “(5) may provide to the community information
 18 about housing and housing programs, and the process
 19 to locate and obtain long-term housing.

20 “(e) *UNDERSERVED POPULATIONS AND PRIORITIES.*—
 21 *In awarding grants under this section, the Secretary of*
 22 *Health and Human Services shall—*

23 “(1) give priority to linguistically and culturally
 24 specific services;

1 “(2) give priority to applications from entities
2 that include a sexual assault service provider as de-
3 scribed in subsection (b)(3); and

4 “(3) award a minimum of 15 percent of the
5 funds appropriated under this section in any fiscal
6 year to tribal organizations.

7 “(f) *DEFINITIONS.*—For purposes of this section—

8 “(1) the term ‘long-term housing’ means housing
9 that is sustainable, accessible, affordable, and safe for
10 the foreseeable future and is—

11 “(A) rented or owned by the individual;

12 “(B) subsidized by a voucher or other pro-
13 gram which is not time-limited and is available
14 for as long as the individual meets the eligibility
15 requirements for the voucher or program; or

16 “(C) provided directly by a program, agen-
17 cy, or organization and is not time-limited and
18 is available for as long as the individual meets
19 the eligibility requirements for the program,
20 agency, or organization; and

21 “(2) the term ‘affordable housing’ means housing
22 that complies with the conditions set forth in section
23 215 of the Cranston-Gonzalez National Affordable
24 Housing Act (42 U.S.C. 12745).

1 “(g) *EVALUATION, MONITORING, ADMINISTRATION,*
 2 *AND TECHNICAL ASSISTANCE.*—*For purposes of this sec-*
 3 *tion—*

4 “(1) *up to 3 percent of the funds appropriated*
 5 *under subsection (h) for each fiscal year may be used*
 6 *by the Secretary of Health and Human Services for*
 7 *evaluation, monitoring, and administration costs*
 8 *under this section; and*

9 “(2) *up to 8 percent of the funds appropriated*
 10 *under subsection (h) for each fiscal year may be used*
 11 *to provide technical assistance to grantees under this*
 12 *section.*

13 “(h) *AUTHORIZATION OF APPROPRIATIONS.*—*There*
 14 *are authorized to be appropriated \$10,000,000 for each of*
 15 *fiscal years 2006 through 2010 to carry out the provisions*
 16 *of this section.*

17 **“SEC. 41405. GRANTS TO COMBAT VIOLENCE AGAINST**
 18 **WOMEN IN PUBLIC AND ASSISTED HOUSING.**

19 “(a) *PURPOSE.*—*It is the purpose of this section to as-*
 20 *sist eligible grantees in responding appropriately to domes-*
 21 *tic violence, dating violence, sexual assault, and stalking*
 22 *so that the status of being a victim of such a crime is not*
 23 *a reason for the denial or loss of housing. Such assistance*
 24 *shall be accomplished through—*

25 “(1) *education and training of eligible entities;*

1 “(2) *development and implementation of appro-*
 2 *priate housing policies and practices;*

3 “(3) *enhancement of collaboration with victim*
 4 *service providers and tenant organizations; and*

5 “(4) *reduction of the number of victims of such*
 6 *crimes who are evicted or denied housing because of*
 7 *crimes and lease violations committed or directly*
 8 *caused by the perpetrators of such crimes.*

9 “(b) *GRANTS AUTHORIZED.—*

10 “(1) *IN GENERAL.—The Attorney General, acting*
 11 *through the Director of the Violence Against Women*
 12 *Office of the Department of Justice (‘Director’), and*
 13 *in consultation with the Secretary of Housing and*
 14 *Urban Development (‘Secretary’), and the Secretary*
 15 *of Health and Human Services, acting through the*
 16 *Administration for Children, Youth and Families*
 17 *(‘ACYF’), shall award grants and contracts for not*
 18 *less than 2 years to eligible grantees to promote the*
 19 *full and equal access to and use of housing by adult*
 20 *and youth victims of domestic violence, dating vio-*
 21 *lence, sexual assault, and stalking.*

22 “(2) *AMOUNTS.—Not less than 15 percent of the*
 23 *funds appropriated to carry out this section shall be*
 24 *available for grants to tribally designated housing en-*
 25 *tities.*

1 “(3) *AWARD BASIS.*—*The Attorney General shall*
 2 *award grants and contracts under this section on a*
 3 *competitive basis.*

4 “(4) *LIMITATION.*—*Appropriated funds may*
 5 *only be used for the purposes described in subsection*
 6 *(f).*

7 “(c) *ELIGIBLE GRANTEES.*—

8 “(1) *IN GENERAL.*—*Eligible grantees are—*

9 “(A) *public housing agencies;*

10 “(B) *principally managed public housing*
 11 *resident management corporations, as deter-*
 12 *mined by the Secretary;*

13 “(C) *public housing projects owned by pub-*
 14 *lic housing agencies;*

15 “(D) *agencies and authorities receiving as-*
 16 *istance under the Native American Housing As-*
 17 *istance and Self-Determination Act of 1996 (25*
 18 *U.S.C. 4101 et seq.); and*

19 “(E) *private, for-profit, and nonprofit own-*
 20 *ers or managers of assisted housing.*

21 “(2) *SUBMISSION REQUIRED FOR ALL GRANT-*
 22 *EES.*—*To receive assistance under this section, an eli-*
 23 *gible grantee shall certify that—*

24 “(A) *its policies and practices do not pro-*
 25 *hibit or limit a resident’s right to summon police*

1 *or other emergency assistance in response to do-*
2 *mestic violence, dating violence, sexual assault,*
3 *or stalking;*

4 *“(B) programs and services are developed*
5 *that give a preference in admission to adult and*
6 *youth victims of such violence, consistent with*
7 *local housing needs, and applicable law and the*
8 *Secretary’s instructions;*

9 *“(C) it does not discriminate against any*
10 *person—*

11 *“(i) because that person is or is per-*
12 *ceived to be, or has a family or household*
13 *member who is or is perceived to be, a vic-*
14 *tim of such violence; or*

15 *“(ii) because of the actions or threat-*
16 *ened actions of the individual who the vic-*
17 *tim, as certified in subsection (e), states has*
18 *committed or threatened to commit acts of*
19 *such violence against the victim, or against*
20 *the victim’s family or household member;*

21 *“(D) plans are developed that establish*
22 *meaningful consultation and coordination with*
23 *local victim service providers, tenant organiza-*
24 *tions, linguistically and culturally specific serv-*
25 *ice providers, State domestic violence and sexual*

1 *assault coalitions, and, where they exist, tribal*
 2 *domestic violence and sexual assault coalitions;*
 3 *and*

4 “(E) *its policies and practices will be in*
 5 *compliance with those described in this para-*
 6 *graph within the later of 1 year or a period se-*
 7 *lected by the Attorney General in consultation*
 8 *with the Secretary and ACYF.*

9 “(d) *APPLICATION.—Each eligible entity seeking a*
 10 *grant under this section shall submit an application to the*
 11 *Attorney General at such a time, in such a manner, and*
 12 *containing such information as the Attorney General may*
 13 *require.*

14 “(e) *CERTIFICATION.—*

15 “(1) *IN GENERAL.—A public housing agency,*
 16 *tribally designated housing entity, or assisted housing*
 17 *provider receiving funds under this section may re-*
 18 *quest that an individual claiming relief under this*
 19 *section certify that the individual is a victim of do-*
 20 *mestic violence, dating violence, sexual assault, or*
 21 *stalking. The individual shall provide a copy of such*
 22 *certification to the public housing agency, tribally*
 23 *designated housing entity, or assisted housing pro-*
 24 *vider within a reasonable period of time after the*
 25 *agency or authority requests such certification.*

1 “(2) *CONTENTS.*—*An individual may satisfy the*
 2 *certification requirement of paragraph (1) by—*

3 “(A) *providing the public housing agency,*
 4 *tribally designated housing entity, or assisted*
 5 *housing provider with documentation, signed by*
 6 *an employee, agent, or volunteer of a victim*
 7 *service provider, an attorney, a member of the*
 8 *clergy, a medical professional, or any other pro-*
 9 *fessional from whom the victim has sought assist-*
 10 *ance in addressing domestic violence, dating vio-*
 11 *lence, sexual assault, or stalking, or the effects of*
 12 *abuse; or*

13 “(B) *producing a Federal, State, tribal, ter-*
 14 *ritorial, or local police or court record.*

15 “(3) *LIMITATION.*—*Nothing in this subsection*
 16 *shall be construed to require any housing agency, as-*
 17 *sisted housing provider, tribally designated housing*
 18 *entity, owner, or manager to demand that an indi-*
 19 *vidual produce official documentation or physical*
 20 *proof of the individual’s status as a victim of domes-*
 21 *tic violence, dating violence, sexual assault, or stalk-*
 22 *ing, in order to receive any of the benefits provided*
 23 *in this section. A housing authority may provide ben-*
 24 *efits to an individual based solely on the individual’s*
 25 *statement or other corroborating evidence.*

1 “(4) *CONFIDENTIALITY.*—

2 “(A) *IN GENERAL.*—*All information pro-*
 3 *vided to any housing agency, assisted housing*
 4 *provider, tribally designated housing entity,*
 5 *owner, or manager pursuant to paragraph (1),*
 6 *including the fact that an individual is a victim*
 7 *of domestic violence, dating violence, sexual as-*
 8 *sault, or stalking, shall be retained in the strict-*
 9 *est confidence by such housing authority, and*
 10 *shall neither be entered into any shared data-*
 11 *base, nor provided to any related housing agen-*
 12 *cy, assisted housing provider, tribally designated*
 13 *housing entity, owner, or manager, except to the*
 14 *extent that disclosure is—*

15 “(i) *requested or consented to by the*
 16 *individual in writing; or*

17 “(ii) *otherwise required by applicable*
 18 *law.*

19 “(B) *NOTIFICATION.*—*An individual shall*
 20 *be notified of the limits of such confidentiality*
 21 *and informed in advance about circumstances in*
 22 *which the housing agency, assisted housing pro-*
 23 *vider, tribally designated housing entity, owner,*
 24 *or manager will be compelled to disclose the in-*
 25 *dividual’s information.*

1 “(f) *USE OF FUNDS.*—Grants and contracts awarded
2 pursuant to subsection (a) shall provide to eligible entities
3 personnel, training, and technical assistance to develop and
4 implement policies, practices, and procedures, making
5 physical improvements or changes, and developing or en-
6 hancing collaborations for the purposes of—

7 “(1) *enabling victims of domestic violence, dat-*
8 *ing violence, sexual assault, and stalking with other-*
9 *wise disqualifying rental, credit, or criminal histories*
10 *to be eligible to obtain housing or housing assistance,*
11 *if such victims would otherwise qualify for housing or*
12 *housing assistance and can provide documented evi-*
13 *dence that demonstrates the causal connection between*
14 *such violence or abuse and the victims’ negative his-*
15 *tries;*

16 “(2) *permitting applicants for housing or hous-*
17 *ing assistance to provide incomplete rental and em-*
18 *ployment histories, otherwise required as a condition*
19 *of admission or assistance, if the victim believes that*
20 *providing such rental and employment history would*
21 *endanger the victim’s or the victim children’s safety;*

22 “(3) *protecting victims’ confidentiality, includ-*
23 *ing protection of victims’ personally identifying infor-*
24 *mation, address, or rental history;*

1 “(4) assisting victims who need to leave a public
2 housing, Indian housing, or assisted housing unit
3 quickly to protect their safety, including those who
4 are seeking transfer to a new public housing unit, In-
5 dian housing unit, or assisted housing unit, whether
6 in the same or a different neighborhood or jurisdic-
7 tion;

8 “(5) enabling the public housing agency, tribally
9 designated housing entity, or assisted housing pro-
10 vider, or the victim, to remove, consistent with appli-
11 cable State law, the perpetrator of domestic violence,
12 dating violence, sexual assault, or stalking without
13 evicting, removing, or otherwise penalizing the victim;

14 “(6) enabling the public housing agency, tribally
15 designated housing entity, or assisted housing pro-
16 vider to comply with court orders, including civil
17 protection orders issued to protect the victim, when
18 notified and issued to address the distribution or pos-
19 session of property among the household members in
20 cases where a family breaks up;

21 “(7) developing and implementing more effective
22 security policies, protocols, and services;

23 “(8) allotting not more than 15 percent of funds
24 awarded under the grant to make physical improve-
25 ments;

1 “(9) *training personnel to more effectively iden-*
 2 *tify and respond to victims of domestic violence, dat-*
 3 *ing violence, sexual assault, and stalking; and*

4 “(10) *effectively providing notice to applicants*
 5 *and residents of the above housing policies, practices,*
 6 *and procedures.*

7 “(g) *AUTHORIZATION OF APPROPRIATIONS.—There*
 8 *are authorized to be appropriated \$10,000,000 for each of*
 9 *fiscal years 2006 through 2010 to carry out the provisions*
 10 *of this section.*

11 “(h) *TECHNICAL ASSISTANCE.—Up to 12 percent of*
 12 *the amount appropriated under subsection (g) for each fis-*
 13 *cal year shall be used by the Attorney General for technical*
 14 *assistance costs under this section.”.*

15 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
 16 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
 17 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**
 18 **ING.**

19 “(a) *IN GENERAL.—Section 40299 of the Violence*
 20 *Against Women Act of 1994 (42 U.S.C. 13975) is amend-*
 21 *ed—*

22 “(1) *in subsection (a)—*

23 “(A) *by inserting “the Department of Hous-*
 24 *ing and Urban Development, and the Depart-*

ment of Health and Human Services,” after
 “Department of Justice,”;

(B) by inserting “, including domestic violence and sexual assault victim service providers, domestic violence and sexual assault coalitions, other nonprofit, nongovernmental organizations, or community-based and culturally specific organizations, that have a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking” after “other organizations”; and

(C) in paragraph (1), by inserting “, dating violence, sexual assault, or stalking” after “domestic violence”;

(2) in subsection (b)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(B) in paragraph (3), as redesignated, by inserting “, dating violence, sexual assault, or stalking” after “violence”;

(C) by inserting before paragraph (2), as redesignated, the following:

“(1) transitional housing, or acquire land or buildings, or rehabilitate or construct buildings for the purpose of providing transitional housing to per-

1 sons described in subsection (a), including funding
2 for—

3 “(A) the predevelopment cost and capital
4 expenses involved in the development of transi-
5 tional housing; and

6 “(B) the operating expenses of newly devel-
7 oped or existing transitional housing.”; and

8 (D) in paragraph (3)(B) as redesignated,
9 by inserting “Participation in the support serv-
10 ices shall be voluntary. Receipt of the benefits of
11 the housing assistance described in paragraph
12 (2) shall not be conditioned upon the participa-
13 tion of the youth, adults, or their dependents in
14 any or all of the support services offered them.”
15 after “assistance.”;

16 (3) in paragraph (1) of subsection (c), by strik-
17 ing “18 months” and inserting “24 months”;

18 (4) in subsection (d)(2)—

19 (A) by striking “and” at the end of sub-
20 paragraph (A);

21 (B) by redesignating subparagraph (B) as
22 subparagraph (C); and

23 (C) by inserting after subparagraph (A) the
24 following:

1 “(B) provide assurances that any sup-
 2 portive services offered to participants in pro-
 3 grams developed under subsection (b)(3) are vol-
 4 untary and that refusal to receive such services
 5 shall not be grounds for termination from the
 6 program or eviction from the victim’s housing;
 7 and”;

8 (5) in subsection (e)(2)—

9 (A) in subparagraph (A), by inserting
 10 “purpose and” before “amount”;

11 (B) in clause (ii) of subparagraph (C), by
 12 striking “and”;

13 (C) in subparagraph (D), by striking the
 14 period and inserting “; and”; and

15 (D) by adding at the end the following new
 16 subparagraph:

17 “(E) the client population served and the
 18 number of individuals requesting services that
 19 the transitional housing program is unable to
 20 serve as a result of a lack of resources.”; and

21 (6) in subsection (g)—

22 (A) in paragraph (1), by striking
 23 “\$30,000,000” and inserting “\$40,000,000”;

24 (B) in paragraph (1), by striking “2004”
 25 and inserting “2006”;

1 (C) in paragraph (1), by striking “2008.”
2 and inserting “2010”;

3 (D) in paragraph (2), by striking “not
4 more than 3 percent” and inserting “up to 5
5 percent”;

6 (E) in paragraph (2), by inserting “evalua-
7 tion, monitoring, technical assistance,” before
8 “salaries”; and

9 (F) in paragraph (3), by adding at the end
10 the following new subparagraphs:

11 “(C) *UNDERSERVED POPULATIONS.*—

12 “(i) A minimum of 7 percent of the
13 total amount appropriated in any fiscal
14 year shall be allocated to tribal organiza-
15 tions serving adult and youth victims of do-
16 mestic violence, dating violence, sexual as-
17 sault, or stalking, and their dependents.

18 “(ii) Priority shall be given to projects
19 developed under subsection (b) that pri-
20 marily serve racial, ethnic, or other under-
21 served populations.”.

22 **SEC. 603. PUBLIC HOUSING AUTHORITY PLANS REPORTING**
23 **REQUIREMENT.**

24 Section 5A of the United States Housing Act of 1937
25 (42 U.S.C. 1437c–1) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “para-
3 graph (2)” and inserting “paragraph (3)”;

4 (B) by redesignating paragraph (2) as
5 paragraph (3); and

6 (C) by inserting after paragraph (1) the fol-
7 lowing:

8 “(2) *STATEMENT OF GOALS.*—The 5-year plan
9 shall include a statement by any public housing agen-
10 cy of the goals, objectives, policies, or programs that
11 will enable the housing authority to serve the needs of
12 child and adult victims of domestic violence, dating
13 violence, sexual assault, or stalking.”;

14 (2) in subsection (d), by redesignating para-
15 graphs (13), (14), (15), (16), (17), and (18), as para-
16 graphs (14), (15), (16), (17), (18), and (19), respec-
17 tively; and

18 (3) by inserting after paragraph (12) the fol-
19 lowing:

20 “(13) *DOMESTIC VIOLENCE, DATING VIOLENCE,*
21 *SEXUAL ASSAULT, OR STALKING PROGRAMS.*—A de-
22 scription of—

23 “(A) any activities, services, or programs
24 provided or offered by an agency, either directly
25 or in partnership with other service providers, to

1 *child or adult victims of domestic violence, dat-*
 2 *ing violence, sexual assault, or stalking;*

3 “(B) *any activities, services, or programs*
 4 *provided or offered by a public housing agency*
 5 *that helps child and adult victims of domestic vi-*
 6 *olence, dating violence, sexual assault, or stalk-*
 7 *ing, to obtain or maintain housing; and*

8 “(C) *any activities, services, or programs*
 9 *provided or offered by a public housing agency*
 10 *to prevent domestic violence, dating violence, sex-*
 11 *ual assault, and stalking, or to enhance victim*
 12 *safety in assisted families.”.*

13 **SEC. 604. HOUSING STRATEGIES.**

14 *Section 105(b)(1) of the Cranston-Gonzalez National*
 15 *Affordable Housing Act (42 U.S.C. 12705(b)(1)) is amended*
 16 *by inserting after “immunodeficiency syndrome,” the fol-*
 17 *lowing: “victims of domestic violence, dating violence, sex-*
 18 *ual assault, and stalking”.*

19 **SEC. 605. AMENDMENT TO THE MCKINNEY-VENTO HOME-**
 20 **LESS ASSISTANCE ACT.**

21 *Section 423 of the Stewart B. McKinney Homeless As-*
 22 *sistance Act (42 U.S.C. 11383) is amended—*

23 *(1) by adding at the end of subsection (a) the fol-*
 24 *lowing:*

25 “(8) *CONFIDENTIALITY.—*

1 “(A) *IN GENERAL.*—*In the course of award-*
2 *ing grants or implementing programs under this*
3 *subsection, the Secretary shall instruct any re-*
4 *cipient or subgrantee not to disclose to any per-*
5 *son, agency, or entity any personally identifying*
6 *information about any client where the Sec-*
7 *retary, recipient, or subgrantee believes based*
8 *upon reasonable evidence that the client is either*
9 *a child or an adult victim of domestic violence,*
10 *dating violence, sexual assault, or stalking, and*
11 *has immediate safety concerns, or is the parent*
12 *or guardian of a child victim of domestic vio-*
13 *lence, dating violence, sexual assault, or stalking,*
14 *and has immediate safety concerns. The Sec-*
15 *retary shall not require or ask a recipient or*
16 *subgrantee of any other Federal or State pro-*
17 *gram to disclose personally identifying informa-*
18 *tion about any clients where the persons, agen-*
19 *cies, or entities implementing those programs be-*
20 *lieve, based upon reasonable evidence, that those*
21 *clients either are child or adult victims of domes-*
22 *tic violence, dating violence, sexual assault, or*
23 *stalking, and has immediate safety concerns or*
24 *are the parents or guardians of child victims of*
25 *domestic violence, dating violence, sexual assault,*

1 *or stalking, and has immediate safety concerns.*
2 *The Secretary shall instruct any recipient or*
3 *subgrantee under this subsection or any recipient*
4 *or subgrantee of any other Federal or State pro-*
5 *gram participating in the Homeless Management*
6 *Information System that personally identifying*
7 *information about any client may only be dis-*
8 *closed if the program seeking to disclose such in-*
9 *formation has obtained informed, reasonably*
10 *time-limited, written consent from the client to*
11 *whom the information relates. The Secretary*
12 *may require or ask any recipient or subgrantee*
13 *to share nonpersonally identifying data in the*
14 *aggregate regarding services to clients and non-*
15 *personally identifying demographic information*
16 *in order to comply with the data collection re-*
17 *quirements of the Homeless Management Infor-*
18 *mation System.*

19 *“(B) PERSONALLY IDENTIFYING INFORMA-*
20 *TION OR PERSONAL INFORMATION.—The term*
21 *‘personally identifying information’ or ‘personal*
22 *information’ means individually identifying in-*
23 *formation for or about an individual including*
24 *information likely to disclose the location of a*

1 *victim of domestic violence, dating violence, sex-*
 2 *ual assault, or stalking, including—*

3 “(i) a first and last name;

4 “(ii) a home or other physical address;

5 “(iii) contact information (including a
 6 postal, e-mail or Internet protocol address,
 7 or telephone or facsimile number);

8 “(iv) a social security number; and

9 “(v) any other information, including
 10 date of birth, racial or ethnic background,
 11 or religious affiliation, that, in combination
 12 with any of clauses (i) through (iv), would
 13 serve to identify any individual.”.

14 **SEC. 606. AMENDMENTS TO THE LOW-INCOME HOUSING AS-**
 15 **SISTANCE VOUCHER PROGRAM.**

16 *Section 8 of the United States Housing Act of 1937*
 17 *(42 U.S.C. 1437f) is amended—*

18 *(1) in subsection (c)—*

19 *(A) in the first sentence by inserting “; mis-*
 20 *cellaneous provisions” after “monthly assistance*
 21 *payments”; and*

22 *(B) by adding at the end the following new*
 23 *paragraph:*

24 “(9)(A) *That an applicant or participant is or*
 25 *has been a victim of domestic violence, dating vio-*

1 *lence, or stalking is not an appropriate basis for de-*
2 *nia of program assistance or for denial of admission.*

3 *“(B) An incident or incidents of actual or*
4 *threatened domestic violence, dating violence, or stalk-*
5 *ing will not be construed as a serious or repeated vio-*
6 *lation of the lease by the victim or threatened victim*
7 *of that violence and shall not be good cause for termi-*
8 *nating the tenancy or occupancy rights of the victim*
9 *of such violence.*

10 *“(C)(i) Criminal activity directly relating to do-*
11 *mestic violence, dating violence, or stalking, engaged*
12 *in by a member of a tenant’s household or any guest*
13 *or other person under the tenant’s control shall not be*
14 *cause for termination of tenancy or occupancy rights*
15 *if the tenant or an immediate member of the tenant’s*
16 *family is the victim or threatened victim of that do-*
17 *mestic violence, dating violence, or stalking.*

18 *“(ii) A public housing agency or an owner or*
19 *manager under this section may bifurcate a lease*
20 *under this section, in order to evict, remove, or termi-*
21 *nate assistance to any individual who is a tenant or*
22 *lawful occupant and who engages in criminal acts of*
23 *physical violence against family members or others,*
24 *without evicting, removing, terminating assistance to,*

1 or otherwise penalizing the victim of such violence
2 who is also a tenant or lawful occupant.

3 “(iii) Nothing in clause (i) may be construed to
4 limit the authority of a public housing agency, owner,
5 or manager, when notified, to comply with court or-
6 ders, including civil protection orders issued to pro-
7 tect the victim and issued to address the distribution
8 or possession of property among the household mem-
9 bers in cases where a family breaks up.

10 “(iv) Nothing in clause (i) limits any otherwise
11 available authority of an owner or manager to evict
12 or the public housing agency or assisted housing pro-
13 vider to terminate voucher assistance to a tenant for
14 any violation of a lease not premised on the act or
15 acts of violence in question against the tenant or a
16 member of the tenant’s household, provided that the
17 owner or manager does not subject an individual who
18 is or has been a victim of domestic violence, dating
19 violence, or stalking to a more demanding standard
20 than other tenants in determining whether to evict or
21 terminate.

22 “(v) Nothing in clause (i) may be construed to
23 limit the authority of an owner or manager to evict
24 any tenant or lawful occupant if the owner or man-
25 ager can demonstrate an actual and imminent threat

1 to other tenants or those employed at or providing
 2 service to the property if that tenant is not evicted or
 3 terminated from assistance.

4 “(vi) Nothing in this section shall be construed
 5 to supersede any provision of any Federal, State, or
 6 local law that provides greater protection than this
 7 section for victims of domestic violence, dating vio-
 8 lence, or stalking.”.

9 (2) in subsection (d)—

10 (A) in paragraph (1)(A), by inserting after
 11 “public housing agency” the following: “and that
 12 an applicant is or has been a victim of domestic
 13 violence, dating violence, or stalking is not an
 14 appropriate basis for denial of program assist-
 15 ance or for denial of admission”;

16 (B) in paragraph (1)(B)(ii), by inserting
 17 after “other good cause” the following: “, and
 18 that an incident or incidents of actual or threat-
 19 ened domestic violence, dating violence, or stalk-
 20 ing will not be construed as a serious or repeated
 21 violation of the lease by the victim or threatened
 22 victim of that violence and will not be good
 23 cause for terminating the tenancy or occupancy
 24 rights of the victim of such violence”; and

(C) in paragraph (1)(B)(iii), by inserting after “termination of tenancy” the following: “, except that (I) criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, shall not be cause for termination of the tenancy or occupancy rights, if the tenant or immediate member of the tenant’s family is a victim of that domestic violence, dating violence, or stalking; (II) a public housing agency or an owner or manager under this section may bifurcate a lease under this section, in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant; (III) nothing in subclause (I) may be construed to limit the authority of a public housing agency, owner, or manager, when notified, to comply with court orders, including civil protection orders issued to protect the victim and issued to address the dis-

1 *tribution or possession of property among the*
2 *household members in cases where a family*
3 *breaks up; (IV) nothing in subclause (I) limits*
4 *any otherwise available authority of an owner or*
5 *manager to evict or the public housing agency or*
6 *assisted housing provider to terminate voucher*
7 *assistance to a tenant for any violation of a lease*
8 *not premised on the act or acts of violence in*
9 *question against the tenant or a member of the*
10 *tenant's household, provided that the owner or*
11 *manager does not subject an individual who is*
12 *or has been a victim of domestic violence, dating*
13 *violence, or stalking to a more demanding stand-*
14 *ard than other tenants in determining whether to*
15 *evict or terminate; (V) nothing in subclause (I)*
16 *may be construed to limit the authority of an*
17 *owner or manager to evict, or the public housing*
18 *agency or assisted housing provider to terminate*
19 *voucher assistance, to any tenant if the owner,*
20 *manager, public housing agency, or assisted*
21 *housing provider can demonstrate an actual and*
22 *imminent threat to other tenants or those em-*
23 *ployed at or providing service to the property if*
24 *that tenant is not evicted or terminated from as-*
25 *sistance; and (VI) nothing in this section shall be*

1 *construed to supersede any provision of any Fed-*
2 *eral, State, or local law that provides greater*
3 *protection than this section for victims of domes-*
4 *tic violence, dating violence, or stalking.”;*

5 *(3) in subsection (f)—*

6 *(A) in paragraph (6), by striking “and”;*

7 *(B) in paragraph (7), by striking the period*
8 *at the end and inserting a semicolon; and*

9 *(C) by adding at the end the following new*
10 *paragraphs:*

11 *“(8) the term ‘domestic violence’ has the same*
12 *meaning given the term in section 40002 of the Vio-*
13 *lence Against Women Act of 1994;*

14 *“(9) the term ‘dating violence’ has the same*
15 *meaning given the term in section 40002 of the Vio-*
16 *lence Against Women Act of 1994; and*

17 *“(10) the term ‘stalking’ means engaging in a*
18 *course of conduct directed at a specific person that*
19 *would cause a reasonable person to—*

20 *“(A) fear for his or her safety or the safety*
21 *of others; or*

22 *“(B) suffer significant emotional or phys-*
23 *ical distress; and*

1 “(11) the term ‘sexual assault’ has the same
2 meaning given the term in section 40002 of the Vio-
3 lence Against Women Act of 1994.”;

4 (4) in subsection (o)—

5 (A) by inserting at the end of paragraph
6 (6)(B) the following new sentence: “That an ap-
7 plicant is or has been a victim of domestic vio-
8 lence, dating violence, or stalking is not an ap-
9 propriate basis for denial of program assistance
10 by or for denial of admission, and that nothing
11 in this section shall be construed to supersede
12 any provision of any Federal, State, or local law
13 that provides greater protection than this section
14 for victims of domestic violence, dating violence,
15 or stalking.”;

16 (B) in paragraph (7)(C), by inserting after
17 “other good cause” the following: “, and that an
18 incident or incidents of actual or threatened do-
19 mestic violence, dating violence, or stalking shall
20 not be construed as a serious or repeated viola-
21 tion of the lease by the victim or threatened vic-
22 tim of that violence and shall not be good cause
23 for terminating the tenancy or occupancy rights
24 of the victim of such violence”;

(C) in paragraph (7)(D), by inserting after “termination of tenancy” the following: “; except that (i) criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control shall not be cause for termination of the tenancy or occupancy rights, if the tenant or immediate member of the tenant’s family is a victim of that domestic violence, dating violence, or stalking; (ii) a public housing agency or an owner or manager under this section may bifurcate a lease under this section, in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant; (iii) nothing in clause (i) may be construed to limit the authority of a public housing agency, owner, or manager, when notified, to comply with court orders, including civil protection orders issued to protect the victim and issued to address the dis-

1 *tribution or possession of property among the*
2 *household member in cases where a family*
3 *breaks up; (iv) nothing in clause (i) limits any*
4 *otherwise available authority of an owner or*
5 *manager to evict or the public housing agency or*
6 *assisted housing provider to terminate voucher*
7 *assistance to a tenant for any violation of a lease*
8 *not premised on the act or acts of violence in*
9 *question against the tenant or a member of the*
10 *tenant's household, provided that the owner or*
11 *manager does not subject an individual who is*
12 *or has been a victim of domestic violence, dating*
13 *violence, or stalking to a more demanding stand-*
14 *ard than other tenants in determining whether to*
15 *evict or terminate; (v) nothing in clause (i) may*
16 *be construed to limit the authority of an owner*
17 *or manager to evict, or the public housing agen-*
18 *cy or assisted housing provider to terminate,*
19 *voucher assistance to any tenant if the owner,*
20 *manager, public housing agency, or assisted*
21 *housing provider can demonstrate an actual and*
22 *imminent threat to other tenants or those em-*
23 *ployed at or providing service to the property if*
24 *that tenant is not evicted or terminated from as-*
25 *sistance; and (vi) nothing in this section shall be*

1 *construed to supersede any provision of any Fed-*
 2 *eral, State, or local law that provides greater*
 3 *protection than this section for victims of domes-*
 4 *tic violence, dating violence, or stalking.”; and*

5 *(D) by adding at the end the following new*
 6 *paragraph:*

7 *“(20) PROHIBITED BASIS FOR TERMINATION OF AS-*
 8 *SISTANCE.—*

9 *“(A) IN GENERAL.—A public housing agen-*
 10 *cy may not terminate assistance to a participant*
 11 *in the voucher program on the basis of an inci-*
 12 *dent or incidents of actual or threatened domes-*
 13 *tic violence, dating violence, or stalking against*
 14 *that participant.*

15 *“(B) CONSTRUAL OF LEASE PROVISIONS.—*
 16 *Criminal activity directly relating to domestic*
 17 *violence, dating violence, or stalking shall not be*
 18 *considered a serious or repeated violation of the*
 19 *lease by the victim or threatened victim of that*
 20 *criminal activity justifying termination of as-*
 21 *sistance to the victim or threatened victim.*

22 *“(C) TERMINATION ON THE BASIS OF*
 23 *CRIMINAL ACTIVITY.—Criminal activity directly*
 24 *relating to domestic violence, dating violence, or*
 25 *stalking shall not be considered cause for termi-*

1 *nation of assistance for any participant or im-*
 2 *mediate member of a participant's family who is*
 3 *a victim of the domestic violence, dating violence,*
 4 *or stalking.*

5 “(D) *EXCEPTIONS.—*

6 “(i) *PUBLIC HOUSING AUTHORITY*
 7 *RIGHT TO TERMINATE FOR CRIMINAL*
 8 *ACTS.—Nothing in subparagraphs (A), (B),*
 9 *or (C) may be construed to limit the author-*
 10 *ity of the public housing agency to termi-*
 11 *nate voucher assistance to individuals who*
 12 *engage in criminal acts of physical violence*
 13 *against family members or others.*

14 “(ii) *PUBLIC HOUSING AUTHORITY*
 15 *RIGHT TO TERMINATE ASSISTANCE FOR IM-*
 16 *MINENT THREAT.—Nothing in subpara-*
 17 *graphs (A), (B), or (C) may be construed to*
 18 *limit the authority of a public housing*
 19 *agency to terminate assistance to any indi-*
 20 *vidual who has been evicted from housing*
 21 *assisted under the program based on a*
 22 *showing that he or she presented an actual*
 23 *and imminent threat to other tenants or to*
 24 *staff of the owner or public housing agency.*

1 “(iii) *COMPLIANCE WITH COURT OR-*
2 *DERS.—Nothing in subparagraphs (A), (B),*
3 *or (C) may be construed to limit the author-*
4 *ity of a public housing agency, when noti-*
5 *fied, to comply with court orders, including*
6 *civil protection orders issued to protect the*
7 *victim and issued to address the distribu-*
8 *tion possession of property among the*
9 *household members in cases where a family*
10 *breaks up.*

11 “(iv) *PUBLIC HOUSING AUTHORITY RIGHT*
12 *TO TERMINATE VOUCHER ASSISTANCE FOR ACTS*
13 *OF VIOLENCE.—Nothing in subparagraphs (A),*
14 *(B), or (C) limit any otherwise available author-*
15 *ity of the public housing agency to terminate*
16 *voucher assistance to a tenant for any violation*
17 *of a lease not premised on the act or acts of vio-*
18 *lence in question against the tenant or a member*
19 *of the tenant’s household, provided that the*
20 *owner or manager does not subject an individual*
21 *who is or has been a victim of domestic violence,*
22 *dating violence, or stalking to a more demanding*
23 *standard than other tenants in determining*
24 *whether to evict or terminate.*

1 “(v) *PUBLIC HOUSING AUTHORITY RIGHT*
 2 *TO TERMINATE VOUCHER ASSISTANCE FOR IMMI-*
 3 *NENT THREAT.*—*Nothing in subparagraphs (A),*
 4 *(B), (C) may be construed to limit the authority*
 5 *of the public housing agency to terminate vouch-*
 6 *er assistance to a tenant if the public housing*
 7 *agency can demonstrate an actual and imminent*
 8 *threat to other tenants or those employed at or*
 9 *providing service to the property or public hous-*
 10 *ing agency if that tenant is not evicted or termi-*
 11 *nated from assistance.*

12 “(vi) *PREEMPTION.*—*Nothing in this sec-*
 13 *tion shall be construed to supersede any provi-*
 14 *sion of any Federal, State, or local law that pro-*
 15 *vides greater protection than this section for vic-*
 16 *tims of domestic violence, dating violence, or*
 17 *stalking.”;*

18 (5) *in subsection (r)(5), by inserting after “vio-*
 19 *lation of a lease” the following: “, except that a fam-*
 20 *ily may receive a voucher from a public housing*
 21 *agency and move to another jurisdiction under the*
 22 *tenant-based assistance program if the family has*
 23 *complied with all other obligations of the section 8*
 24 *program and has moved out of the assisted dwelling*
 25 *unit in order to protect the health or safety of an in-*

1 *dividual who is or has been the victim of domestic vi-*
 2 *olence, dating violence, or stalking and who reason-*
 3 *ably believed he or she was imminently threatened by*
 4 *harm from further violence if he or she remained in*
 5 *the assisted dwelling unit”; and*

6 *(6) by adding at the end the following new sub-*
 7 *section:*

8 *“(ee) CERTIFICATION AND CONFIDENTIALITY.—*

9 *“(1) CERTIFICATION.—*

10 *“(A) IN GENERAL.—An owner, manager,*
 11 *public housing agency, or assisted housing pro-*
 12 *vider responding to subsections (c)(9),*
 13 *(d)(1)(B)(ii), (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D),*
 14 *(o)(20), and (r)(5) may request that an indi-*
 15 *vidual certify via a HUD approved certification*
 16 *form that the individual is a victim of domestic*
 17 *violence, dating violence, or stalking, and that*
 18 *the incident or incidents in question are bona*
 19 *fide incidents of such actual or threatened abuse*
 20 *and meet the requirements set forth in the afore-*
 21 *mentioned paragraphs. The individual shall pro-*
 22 *vide such certification within 14 business days*
 23 *after the owner, manager, public housing agency,*
 24 *or assisted housing provider requests such certifi-*
 25 *cation.*

1 “(B) *FAILURE TO PROVIDE CERTIFI-*
2 *CATION.—If the individual does not provide the*
3 *certification within 14 business days after the*
4 *owner, manager, public housing agency, or as-*
5 *sisted housing provider has requested such cer-*
6 *tification in writing, nothing in this subsection*
7 *may be construed to limit the authority of an*
8 *owner or manager to evict, or the public housing*
9 *agency or assisted housing provider to terminate*
10 *voucher assistance for, any tenant or lawful oc-*
11 *cupant that commits violations of a lease. The*
12 *owner, manager, public housing agency, or as-*
13 *sisted housing provider may extend the 14-day*
14 *deadline at their discretion.*

15 “(C) *CONTENTS.—An individual may sat-*
16 *isfy the certification requirement of subpara-*
17 *graph (A) by—*

18 “(i) *providing the requesting owner,*
19 *manager, public housing agency, or assisted*
20 *housing provider with documentation signed*
21 *by an employee, agent, or volunteer of a vic-*
22 *tim service provider, an attorney, a member*
23 *of the clergy, a medical professional, or any*
24 *other professional, from whom the victim*
25 *has sought assistance in addressing domes-*

1 *tic violence, dating violence, sexual assault,*
 2 *or stalking, or the effects of the abuse, in*
 3 *which the professional attests under penalty*
 4 *of perjury (28 U.S.C. 1746) to the profes-*
 5 *sional's belief that the incident or incidents*
 6 *in question are bona fide incidents of abuse,*
 7 *and the victim of domestic violence, dating*
 8 *violence, or stalking has signed or attested*
 9 *to the documentation; or*

10 *“(ii) producing a Federal, State, trib-*
 11 *al, territorial, or local police or court*
 12 *record.*

13 *“(D) LIMITATION.—Nothing in this sub-*
 14 *section shall be construed to require an owner,*
 15 *manager, public housing agency, or assisted*
 16 *housing provider to demand that an individual*
 17 *produce official documentation or physical proof*
 18 *of the individual's status as a victim of domestic*
 19 *violence, dating violence, sexual assault, or stalk-*
 20 *ing in order to receive any of the benefits pro-*
 21 *vided in this section. At their discretion, the*
 22 *owner, manager, public housing agency, or as-*
 23 *sisted housing provider may provide benefits to*
 24 *an individual based solely on the individual's*
 25 *statement or other corroborating evidence.*

1 “(E) *COMPLIANCE NOT SUFFICIENT TO CON-*
2 *STITUTE EVIDENCE OF UNREASONABLE ACT.—*
3 *Compliance with this statute by an owner, man-*
4 *ager, public housing agency, or assisted housing*
5 *provider based on the certification specified in*
6 *paragraph (1)(A) and (B) of this subsection or*
7 *based solely on the victim’s statement or other*
8 *corroborating evidence, as permitted by para-*
9 *graph (1)(C) of this subsection, shall not alone be*
10 *sufficient to constitute evidence of an unreason-*
11 *able act or omission by an owner, manger, pub-*
12 *lic housing agency, or assisted housing provider,*
13 *or employee thereof. Nothing in this subpara-*
14 *graph shall be construed to limit liability for*
15 *failure to comply with the requirements of sub-*
16 *sections (c)(9), (d)(1)(B)(ii), (d)(1)(B)(iii),*
17 *(o)(7)(C), (o)(7)(D), (o)(9), or (r)(5).*

18 “(F) *PREEMPTION.—Nothing in this section*
19 *shall be construed to supersede any provision of*
20 *any Federal, State, or local law that provides*
21 *greater protection than this section for victims of*
22 *domestic violence, dating violence, or stalking.*

23 “(2) *CONFIDENTIALITY.—*

24 “(A) *IN GENERAL.—All information pro-*
25 *vided to an owner, manager, public housing*

agency, or assisted housing provider pursuant to paragraph (1), including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, shall be retained in the strictest confidence by an owner, manager, public housing agency, or assisted housing provider, and shall neither be entered into any shared database nor provided to any related entity, except to the extent that disclosure is—

“(i) requested or consented to by the individual in writing; or

“(ii) otherwise required by applicable law.

“(B) *NOTIFICATION.*—An individual must be notified of the limits of such confidentiality and informed in advance about circumstances in which the person or entity will be compelled to disclose the individual’s information.”.

SEC. 607. AMENDMENTS TO THE PUBLIC HOUSING PROGRAM.

Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(1) in subsection (c), by redesignating paragraph (3) and (4), as paragraphs (4) and (5), respectively;

1 (2) by inserting after paragraph (2) the fol-
2 lowing:

3 “(3) the public housing agency shall not deny
4 admission to the project to any applicant on the basis
5 that the applicant is or has been a victim of domestic
6 violence, dating violence, or stalking and that nothing
7 in this section shall be construed to supersede any
8 provision of any Federal, State, or local law that pro-
9 vides greater protection than this section for victims
10 of domestic violence, dating violence, or stalking”;

11 (3) in subsection (l)(5), by inserting after “other
12 good cause” the following: “, and that an incident or
13 incidents of actual or threatened domestic violence,
14 dating violence, or stalking will not be construed as
15 a serious or repeated violation of the lease by the vic-
16 tim or threatened victim of that violence and will not
17 be good cause for terminating the tenancy or occu-
18 pancy rights of the victim of such violence”;

19 (4) in subsection (l)(6), by inserting after “ter-
20 mination of tenancy” the following: “; except that (A)
21 criminal activity directly relating to domestic vio-
22 lence, dating violence, or stalking, engaged in by a
23 member of a tenant’s household or any guest or other
24 person under the tenant’s control, shall not be cause
25 for termination of the tenancy or occupancy rights, if

1 *the tenant or immediate member of the tenant's fam-*
2 *ily is a victim of that domestic violence, dating vio-*
3 *lence, or stalking; (B) a public housing agency under*
4 *this section may bifurcate a lease under this section,*
5 *in order to evict, remove, or terminate assistance to*
6 *any individual who is a tenant or lawful occupant*
7 *and who engages in criminal acts of physical violence*
8 *against family members or others, without evicting,*
9 *removing, terminating assistance to, or otherwise pe-*
10 *nalizing the victim of such violence who is also a ten-*
11 *ant or lawful occupant; (C) nothing in subparagraph*
12 *(A) may be construed to limit the authority of a pub-*
13 *lic housing agency, when notified, to comply with*
14 *court orders, including civil protection orders issued*
15 *to protect the victim and issued to address the dis-*
16 *tribution or possession of property among the house-*
17 *hold members in cases where a family breaks up; (D)*
18 *nothing in subparagraph (A) limits any otherwise*
19 *available authority of a public housing agency to*
20 *evict a tenant for any violation of a lease not pre-*
21 *mised on the act or acts of violence in question*
22 *against the tenant or a member of the tenant's house-*
23 *hold, provided that the owner or manager does not*
24 *subject an individual who is or has been a victim of*
25 *domestic violence, dating violence, or stalking to a*

1 *more demanding standard than other tenants in de-*
 2 *termining whether to evict or terminate; (E) nothing*
 3 *in subparagraph (A) may be construed to limit the*
 4 *authority of a public housing agency to terminate the*
 5 *tenancy of any tenant if the public housing agency*
 6 *can demonstrate an actual and imminent threat to*
 7 *other tenants or those employed at or providing serv-*
 8 *ice to the property if that tenant's tenancy is not ter-*
 9 *minated; and (F) nothing in this section shall be con-*
 10 *strued to supersede any provision of any Federal,*
 11 *State, or local law that provides greater protection*
 12 *than this section for victims of domestic violence, dat-*
 13 *ing violence, or stalking.”; and*

14 *(5) by inserting at the end of subsection (t) the*
 15 *following new subsection:*

16 “(u) *CERTIFICATION AND CONFIDENTIALITY.*—

17 “(1) *CERTIFICATION.*—

18 “(A) *IN GENERAL.*—A public housing agen-

19 *cy responding to subsection (l) (5) and (6) may*

20 *request that an individual certify via a HUD*

21 *approved certification form that the individual*

22 *is a victim of domestic violence, dating violence,*

23 *or stalking, and that the incident or incidents in*

24 *question are bona fide incidents of such actual or*

25 *threatened abuse and meet the requirements set*

1 *forth in the aforementioned paragraphs. The in-*
2 *dividual shall provide such certification within*
3 *14 business days after the public housing agency*
4 *requests such certification.*

5 *“(B) FAILURE TO PROVIDE CERTIFI-*
6 *CATION.—If the individual does not provide the*
7 *certification within 14 business days after the*
8 *public housing agency has requested such certifi-*
9 *cation in writing, nothing in this subsection*
10 *may be construed to limit the authority of the*
11 *public housing agency to evict any tenant or*
12 *lawful occupant that commits violations of a*
13 *lease. The public housing agency may extend the*
14 *14-day deadline at its discretion.*

15 *“(C) CONTENTS.—An individual may sat-*
16 *isfy the certification requirement of subpara-*
17 *graph (A) by—*

18 *“(i) providing the requesting public*
19 *housing agency with documentation signed*
20 *by an employee, agent, or volunteer of a vic-*
21 *tim service provider, an attorney, a member*
22 *of the clergy, a medical professional, or any*
23 *other professional from whom the victim has*
24 *sought assistance in addressing domestic vi-*
25 *olence, dating violence, or stalking, or the*

1 *effects of the abuse, in which the profes-*
2 *sional attests under penalty of perjury (28*
3 *U.S.C. 1746) to the professional's belief that*
4 *the incident or incidents in question are*
5 *bona fide incidents of abuse, and the victim*
6 *of domestic violence, dating violence, or*
7 *stalking has signed or attested to the docu-*
8 *mentation; or*

9 *“(ii) producing a Federal, State, trib-*
10 *al, territorial, or local police or court*
11 *record.*

12 *“(D) LIMITATION.—Nothing in this sub-*
13 *section shall be construed to require any public*
14 *housing agency to demand that an individual*
15 *produce official documentation or physical proof*
16 *of the individual's status as a victim of domestic*
17 *violence, dating violence, or stalking in order to*
18 *receive any of the benefits provided in this sec-*
19 *tion. At the public housing agency's discretion, a*
20 *public housing agency may provide benefits to*
21 *an individual based solely on the individual's*
22 *statement or other corroborating evidence.*

23 *“(E) PREEMPTION.—Nothing in this section*
24 *shall be construed to supersede any provision of*
25 *any Federal, State, or local law that provides*

1 *greater protection than this section for victims of*
2 *domestic violence, dating violence, or stalking.*

3 *“(F) COMPLIANCE NOT SUFFICIENT TO CON-*
4 *STITUTE EVIDENCE OF UNREASONABLE ACT.—*

5 *Compliance with this statute by a public housing*
6 *agency, or assisted housing provider based on the*
7 *certification specified in subparagraphs (A) and*
8 *(B) of this subsection or based solely on the vic-*
9 *tim’s statement or other corroborating evidence,*
10 *as permitted by subparagraph (D) of this sub-*
11 *section, shall not alone be sufficient to constitute*
12 *evidence of an unreasonable act or omission by*
13 *an owner, manager, public housing agency, or*
14 *assisted housing provider, or employee thereof.*
15 *Nothing in this subparagraph shall be construed*
16 *to limit liability for failure to comply with the*
17 *requirements of subsection l(5) and (6).*

18 *“(2) CONFIDENTIALITY.—*

19 *“(A) IN GENERAL.—All information pro-*
20 *vided to any public housing agency pursuant to*
21 *paragraph (1), including the fact that an indi-*
22 *vidual is a victim of domestic violence, dating*
23 *violence, or stalking, shall be retained in the*
24 *strictest confidence by such public housing agen-*
25 *cy, and shall neither be entered into any shared*

1 *database nor provided to any related entity, ex-*
 2 *cept to the extent that disclosure is—*

3 *“(i) requested or consented to by the*
 4 *individual in writing; or*

5 *“(ii) otherwise required by applicable*
 6 *law.*

7 *“(B) NOTIFICATION.—An individual must*
 8 *be notified of the limits of such confidentiality*
 9 *and informed in advance about circumstances in*
 10 *which the person or entity will be compelled to*
 11 *disclose the individual’s information.*

12 *“(3) DEFINITIONS.—For purposes of this sub-*
 13 *section, subsection (c)(3), and subsection (l)(5) and*
 14 *(6)—*

15 *“(A) the term ‘domestic violence’ has the*
 16 *same meaning given the term in section 40002*
 17 *of the Violence Against Women Act of 1994;*

18 *“(B) the term ‘dating violence’ has the same*
 19 *meaning given the term in section 40002 of the*
 20 *Violence Against Women Act of 1994; and*

21 *“(C) the term ‘stalking’ means engaging in*
 22 *a course of conduct directed at a specific person*
 23 *that would cause a reasonable person to—*

24 *“(i) fear for his or her safety or the*
 25 *safety of others; or*

1 “(ii) suffer significant emotional dis-
2 tress.”.

3 **TITLE VII—PROVIDING ECO-**
4 **NOMIC SECURITY FOR VIC-**
5 **TIMS OF VIOLENCE**

6 **SEC. 701. GRANT FOR NATIONAL CLEARINGHOUSE AND RE-**
7 **SOURCE CENTER ON WORKPLACE RE-**
8 **SPONSES TO ASSIST VICTIMS OF DOMESTIC**
9 **AND SEXUAL VIOLENCE.**

10 *Subtitle N of the Violence Against Women Act of 1994*
11 *(Public Law 103–322; 108 Stat. 1902) is amended by add-*
12 *ing at the end the following:*

13 **“Subtitle O—National**
14 **Clearinghouse and Resource Center**

15 **“SEC. 41501. GRANT FOR NATIONAL CLEARINGHOUSE AND**
16 **RESOURCE CENTER ON WORKPLACE RE-**
17 **SPONSES TO ASSIST VICTIMS OF DOMESTIC**
18 **AND SEXUAL VIOLENCE.**

19 “(a) *AUTHORITY.—The Attorney General, acting*
20 *through the Director of the Office on Violence Against*
21 *Women, may award a grant to an eligible nonprofit non-*
22 *governmental entity or tribal organization, in order to pro-*
23 *vide for the establishment and operation of a national clear-*
24 *inghouse and resource center on workplace responses to as-*
25 *sist victims of domestic and sexual violence. The clearing-*

1 *house and resource center shall provide information and as-*
2 *sistance to employers, labor organizations, and advocates*
3 *on behalf of victims of domestic or sexual violence, to aid*
4 *in their efforts to develop and implement appropriate re-*
5 *sponses to such violence in order to assist those victims.*

6 “(b) *APPLICATIONS.—To be eligible to receive a grant*
7 *under this section, an entity or organization shall submit*
8 *an application to the Attorney General at such time, in*
9 *such manner, and containing such information as the At-*
10 *torney General may require, including—*

11 “(1) *information that demonstrates that the enti-*
12 *ty or organization has nationally recognized expertise*
13 *in the area of domestic or sexual violence, and a*
14 *record of commitment to reducing domestic or sexual*
15 *violence;*

16 “(2) *a plan to maximize, to the extent prac-*
17 *ticable, outreach to employers (including private com-*
18 *panies and public entities such as public institutions*
19 *of higher education and State and local governments),*
20 *labor organizations, and advocates described in sub-*
21 *section (a) concerning developing and implementing*
22 *appropriate workplace responses to assist victims of*
23 *domestic or sexual violence; and*

24 “(3) *a plan for developing materials and train-*
25 *ing for materials for employers that address the needs*

1 *of employees in cases of domestic violence, dating vio-*
2 *lence, sexual assault, and stalking impacting the*
3 *workplace, including the needs of racial and ethnic*
4 *and other underserved communities.*

5 “(c) *USE OF GRANT AMOUNT.*—

6 “(1) *IN GENERAL.*—*An entity or organization*
7 *that receives a grant under this section may use the*
8 *funds made available through the grant for staff sala-*
9 *ries, travel expenses, equipment, printing, and other*
10 *reasonable expenses necessary to develop, maintain,*
11 *and disseminate to employers, labor organizations,*
12 *and advocates described in subsection (a), informa-*
13 *tion and assistance concerning appropriate workplace*
14 *responses to assist victims of domestic or sexual vio-*
15 *lence.*

16 “(2) *RESPONSES.*—*Responses referred to in*
17 *paragraph (1) may include—*

18 “(A) *providing training to promote a better*
19 *understanding of appropriate workplace assist-*
20 *ance to victims of domestic or sexual violence;*

21 “(B) *providing conferences and other edu-*
22 *cational opportunities;*

23 “(C) *developing protocols and model work-*
24 *place policies;*

1 “(D) providing employer-sponsored and
2 labor organization-sponsored victim assistance
3 and outreach counseling; and

4 “(E) conducting assessments of the work-
5 place costs of domestic or sexual violence.

6 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—There is
7 authorized to be appropriated to carry out this section
8 \$1,000,000 for each of fiscal years 2006 through 2010.

9 “(e) *AVAILABILITY OF GRANT FUNDS.*—Funds appro-
10 priated under this section shall remain available until ex-
11 pended.”.

12 ***TITLE VIII—PROTECTION OF***
13 ***BATTERED AND TRAFFICKED***
14 ***IMMIGRANT WOMEN***

15 ***Subtitle A—Victims of Crime***

16 ***SEC. 801. TREATMENT OF SPOUSE AND CHILDREN OF VIC-***
17 ***TIMS.***

18 (a) *TREATMENT OF SPOUSE AND CHILDREN OF VIC-*
19 *TIMS OF TRAFFICKING.*—Section 101(a)(15)(T) of the Im-
20 migration and Nationality Act (8 U.S.C. 1101(a)(15)(T))
21 is amended—

22 (1) in clause (i)—

23 (A) in the matter preceding subclause (I),
24 by striking “Attorney General” and inserting
25 “Secretary of Homeland Security”;

1 (B) in subclause (III)(aa)—

2 (i) by inserting “Federal, State, or
3 local” before “investigation”; and

4 (ii) by striking “, or” and inserting
5 “or crimes related to trafficking; or”; and

6 (C) in subclause (IV), by striking “and” at
7 the end;

8 (2) by amending clause (ii) to read as follows:

9 “(ii) if accompanying, or following to join, the
10 alien described in clause (i)—

11 “(I) in the case of an alien described in
12 clause (i) who is under 21 years of age, the
13 spouse, children, unmarried siblings under 18
14 years of age on the date on which such alien ap-
15 plied for status under such clause, and parents
16 of such alien; and

17 “(II) in the case of an alien described in
18 clause (i) who is 21 years of age or older, the
19 spouse and children of such alien; and”; and

20 (3) by inserting after clause (ii) the following:

21 “(iii) if a trafficking victim, due to psychological
22 or physical trauma, is unable to cooperate with a re-
23 quest for assistance described in clause (i)(III)(aa),
24 the request is not reasonable.

1 (b) *TREATMENT OF SPOUSES AND CHILDREN OF VIC-*
 2 *TIMS OF ABUSE.*—Section 101(a)(15)(U) of the *Immigra-*
 3 *tion and Nationality Act* (8 U.S.C. 1101(a)(15)(U)) is
 4 *amended—*

5 (1) *in clause (i)—*

6 (A) *in the matter preceding subclause (I),*
 7 *by striking “Attorney General” and inserting*
 8 *“Secretary of Homeland Security”; and*

9 (B) *in subclause (I), by inserting “or in-*
 10 *jury” after “physical or mental abuse”;*

11 (2) *by amending clause (ii) to read as follows:*

12 “(ii) *if accompanying, or following to join, the*
 13 *alien described in clause (i)—*

14 “(I) *in the case of an alien described in*
 15 *clause (i) who is under 21 years of age, the*
 16 *spouse, children, unmarried siblings under 18*
 17 *years of age on the date on which such alien ap-*
 18 *plied for status under such clause, and parents*
 19 *of such alien; and*

20 “(II) *in the case of an alien described in*
 21 *clause (i) who is 21 years of age or older, the*
 22 *spouse and children of such alien; and”; and*

23 (3) *in clause (iii), by inserting “child abuse;*
 24 *stalking (including physical or electronic stalking);”*
 25 *after “false imprisonment;”.*

1 (c) *TECHNICAL AMENDMENTS.*—Section 101(i) of the
 2 *Immigration and Nationality Act* (8 U.S.C. 1101(i)) is
 3 *amended*—

4 (1) in paragraph (1), by striking “Attorney Gen-
 5 *eral*” and inserting “Secretary of Homeland Security,
 6 *the Attorney General*,”; and

7 (2) in paragraph (2), by striking “Attorney Gen-
 8 *eral*” and inserting “Secretary of Homeland Secu-
 9 *rity*”.

10 **SEC. 802. PRESENCE OF VICTIMS OF A SEVERE FORM OF**
 11 **TRAFFICKING IN PERSONS.**

12 (a) *IN GENERAL.*—Section 212(a)(9)(B)(iii) of the *Im-*
 13 *migration and Nationality Act* (8 U.S.C.
 14 1182(a)(9)(B)(iii)) is amended by adding at the end the
 15 *following*:

16 “(V) *VICTIMS OF A SEVERE FORM OF TRAF-*
 17 *FICKING IN PERSONS.*—Clause (i) shall not
 18 *apply to an alien who demonstrates that there*
 19 *was a connection between the alien being a vic-*
 20 *tim of a severe form of trafficking (as that term*
 21 *is defined in section 103 of the Trafficking Vic-*
 22 *tims Protection Act of 2000 (22 U.S.C. 7102))*
 23 *and the alien’s unlawful presence in the United*
 24 *States.*”.

8 *Section 245(l) of the Immigration and Nationality Act*
9 *(8 U.S.C. 1255(l)) is amended—*

11 (A) by striking “Attorney General” each
12 place it appears and inserting “Secretary of
13 Homeland Security”; and

(2) in paragraph (2), by striking “Attorney Gen-
eral” each place it appears and inserting “Secretary
of Homeland Security”; and

(3) in paragraph (5), by striking “Attorney General” and inserting “Secretary of Homeland Security”.

24 (a) CLARIFICATION OF DEPARTMENT OF JUSTICE AND
25 DEPARTMENT OF HOMELAND SECURITY ROLES.—

1 (1) *TRAFFICKING VICTIMS*.—Section 107 of the
2 *Trafficking Victims Protection Act of 2000* (22 U.S.C.
3 7105) is amended—

4 (A) in subsections (b)(1)(E), (e)(5), and (g),
5 by striking “Attorney General” each place it ap-
6 pears and inserting “Secretary of Homeland Se-
7 curity”; and

8 (B) in subsection (c), by inserting “, the
9 Secretary of Homeland Security” after “Attor-
10 ney General”.

11 (2) *NONIMMIGRANT ALIENS*.—Section 101 of the
12 *Immigration and Nationality Act* (8 U.S.C. 1101) is
13 amended—

14 (A) in subsection (a)(15)(T), by striking
15 “Attorney General” each place it appears and
16 inserting “Secretary of Homeland Security; and

17 (B) in subsection (i)—

18 (i) in paragraph (1), by striking “At-
19 torney General” and inserting “Secretary of
20 Homeland Security, the Attorney General,”;
21 and

22 (ii) in paragraph (2), by striking “At-
23 torney General” and inserting “Secretary of
24 Homeland Security”.

1 (3) *INADMISSIBLE ALIENS*.—Section 212(d)(13)
 2 of the Immigration and Nationality Act (8 U.S.C.
 3 1182(d)(13)) is amended—

4 (A) in subparagraph (A), by striking “At-
 5 torney General” and inserting “Secretary of
 6 Homeland Security”;

7 (B) in subparagraph (B)—

8 (i) by striking “Attorney General”
 9 each place it appears and inserting “Sec-
 10 retary of Homeland Security”; and

11 (ii) by striking “, in the Attorney Gen-
 12 eral’s discretion,”.

13 (4) *ADJUSTMENT OF STATUS FOR VICTIMS OF*
 14 *TRAFFICKING*.—Section 245(l) of the Immigration
 15 and Nationality Act (8 U.S.C. 1255(l)) is amended—

16 (A) in paragraphs (1), (2), and (4), by
 17 striking “Attorney General” the first place it ap-
 18 pears in each such paragraph and inserting
 19 “Secretary of Homeland Security”;

20 (B) in paragraphs (1) and (2), by striking
 21 “Attorney General” the second place it appears
 22 in each such paragraph and inserting “Sec-
 23 retary”; and

24 (C) in paragraph (2), by striking “, in the
 25 Attorney General’s discretion,”.

1 (b) *CERTIFICATION PROCESS.—Section 107(b)(1)(E)*
 2 *of the Trafficking Victims Protection Act of 2000 (22 U.S.C.*
 3 *7105(b)(1)(E)) is amended—*

4 (1) *in clause (i)—*

5 (A) *in the matter preceding subclause (I),*
 6 *by striking “Attorney General, that the person*
 7 *referred to in subparagraph (C)(ii)(II)—” and*
 8 *inserting “Attorney General or the Secretary of*
 9 *Homeland Security, as appropriate, that the*
 10 *person referred to in subparagraph (C)(ii)(II)—*

11 *“(I) has not attained 18 years of age;*
 12 *or—”;*

13 (B) *in subclause (I)—*

14 (i) *by striking “(I)” and inserting*
 15 *“(II)”;* *and*

16 (ii) *by striking “investigation and*
 17 *prosecution” and inserting “investigation*
 18 *or prosecution, by the United States or a*
 19 *State or local government,”;* *and*

20 (C) *in subclause (II)—*

21 (i) *by striking “(II)” and inserting*
 22 *“(III)”;* *and*

23 (ii) *in item (bb), by inserting “or the*
 24 *Secretary of Homeland Security” after “At-*
 25 *torney General”;*

1 (2) *in clause (ii), by striking “Attorney General”*
2 *and inserting “Secretary of Homeland Security”;*

3 (3) *in clause (iii)—*

4 (A) *in subclause (II), by striking “and” at*
5 *the end;*

6 (B) *in subclause (III), by striking the pe-*
7 *riod at the end and inserting “; or”; and*

8 (C) *by adding at the end the following:*

9 *“(IV) responding to and cooper-*
10 *ating with requests for evidence and*
11 *information.; and*

12 (4) *by striking “investigation and prosecution”*
13 *each place it appears and inserting “investigation or*
14 *prosecution”.*

15 (b) *TRAFFICKING VICTIM REGULATIONS.—Section*
16 *107(c) of the Trafficking Victims Protection Act of 2000 (22*
17 *U.S.C. 7105(c)) is amended—*

18 (1) *in the matter preceding paragraph (1), by*
19 *inserting “, the Secretary of Homeland Security,”*
20 *after “Attorney General”; and*

21 (2) *in paragraph (3)—*

22 (A) *by striking “Federal law enforcement*
23 *officials” and inserting “The Department of*
24 *Homeland Security”; and*

1 (B) by adding at the end the following:

2 “State or local law enforcement officials may pe-
 3 tition the Department of Homeland Security for
 4 the continued presence for trafficking victims. If
 5 such a petition contains a certification that a
 6 trafficking victim is a victim of a severe form of
 7 trafficking, the presence of the trafficking victim
 8 may be permitted in accordance with this para-
 9 graph.”.

10 (c) *PROTECTION FROM REMOVAL FOR CERTAIN CRIME*
 11 *VICTIMS*.—Section 107(e)(5) of the *Trafficking Victims Pro-*
 12 *tection Act of 2000* (22 U.S.C. 7105(e)(5)) is amended by
 13 striking “Attorney General” each place it occurs and insert-
 14 ing “Secretary of Homeland Security”.

15 (d) *ANNUAL REPORT*.—Section 107(g) of the *Traf-*
 16 *ficking Victims Protection Act of 2000* (22 U.S.C. 7105(g))
 17 is amended by inserting “or the Secretary of Homeland Se-
 18 curity” after “Attorney General”.

19 **SEC. 805. PROTECTING VICTIMS OF CHILD ABUSE.**

20 (a) *AGING OUT CHILDREN*.—Section 204(a)(1)(D) of
 21 the *Immigration and Nationality Act* (8 U.S.C.
 22 1154(a)(1)(D)) is amended—

23 (1) in clause (i)—

1 (A) in subclause (I), by inserting “or sec-
 2 tion 204(a)(1)(B)(iii)” after “204(a)(1)(A)” each
 3 place it appears; and

4 (B) in subclause (III), by striking “a peti-
 5 tioner for preference status under paragraph (1),
 6 (2), or (3) of section 203(a), whichever para-
 7 graph is applicable,” and inserting “a VAWA
 8 self-petitioner”; and

9 (2) by adding at the end the following:

10 “(iv) Any alien who benefits from this subparagraph
 11 may adjust status in accordance with subsections (a) and
 12 (c) of section 245 as an alien having an approved petition
 13 for classification under subparagraph (A)(iii), (A)(iv),
 14 (B)(ii), or (B)(iii).”.

15 (b) *APPLICATION OF CSPA PROTECTIONS.*—

16 (1) *IMMEDIATE RELATIVE RULES.*—Section
 17 201(f) of the Immigration and Nationality Act (8
 18 U.S.C. 1151(f)) is amended by adding at the end the
 19 following:

20 “(4) *APPLICATION TO SELF-PETITIONS.*—Para-
 21 graphs (1) through (3) shall apply to self-petitioners
 22 and derivatives of self-petitioners.”.

23 (2) *CHILDREN RULES.*—Section 203(h) of the
 24 Immigration and Nationality Act (8 U.S.C. 1153(h))
 25 is amended by adding at the end the following:

1 “(4) *APPLICATION TO SELF-PETITIONS.—*Para-
 2 *graphs (1) through (3) shall apply to self-petitioners*
 3 *and derivatives of self-petitioners.”.*

4 (c) *LATE PETITION PERMITTED FOR IMMIGRANT SONS*
 5 *AND DAUGHTERS BATTERED AS CHILDREN.—*

6 (1) *IN GENERAL.—*Section 204(a)(1)(D) of the
 7 *Immigration and Nationality Act (8 U.S.C.*
 8 *1154(a)(1)(D)), as amended by subsection (a), is fur-*
 9 *ther amended by adding at the end the following:*

10 “(v) *For purposes of this paragraph, an individual*
 11 *who is not less than 21 years of age, who qualified to file*
 12 *a petition under subparagraph (A)(iv) as of the day before*
 13 *the date on which the individual attained 21 years of age,*
 14 *and who did not file such a petition before such day, shall*
 15 *be treated as having filed a petition under such subpara-*
 16 *graph as of such day if a petition is filed for the status*
 17 *described in such subparagraph before the individual at-*
 18 *tains 25 years of age and the individual shows a connection*
 19 *between the abuse and the filing delay. Clauses (i) through*
 20 *(iv) of this subparagraph shall apply to an individual de-*
 21 *scribed in this clause in the same manner as an individual*
 22 *filing a petition under subparagraph (A)(iv).”.*

23 (d) *REMOVING A 2-YEAR CUSTODY AND RESIDENCY*
 24 *REQUIREMENT FOR BATTERED ADOPTED CHILDREN.—**Sec-*
 25 *tion 101(b)(1)(E)(i) of the Immigration and Nationality*

1 *Act (8 U.S.C. 1101(b)(1)(E)(i)) is amended by inserting be-*
 2 *fore the colon the following: “or if the child has been battered*
 3 *or subject to extreme cruelty by the adopting parent or by*
 4 *a family member of the adopting parent residing in the*
 5 *same household”.*

6 ***Subtitle B—VAWA Self-Petitioners***

7 ***SEC. 811. DEFINITION OF VAWA SELF-PETITIONER.***

8 *Section 101(a) of the Immigration and Nationality*
 9 *Act (8 U.S.C. 1101(a)) is amended by adding at the end*
 10 *the following:*

11 *“(51) The term ‘VAWA self-petitioner’ means an*
 12 *alien, or a child of the alien, who qualifies for relief*
 13 *under—*

14 *“(A) clause (iii), (iv), or (vii) of section*
 15 *204(a)(1)(A);*

16 *“(B) clause (ii) or (iii) of section*
 17 *204(a)(1)(B);*

18 *“(C) section 216(c)(4)(C);*

19 *“(D) the first section of Public Law 89–732*
 20 *(8 U.S.C. 1255 note) (commonly known as the*
 21 *Cuban Adjustment Act) as a child or spouse who*
 22 *has been battered or subjected to extreme cruelty;*

23 *“(E) section 902(d)(1)(B) of the Haitian*
 24 *Refugee Immigration Fairness Act of 1998 (8*
 25 *U.S.C. 1255 note);*

1 “(F) section 202(d)(1) of the Nicaraguan
 2 Adjustment and Central American Relief Act; or
 3 “(G) section 309 of the Illegal Immigration
 4 Reform and Immigrant Responsibility Act of
 5 1996 (division C of Public Law 104–208).”.

6 **SEC. 812. APPLICATION TO FIANCEES WHO DO NOT MARRY**
 7 **WITHIN 90 DAY PERIOD.**

8 (a) *IN GENERAL.*—Section 214(d) of the Immigration
 9 and Nationality Act (8 U.S.C. 1184(d)) is amended by in-
 10 serting before the period at the end the following: “, unless
 11 the alien is eligible for status as a VAWA self-petitioner,
 12 for relief under section 240A(b)(2), or for relief under sec-
 13 tion 244(a)(3) (as in effect prior to March 31, 1997), and
 14 the alien married the United States citizen who filed the
 15 petition under section 101(a)(15)(K)(i)”.

16 (b) *EXEMPTION FOR BATTERED IMMIGRANT WOMEN*
 17 *WHO ENTERED THE UNITED STATES ON FINANCE VISAS*
 18 *FROM CONDITIONAL RESIDENCY STATUS REQUIREMENT.*—
 19 Section 245(d) of the Immigration and Nationality Act (8
 20 U.S.C. 1255(d)) is amended—

21 (1) by inserting “(1)” after “(d)”; and

22 (2) by adding at the end the following:

23 “(2) The failure of a nonimmigrant described in sec-
 24 tion 101(a)(15)(K) to marry within 3 months of being ad-
 25 mitted in such status does not restrict the Secretary of

1 *Homeland Security’s or the Attorney General’s authority*
 2 *to adjust the status of the nonimmigrant, or grant relief*
 3 *under section 240A(b)(2), or under section 244(a)(3) (as in*
 4 *effect prior to March 31, 1997), provided that—*

5 “(A) *the alien married the United States citizen*
 6 *who filed the petition under section 101(a)(15)(K)(i);*

7 “(B) *the United States citizen petitioner sub-*
 8 *jected a VAWA self-petitioner to battery or extreme*
 9 *cruelty; and*

10 “(C) *the alien shows a connection between the*
 11 *battery or extreme cruelty and the failure to marry*
 12 *within the 90-day period.”.*

13 **SEC. 813. APPLICATION IN CASE OF VOLUNTARY DEPAR-**
 14 **TURE.**

15 *Section 240B(d) of the Immigration and Nationality*
 16 *Act (8 U.S.C. 1229c(d)) is amended to read as follows:*

17 “(d) *CIVIL PENALTY FOR FAILURE TO DEPART.—*

18 “(1) *IN GENERAL.—Subject to paragraph (2), if*
 19 *an alien is permitted to depart voluntarily under this*
 20 *section and voluntarily fails to depart the United*
 21 *States within the time period specified, the alien—*

22 “(A) *shall be subject to a civil penalty of*
 23 *not less than \$1,000 and not more than \$5,000;*
 24 *and*

1 “(B) shall be ineligible, for a period of 10
 2 years, to receive any further relief under this sec-
 3 tion and sections 240A, 245, 248, and 249.

4 “(2) *APPLICATION OF VAWA PROTECTIONS.*—The
 5 restrictions on relief under paragraph (1) shall not
 6 apply to relief under section 240A or 245 on the basis
 7 of a petition filed by a VAWA self-petitioner, or a pe-
 8 tition filed under section 240A(b)(2), or under section
 9 244(a)(3) (as in effect prior to March 31, 1997), if the
 10 extreme cruelty or battering occurred before the alien
 11 overstayed the grant of voluntary departure.

12 “(3) *NOTICE OF PENALTIES.*—The order permit-
 13 ting an alien to depart voluntarily shall inform the
 14 alien of the penalties under this subsection.”.

15 **SEC. 814. REMOVAL PROCEEDINGS.**

16 (a) *EXCEPTIONAL CIRCUMSTANCES.*—

17 (1) *IN GENERAL.*—Section 240(e)(1) of the Im-
 18 migration and Nationality Act (8 U.S.C.
 19 1229a(e)(1)) is amended by striking “serious illness of
 20 the alien” and inserting “battery or extreme cruelty
 21 to the alien or any child or parent of the alien, seri-
 22 ous illness of the alien,”.

23 (2) *EFFECTIVE DATE.*—The amendment made by
 24 paragraph (1) shall apply to a failure to appear that

1 occurs before, on, or after the date of the enactment
2 of this Act.

3 (b) *DISCRETION TO CONSENT TO AN ALIEN'S RE-*
4 *APPLICATION FOR ADMISSION.*—

5 (1) *IN GENERAL.*—*The Secretary of Homeland*
6 *Security, the Attorney General, and the Secretary of*
7 *State shall continue to have discretion to consent to*
8 *an alien's reapplication for admission after a pre-*
9 *vious order of removal, deportation, or exclusion.*

10 (2) *SENSE OF CONGRESS.*—*It is the sense of*
11 *Congress that the officials described in paragraph (1)*
12 *should particularly consider exercising this authority*
13 *in cases under the Violence Against Women Act of*
14 *1994, cases involving nonimmigrants described in*
15 *subparagraph (T) or (U) of section 101(a)(15) of the*
16 *Immigration and Nationality Act (8 U.S.C.*
17 *1101(a)(15)), and relief under section 240A(b)(2) or*
18 *244(a)(3) of such Act (as in effect on March 31, 1997)*
19 *pursuant to regulations under section 212.2 of title 8,*
20 *Code of Federal Regulations.*

21 (c) *RESTRICTION ON REMOVAL WHILE VAWA PETI-*
22 *TION PENDING.*—

23 (1) *IN GENERAL.*—*Section 240 of the Immigra-*
24 *tion and Nationality Act (8 U.S.C. 1229a) is amend-*
25 *ed by adding at the end the following:*

1 “(f) *RESTRICTION ON REMOVAL WHILE PETITION*
 2 *PENDING.*—An alien who is a VAWA self-petitioner, the
 3 beneficiary under subparagraph (T) or (U) of section
 4 101(a)(15) who meets the requirement of section 240A(b)(2)
 5 or subparagraphs (A) through (C) of section 216(c)(4), or
 6 who qualifies for relief under section 244(a)(3) (as in effect
 7 on March 31, 1997)—

8 “(1) shall not be removed or deported until the
 9 Bureau of Immigration and Customs Enforcement
 10 has consulted with the Bureau of Citizenship and Im-
 11 migration Services to determine whether the alien is
 12 entitled to any form of relief; and

13 “(2) shall not be detained while in removal pro-
 14 ceedings, unless mandatory detention is required
 15 under section 236A or 236(c).”.

16 (2) *WAIVERS AND EXCEPTIONS.*—Section
 17 236(c)(2) of the Immigration and Nationality Act (8
 18 U.S.C. 1226) is amended—

19 (A) in paragraph (2) by inserting “(A)” be-
 20 fore “The Attorney General may release an alien
 21 described in paragraph (1) only”; and

22 (B) adding at the end the following:

23 “(B) The Secretary of Homeland Security
 24 or the Attorney General may release on their
 25 own recognizance an alien described in para-

graph (1) if the Secretary or the Attorney General determines that the alien may qualify for—

“(i) a waiver under section 212(d)(13), 212(d)(14), 212(h), 237(a)(2)(A)(v), or 237(a)(7); or

“(ii) an exception under section 204(a)(1)(C); or

“(iii) relief under section 240A(a).”.

(d) *CLARIFYING APPLICATION OF DOMESTIC VIOLENCE*

WAIVER AUTHORITY IN CANCELLATION OF REMOVAL.—

(1) *IN GENERAL.*—Section 240A(b) of the Immigration and Nationality Act (8 U.S.C. 1229b(b)) is amended—

(A) in paragraph (1)(C), by striking “(except in a case described in section 237(a)(7) where the Attorney General exercises discretion to grant a waiver)” and inserting “, subject to paragraph (5)”;

(B) in paragraph (2)(A)(iv), by striking “(except in a case described in section 237(a)(7) where the Attorney General exercises discretion to grant a waiver)” and inserting “, subject to paragraph (5)”;

(C) by adding at the end the following:

1 “(5) *APPLICATION OF DOMESTIC VIOLENCE WAIV-*
 2 *ER AUTHORITY.*—*The authority provided under sec-*
 3 *tion 237(a)(7) may apply under paragraphs (1)(B),*
 4 *(1)(C), and (2)(A)(iv) in a cancellation of removal*
 5 *and adjustment of status proceeding.”.*

6 **SEC. 815. ELIMINATING ABUSERS’ CONTROL OVER APPLICA-**
 7 **TIONS FOR ADJUSTMENTS OF STATUS.**

8 *(a) APPLICATION OF VAWA DEPORTATION PROTEC-*
 9 *TIONS TO ALIENS ELIGIBLE FOR RELIEF UNDER CUBAN*
 10 *ADJUSTMENT AND HAITIAN REFUGEE IMMIGRATION FAIR-*
 11 *NESS ACT.*—*Section 1506(c)(2) of the Violence Against*
 12 *Women Act of 2000 (8 U.S.C. 1229a note; division B of*
 13 *Public Law 106–386) is amended—*

14 *(1) in subparagraph (A)—*

15 *(A) by amending clause (i) to read as fol-*
 16 *lows:*

17 *“(i) if the basis of the motion is to*
 18 *apply for relief under—*

19 *“(I) clause (iii) or (iv) of section*
 20 *204(a)(1)(A) of the Immigration and*
 21 *Nationality Act (8 U.S.C.*
 22 *1154(a)(1)(A));*

23 *“(II) clause (ii) or (iii) of section*
 24 *204(a)(1)(B) of such Act (8 U.S.C.*
 25 *1154(a)(1)(B));*

1 “(III) section 244(a)(3) of such
2 Act (8 U.S.C. 8 U.S.C. 1254(a)(3));

3 “(IV) the first section of Public
4 Law 89–732 (8 U.S.C. 1255 note)
5 (commonly known as the Cuban Ad-
6 justment Act) as a child or spouse who
7 has been battered or subjected to ex-
8 tremе cruelty; or

9 “(V) section 902(d)(1)(B) of the
10 Haitian Refugee Immigration Fairness
11 Act of 1998 (8 U.S.C. 1255 note);
12 and”; and

13 (B) in clause (ii), by inserting “or adjust-
14 ment of status” after “suspension of deporta-
15 tion”; and

16 (2) in subparagraph (B)(ii), by striking “for re-
17 lief” and all that follows through “1101 note))” and
18 inserting “for relief described in subparagraph
19 (A)(i)”.

20 (b) EMPLOYMENT AUTHORIZATION FOR VAWA SELF-
21 PETITIONERS.—Section 204(a)(1) of the Immigration and
22 Nationality Act (8 U.S.C. 1154(a)(1)) is amended by add-
23 ing at the end the following:

24 “(l) Upon the approval of a petition as a VAWA self-
25 petitioner, the alien—

1 “(i) is eligible for work authorization; and

2 “(ii) shall be provided an ‘employment author-
3 ized’ endorsement or appropriate work permit inci-
4 dental to such approval.”.

5 **SEC. 816. APPLICATION FOR VAWA-RELATED RELIEF.**

6 (a) *IN GENERAL.*—Section 202(d)(1) of the Nica-
7 raguan Adjustment and Central American Relief Act (8
8 U.S.C. 1255 note; Public Law 105–100) is amended—

9 (1) in subparagraph (B)(ii), by inserting “, or
10 was eligible for adjustment,” after “whose status is
11 adjusted”; and

12 (2) in subparagraph (E), by inserting “, or, in
13 the case of an alien who qualifies under subparagraph
14 (B)(ii), applies for such adjustment during the 18-
15 month period beginning on the date of enactment of
16 the Violence Against Women Act of 2005” after “April
17 1, 2000”.

18 (b) *TECHNICAL AMENDMENT.*—Section 202(d)(3) of
19 such Act (8 U.S.C. 1255 note; Public Law 105–100) is
20 amended by striking “204(a)(1)(H)” and inserting
21 “204(a)(1)(J)”.

22 (c) *EFFECTIVE DATE.*—The amendment made by sub-
23 section (b) shall take effect as if included in the enactment
24 of the Violence Against Women Act of 2000 (division B of
25 Public Law 106–386; 114 Stat. 1491).

1 **SEC. 817. SELF-PETITIONING PARENTS.**

2 Section 204(a)(1)(A) of the Immigration and Nation-
3 ality Act (8 U.S.C. 1154(a)(1)(A)) is amended by adding
4 at the end the following:

5 “(vii) An alien may file a petition with the Secretary
6 of Homeland Security under this subparagraph for classi-
7 fication of the alien under section 201(b)(2)(A)(i) if the
8 alien—

9 “(I) is the parent of a citizen of the United
10 States or was a parent of a citizen of the United
11 States who, within the past 2 years, lost or renounced
12 citizenship status related to an incident of domestic
13 violence or died;

14 “(II) is a person of good moral character;

15 “(III) is eligible to be classified as an immediate
16 relative under section 201(b)(2)(A)(i);

17 “(IV) resides, or has resided, with the citizen
18 daughter or son; and

19 “(V) demonstrates that the alien has been bat-
20 tered or subject to extreme cruelty by the citizen
21 daughter or son.”.

22 **SEC. 818. VAWA CONFIDENTIALITY NON-DISCLOSURE.**

23 Section 384 of the Illegal Immigration Reform and
24 Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a))
25 is amended—

26 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),
 2 by striking “(including any bureau or agency of
 3 such Department)” and inserting “, the Sec-
 4 retary of Homeland Security, the Secretary of
 5 State, or any other official or employee of the
 6 Department of Homeland Security or Depart-
 7 ment of State (including any bureau or agency
 8 of either of such Departments)”; and

9 (B) in paragraph (1)—

10 (i) in subparagraph (D), by striking
 11 “or” at the end;

12 (ii) in subparagraph (E), by adding
 13 “or” at the end; and

14 (iii) by inserting after subparagraph
 15 (E) the following:

16 “(F) in the case of an alien applying for
 17 status under section 101(a)(15)(T) of the Immi-
 18 gration and Nationality Act (8 U.S.C.
 19 1101(a)(15)(T)), under section
 20 107(b)(1)(E)(i)(II)(bb) of the Trafficking Victims
 21 Protection Act of 2000 (22 U.S.C. 7105), under
 22 section 244(a)(3) of the Immigration and Na-
 23 tionality Act (8 U.S.C. 1254a(a)(3)), as in effect
 24 prior to March 31, 1999, or as a VAWA self-peti-
 25 tioner (as defined in section 101(a)(51) of the

1 *Immigration and Nationality Act (8 U.S.C.*
 2 *1101(a)(51)), the trafficker or perpetrator,”.*

3 *(2) in subsection (b)(2), by inserting “or his*
 4 *other designee” after “the discretion of the Attorney*
 5 *General.”.*

6 ***Subtitle C—Miscellaneous***
 7 ***Amendments***

8 ***SEC. 821. DURATION OF T AND U VISAS.***

9 *(a) T VISAS.—Section 214(o) of the Immigration and*
 10 *Nationality Act (8 U.S.C. 1184(o)) is amended by adding*
 11 *at the end the following:*

12 *“(7)(A) Except as provided in subparagraph (B), an*
 13 *alien who is issued a visa or otherwise provided non-*
 14 *immigrant status under section 101(a)(15)(T) may be*
 15 *granted such status for a period of not more than 4 years.*

16 *“(B) An alien who is issued a visa or otherwise pro-*
 17 *vided nonimmigrant status under section 101(a)(15)(T)*
 18 *may extend the period of such status beyond the period de-*
 19 *scribed in subparagraph (A) if a Federal, State, or local*
 20 *law enforcement official, prosecutor, judge, or other author-*
 21 *ity investigating or prosecuting activity relating to human*
 22 *trafficking or certifies that the presence of the alien in the*
 23 *United States is necessary to assist in the investigation or*
 24 *prosecution of such activity.”.*

1 (b) *U VISAS*.—Section 214(p) of the Immigration and
 2 Nationality Act (8 U.S.C. 1184(p)) is amended by adding
 3 at the end the following:

4 “(6) *DURATION OF STATUS*.—The authorized pe-
 5 riod of status of an alien as a nonimmigrant under
 6 section 101(a)(15)(U) shall be 4 years, but shall be ex-
 7 tended upon certification from a Federal, State, or
 8 local law enforcement official, prosecutor, judge, or
 9 other Federal, State, or local authority investigating
 10 or prosecuting criminal activity described in section
 11 101(a)(15)(U)(iii) that the alien’s presence in the
 12 United States is required to assist in the investigation
 13 or prosecution of such criminal activity.”.

14 (c) *PERMITTING CHANGE OF NONIMMIGRANT STATUS*
 15 TO T AND U NONIMMIGRANT STATUS.—

16 (1) *IN GENERAL*.—Section 248 of the Immigra-
 17 tion and Nationality Act (8 U.S.C. 1258) is amend-
 18 ed—

19 (A) by striking “The Attorney General” and
 20 inserting “(a) The Secretary of Homeland Secu-
 21 rity”;

22 (B) by inserting “(subject to subsection
 23 (b))” after “except”; and

24 (C) by adding at the end the following:

1 “(b) *The exceptions specified in paragraphs (1)*
 2 *through (4) of subsection (a) shall not apply to a change*
 3 *of nonimmigrant classification to that of a nonimmigrant*
 4 *under subparagraph (T) or (U) of section 101(a)(15).”.*

5 (2) CONFORMING AMENDMENT.—Section
 6 214(l)(2)(A) of the Immigration and Nationality Act
 7 (8 U.S.C. 1184(l)(2)(A)) is amended by striking
 8 “248(2)” and inserting “248(a)(2)”.

9 **SEC. 822. TECHNICAL CORRECTION TO REFERENCES IN AP-**
 10 **PLICATION OF SPECIAL PHYSICAL PRESENCE**
 11 **AND GOOD MORAL CHARACTER RULES.**

12 (a) PHYSICAL PRESENCE RULES.—Section
 13 240A(b)(2)(B) of the Immigration and Nationality Act (8
 14 U.S.C. 1229b(b)(2)(B)) is amended—

15 (1) in the first sentence, by striking “(A)(i)(II)”
 16 and inserting “(A)(ii)”; and

17 (2) in the fourth sentence, by striking “subsection
 18 (b)(2)(B) of this section” and inserting “this subpara-
 19 graph, subparagraph (A)(ii).”.

20 (b) MORAL CHARACTER RULES.—Section
 21 240A(b)(2)(C) of the Immigration and Nationality Act (8
 22 U.S.C. 1229b(b)(2)(C)) is amended by striking
 23 “(A)(i)(III)” and inserting “(A)(iii)”.

24 (c) CORRECTION OF CROSS-REFERENCE ERROR IN AP-
 25 PLYING GOOD MORAL CHARACTER.—

1 (1) *IN GENERAL.*—Section 101(f)(3) of the *Immi-*
 2 *gration and Nationality Act* (8 U.S.C. 1101(f)(3)) is
 3 amended by striking “(9)(A)” and inserting
 4 “(10)(A)”.

5 (2) *EFFECTIVE DATE.*—The amendment made by
 6 paragraph (1) shall be effective as if included in sec-
 7 tion 603(a)(1) of the *Immigration Act of 1990* (Public
 8 Law 101–649; 104 Stat. 5082).

9 **SEC. 823. PETITIONING RIGHTS OF CERTAIN FORMER**
 10 **SPOUSES UNDER CUBAN ADJUSTMENT.**

11 (a) *IN GENERAL.*—The first section of Public Law 89–
 12 732 (8 U.S.C. 1255 note) (commonly known as the Cuban
 13 Adjustment Act) is amended—

14 (1) in the last sentence, by striking
 15 “204(a)(1)(H)” and inserting “204(a)(1)(J)”; and

16 (2) by adding at the end the following: “An alien
 17 who was the spouse of any Cuban alien described in
 18 this section and has resided with such spouse shall
 19 continue to be treated as such a spouse for 2 years
 20 after the date on which the Cuban alien dies (or, if
 21 later, 2 years after the date of enactment of Violence
 22 Against Women Act of 2005), or for 2 years after the
 23 date of termination of the marriage (or, if later, 2
 24 years after the date of enactment of Violence Against
 25 Women Act of 2005) if there is demonstrated a con-

1 *nection between the termination of the marriage and*
2 *the battering or extreme cruelty by the Cuban alien.”.*

(b) *EFFECTIVE DATE.*—The amendment made by subsection (a)(1) shall take effect as if included in the enactment of the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491).

7 **SEC. 824. SELF-PETITIONING RIGHTS OF HRIFA APPLI-**
8 **CANTS.**

9 (a) IN GENERAL.—Section 902(d)(1)(B) of the Hai-
10 tian Refugee Immigration Fairness Act of 1998 (8 U.S.C.
11 1255 note) is amended—

(1) in clause (i), by striking “whose status is adjusted to that of an alien lawfully admitted for permanent residence” and inserting “who is or was eligible for classification”;

16 (2) in clause (ii), by striking “whose status is
17 adjusted to that of an alien lawfully admitted for per-
18 manent residence” and inserting “who is or was eligi-
19 ble for classification”; and

20 (3) in clause (iii), by striking “204(a)(1)(H)”
21 and inserting “204(a)(1)(J)”.

(b) *EFFECTIVE DATE.*—The amendment made by subsection (a)(3) shall take effect as if included in the enactment of the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491).

1 **SEC. 825. DEPORTATION PROCEEDINGS.**

2 (a) *DEPORTATION OR REMOVAL PROCEEDINGS.*—

3 (1) *IN GENERAL.*—Section 240(c)(6)(C) of the
4 *Immigration and Nationality Act* (8 U.S.C.
5 1229a(c)(6)(C)) is amended—

6 (A) in clause (iv), by striking “The deadline
7 specified in subsection (b)(5)(C) for filing a mo-
8 tion to reopen does not apply—” and inserting
9 “No limitation on number of motions or on
10 deadlines for filing motions under other provi-
11 sions of this section shall apply—”; and

12 (B) by adding at the end the following:

13 “(v) *STAY OF REMOVAL.*—The filing of
14 the motion described in clause (iv) shall
15 stay the removal of the alien pending a
16 final disposition of the motion, including
17 the exhaustion of all appeals. Only 1 special
18 motion under clause (iv) is permitted.”.

19 (2) *EFFECTIVE DATE.*—The amendments made
20 by paragraph (1) shall take effect as if included in
21 the enactment of section 442(a) of the Antiterrorism
22 and Effective Death Penalty Act of 1996 (Public Law
23 104–132; 110 Stat. 1279).

24 (b) *MOTIONS TO REOPEN DEPORTATION PRO-*
25 *CEEDINGS.*—Section 1506(c)(2)(A) of the Violence Against

1 *Women Act of 2000 (division B of Public Law 106–386;*
 2 *8 U.S.C. 1229a note) is amended—*

3 *(1) by inserting “on number of motions or dead-*
 4 *lines for filing motions” after “Notwithstanding any*
 5 *limitation”;*

6 *(2) by inserting “, deadline, or limit on number*
 7 *of motions” after “there is no time limit”; and*

8 *(3) by striking “, and the” and inserting “. The*
 9 *filing of a motion described in clauses (i) and (ii)*
 10 *shall stay the removal of the aliens pending a final*
 11 *disposition of the motion, including the exhaustion of*
 12 *all appeals. Only 1 motion under clauses (i) and (ii)*
 13 *is permitted. The”.*

14 *(c) CONFORMING AMENDMENTS.—Section 212(a) of the*
 15 *Immigration and Nationality Act (8 U.S.C. 1182(a)) is*
 16 *amended—*

17 *(1) in paragraph (6)(A)(ii)(III), by striking*
 18 *“substantial”; and*

19 *(2) in paragraph (9)(B)(iii)(IV), by striking*
 20 *“who would be described in paragraph (6)(A)(ii)”*
 21 *and inserting “who demonstrates that the alien is de-*
 22 *scribed in subclauses (I) and (II) of paragraph*
 23 *(b)(A)(ii)”.*

1 **SEC. 826. PROTECTING ABUSED JUVENILES.**

2 *Section 287 of the Immigration and Nationality Act*
 3 *(8 U.S.C. 1357), as amended by section 726, is further*
 4 *amended by adding at the end the following—*

5 *“(i) An alien described in section 101(a)(27)(J) of the*
 6 *Immigration and Nationality Act who has been battered,*
 7 *abused, neglected, or abandoned, shall not be compelled to*
 8 *contact the alleged abuser (or family member of the alleged*
 9 *abuser) at any stage of applying for special immigrant ju-*
 10 *venile status, including after a request for the consent of*
 11 *the Secretary of Homeland Security under section*
 12 *101(a)(27)(J)(iii)(I) of such Act.”.*

13 **SEC. 827. EXCEPTION FOR THE PROTECTION OF DOMESTIC**
 14 **VIOLENCE AND CRIME VICTIMS.**

15 *(a) Section 202 of the Real ID Act of 2005 (49 U.S.C.*
 16 *30301 note; 119 Stat. 312) is amended by adding at the*
 17 *end the following:*

18 *“(e) EXCEPTION FOR THE PROTECTION OF VICTIMS OF*
 19 *DOMESTIC VIOLENCE AND CRIME.—*

20 *“(1) ALTERNATIVE VALID ADDRESS AUTHORIZED*
 21 *FOR VICTIM PROTECTION AND CONFIDENTIALITY.—*

22 *Victims who have been subjected to battery, extreme*
 23 *cruelty, domestic violence, dating violence, sexual as-*
 24 *sault or stalking may be exempt from the require-*
 25 *ments of section 202(b)(6) and permitted to use an al-*

1 *ternate address on their driver's license or identifica-*
2 *tion card if the applicant—*

3 *“(A) is enrolled in a State address confiden-*
4 *tiality program;*

5 *“(B) has been permitted by a Federal,*
6 *State, tribal, territorial, or local court (as de-*
7 *finied in section 2266 of title 18, United States*
8 *Code) to keep the applicant's address or location*
9 *confidential as part of a protection order (as de-*
10 *finied in such section 2266) or other injunctive*
11 *relief to protect the applicant from domestic vio-*
12 *lence, dating violence, sexual assault, or stalking;*

13 *“(C) is determined by the Center for Secu-*
14 *rity and Integrity of the Social Security Admin-*
15 *istration, which is responsible for requests for*
16 *changes of information in social security ac-*
17 *counts as of May 1, 2005, to have been a victim*
18 *of battery, extreme cruelty, domestic violence,*
19 *dating violence, sexual assault or stalking under*
20 *section 422.110 of title 20, Code of Federal Regu-*
21 *lations; or*

22 *“(D) has received a prima facie determina-*
23 *tion or an approved petition as a VAWA self-pe-*
24 *titioner (as defined in section 101(a)(51) of the*
25 *Immigration and Nationality Act);*

1 “(E) has received a bona fide determination
2 or an approved application under subparagraph
3 (T) of section 101(a)(15);

4 “(F) has received interim relief or an ap-
5 proved application under subparagraph (U) of
6 section 101(a)(15);

7 “(G) has received continued presence or cer-
8 tification under section 107 of the Victims of
9 Trafficking and Violence Protection Act of 2000
10 (22 U.S.C. 7105);

11 “(H) meets the requirements of section
12 240A(b)(2) of the Immigration and Nationality
13 Act; or

14 “(I) qualifies for relief under section
15 244(a)(3) of such Act (as in effect on March 31,
16 1997).

17 “(2) *ALTERNATIVE ADDRESS.*—To meet the re-
18 quirements of this section, a State may issue drivers’
19 licenses by—

20 “(A) accepting any documentation from the
21 entities described in paragraph (1) that distin-
22 guishes the alternative address as a substitute to
23 the principal residential address;

1 “(B) *printing the alternative address on the*
2 *applicant’s driver’s license or identification*
3 *card; and*

4 “(C) *entering the alternative address into*
5 *the state’s driver license database.*

6 “(3) *FILING AND APPROVAL OF APPLICATIONS.—*

7 “(A) *FILING.—Victims shall file applica-*
8 *tions requesting permission to use an alternative*
9 *address with the Center for Security and Integ-*
10 *egrity of the Social Security Administration.*

11 “(B) *APPROVAL.—The Social Security Ad-*
12 *ministration shall issue an approval notice con-*
13 *taining the alternative address authorized.*

14 “(4) *CONFIDENTIALITY OF INFORMATION.—The*
15 *Secretary of Health and Human Services and any*
16 *other official or employee of the Department of Health*
17 *and Human Services, or administration or bureau*
18 *thereof, may not—*

19 “(A) *use the information furnished by the*
20 *applicant pursuant to an application for alter-*
21 *native address filed under this section for any*
22 *purpose other than to make a determination on*
23 *the application;*

1 “(B) make any publication whereby the in-
2 formation furnished by any particular indi-
3 vidual can be identified; or

4 “(C) permit any person other than the
5 sworn officers and employees of the Department
6 or administration or bureau to access such infor-
7 mation.

8 “(5) DEFINITIONS.—For the purposes of this sec-
9 tion—

10 “(A) the term ‘State address confidentiality
11 program’ means any State-authorized or State-
12 administered program that—

13 “(i) allows victims of domestic vio-
14 lence, dating violence, sexual assault, stalk-
15 ing, or a severe form of trafficking to keep,
16 obtain and use alternative addresses; or

17 “(ii) that provides confidential record-
18 keeping regarding the addresses of such vic-
19 tims;

20 “(B) the term ‘battering or extreme cruelty’
21 has the meanings given the term in sections 204,
22 216, and 240 of the Immigration and Nation-
23 ality Act (8 U.S.C. 1154, 1186a, and 1229a);
24 and

1 “(C) the terms ‘domestic violence’, ‘dating
2 violence’, ‘sexual assault’, and ‘stalking’ have the
3 meanings given the terms in section 2008 of the
4 Violence Against Women Act.”.

5 **SEC. 828. RULEMAKING.**

6 Not later than 180 days after the date of enactment
7 of this Act, the Attorney General, the Secretary of Home-
8 land Security, and the Secretary of State shall promulgate
9 regulations to implement the provisions contained in the
10 Battered Immigrant Women Protection Act of 2000 (title
11 V of Public Law 106–386), this Act, and the amendments
12 made by this Act.

13 ***Subtitle D—International Marriage***
14 ***Broker Regulation***

15 **SEC. 831. SHORT TITLE.**

16 This subtitle may be cited as the “International Mar-
17 riage Broker Regulation Act of 2005”.

18 **SEC. 832. DEFINITIONS.**

19 In this subtitle:

20 (a) **CRIME OF VIOLENCE.**—The term “crime of vio-
21 lence” has the meaning given such term in section 16 of
22 title 18, United States Code.

23 (b) **DOMESTIC VIOLENCE.**—The term “domestic vio-
24 lence” means any crime of violence, or other act forming
25 the basis for a past or outstanding protective order, re-

1 *straining order, no-contact order, conviction, arrest, or po-*
2 *lice report, committed against a person by—*

3 *(1) a current or former spouse of the person;*

4 *(2) an individual with whom the person shares*
5 *a child in common;*

6 *(3) an individual with whom the person is co-*
7 *habiting or has cohabited;*

8 *(4) an individual similarly situated to a spouse*
9 *of the person under the domestic or family violence*
10 *laws of the jurisdiction in which the offense occurs; or*

11 *(5) any other individual if the person is pro-*
12 *tected from that individual's acts pursuant to a court*
13 *order issued under the domestic or family violence*
14 *laws of the United States or any State, Indian tribal*
15 *government, or unit of local government.*

16 *(c) FOREIGN NATIONAL CLIENT.—The term “foreign*
17 *national client” means an individual who is not a United*
18 *States citizen, a national of the United States, or an alien*
19 *lawfully admitted to the United States for permanent resi-*
20 *dence and who utilizes the services of an international mar-*
21 *riage broker, and includes an alien residing in the United*
22 *States who is in the United States as a result of utilizing*
23 *the services of an international marriage broker.*

24 *(d) INTERNATIONAL MARRIAGE BROKER.—*

1 (1) *IN GENERAL.*—The term “international mar-
 2 riage broker” means a corporation, partnership, busi-
 3 ness, individual, or other legal entity, whether or not
 4 organized under any law of the United States, that
 5 charges fees for providing dating, matrimonial,
 6 matchmaking services, or social referrals between
 7 United States clients and foreign national clients by
 8 providing personal contact information or otherwise
 9 facilitating communication between individuals from
 10 these respective groups.

11 (2) *EXCEPTIONS.*—Such term does not include—

12 (A) a traditional matchmaking organiza-
 13 tion of a cultural or religious nature that oper-
 14 ates on a nonprofit basis and in compliance with
 15 the laws of the countries in which it operates, in-
 16 cluding the laws of the United States; or

17 (B) an entity that provides dating services
 18 between United States citizens or residents and
 19 other individuals who may be aliens, but does
 20 not do so as its principal business, and charges
 21 comparable rates to all individuals it serves re-
 22 gardless of the gender, country of citizenship, or
 23 residence of the individual.

24 (e) *K NONIMMIGRANT VISA.*—The term “K non-
 25 immigrant visa” means a nonimmigrant visa issued pursu-

1 *ant to clause (i) or (ii) of section 101(a)(15)(K) of the Im-*
 2 *migration and Nationality Act (8 U.S.C. 1101(a)(15)(K)).*

3 *(f) PERSONAL CONTACT INFORMATION.—*

4 *(1) IN GENERAL.—The term “personal contact*
 5 *information” means information or a forum that*
 6 *would permit individuals to contact each other and*
 7 *includes—*

8 *(A) the name, telephone number, postal ad-*
 9 *dress, electronic mail address, and voice message*
 10 *mailbox of an individual; and*

11 *(B) the provision of an opportunity for an*
 12 *in-person meeting.*

13 *(2) EXCEPTION.—Such term does not include a*
 14 *photograph or general information about the back-*
 15 *ground or interests of a person.*

16 *(g) STATE.—The term “State” includes the District of*
 17 *Columbia, Puerto Rico, the Virgin Islands, Guam, and*
 18 *American Samoa.*

19 *(h) UNITED STATES CLIENT.—The term “United*
 20 *States client” means a United States citizen or other indi-*
 21 *vidual who resides in the United States and who makes a*
 22 *payment or incurs a debt in order to utilize the services*
 23 *of an international marriage broker.*

1 **SEC. 833. REGULATION OF INTERNATIONAL MARRIAGE**
2 **BROKERS.**

3 (a) *PROHIBITION ON MARKETING CHILDREN.*—An
4 international marriage broker shall not provide any United
5 States client or other person with the personal contact infor-
6 mation, photograph, or general information about the back-
7 ground or interests of any individual under the age of 18.

8 (b) *LIMITATIONS ON SHARING INFORMATION REGARD-*
9 *ING FOREIGN NATIONAL CLIENTS.*—

10 (1) *IN GENERAL.*—An international marriage
11 broker shall not provide any United States client or
12 other person with the personal contact information of
13 any foreign national client or other individual 18
14 years of age or older unless and until the inter-
15 national marriage broker has—

16 (A) collected certain background informa-
17 tion from the United States client or other per-
18 son to whom the personal contact information
19 would be provided, as specified in subsection (c);

20 (B) provided a copy of that background in-
21 formation to the foreign national client or other
22 individual in the primary language of that cli-
23 ent or individual;

24 (C) provided to the foreign national client
25 or other individual in such primary language
26 the information about legal rights and resources

1 *available to immigrant victims of domestic vio-*
 2 *lence and other crimes in the United States de-*
 3 *veloped under section 834;*

4 *(D) received from the foreign national client*
 5 *or other individual in such primary language a*
 6 *written consent that is signed (including using*
 7 *an electronic signature) to release such personal*
 8 *contact information to the specific United States*
 9 *client or other person to whom the personal con-*
 10 *tact information would be provided; and*

11 *(E) informed the United States client or*
 12 *other person from whom background information*
 13 *has been collected that, after filing a petition for*
 14 *a K nonimmigrant visa, the United States client*
 15 *or other person will be subject to a criminal*
 16 *background check.*

17 (2) *CONFIDENTIALITY AFTER ORDER OF PROTEC-*
 18 *TION OR CRIME.—*

19 (A) *NONDISCLOSURE OF INFORMATION RE-*
 20 *GARDING INDIVIDUALS WITH PROTECTION OR-*
 21 *DERS AND VICTIMS OF CRIMES.—In fulfilling its*
 22 *obligations under this subsection, an inter-*
 23 *national marriage broker shall not disclose the*
 24 *name or location of an individual who obtained*
 25 *a restraining or protection order as described in*

1 *subsection (c)(2)(A), or of any other victim of a*
 2 *crime as described in subparagraphs (B) through*
 3 *(D) of subsection (c)(2).*

4 *(B) DISCLOSURE OF INFORMATION REGARD-*
 5 *ING UNITED STATES CLIENTS.—An international*
 6 *marriage broker shall disclose the relationship of*
 7 *the United States client or other person to an in-*
 8 *dividual or victim described in paragraph (A).*

9 *(c) OBLIGATIONS OF INTERNATIONAL MARRIAGE*
 10 *BROKER WITH RESPECT TO MANDATORY COLLECTION OF*
 11 *INFORMATION.—*

12 *(1) IN GENERAL.—Each international marriage*
 13 *broker shall collect the background information listed*
 14 *in paragraph (2) from each United States client or*
 15 *other person to whom the personal contact informa-*
 16 *tion of a foreign national client or any other indi-*
 17 *vidual would be provided. The background informa-*
 18 *tion must be in writing and signed (including using*
 19 *an electronic signature) by the United States client or*
 20 *other person to whom the personal contact informa-*
 21 *tion of a foreign national client or any other indi-*
 22 *vidual would be provided.*

23 *(2) REQUIRED BACKGROUND INFORMATION.—An*
 24 *international marriage broker shall collect from a*
 25 *United States client or other person under paragraph*

1 (1) *background information about each of the fol-*
2 *lowing:*

3 (A) *Any court order restricting the client's*
4 *or person's physical contact or communication*
5 *with or behavior towards another person, includ-*
6 *ing any temporary or permanent civil restrain-*
7 *ing order or protection order.*

8 (B) *Any arrest or conviction of the client or*
9 *person for homicide, murder, manslaughter, as-*
10 *sault, battery, domestic violence, rape, sexual as-*
11 *sault, abusive sexual contact, sexual exploitation,*
12 *incest, child abuse or neglect, torture, trafficking,*
13 *peonage, holding hostage, involuntary servitude,*
14 *slave trade, kidnapping, abduction, unlawful*
15 *criminal restraint, false imprisonment, stalking,*
16 *or any similar activity in violation of Federal,*
17 *State or local criminal law.*

18 (C) *Any arrest or conviction of the client or*
19 *person for—*

20 (i) *solely or principally engaging in,*
21 *or facilitating, prostitution;*

22 (ii) *any direct or indirect attempts to*
23 *procure prostitutes or persons for the pur-*
24 *pose of prostitution; or*

1 (iii) any receipt, in whole or in part,
2 of the proceeds of prostitution.

3 (D) Any arrest or conviction of the client or
4 person for offenses related to controlled sub-
5 stances or alcohol.

6 (E) Marital history of the client or person,
7 including—

8 (i) whether the client or individual is
9 currently married;

10 (ii) whether the client or person has
11 previously been married and how many
12 times;

13 (iii) how previous marriages of the cli-
14 ent or person were terminated and the date
15 of termination; and

16 (iv) whether the client or person has
17 previously sponsored the immigration of an
18 alien to whom the client or person was en-
19 gaged or married.

20 (F) The ages of any children of the client or
21 person under the age of 18.

22 (G) All States in which the client or person
23 has resided since the age of 18.

24 (d) PENALTIES.—

25 (1) FEDERAL CIVIL PENALTY.—

1 (A) *VIOLATION.*—*An international mar-*
2 *riage broker that violates subsection (a), (b), or*
3 *(c) is subject to a civil penalty of not less than*
4 *\$20,000 for each such violation.*

5 (B) *PROCEDURES FOR IMPOSITION OF PEN-*
6 *ALTY.*—*The Secretary of Homeland Security*
7 *may impose a penalty under paragraph (A) only*
8 *after notice and an opportunity for an agency*
9 *hearing on the record in accordance with sub-*
10 *chapter II of chapter 5 of title 5, United States*
11 *Code.*

12 (2) *FEDERAL CRIMINAL PENALTY.*—*An inter-*
13 *national marriage broker that violates subsection (a),*
14 *(b), or (c) within the special maritime and territorial*
15 *jurisdiction of the United States shall be fined in ac-*
16 *cordance with subchapter B of chapter 229 of title 18,*
17 *United States Code, or imprisoned for not less than*
18 *1 year and not more than 5 years, or both.*

19 (3) *STATE ENFORCEMENT.*—*In any case in*
20 *which the Attorney General of a State has reason to*
21 *believe that an interest of the residents of that State*
22 *has been, or is threatened to be, adversely affected by*
23 *a violation of subsection (a), (b), or (c) by an inter-*
24 *national marriage broker, the State, as parens*
25 *patriae, may bring a civil action on behalf of the resi-*

1 *dents of the State in a district court of the United*
 2 *States with appropriate jurisdiction to—*

3 *(A) enjoin that practice;*

4 *(B) enforce compliance with this section; or*

5 *(C) obtain damages.*

6 *(4) ADDITIONAL REMEDIES.—The penalties and*
 7 *remedies under this subsection are in addition to any*
 8 *other penalties or remedies available under law.*

9 *(e) NONPREEMPTION.—Nothing in this section shall*
 10 *preempt—*

11 *(1) any State law that provides additional pro-*
 12 *tections for aliens who are utilizing the services of an*
 13 *international marriage broker or other international*
 14 *matchmaking organization; or*

15 *(2) any other or further right or remedy avail-*
 16 *able under law to any party utilizing the services of*
 17 *an international marriage broker or other inter-*
 18 *national matchmaking organization.*

19 *(f) REPEAL OF MAIL-ORDER BRIDE PROVISION.—Sec-*
 20 *tion 652 of the Illegal Immigration Reform and Immigrant*
 21 *Responsibility Act of 1996 (8 U.S.C. 1375) is hereby re-*
 22 *pealed.*

1 **SEC. 834. INFORMATION ABOUT LEGAL RIGHTS AND RE-**
 2 **SOURCES FOR IMMIGRANT VICTIMS OF DO-**
 3 **MESTIC VIOLENCE.**

4 (a) *DEVELOPMENT OF INFORMATION PAMPHLET.*—

5 (1) *IN GENERAL.*—*The Secretary of Homeland*
 6 *Security, in consultation with the Secretary of State,*
 7 *shall develop an information pamphlet to ensure the*
 8 *consistency and accuracy of information disseminated*
 9 *to—*

10 (A) *foreign national clients or other indi-*
 11 *viduals by international marriage brokers pursu-*
 12 *ant to section 833(b)(1)(C); and*

13 (B) *beneficiaries of petitions filed by United*
 14 *States citizens for K nonimmigrant visas.*

15 (2) *CONSULTATION WITH EXPERT ORGANIZA-*
 16 *TIONS.*—*The Secretary of Homeland Security, in con-*
 17 *sultation with the Secretary of State, shall develop*
 18 *such information pamphlet by working in consulta-*
 19 *tion with non-profit, non-governmental immigrant*
 20 *victim advocacy organizations.*

21 (b) *CONTENTS OF INFORMATION PAMPHLET.*—*The in-*
 22 *formation pamphlet required under subsection (a) shall in-*
 23 *clude information on the following:*

24 (1) *The K nonimmigrant visa application proc-*
 25 *ess and the marriage-based immigration process, in-*

1 cluding conditional residence and adjustment of sta-
2 tus.

3 (2) *The requirement that international marriage*
4 *brokers provide foreign national clients with back-*
5 *ground information collected from United States cli-*
6 *ents regarding their marital history and domestic vio-*
7 *lence or other violent criminal history, but that such*
8 *information may not be complete or accurate.*

9 (3) *The illegality of domestic violence, sexual as-*
10 *sault, and child abuse in the United States.*

11 (4) *Information on the dynamics of domestic vio-*
12 *lence.*

13 (5) *Domestic violence and sexual assault services*
14 *in the United States, including the National Domestic*
15 *Violence Hotline, a project of the Texas Council on*
16 *Family Violence, a nonprofit organization dedicated*
17 *to fighting domestic violence, and the National Sexual*
18 *Assault Hotline, operated by the Rape, Abuse and In-*
19 *cest National Network, and independent anti-sexual*
20 *assault organization.*

21 (6) *A description of immigration relief available*
22 *to an immigrant victim of domestic violence, sexual*
23 *assault, trafficking, and other crimes under the Vio-*
24 *lence Against Women Act, including the amendments*
25 *made by that Act, section 101(a)(15)(U) of the Immi-*

1 *gration and Nationality Act* (8 U.S.C.
 2 *1101(a)(15)(U)), and section 101(a)(15)(T) of the Im-*
 3 *migration and Nationality Act* (8 U.S.C.
 4 *1101(a)(15)(T)).*

5 *(7) The legal rights of immigrant victims of*
 6 *abuse and other crimes in immigration, criminal jus-*
 7 *tice, family law, and other matters.*

8 *(8) The obligations of parents to provide child*
 9 *support for children.*

10 *(9) The illegality of and penalties for knowingly*
 11 *entering into marriage for the purpose of evading the*
 12 *immigration laws of the United States.*

13 *(c) TRANSLATION.—*

14 *(1) LANGUAGES.—In order to best serve the lan-*
 15 *guage groups most recruited by international mar-*
 16 *riage brokers and having the greatest concentration of*
 17 *K nonimmigrant visa applicants, the Secretary of*
 18 *Homeland Security, in consultation with the Sec-*
 19 *retary of State, shall translate the information pam-*
 20 *phlet developed under this section, subject to para-*
 21 *graph (2), into the following languages:*

22 *(A) Arabic.*

23 *(B) Chinese.*

24 *(C) French.*

25 *(D) Hindi.*

1 (E) *Japanese.*

2 (F) *Korean.*

3 (G) *Polish.*

4 (H) *Portuguese.*

5 (I) *Russian.*

6 (J) *Spanish.*

7 (K) *Tagalog.*

8 (L) *Thai.*

9 (M) *Ukrainian.*

10 (N) *Vietnamese.*

11 (2) *MODIFICATION OF LANGUAGE.—The Sec-*
 12 *retary of Homeland Security may modify the trans-*
 13 *lation requirements of paragraph (1) if the report*
 14 *submitted under section 836(b) includes recommenda-*
 15 *tions for such modification.*

16 (d) *AVAILABILITY AND DISTRIBUTION.—The informa-*
 17 *tion pamphlet under this subsection shall be made available*
 18 *and distributed as follows:*

19 (1) *INTERNATIONAL MARRIAGE BROKERS AND*
 20 *VICTIM ADVOCACY ORGANIZATIONS.—The information*
 21 *pamphlet shall be made available to each inter-*
 22 *national marriage broker and to each governmental*
 23 *or non-governmental victim advocacy organization.*

24 (2) *K NONIMMIGRANT VISA APPLICANTS.—*

1 (A) MAILING WITH IMMIGRATION FORMS.—

2 The information pamphlet shall be mailed by the
3 National Visa Center, of the Secretary of State,
4 to each applicant for a *K* nonimmigrant visa at
5 the same time that Form DS-3032 is mailed to
6 such applicant. The pamphlet so mailed shall be
7 in the primary language of the applicant, or in
8 English if no translation into the applicant's
9 primary language is available.

10 (B) POSTING ON NVC WEB SITE.—The Sec-

11 retary of State shall post the content of the pam-
12 phlet on the web site of the National Visa Center,
13 as well as on the web sites of all consular posts
14 processing *K* nonimmigrant visa applications.

15 (C) CONSULAR INTERVIEWS.—The Secretary

16 of State shall require that the pamphlet be dis-
17 tributed directly to such applicants at all con-
18 sular interviews for *K* nonimmigrant visas. If no
19 written translation into the applicant's primary
20 language is available, the consular officer con-
21 ducting the visa interview shall review the pam-
22 phlet with the applicant orally in the applicant's
23 primary language, in addition to distributing
24 the pamphlet to the applicant in English.

1 **SEC. 835. CHANGES IN PROCESSING K NONIMMIGRANT**
 2 **VISAS; CONSULAR CONFIDENTIALITY.**

3 (a) *K NONIMMIGRANT VISA PROCESSING.*—Section
 4 214(d) of the Immigration and Nationality Act (8 U.S.C.
 5 1184(d)) is amended—

6 (1) by striking “Attorney General” and inserting
 7 “Secretary of Homeland Security” each place it ap-
 8 pears;

9 (2) by inserting “(1)” before “A visa”; and

10 (3) by adding at the end the following:

11 “(2) A United States citizen may not file a petition
 12 under paragraph (1) if such a petition filed by that peti-
 13 tioner for another alien fiancée or fiancé is pending or has
 14 been approved and is still valid.

15 “(3) The Secretary of Homeland Security shall provide
 16 to the Secretary of State the criminal background informa-
 17 tion on a petitioner for a visa under clause (i) or (ii) of
 18 section 101(a)(15)(K) to which it has access under existing
 19 authority in the course of adjudicating the petition.

20 “(4) Each petitioner for a visa under clause (i) or (ii)
 21 of section 101(a)(15)(K) shall provide, as part of the peti-
 22 tion, in writing and signed under penalty of perjury, infor-
 23 mation described in section 833(c)(2) of the International
 24 Marriage Broker Regulation Act of 2005.

1 “(5) *The Secretary of State shall ensure that an appli-*
 2 *cant for a visa under clause (i) or (ii) of section*
 3 *101(a)(15)(K)—*

4 “(A) *shall be provided, by mail or electroni-*
 5 *cally—*

6 “(i) *a copy of the petition for such visa sub-*
 7 *mitted by the United States citizen petitioner;*
 8 *and*

9 “(ii) *any information that is contained in*
 10 *the background check described in paragraph (3)*
 11 *relating to any court orders, arrests, or convic-*
 12 *tions described in subparagraphs (A) through*
 13 *(D) of section 833(c)(2) of the International*
 14 *Marriage Broker Regulation Act of 2005;*

15 “(B) *shall be informed that petitioner informa-*
 16 *tion described in subparagraph (A) is based on avail-*
 17 *able records and may not be complete; and*

18 “(C) *shall be asked in the primary language of*
 19 *the visa applicant whether an international marriage*
 20 *broker has facilitated the relationship between the visa*
 21 *applicant and the United States petitioner and*
 22 *whether that international marriage broker complied*
 23 *with the requirements of section 833 of such Act.*

24 “(6) *The Secretary shall provide for the disclosure of*
 25 *information described in paragraph (5) to the visa appli-*

1 *cant at the consular interview in the primary language of*
 2 *the visa applicant.*

3 “(7) *The fact that an alien described in clause (i) or*
 4 *(ii) of section 101(a)(15)(K) is aware of any information*
 5 *disclosed under paragraph (5) shall not be used against the*
 6 *alien in any determination of eligibility for relief under*
 7 *this Act or the Violence Against Women Act (Public Law*
 8 *103–322; 108 Stat. 1902), and the amendments made by*
 9 *that Act.*

10 “(8) *In fulfilling the requirements of paragraph*
 11 *(5)(A)(ii), a consular officer shall not disclose the name or*
 12 *location of any person who obtained a restraining or protec-*
 13 *tive order against the petitioner, but shall disclose the rela-*
 14 *tionship of the person to the petitioner.”.*

15 (b) *SHARING OF CERTAIN INFORMATION.*—Section
 16 222(f) of the Immigration and Nationality Act (8 U.S.C.
 17 1202(f)) shall not be construed to prevent the sharing of
 18 information under section 214(d) of such Act (8 U.S.C.
 19 1184(d)).

20 (c) *EFFECTIVE DATE.*—The amendment made by sub-
 21 section (a) shall apply to petitions filed after the date of
 22 enactment of this Act.

23 **SEC. 836. STUDY AND REPORT.**

24 (a) *STUDY.*—The Secretary of Homeland Security,
 25 through the Director of the Bureau of Citizenship and Im-

1 *migration Services, shall conduct a study of the inter-*
2 *national marriage broker industry in the United States*
3 *that—*

4 (1) *estimates, for the years 1995 through 2005,*
5 *the number of international marriage brokers doing*
6 *business in the United States, the number of mar-*
7 *riages resulting from the services provided by such*
8 *brokers, and the extent of compliance with the appli-*
9 *cable requirements of this subtitle;*

10 (2) *assess the information gathered under this*
11 *subtitle from clients by international marriage bro-*
12 *kers and from petitioners by the Bureau of Citizen-*
13 *ship and Immigration Services;*

14 (3) *examine, based on the information gathered,*
15 *the extent to which persons with a history of violence*
16 *are using the services of international marriage bro-*
17 *kers and the extent to which such persons are pro-*
18 *viding accurate information to international mar-*
19 *riage brokers in accordance with section 833;*

20 (4) *assess the accuracy of the criminal back-*
21 *ground check at identifying past instances of domestic*
22 *violence; and*

23 (5) *assess the extent to which the languages of*
24 *translation required under section 834(c)(1) continue*
25 *to accurately reflect the highest markets for recruit-*

10 **SEC. 837. EFFECTIVE DATE.**

15 (b) *ADDITIONAL TIME ALLOWED FOR INFORMATION*
16 *PAMPHLET.—Section 834(b) shall take effect on the date*
17 *which is 120 days after the date of enactment of this Act.*

20 ***SEC. 901. FINDINGS.***

22 (1) 1 out of every 3 Indian (including Alaska
23 Native) women are raped in their lifetimes;

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1 *Americans, 3 per 1,000 among Caucasians, 2 per*
2 *1,000 among Hispanic women, and 1 per 1,000*
3 *among Asian women;*

4 *(3) Indian women experience the violent crime of*
5 *battering at a rate of 23.2 per 1,000, compared with*
6 *8 per 1,000 among Caucasian women;*

7 *(4) during the period 1979 through 1992, homi-*
8 *cide was the third leading cause of death of Indian*
9 *females aged 15 to 34, and 75 percent were killed by*
10 *family members or acquaintances;*

11 *(5) Indian tribes require additional criminal*
12 *justice and victim services resources to respond to vio-*
13 *lent assaults against women; and*

14 *(6) the unique legal relationship of the United*
15 *States to Indian tribes creates a Federal trust respon-*
16 *sibility to assist tribal governments in safeguarding*
17 *the lives of Indian women.*

18 **SEC. 902. PURPOSES.**

19 *The purposes of this title are—*

20 *(1) to decrease the incidence of violent crimes*
21 *against Indian women;*

22 *(2) to strengthen the capacity of Indian tribes to*
23 *exercise their sovereign authority to respond to violent*
24 *crimes committed against Indian women; and*

1 (3) *to ensure that perpetrators of violent crimes*
 2 *committed against Indian women are held account-*
 3 *able for their criminal behavior.*

4 **SEC. 903. CONSULTATION.**

5 (a) *IN GENERAL.*—*The Attorney General shall conduct*
 6 *annual consultations with Indian tribal governments con-*
 7 *cerning the Federal administration of tribal funds and pro-*
 8 *grams established under this Act, the Violence Against*
 9 *Women Act of 1994 (title IV of Public Law 103–322; 108*
 10 *Stat. 1902) and the Violence Against Women Act of 2000*
 11 *(division B of Public Law 106–386; 114 Stat. 1491).*

12 (b) *RECOMMENDATIONS.*—*During consultations under*
 13 *subsection (a), the Secretary and the Attorney General shall*
 14 *solicit recommendations from Indian tribes concerning—*

15 (1) *administering tribal funds and programs;*

16 (2) *enhancing the safety of Indian women from*
 17 *domestic violence, dating violence, sexual assault, and*
 18 *stalking; and*

19 (3) *strengthening the Federal response to such*
 20 *violent crimes.*

21 **SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**
 22 **INDIAN WOMEN.**

23 (a) *NATIONAL BASELINE STUDY.*—

24 (1) *IN GENERAL.*—*The National Institute of Jus-*
 25 *tice, in consultation with the Office on Violence*

1 *Against Women, shall conduct a national baseline*
2 *study to examine violence against Indian women in*
3 *Indian country.*

4 (2) *SCOPE.*—

5 (A) *IN GENERAL.*—*The study shall examine*
6 *violence committed against Indian women, in-*
7 *cluding—*

8 (i) *domestic violence;*

9 (ii) *dating violence;*

10 (iii) *sexual assault;*

11 (iv) *stalking; and*

12 (v) *murder.*

13 (B) *EVALUATION.*—*The study shall evaluate*
14 *the effectiveness of Federal, State, tribal, and*
15 *local responses to the violations described in sub-*
16 *paragraph (A) committed against Indian*
17 *women.*

18 (C) *RECOMMENDATIONS.*—*The study shall*
19 *propose recommendations to improve the effec-*
20 *tiveness of Federal, State, tribal, and local re-*
21 *sponses to the violation described in subpara-*
22 *graph (A) committed against Indian women.*

23 (3) *TASK FORCE.*—

24 (A) *IN GENERAL.*—*The Attorney General,*
25 *acting through the Director of the Office on Vio-*

1 *lence Against Women, shall establish a task force*
 2 *to assist in the development and implementation*
 3 *of the study under paragraph (1) and guide im-*
 4 *plementation of the recommendation in para-*
 5 *graph (2)(C).*

6 *(B) MEMBERS.—The Director shall appoint*
 7 *to the task force representatives from—*

8 *(i) national tribal domestic violence*
 9 *and sexual assault nonprofit organizations;*

10 *(ii) tribal governments; and*

11 *(iii) representatives from the national*
 12 *tribal organizations.*

13 *(4) REPORT.—Not later than 2 years after the*
 14 *date of enactment of this Act, the Attorney General*
 15 *shall submit to the Committee on Indian Affairs of*
 16 *the Senate, the Committee on the Judiciary of the*
 17 *Senate, and the Committee on the Judiciary of the*
 18 *House of Representatives a report that describes the*
 19 *study.*

20 *(5) AUTHORIZATION OF APPROPRIATIONS.—*
 21 *There is authorized to be appropriated to carry out*
 22 *this section \$1,000,000 for each of fiscal years 2006*
 23 *and 2007, to remain available until expended.*

24 *(b) INJURY STUDY.—*

1 (1) *IN GENERAL.*—*The Secretary of Health and*
2 *Human Services, acting through the Indian Health*
3 *Service and the Centers for Disease Control and Pre-*
4 *vention, shall conduct a study to obtain a national*
5 *projection of—*

6 *(A) the incidence of injuries and homicides*
7 *resulting from domestic violence, dating violence,*
8 *sexual assault, or stalking committed against*
9 *American Indian and Alaska Native women;*
10 *and*

11 *(B) the cost of providing health care for the*
12 *injuries described in subparagraph (A).*

13 (2) *REPORT.*—*Not later than 2 years after the*
14 *date of enactment of this Act, the Secretary of Health*
15 *and Human Services shall submit to the Committee*
16 *on Indian Affairs of the Senate, the Committee on the*
17 *Judiciary of the Senate, and the Committee on the*
18 *Judiciary of the House of Representatives a report*
19 *that describes the findings made in the study and rec-*
20 *ommends for health care strategies for reducing the*
21 *incidence and cost of the injuries described in para-*
22 *graph (1).*

23 (3) *AUTHORIZATION OF APPROPRIATIONS.*—
24 *There is authorized to be appropriated to carry out*

1 *this section \$500,000 for each of fiscal years 2006 and*
 2 *2007, to remain available until expended.*

3 **SEC. 905. TRACKING OF VIOLENCE AGAINST INDIAN**
 4 **WOMEN.**

5 *(a) ACCESS TO FEDERAL CRIMINAL INFORMATION*
 6 *DATABASES.—Section 534 of title 28, United States Code,*
 7 *is amended—*

8 *(1) by redesignating subsection (d) as subsection*
 9 *(e); and*

10 *(2) by inserting after subsection (c) the fol-*
 11 *lowing:*

12 *“(d) INDIAN LAW ENFORCEMENT AGENCIES.—The At-*
 13 *torney General shall permit Indian law enforcement agen-*
 14 *cies, in cases of domestic violence, dating violence, sexual*
 15 *assault, and stalking, to enter information into Federal*
 16 *criminal information databases and to obtain information*
 17 *from the databases.”.*

18 *(b) TRIBAL REGISTRY.—*

19 *(1) ESTABLISHMENT.—The Attorney General*
 20 *shall contract with any interested Indian tribe, tribal*
 21 *organization, or tribal nonprofit organization to de-*
 22 *velop and maintain—*

23 *(A) a national tribal sex offender registry;*
 24 *and*

1 (B) a tribal protection order registry con-
 2 taining civil and criminal orders of protection
 3 issued by Indian tribes and participating juris-
 4 dictions.

5 (2) AUTHORIZATION OF APPROPRIATIONS.—

6 There is authorized to be appropriated to carry out
 7 this section \$1,000,000 for each of fiscal years 2006
 8 through 2010, to remain available until expended.

9 **SEC. 906. SAFETY FOR INDIAN WOMEN FORMULA GRANTS**
 10 **PROGRAM.**

11 (a) ESTABLISHMENT OF THE SAFETY FOR INDIAN
 12 WOMEN GRANTS PROGRAM.—

13 (1) IN GENERAL.—Of the amounts set aside for
 14 Indian tribes and tribal organizations in this Act the
 15 Attorney General, through the Director of the Office
 16 of Violence Against Women (referred to in this section
 17 as the “Director”), shall take such set asides and com-
 18 bine them to establish the Safety for Indian Women
 19 Formula Grants Program.

20 (2) SINGLE FORMULA GRANTS.—The Director
 21 shall combine the monies appropriated under the
 22 Grants To Combat Violent Crimes Against Women
 23 (42 U.S.C. 3796gg–1(b)(1)), Grants To Encourage
 24 Arrest Policies and Enforce Protection Orders (42
 25 U.S.C. 3796hh sec. 2101(e)), Legal Assistance for Vic-

1 *tims (42 U.S.C. 3796gg–6 sec. 1201(f)(2)(A)), Court*
 2 *Training and Improvements, Sexual Assault Services*
 3 *Program, Safe Haven for Children Pilot Program (42*
 4 *U.S.C. 10420(f)), Rural Domestic Violence and Child*
 5 *Abuse Enforcement Assistance (42 U.S.C. 1397(c)(3)),*
 6 *to create a single formula grant program to enhance*
 7 *the response of Indian tribal governments to address*
 8 *the safety of American Indian and Alaska Native*
 9 *Women.*

10 (3) *ADMINISTRATION.—Grants made under the*
 11 *program established under this section shall be ad-*
 12 *ministered by the Tribal Division of the Office on Vi-*
 13 *olence Against Women.*

14 (b) *GRANTS.—The purpose of the program authorized*
 15 *by this section is to assist Indian tribal governments to—*

16 (1) *develop and enhance effective governmental*
 17 *strategies to curtail violent crimes against and in-*
 18 *crease the safety of Indian women consistent with*
 19 *tribal law and custom;*

20 (2) *increase tribal capacity to respond to domes-*
 21 *tic violence, dating violence, sexual assault, and stalk-*
 22 *ing crimes against Indian women;*

23 (3) *strengthen tribal justice interventions includ-*
 24 *ing tribal law enforcement, prosecution, courts, proba-*
 25 *tion, correctional facilities; and*

1 (4) *enhance services to Indian women victimized*
 2 *by domestic violence, dating violence, sexual assault,*
 3 *and stalking.*

4 **SEC. 907. TRIBAL DEPUTY IN THE OFFICE ON VIOLENCE**
 5 **AGAINST WOMEN.**

6 *Part T of title I of the Omnibus Crime Control and*
 7 *Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is*
 8 *amended by adding at the end the following:*

9 **“SEC. 2007. TRIBAL DEPUTY.**

10 “(a) *ESTABLISHMENT.*—*There is established in the Of-*
 11 *fice on Violence Against Women a Deputy Director for Trib-*
 12 *al Affairs.*

13 “(b) *DUTIES.*—

14 “(1) *IN GENERAL.*—*The Deputy Director shall*
 15 *under the guidance and authority of the Director of*
 16 *the Office on Violence Against Women—*

17 “(A) *oversee and manage the administra-*
 18 *tion of grants to and contracts with Indian*
 19 *tribes, tribal courts, tribal organizations, or trib-*
 20 *al nonprofit organizations;*

21 “(B) *ensure that, if a grant under this Act*
 22 *or a contract pursuant to such a grant is made*
 23 *to an organization to perform services that ben-*
 24 *efit more than 1 Indian tribe, the approval of*
 25 *each Indian tribe to be benefited shall be a pre-*

1 *requisite to the making of the grant or letting of*
2 *the contract;*

3 “(C) *coordinate development of Federal pol-*
4 *icy, protocols, and guidelines on matters relating*
5 *to violence against Indian women;*

6 “(D) *advise the Director of the Office on Vi-*
7 *olence Against Women concerning policies, legis-*
8 *lation, implementation of laws, and other issues*
9 *relating to violence against Indian women;*

10 “(E) *represent the Office on Violence*
11 *Against Women in the annual consultations*
12 *under section 903;*

13 “(F) *provide technical assistance, coordina-*
14 *tion, and support to other offices and bureaus in*
15 *the Department of Justice to develop policy and*
16 *to enforce Federal laws relating to violence*
17 *against Indian women, including through litiga-*
18 *tion of civil and criminal actions relating to*
19 *those laws;*

20 “(G) *maintain a liaison with the judicial*
21 *branches of Federal, State, and tribal govern-*
22 *ments on matters relating to violence against In-*
23 *dian women;*

24 “(H) *support enforcement of tribal protec-*
25 *tion orders and implementation of full faith and*

1 *credit educational projects and comity agree-*
 2 *ments between Indian tribes and States; and*

3 *“(I) ensure that adequate tribal technical*
 4 *assistance is made available to Indian tribes,*
 5 *tribal courts, tribal organizations, and tribal*
 6 *nonprofit organizations for all programs relating*
 7 *to violence against Indian women.*

8 “(c) *AUTHORITY.—*

9 *“(1) IN GENERAL.—The Deputy Director shall*
 10 *ensure that a portion of the tribal set-aside funds*
 11 *from any grant awarded under this Act, the Violence*
 12 *Against Women Act of 1994 (title IV of Public Law*
 13 *103–322; 108 Stat. 1902), or the Violence Against*
 14 *Women Act of 2000 (division B of Public Law 106–*
 15 *386; 114 Stat. 1491) is used to enhance the capacity*
 16 *of Indian tribes to address the safety of Indian*
 17 *women.*

18 *“(2) ACCOUNTABILITY.—The Deputy Director*
 19 *shall ensure that some portion of the tribal set-aside*
 20 *funds from any grant made under this part is used*
 21 *to hold offenders accountable through—*

22 *“(A) enhancement to the response of Indian*
 23 *tribes to crimes of domestic violence, dating vio-*
 24 *lence, sexual assault, and stalking against In-*

1 *dian women, including legal services for victims*
 2 *and Indian-specific offender programs;*

3 *“(B) development and maintenance of tribal*
 4 *domestic violence shelters or programs for bat-*
 5 *tered Indian women, including sexual assault*
 6 *services, that are based upon the unique cir-*
 7 *cumstances of the Indian women to be served;*

8 *“(C) development of tribal educational*
 9 *awareness programs and materials;*

10 *“(D) support for customary tribal activities*
 11 *to strengthen the intolerance of an Indian tribe*
 12 *to violence against Indian women; and*

13 *“(E) development, implementation, and*
 14 *maintenance of tribal electronic databases for*
 15 *tribal protection order registries.”.*

16 **SEC. 908. ENHANCED CRIMINAL LAW RESOURCES.**

17 *(a) FIREARMS POSSESSION PROHIBITIONS.—Section*
 18 *921(33)(A)(i) of title 18, United States Code, is amended*
 19 *to read: “(i) is a misdemeanor under Federal, State, or*
 20 *Tribal law; and”.*

21 *(b) LAW ENFORCEMENT AUTHORITY.—Section 4(3) of*
 22 *the Indian Law Enforcement Reform Act (25 U.S.C.*
 23 *2803(3) is amended—*

24 *(1) in subparagraph (A), by striking “or”;*

1 (2) *in subparagraph (B), by striking the semi-*
2 *colon and inserting “, or”; and*

3 (3) *by adding at the end the following:*

4 “(C) *the offense is a misdemeanor crime of*
5 *domestic violence, dating violence, stalking, or*
6 *violation of a protection order and has, as an*
7 *element, the use or attempted use of physical*
8 *force, or the threatened use of a deadly weapon,*
9 *committed by a current or former spouse, parent,*
10 *or guardian of the victim, by a person with*
11 *whom the victim shares a child in common, by*
12 *a person who is cohabitating with or has*
13 *cohabited with the victim as a spouse, parent, or*
14 *guardian, or by a person similarly situated to a*
15 *spouse, parent or guardian of the victim, and the*
16 *employee has reasonable grounds to believe that*
17 *the person to be arrested has committed, or is*
18 *committing the crime;”.*

19 **SEC. 909. DOMESTIC ASSAULT BY AN HABITUAL OFFENDER.**

20 *Chapter 7 of title 18, United States Code, is amended*
21 *by adding at the end the following:*

22 **“§ 117. DOMESTIC ASSAULT BY AN HABITUAL OF-**
23 **FENDER.**

24 *“Any person who commits a domestic assault within*
25 *the special maritime and territorial jurisdiction of the*

1 *United States or Indian country and who has a final con-*
 2 *viction on at least 2 separate prior occasions in Federal,*
 3 *State, or Indian tribal court proceedings for offenses that*
 4 *would be, if subject to Federal jurisdiction—*

5 “(1) any assault, sexual abuse, or serious violent
 6 felony against a spouse or intimate partner; or

7 “(2) an offense under chapter 110A,
 8 shall be fined under this title, imprisoned for a term of not
 9 more than 5 years, or both, except that if substantial bodily
 10 injury results from violation under this section, the offender
 11 shall be imprisoned for a term of not more than 10 years.”.

12 ***TITLE X—DNA FINGERPRINTING***

13 ***SEC. 1001. SHORT TITLE.***

14 *This title may be cited as the “DNA Fingerprint Act*
 15 *of 2005”.*

16 ***SEC. 1002. USE OF OPT-OUT PROCEDURE TO REMOVE SAM-*** 17 ***PLES FROM NATIONAL DNA INDEX.***

18 *Section 210304 of the DNA Identification Act of 1994*
 19 *(42 U.S.C. 14132) is amended—*

20 (1) in subsection (a)(1)(C), by striking “, pro-
 21 vided” and all that follows through “System”;

22 (2) in subsection (d)(2)(A)(ii), by striking “all
 23 charges for” and all that follows, and inserting the
 24 following: “the responsible agency or official of that
 25 State receives, for each charge against the person on

1 *the basis of which the analysis was or could have been*
 2 *included in the index, a certified copy of a final court*
 3 *order establishing that such charge has been dismissed*
 4 *or resulted in an acquittal.”; and*

5 *(3) by striking subsection (e).*

6 **SEC. 1003. EXPANDED USE OF CODIS GRANTS.**

7 *Section 2(a)(1) of the DNA Analysis Backlog Elimini-*
 8 *nation Act of 2000 (42 U.S.C. 14135(a)(1)) is amended by*
 9 *striking “taken from individuals convicted of a qualifying*
 10 *State offense (as determined under subsection (b)(3))” and*
 11 *inserting “collected under applicable legal authority”.*

12 **SEC. 1004. AUTHORIZATION TO CONDUCT DNA SAMPLE**
 13 **COLLECTION FROM PERSONS ARRESTED OR**
 14 **DETAINED UNDER FEDERAL AUTHORITY.**

15 *(a) IN GENERAL.—Section 3 of the DNA Analysis*
 16 *Backlog Elimination Act of 2000 (42 U.S.C. 14135a) is*
 17 *amended—*

18 *(1) in subsection (a)—*

19 *(A) in paragraph (1), by striking “The Di-*
 20 *rector” and inserting the following:*

21 *“(A) The Attorney General may, as pre-*
 22 *scribed by the Attorney General in regulation,*
 23 *collect DNA samples from individuals who are*
 24 *arrested or detained under the authority of the*
 25 *United States. The Attorney General may dele-*

1 *gate this function within the Department of Jus-*
2 *tice as provided in section 510 of title 28, United*
3 *States Code, and may also authorize and direct*
4 *any other agency of the United States that ar-*
5 *rests or detains individuals or supervises indi-*
6 *viduals facing charges to carry out any function*
7 *and exercise any power of the Attorney General*
8 *under this section.*

9 *“(B) The Director”; and*

10 *(B) in paragraphs (3) and (4), by striking*
11 *“Director of the Bureau of Prisons” each place*
12 *it appears and inserting “Attorney General, the*
13 *Director of the Bureau of Prisons,”; and*

14 *(2) in subsection (b), by striking “Director of the*
15 *Bureau of Prisons” and inserting “Attorney General,*
16 *the Director of the Bureau of Prisons,”.*

17 *(b) CONFORMING AMENDMENTS.—Subsections (b) and*
18 *(c)(1)(A) of section 3142 of title 18, United States Code,*
19 *are each amended by inserting “and subject to the condition*
20 *that the person cooperate in the collection of a DNA sample*
21 *from the person if the collection of such a sample is author-*
22 *ized pursuant to section 3 of the DNA Analysis Backlog*
23 *Elimination Act of 2000 (42 U.S.C. 14135a)” after “period*
24 *of release”.*

1 **SEC. 1005. TOLLING OF STATUTE OF LIMITATIONS FOR SEX-**
2 **UAL-ABUSE OFFENSES.**

3 *Section 3297 of title 18, United States Code, is amend-*
4 *ed by striking “except for a felony offense under chapter*
5 *109A,”.*

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A BILL

To reauthorize the Violence Against Women Act of
1994.

SEPTEMBER 12, 2005

Reported with an amendment