

111TH CONGRESS
1ST SESSION

H. R. 4116

To reauthorize the Family Violence Prevention and Services Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2009

Ms. MOORE of Wisconsin (for herself, Mr. SCHOCK, Mr. SABLAN, and Mrs. BIGGERT) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To reauthorize the Family Violence Prevention and Services Act, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “FVPSA Reauthoriza-
5 tion Act of 2009”.

6 **SEC. 2. FAMILY VIOLENCE PREVENTION AND SERVICES.**

7 The Family Violence Prevention and Services Act (42
8 U.S.C. 10401 et seq.) is amended to read as follows:

1 **“TITLE III—FAMILY VIOLENCE**
2 **PREVENTION AND SERVICES**

3 **“SEC. 301. PURPOSE.**

4 “It is the purpose of this title to provide services and
5 interventions to prevent and end family violence, domestic
6 violence, and dating violence by—

7 “(1) assisting States and State coalitions in
8 supporting local family violence, domestic violence,
9 and dating violence programs;

10 “(2) strengthening the capacity of Indian tribes
11 to exercise their sovereign authority to respond to
12 family violence, domestic violence, and dating vio-
13 lence;

14 “(3) providing for technical assistance and
15 training centers relating to family violence, domestic
16 violence, and dating violence;

17 “(4) maintaining a national domestic violence
18 hotline; and

19 “(5) supporting primary and secondary preven-
20 tion of family violence, domestic violence, and dating
21 violence.

22 **“SEC. 302. DEFINITIONS.**

23 “In this title:

24 “(1) CHILDREN EXPOSED TO FAMILY VIO-
25 LENCE, DOMESTIC VIOLENCE, OR DATING VIO-

1 LENCE.—The term ‘children exposed to family vio-
2 lence, domestic violence, or dating violence’ means
3 the multiple experiences of children living in homes
4 where an adult is using physically violent behavior in
5 a pattern of coercion against an intimate partner.
6 Exposure to domestic violence or dating violence, ab-
7 sent other indicators of abuse or neglect, shall not
8 be construed as child maltreatment.

9 “(2) DATING VIOLENCE.—The term ‘dating vio-
10 lence’ means any act or pattern of acts of violence,
11 harassment, coercion, forcible detention, kidnapping,
12 or abuse, including any threatened act committed by
13 an adult or minor person who is or has been in a
14 social relationship of a romantic or intimate nature
15 with the victim, as determined based on the fol-
16 lowing factors:

17 “(A) The length of the relationship.

18 “(B) The type of relationship.

19 “(C) The frequency of interaction between
20 the persons involved in the relationship.

21 “(3) DOMESTIC VIOLENCE AND FAMILY VIO-
22 LENCE.—For the purposes of this chapter, the terms
23 ‘domestic violence and family violence’ means any
24 act or pattern of acts of violence, harassment, coer-

1 cion, forcible detention, kidnapping, or abuse, includ-
2 ing any threatened act, committed by—

3 “(A) a current or former spouse of the vic-
4 tim;

5 “(B) a person with whom the victim shares
6 a child in common;

7 “(C) a person who is cohabitating with or
8 has cohabitated with the victim as a spouse;

9 “(D) a person similarly situated to a
10 spouse of the victim under the domestic or fam-
11 ily violence laws of the jurisdiction receiving
12 grant monies; or

13 “(E) any other person against an adult or
14 youth victim who is protected from that per-
15 son’s acts under the domestic violence laws of
16 the jurisdiction.

17 “(4) INDIAN TRIBE; TRIBAL ORGANIZATION.—

18 The terms ‘Indian tribe’ and ‘tribal organization’
19 have the meanings given such terms in section 4 of
20 the Indian Self-Determination and Education Assist-
21 ance Act (25 U.S.C. 450b).

22 “(5) PERSONALLY IDENTIFYING INFORMATION;
23 PERSONAL INFORMATION.—The terms ‘personally
24 identifying information’ and ‘personal information’
25 means individually identifying information for or

1 about an individual including information likely to
2 disclose the location of a victim of family violence,
3 domestic violence or dating violence, regardless of
4 whether the information is encoded, encrypted,
5 hashed, or otherwise protected, including—

6 “(A) a first and last name;

7 “(B) a home or other physical address;

8 “(C) contact information (including a post-
9 al, e-mail or Internet protocol address, or tele-
10 phone or facsimile number);

11 “(D) a Social Security number; and

12 “(E) any other information, including date
13 of birth, racial or ethnic background, or reli-
14 gious affiliation, that, in combination with any
15 of subparagraphs (A) through (D), would serve
16 to identify any individual.

17 “(6) RACIAL AND ETHNIC MINORITY GROUP.—

18 The term ‘racial and ethnic minority group’ has the
19 same meaning given such terms in section 1707(g)
20 of the Public Health Service Act (42 U.S.C. 300u-
21 6(g)).

22 “(7) SECRETARY.—The term ‘Secretary’ means
23 the Secretary of Health and Human Services.

24 “(8) SHELTER.—The term ‘shelter’ means the
25 provision of temporary refuge and related assistance

1 in compliance with applicable State law (including
2 regulation) governing the provision, on a regular
3 basis, of shelter, safe homes, meals, and related as-
4 sistance to victims of family violence or domestic vio-
5 lence, and their dependents.

6 “(9) STATE.—The term ‘State’ means each of
7 the several States, the District of Columbia, the
8 Commonwealth of Puerto Rico, Guam, American
9 Samoa, the United States Virgin Islands, and the
10 Commonwealth of the Northern Mariana Islands, ex-
11 cept as otherwise provided.

12 “(10) STATE DOMESTIC VIOLENCE COALI-
13 TION.—The term ‘State Domestic Violence Coalition’
14 means a statewide or territory-wide nonprofit, non-
15 governmental domestic violence organization that—

16 “(A) has a membership that includes a
17 majority of the primary-purpose domestic vio-
18 lence service providers in the State;

19 “(B) has board membership representative
20 of primary-purpose domestic violence service
21 providers or such service providers and the
22 other representatives of the community in which
23 the services are being provided in the State;

24 “(C) has as its purpose to provide edu-
25 cation, support, and technical assistance to such

1 service providers to enable the providers to es-
2 tablish and maintain shelter and supportive
3 services for victims of domestic violence and
4 their dependents;

5 “(D) serves as an information clearing-
6 house, primary point of contact, and resource
7 center on domestic violence for the State and
8 supports the development of policies, protocols,
9 and procedures to enhance domestic violence
10 intervention and prevention in the State; and

11 “(E) does not operate under the auspice of
12 any government office, private entity, or um-
13 brella organization.

14 “(11) SUPPORTIVE SERVICES.—The term ‘sup-
15 portive services’ means services for adult and youth
16 victims of family violence, domestic violence, dating
17 violence, and children exposed to family violence, do-
18 mestic violence, or dating violence, that are designed
19 to—

20 “(A) meet the needs of such victims of
21 family violence, domestic violence, or dating vio-
22 lence and their children, for short-term, transi-
23 tional, or long-term safety; or

1 “(B) provide counseling, advocacy, or as-
2 sistance for victims in recovery from violence or
3 abuse and their children.

4 “(12) UNDERSERVED POPULATIONS; UNDER-
5 SERVED INDIVIDUALS.—The terms ‘underserved
6 populations’ and ‘underserved individuals’ mean—

7 “(A) adult and youth victims of family vio-
8 lence, domestic violence, and dating violence
9 and their children who face obstacles in access-
10 ing and using State and local domestic violence
11 and dating violence services due to factors such
12 as—

13 “(i) marginalized racial and ethnic
14 identities;

15 “(ii) American Indian status;

16 “(iii) cultural and language barriers;

17 “(iv) immigration status;

18 “(v) physical, sensory, or cognitive
19 disabilities;

20 “(vi) mental disabilities or other men-
21 tal health needs;

22 “(vii) sexual orientation or gender
23 identity;

24 “(viii) age (including both elders and
25 minors);

1 “(ix) geographical location; and

2 “(x) faith or religious practice; and

3 “(B) other populations determined to be
4 underserved by a State or by the Family Violence Prevention and Services Program.
5

6 “(13) YOUTH.—The term ‘youth’ means teen
7 and young adult victims of domestic violence or dating violence between the ages of 12 and 24.
8

9 **“SEC. 303. AUTHORIZATIONS OF APPROPRIATIONS; RES-**
10 **ERVATIONS.**

11 “(a) IN GENERAL.—

12 “(1) AUTHORIZATION.—There are authorized to
13 be appropriated to carry out this title, except sections 313, 314, and 315, \$250,000,000 for each of
14 fiscal years 2010 through 2014.
15

16 “(2) RESERVATIONS OF FUNDS.—Subject to
17 paragraph (3), from the total amount made available
18 under paragraph (1) for a fiscal year, the Secretary
19 shall reserve—

20 “(A) not less than 70 percent to carry out
21 section 306;

22 “(B) not less than 10 percent to carry out
23 section 309;

24 “(C) not less than 6.5 percent to carry out
25 section 310;

1 “(D) not less than 10 percent to carry out
2 section 311; and

3 “(E) not more than 2.5 percent to carry
4 out section 304 and for any other Federal ad-
5 ministrative costs related to activities of the
6 Secretary under this title.

7 “(3) RESERVATIONS OF FUNDS WHERE APPRO-
8 PRIATIONS EQUAL OR EXCEED \$130,000,000.—

9 “(A) IN GENERAL.—For a fiscal year for
10 which the amount appropriated under para-
11 graph (1) equals or exceeds \$130,000,000, the
12 Secretary shall reserve—

13 “(i) subject to subparagraph (B), not
14 less than 68.25 percent to carry out sec-
15 tion 306;

16 “(ii) not less than 10 percent to carry
17 out section 309;

18 “(iii) not less than 6.33 percent to
19 carry out section 310;

20 “(iv) not less than 9.75 percent to
21 carry out section 311;

22 “(v) not less than 2.25 percent to
23 carry out section 316; and

24 “(vi) not more than 2.43 percent to
25 carry out section 304 and for any other

1 Federal administrative costs related to ac-
2 tivities of the Secretary under this title.

3 “(B) SPECIAL RULES.—

4 “(i) SPECIALIZED SERVICES FOR
5 CHILDREN.—

6 “(I) IN GENERAL.—From any
7 amount reserved under subparagraph
8 (A)(i), the Secretary shall reserve 75
9 percent of the excess amount to carry
10 out section 306 and the remaining 25
11 percent shall be reserved to carry out
12 section 312.

13 “(II) EXCESS AMOUNT.—For
14 purposes of subclause (I), the term
15 ‘excess amount’ means the amount, if
16 any, by which the amount reserved
17 under subparagraph (A)(i) exceeds
18 \$88,725,000.

19 “(ii) ADMINISTRATION OF FORMULA
20 GRANTS.—For a fiscal year for which the
21 amount reserved under subparagraph
22 (A)(i) exceeds \$95,000,000, the Secretary
23 may reserve not more than 1 percent of
24 the amount reserved under such subpara-
25 graph for administrative costs related to

1 the provision of grants under section 306,
2 including the provision of technical assist-
3 ance to grantees and subgrantees.

4 “(b) NATIONAL DOMESTIC VIOLENCE HOTLINE
5 GRANT.—There are authorized to be appropriated to carry
6 out section 313 \$7,000,000 for each of fiscal years 2010
7 through 2014.

8 “(c) GRANTS FOR UNDERSERVED POPULATIONS.—
9 There are authorized to be appropriated to carry out sec-
10 tion 314 \$15,000,000 for each of fiscal years 2010
11 through 2014.

12 “(d) DOMESTIC VIOLENCE PREVENTION ENHANCE-
13 MENT AND LEADERSHIP THROUGH ALLIANCES.—There
14 are authorized to be appropriated to carry out section 315
15 \$20,000,000 for each of fiscal years 2010 through 2014.

16 **“SEC. 304. AUTHORITY OF SECRETARY.**

17 “(a) AUTHORITIES.—In order to carry out the provi-
18 sions of this title, the Secretary is authorized to—

19 “(1) appoint and fix the compensation of such
20 personnel as are necessary;

21 “(2) procure, to the extent authorized by sec-
22 tion 3109 of title 5, United States Code, such tem-
23 porary and intermittent services of experts and con-
24 sultants as are necessary;

1 “(3) make grants to eligible entities or enter
2 into contracts with for-profit or nonprofit, non-
3 governmental entities and establish reporting re-
4 quirements for such grantees and contractors;

5 “(4) prescribe such regulations and guidance as
6 are reasonably necessary in order to carry out the
7 objectives and provisions of this title, to ensure ac-
8 countability and transparency of the actions of
9 grantees, or, as determined by the Secretary, to be
10 reasonably necessary to carry out this title; and

11 “(5) coordinate programs within the Depart-
12 ment of Health and Human Services, and seek to
13 coordinate with programs administered by other
14 Federal agencies, that involve or impact efforts to
15 prevent family violence, domestic violence, and dat-
16 ing violence or the provision of assistance for adult
17 and youth victims of family violence, domestic vio-
18 lence, or dating violence.

19 “(b) ADMINISTRATION.—The Secretary shall—

20 “(1) select 1 or more employees to carry out
21 the provisions of this title, including carrying out
22 evaluation and monitoring under this title, which
23 employees shall, prior to such appointment, have ex-
24 pertise in the field of family violence, domestic vio-
25 lence, and dating violence prevention and services;

1 “(2) provide for the training of personnel and
2 provide technical assistance in the conduct of pro-
3 grams for the intervention in and prevention of fam-
4 ily violence, domestic violence, and dating violence;

5 “(3) provide for and coordinate research into
6 the most effective approaches to the intervention in
7 and prevention of family violence, domestic violence,
8 and dating violence, by—

9 “(A) consulting with experts and program
10 providers within the family violence, domestic
11 violence, and dating violence field to identify
12 gaps in research and knowledge, establish re-
13 search priorities, and disseminate research find-
14 ings;

15 “(B) collecting and reporting data on the
16 provision of family violence, domestic violence,
17 and dating violence services, including assist-
18 ance and programs supported by Federal funds
19 made available under this title and by other
20 governmental or nongovernmental sources of
21 funds; and

22 “(C) coordinating family violence, domestic
23 violence, and dating violence research efforts
24 within the Department of Health and Human
25 Services with relevant research administered or

1 carried out by other Federal agencies and other
2 researchers, including research on the provision
3 of assistance for adult and youth victims of
4 family violence, domestic violence, and dating
5 violence; and

6 “(4) support the development and implementa-
7 tion of effective policies, protocols, and programs
8 within the Department and at other Federal agen-
9 cies that address the safety and support needs of
10 adult and youth victims of family violence, domestic
11 violence, or dating violence.

12 “(c) REPORTS.—Every 2 years, the Secretary shall
13 review and evaluate the activities conducted by grantees
14 and subgrantees under this title and the effectiveness of
15 the programs administered pursuant to this title, and sub-
16 mit a report containing the evaluation to the Committee
17 on Education and Labor of the House of Representatives
18 and the Committee on Health, Education, Labor, and
19 Pensions of the Senate. Such report shall also include a
20 summary of the documentation provided to the Secretary
21 through performance reports submitted under section
22 306(d). The Secretary shall make publicly available on the
23 Department of Health and Human Services website the
24 reports submitted to Congress under this subsection, in-

1 cluding the summary of the documentation provided to the
2 Secretary under section 306(d).

3 **“SEC. 305. ALLOTMENT OF FUNDS.**

4 “(a) IN GENERAL.—From the sums made under sec-
5 tion 303 to carry out section 306 for any fiscal year, each
6 State shall be allotted for a grant under section 306(a)
7 \$600,000, with the remaining funds to be allotted to each
8 State in an amount that bears the same ratio to such re-
9 maining funds as the population of such State bears to
10 the population of all States.

11 “(b) POPULATION.—For the purpose of this section,
12 the population of each State, and the total population of
13 all the States, shall be determined by the Secretary on
14 the basis of the most recent census data available to the
15 Secretary, and the Secretary shall use for such purpose,
16 if available, the annual interim current census data pro-
17 duced by the Secretary of Commerce pursuant to section
18 181 of title 13, United States Code.

19 “(c) RATABLE REDUCTION.—If the sums made
20 under section 303 to carry out section 306 for any fiscal
21 year are not sufficient to pay in full the total amounts
22 that all States are entitled to receive under subsection (a)
23 for such fiscal year, then the maximum amounts that all
24 States are entitled to receive under subsection (a) for such
25 fiscal year shall be ratably reduced. In the event that addi-

1 tional funds become available for making such grants for
2 any fiscal year during which the preceding sentence is ap-
3 plicable, such reduced amounts shall be increased on the
4 same basis as they were reduced.

5 “(d) REALLOTMENT.—If, at the end of the sixth
6 month of any fiscal year for which sums are appropriated
7 under section 303, the amount allotted to a State has not
8 been made available to such State in a grant under section
9 306(a) because of the failure of such State to meet the
10 requirements for such a grant, then the Secretary shall
11 reallocate such amount to States that meet such require-
12 ments.

13 “(e) CONTINUED AVAILABILITY OF FUNDS.—All
14 funds allotted to a State for a fiscal year under this sec-
15 tion, made available to such State in a grant under section
16 306(a), and not obligated by the State by the end of the
17 third fiscal year shall be made available to the Secretary
18 for discretionary activities under section 306. Such funds
19 shall remain available for obligation, and for expenditure
20 by a recipient of the funds under section 306, for not more
21 than 2 years from the beginning of the Federal fiscal year
22 in which the funds were appropriated.

23 **“SEC. 306. FORMULA GRANTS TO STATES.**

24 “(a) FORMULA GRANTS TO STATES.—The Secretary
25 shall award grants to States in order to assist in sup-

1 porting the establishment, maintenance, and expansion of
2 programs and projects to prevent incidents of family vio-
3 lence, domestic violence, and dating violence, to provide
4 immediate shelter, supportive services, and access to com-
5 munity-based programs for adult and youth victims of
6 family violence, domestic violence, or dating violence, and
7 their dependents, and to provide specialized services for
8 children and youth exposed to family violence, domestic
9 violence, or dating violence, underserved populations, and
10 victims who are members of racial and ethnic minority
11 populations.

12 “(b) ADMINISTRATIVE EXPENSES.—

13 “(1) ADMINISTRATIVE COSTS.—Each State may
14 use not more than 5 percent of the grant funds for
15 State administrative costs.

16 “(2) SUBGRANTS TO ELIGIBLE ENTITIES.—A
17 State shall use the remainder of the grant funds to
18 make subgrants to eligible entities for the purposes
19 described in section 308.

20 “(c) GRANT CONDITIONS.—

21 “(1) APPROVED ACTIVITIES.—In carrying out
22 the activities under this title, grantees and sub-
23 grantees may collaborate with and provide informa-
24 tion to Federal, State, local, and tribal public offi-
25 cials and agencies, in accordance with limitations on

1 disclosure of confidential or private information as
2 described in paragraph (5), to develop and imple-
3 ment policies to reduce or eliminate adult and youth
4 family violence, domestic violence, and dating vio-
5 lence.

6 “(2) DISCRIMINATION PROHIBITED.—

7 “(A) APPLICATION OF CIVIL RIGHTS PRO-
8 VISIONS.—For the purpose of applying the pro-
9 hibitions against discrimination on the basis of
10 age under the Age Discrimination Act of 1975
11 (42 U.S.C. 6101 et seq.), on the basis of dis-
12 ability under section 504 of the Rehabilitation
13 Act of 1973 (29 U.S.C. 794), on the basis of
14 sex under title IX of the Education Amend-
15 ments of 1972 (20 U.S.C. 1681 et seq.), or on
16 the basis of race, color, or national origin under
17 title VI of the Civil Rights Act of 1964 (42
18 U.S.C. 2000d et seq.), programs and activities
19 funded in whole or in part with funds made
20 available under this title are considered to be
21 programs and activities receiving Federal finan-
22 cial assistance.

23 “(B) PROHIBITION ON DISCRIMINATION ON
24 BASIS OF SEX, RELIGION.—

1 “(i) IN GENERAL.—No person shall
2 on the ground of sex or religion be ex-
3 cluded from participation in, be denied the
4 benefits of, or be subject to discrimination
5 under, any program or activity funded in
6 whole or in part with funds made available
7 under this title. Nothing in this title shall
8 require any such program or activity to in-
9 clude any individual in any program or ac-
10 tivity without taking into consideration
11 that individual’s sex in those certain in-
12 stances where sex is a bona fide occupa-
13 tional qualification or programmatic factor
14 reasonably necessary to the normal or safe
15 operation of that particular program or ac-
16 tivity.

17 “(ii) ENFORCEMENT.—The Secretary
18 shall enforce the provisions of clause (i) in
19 accordance with section 602 of the Civil
20 Rights Act of 1964 (42 U.S.C. 2000d–1).
21 Section 603 of such Act (42 U.S.C.
22 2000d–2) shall apply with respect to any
23 action taken by the Secretary to enforce
24 such clause.

1 “(iii) CONSTRUCTION.—This subpara-
2 graph shall not be construed as affecting
3 any legal remedy provided under any other
4 provision of law.

5 “(C) ENFORCEMENT AUTHORITIES OF
6 SECRETARY.—Whenever the Secretary finds
7 that a State or other entity that has received fi-
8 nancial assistance under this title has failed to
9 comply with a provision of law referred to in
10 subparagraph (A), with subparagraph (B), or
11 with an applicable regulation (including one
12 prescribed to carry out subparagraph (B)), the
13 Secretary shall notify the chief executive officer
14 of the State involved and shall request such of-
15 ficer to secure compliance. If, within a reason-
16 able period of time, not to exceed 60 days, the
17 chief executive officer fails or refuses to secure
18 compliance, the Secretary may—

19 “(i) refer the matter to the Attorney
20 General with a recommendation that an
21 appropriate civil action be instituted;

22 “(ii) exercise the powers and functions
23 provided by title VI of the Civil Rights Act
24 of 1964 (42 U.S.C. 2000d et seq.), the
25 Age Discrimination Act of 1975 (42

1 U.S.C. 6101 et seq.), sections 504 and 505
2 of the Rehabilitation Act of 1973 (29
3 U.S.C. 794, 794(a)), or title IX of the
4 Education Amendments of 1972 (20
5 U.S.C. 1681 et seq.), as may be applicable;
6 or

7 “(iii) take such other action as may
8 be provided by law.

9 “(D) ENFORCEMENT AUTHORITY OF AT-
10 TORNEY GENERAL.—When a matter is referred
11 to the Attorney General pursuant to subpara-
12 graph (C)(i), or whenever the Attorney General
13 has reason to believe that a State or an entity
14 described in subparagraph (C) is engaged in a
15 pattern or practice in violation of a provision of
16 law referred to in subparagraph (A) or in viola-
17 tion of subparagraph (B), the Attorney General
18 may bring a civil action in any appropriate dis-
19 trict court of the United States for such relief
20 as may be appropriate, including injunctive re-
21 lief.

22 “(3) INCOME ELIGIBILITY STANDARDS.—No in-
23 come eligibility standard may be imposed upon indi-
24 viduals with respect to eligibility for assistance or
25 services supported with funds appropriated to carry

1 out this title. No fees may be levied for assistance
2 or services provided with funds appropriated to carry
3 out this title.

4 “(4) MATCH.—

5 “(A) IN GENERAL.—No grant may be
6 made under this section to any entity other
7 than a State or an Indian tribe unless the enti-
8 ty agrees to provide for the following non-Fed-
9 eral matching local share (expressed as a per-
10 centage of the total amount of funds provided
11 under this Act to the project involved):

12 “(i) With respect to an entity oper-
13 ating an existing program under this Act,
14 not less than 20 percent.

15 “(ii) With respect to an entity intend-
16 ing to operate a new program under this
17 Act, not less than 35 percent.

18 “(B) SPECIAL RULES.—The local share re-
19 quired under this paragraph may be in cash or
20 in-kind. The local share may not include any
21 Federal funds provided under any authority
22 other than this Act.

23 “(5) NONDISCLOSURE OF CONFIDENTIAL OR
24 PRIVATE INFORMATION.—

1 “(A) IN GENERAL.—In order to ensure the
2 privacy and safety of adult, youth, and child
3 victims of family violence, domestic violence, or
4 dating violence and their families, grantees and
5 subgrantees under this title shall protect the
6 confidentiality and privacy of such victims and
7 their families.

8 “(B) NONDISCLOSURE.—Subject to sub-
9 paragraphs (C) through (I), grantees and sub-
10 grantees shall not—

11 “(i) disclose, reveal or release any per-
12 sonally identifying information or indi-
13 vidual information collected in connection
14 with services requested, utilized, or denied
15 through grantees’ and subgrantees’ pro-
16 grams; or

17 “(ii) disclose, reveal, or release indi-
18 vidual client information regardless of
19 whether the information is encoded,
20 encrypted, hashed, or otherwise protected
21 without the informed, written, reasonably
22 time-limited authorization and of the per-
23 son about whom information is sought,
24 whether for this program or any other
25 Federal, State, or tribal grant program.

1 “(C) RELEASE.—If disclosure, revelation,
2 or release of information described in subpara-
3 graph (B) is compelled by statutory or court
4 mandate—

5 “(i) grantees and subgrantees shall
6 make reasonable attempts to provide notice
7 to victims affected by the disclosure of in-
8 formation; and

9 “(ii) grantees and subgrantees shall
10 take steps necessary to protect the privacy
11 and safety of the persons affected by the
12 disclosure, revelation, or release of the in-
13 formation.

14 “(D) INFORMATION SHARING.—Grantees
15 and subgrantees may share—

16 “(i) nonpersonally identifying data in
17 the aggregate regarding services to their
18 clients and nonpersonally identifying demo-
19 graphic information in order to comply
20 with Federal, State, or tribal reporting,
21 evaluation, or data collection requirements;

22 “(ii) court-generated information and
23 law-enforcement generated information
24 contained in secure, governmental reg-

1 istries for protection order enforcement
2 purposes; and

3 “(iii) law enforcement- and prosecu-
4 tion-generated information necessary for
5 law enforcement and prosecution purposes.

6 “(E) MINORS AND PERSONS WITH GUARD-
7 IANS.—If a minor or a person with a guardian
8 is permitted by law to receive services without
9 the parent’s or guardian’s consent, the minor or
10 person with a guardian may release information
11 without additional consent. Under any condi-
12 tion, consent for release of information may not
13 be given by the abuser of the minor, or person
14 with a guardian, or the abuser of the other par-
15 ent of the minor.

16 “(F) OVERSIGHT.—Nothing in this para-
17 graph shall prevent the Secretary from dis-
18 closing grant activities authorized in this title to
19 the chairman and ranking members of the
20 Committee on Education and Labor of the
21 House of Representatives and the Committee
22 on Health, Education, Labor, and Pensions of
23 the Senate and exercising congressional over-
24 sight authority. In making all such disclosures,
25 the Secretary shall protect the confidentiality of

1 individuals and omit personally identifying in-
2 formation, including location information about
3 individuals and shelters.

4 “(G) STATUTORILY PERMITTED REPORTS
5 OF ABUSE OR NEGLECT.—Nothing in this para-
6 graph shall prohibit a grantee or subgrantee
7 from reporting abuse and neglect, as those
8 terms are defined by law, where mandated by
9 the State or Indian tribe involved.

10 “(H) PREEMPTION.—Nothing in this para-
11 graph shall be construed to supersede any pro-
12 vision of any Federal, State, tribal, or local law
13 that provides greater protection than this para-
14 graph for victims of family violence, domestic
15 violence, or dating violence.

16 “(I) CONFIDENTIALITY OF LOCATION.—
17 The address or location of any shelter facility
18 assisted under this title that otherwise main-
19 tains a confidential location shall, except with
20 written authorization of the person or persons
21 responsible for the operation of such shelter,
22 not be made public.

23 “(6) SUPPLEMENT NOT SUPPLANT.—Federal
24 funds made available to a State under this title shall
25 be used to supplement and not supplant other Fed-

1 eral, State, and local public funds expended to pro-
2 vide services and activities that promote the objec-
3 tives of this title.

4 “(7) REQUIREMENTS.—Grantees and sub-
5 grantees shall meet such requirements as the Sec-
6 retary reasonably determines are necessary to carry
7 out the purposes and provisions of this title.

8 “(d) REPORTS AND EVALUATION.—Each State
9 grantee shall submit an annual performance report to the
10 Secretary at such time as shall be reasonably required by
11 the Secretary. Such performance report shall describe the
12 grantee and subgrantee activities that have been carried
13 out with grant funds made available under subsection (a),
14 contain an evaluation of the effectiveness of such activi-
15 ties, and provide such additional information as the Sec-
16 retary may reasonably require.

17 **“SEC. 307. STATE APPLICATION.**

18 “(a) APPLICATION.—

19 “(1) IN GENERAL.—The chief executive officer
20 of a State seeking funds under section 306(a) shall
21 submit an application to the Secretary at such time
22 and in such manner as the Secretary may reason-
23 ably require.

24 “(2) CONTENTS.—Each such application
25 shall—

1 “(A) provide documentation that the State
2 has developed or updated a multiyear State
3 plan which includes a current demographic pro-
4 file and the identification and assessment of
5 unmet needs, including approaches to be used
6 in providing culturally and linguistically appro-
7 priate services for racial and ethnic minority
8 groups and other underserved populations;

9 “(B) provide an annual funding plan which
10 describes how funds will be used to meet the
11 purposes of this Act, including the provision of
12 shelter, supportive services, and prevention and
13 how funds will be used in accordance with sub-
14 paragraph (A);

15 “(C) provide a description of the proce-
16 dures that have been developed to ensure com-
17 pliance with the provisions of sections 306(c)
18 and 308(d);

19 “(D) provide, with respect to funds pro-
20 vided to a State under section 306(a) for any
21 fiscal year, assurances that—

22 “(i) not more than 5 percent of such
23 funds will be used for State administrative
24 costs; and

1 “(ii) the remaining funds will be dis-
2 tributed to eligible entities as described in
3 section 308(a) for approved activities as
4 described in section 308(b);

5 “(E) provide an assurance that there will
6 be an equitable distribution of grants and grant
7 funds within the State and between urban and
8 rural areas within such State;

9 “(F) provide an assurance that the State
10 has and will continue to consult with and pro-
11 vide for the participation of the State Domestic
12 Violence Coalition in the development and im-
13 plementation of the State plan described in sub-
14 paragraph (A), as well as other planning, co-
15 ordination, and monitoring related to the dis-
16 tribution of grants to eligible entities as de-
17 scribed in section 308(a) and the administra-
18 tion of the grant programs and projects;

19 “(G) provide an assurances that the State
20 has and will continue to consult with and pro-
21 vide for the participation of community-based
22 organizations, whose primary purpose is to pro-
23 vide culturally appropriate services for individ-
24 uals from racial and ethnic minority groups and
25 other underserved populations, in the develop-

1 ment and implementation of the State plan de-
2 scribed in subparagraph (A), and provide docu-
3 mentation from such organizations describing
4 their participation;

5 “(H) specify the State agency to be des-
6 ignated as responsible for the administration of
7 programs and activities relating to family vio-
8 lence, domestic violence and dating violence,
9 that are carried out by the State under this
10 title, and for coordination of related programs
11 within the State; and

12 “(I) meet such requirements as the Sec-
13 retary reasonably determines are necessary to
14 carry out the objectives and provisions of this
15 title.

16 “(b) APPROVAL OF APPLICATION.—

17 “(1) IN GENERAL.—The Secretary shall ap-
18 prove any application that meets the requirements of
19 subsection (a) and section 306. The Secretary shall
20 not disapprove any application under this subsection
21 unless the Secretary gives the applicant reasonable
22 notice of the Secretary’s intention to disapprove and
23 a 6-month period providing an opportunity for cor-
24 rection of any deficiencies.

1 “(2) CORRECTION OF DEFICIENCIES.—The Sec-
2 retary shall give such notice, within 45 days after
3 the date of submission of the application, if any of
4 the provisions of subsection (a) or section 306 have
5 not been satisfied in such application. If the State
6 does not correct the deficiencies in such application
7 within the 6-month period following the receipt of
8 the Secretary’s notice, the Secretary shall reallocate
9 such amount to States that meet such requirements.

10 “(3) STATE DOMESTIC VIOLENCE COALITION
11 PARTICIPATION IN DETERMINATIONS OF COMPLI-
12 ANCE.—State Domestic Violence Coalitions shall be
13 permitted to participate in determining whether
14 grantees for corresponding States are in compliance
15 with subsection (a) and section 306, except that no
16 funds made available to a State Domestic Violence
17 Coalition under section 311 shall be used to chal-
18 lenge a determination about whether a grantee is in
19 compliance with, or to seek the enforcement of, the
20 requirements of this title.

21 “(4) FAILURE TO REPORT; NONCONFORMING
22 EXPENDITURES.—The Secretary shall suspend fund-
23 ing for an approved application if the applicant fails
24 to submit an annual performance report under sec-
25 tion 306(d), or if funds are expended for purposes

1 other than those set forth in section 306(b), after
2 following the procedures set forth in paragraphs (1),
3 (2), and (3).

4 **“SEC. 308. SUBGRANTS AND USES OF FUNDS.**

5 “(a) SUBGRANTS.—A State that receives a grant
6 under section 306(a) shall use grant funds described in
7 section 306(b)(2) to provide subgrants to eligible entities
8 for programs and projects within such State, to prevent
9 incidents of family violence, domestic violence, and dating
10 violence to provide emergency shelter, culturally competent
11 supportive services, or prevention services for adult and
12 youth victims of family violence, domestic violence, or dat-
13 ing violence, and their dependents, in order to prevent fu-
14 ture incidents of family violence, domestic violence, and
15 dating violence.

16 “(b) USE OF FUNDS.—

17 “(1) IN GENERAL.—Funds awarded to eligible
18 entities under subsection (a) shall be used to provide
19 shelter or supportive services to adult and youth vic-
20 tims of family violence, domestic violence, or dating
21 violence, and their dependents, or prevention serv-
22 ices, which may include—

23 “(A) provision, on a regular basis, of emer-
24 gency shelter and related supportive services to
25 adult and youth victims of family violence, do-

1 mestic violence, or dating violence, and their de-
2 pendents, including paying for the operating
3 and administrative expenses of the facilities for
4 such shelter;

5 “(B) assistance in the development of safe-
6 ty plans, and supporting efforts of adult and
7 youth family violence, domestic violence, or dat-
8 ing violence victims to make decisions related to
9 their ongoing safety and well-being;

10 “(C) provision of individual and group
11 counseling, peer support groups, and referral to
12 community-based services to assist adult and
13 youth family violence, domestic violence, or dat-
14 ing violence victims, and their dependents, in
15 recovering from the effects of the violence;

16 “(D) provision of services, training, tech-
17 nical assistance, and outreach to increase
18 awareness of adult and youth family violence,
19 domestic violence, or dating violence and in-
20 crease the accessibility of family violence, do-
21 mestic violence, or dating violence services;

22 “(E) provision of culturally appropriate
23 services in the language, education, and cultural
24 context that is most appropriate for the individ-
25 uals from racial and ethnic groups and for

1 whom the information and services are in-
2 tended, and to facilitate access for those who
3 face obstacles to using more traditional services
4 and resources;

5 “(F) provision of services for children and
6 youth exposed to family violence, domestic vio-
7 lence, or dating violence, including age-appro-
8 priate counseling, supportive services, and serv-
9 ices for the abused parent that support that
10 parent’s role as a caregiver, which may, as ap-
11 propriate, include services that work with the
12 parent and child together;

13 “(G) provision of advocacy, case manage-
14 ment services, and information and referral
15 services, concerning issues related to adult and
16 youth family violence, domestic violence, and
17 dating violence intervention and prevention, in-
18 cluding—

19 “(i) assistance in accessing related
20 Federal and State financial assistance pro-
21 grams;

22 “(ii) legal advocacy to assist adult and
23 youth victims;

24 “(iii) medical advocacy, including pro-
25 vision of referrals for appropriate health

1 care services (including mental health, al-
2 cohol, and drug abuse treatment), but
3 which shall not include reimbursement for
4 any health care services;

5 “(iv) assistance locating and securing
6 safe and affordable permanent housing and
7 homelessness prevention services;

8 “(v) provision of transportation, child
9 care, respite care, job training and employ-
10 ment services, economic advocacy including
11 financial literacy education and services, fi-
12 nancial planning and related economic em-
13 powerment services, and language assist-
14 ance, including translation or written ma-
15 terials, telephonic and in-person interpreter
16 services to adult and youth victims with
17 limited English proficiency or those who
18 are deaf or hard of hearing; and

19 “(vi) parenting and other educational
20 services for adult and youth victims and
21 their dependents;

22 “(H) prevention services, including out-
23 reach to underserved populations, public edu-
24 cation campaigns, and other prevention pro-
25 grams for children and youth; and

1 “(I) partnerships that enhance the design
2 and delivery of services to adult and youth vic-
3 tims and their dependents.

4 “(2) SHELTER AND SUPPORTIVE SERVICES.—
5 Not less than 70 percent of the funds distributed by
6 a State under subsection (a) shall be distributed to
7 entities whose primary purpose is to provide emer-
8 gency shelter and supportive services to adult and
9 youth victims of family violence, domestic violence,
10 or dating violence, and their dependents, as de-
11 scribed in paragraph (1)(A) for the provision of such
12 shelter and services. Not less than 25 percent of the
13 funds distributed by a State under subsection (a)
14 shall be distributed for the purpose of providing sup-
15 portive services or prevention services as described in
16 subparagraphs (B) through (H) of paragraph (1).

17 “(c) ELIGIBLE ENTITIES.—To be eligible to receive
18 a subgrant from a State under this section, an entity
19 shall—

20 “(1) be a nonprofit private organization (includ-
21 ing faith-based and charitable organizations, commu-
22 nity-based organizations, tribal organizations, vol-
23 untary organizations, or a local public agency), that
24 assists victims of family violence, domestic violence,
25 or dating violence and their dependents, and has a

1 documented history of effective work concerning
2 family violence, domestic violence, and dating vio-
3 lence; or

4 “(2) an organization whose primary purpose is
5 to provide culturally appropriate services to racial
6 and ethnic minority groups or other underserved
7 populations and is in partnership with an organiza-
8 tion described in paragraph (1).

9 “(d) SUBGRANT CONDITIONS.—

10 “(1) DIRECT PAYMENTS TO VICTIMS OR DE-
11 PENDANTS.—No funds provided through subgrants
12 made under this section may be used as direct pay-
13 ment to any victim of family violence, domestic vio-
14 lence, or dating violence, or to any dependent of
15 such victim.

16 “(2) VOLUNTARILY ACCEPTED SERVICES.—Re-
17 ceipt of supportive services under this title shall be
18 voluntary. Receipt of the benefits of the emergency
19 shelter described in subsection (b)(1)(A) shall not be
20 conditioned upon the participation by the adult or
21 youth victims, or their dependents, of any or all of
22 the supportive services offered under this title.

23 **“SEC. 309. GRANTS FOR INDIAN TRIBES.**

24 “(a) GRANTS AUTHORIZED.—The Secretary, in con-
25 sultation with tribal governments pursuant to Executive

1 Order 13175 (25 U.S.C. 450 note) and in accordance with
2 section 903 of the Violence Against Women and Depart-
3 ment of Justice Reauthorization Act of 2005 (42 U.S.C.
4 14045d), shall continue to award grants for Indian tribes
5 on a formula basis from amounts made available under
6 section 303 to carry out this section.

7 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
8 a grant under this section, an entity shall be an Indian
9 tribe, or a tribal organization or tribal nonprofit private
10 organization authorized by an Indian tribe. An Indian
11 tribe shall have the option to authorize a tribal organiza-
12 tion or a nonprofit private organization to submit an appli-
13 cation and administer the grant funds awarded under this
14 section.

15 “(c) CONDITIONS.—Each recipient of such a grant
16 shall comply with requirements that are consistent with
17 the requirements applicable to grantees under section
18 306(e)(5) and requirements determined by the Secretary
19 to be appropriate to the unique circumstances of Indian
20 Tribes.

21 “(d) GRANTEE APPLICATION.—To be eligible to re-
22 ceive a grant under this section, an entity shall submit
23 an application to the Secretary at such time, in such man-
24 ner, and containing such information as the Secretary de-
25 termines to be essential to carry out the objectives and

1 provisions of this title. The application process under this
2 section shall be streamlined to increase accessibility of
3 available funds to Indian tribes. No entity eligible to sub-
4 mit an application under subsection (b) shall be prohibited
5 from making an application during any fiscal year for
6 which funds are available because such an entity has not
7 previously applied or received funding under this section.

8 “(e) USE OF FUNDS.—An amount provided under a
9 grant to an eligible entity shall be used for the operation
10 of a domestic violence shelter, for projects designed to pre-
11 vent domestic violence, or to provide immediate shelter or
12 supportive services for victims of domestic violence and
13 their dependents.

14 “(f) CONTINUED AVAILABILITY OF FUNDS.—Funds
15 under this section shall remain available until expended
16 and in the event that funds allocated under subparagraph
17 (a) are deobligated from a grantee, such funds shall be
18 reallocated as part of the tribal formula grant program
19 in the subsequent fiscal year.

20 **“SEC. 310. NATIONAL RESOURCE CENTERS AND TRAINING**
21 **AND TECHNICAL ASSISTANCE CENTERS.**

22 “(a) PURPOSE AND GRANTS AUTHORIZED.—

23 “(1) PURPOSE.—The purpose of this section is
24 to provide resource information, training, and tech-
25 nical assistance relating to the objectives of this title

1 to improve the capacity of individuals, organizations,
2 governmental entities, and communities to prevent
3 domestic violence and to provide effective interven-
4 tion services.

5 “(2) GRANTS AUTHORIZED.—From the amount
6 reserved under section 303 to carry out this section
7 for a fiscal year, the Secretary—

8 “(A) shall award grants to eligible entities
9 for the establishment and maintenance of 2 na-
10 tional resource centers (as provided for in sub-
11 section (b)(1)), and special issue resource cen-
12 ters addressing key areas of domestic violence
13 intervention and prevention (as provided for in
14 subsection (b)(2)); and

15 “(B) may award grants to support training
16 and technical assistance that address emerging
17 issues related to domestic violence and dating
18 violence.

19 “(b) DOMESTIC VIOLENCE RESOURCE CENTERS.—

20 “(1) NATIONAL RESOURCE CENTERS.—In ac-
21 cordance with subsection (a)(2), the Secretary shall
22 award grants to eligible entities for—

23 “(A) a National Resource Center on Do-
24 mestic Violence, which shall—

1 “(i) offer a comprehensive array of
2 technical assistance and training resources
3 to Federal, State, and local governmental
4 agencies, domestic violence service pro-
5 viders, community-based organizations,
6 and other professionals and interested par-
7 ties, related to domestic violence service
8 programs and research, including pro-
9 grams and research related to victims and
10 their dependents; and

11 “(ii) maintain a central resource li-
12 brary in order to collect, prepare, analyze,
13 and disseminate information and statistics
14 related to—

15 “(I) the incidence and prevention
16 of family violence, domestic violence,
17 and dating violence; and

18 “(II) the provision of shelter,
19 supportive services, and prevention
20 services to adult and youth victims of
21 domestic violence (including services
22 to prevent repeated incidents of vio-
23 lence); and

1 “(B) a National Indian Resource Center
2 Addressing Domestic Violence and Safety for
3 Indian Women, which shall—

4 “(i) offer a comprehensive array of
5 technical assistance and training resources
6 to Indian tribes and tribal organizations,
7 specifically designed to enhance the capac-
8 ity of the tribes and organizations to re-
9 spond to domestic violence and the findings
10 of section 901 of the Violence Against
11 Women and Department of Justice Reau-
12 thorization Act of 2005 (42 U.S.C.
13 3796gg–10 note); and

14 “(ii) enhance the intervention and
15 prevention efforts of Indian tribes and
16 tribal organizations to respond to domestic
17 violence and increase the safety of Indian
18 women in support of the purposes of sec-
19 tion 902 of the Violence Against Women
20 and Department of Justice Reauthoriza-
21 tion Act of 2005 (42 U.S.C. 3796gg–10
22 note).

23 “(2) SPECIAL ISSUE RESOURCE CENTERS.—In
24 accordance with subsection (a)(2), the Secretary
25 shall award grants to eligible entities for special

1 issue resource centers, which shall provide informa-
2 tion, training, and technical assistance to State and
3 local domestic violence service providers, and shall
4 specialize in at least 1 of the following areas of do-
5 mestic violence service, prevention, or law:

6 “(A) The response of the criminal and civil
7 justice systems to domestic violence victims,
8 which may include the response to the use of
9 the self-defense plea by domestic violence vic-
10 tims and the issuance and use of protective or-
11 ders.

12 “(B) The response of child protective serv-
13 ice agencies to victims of domestic violence and
14 their dependents and child custody issues in do-
15 mestic violence cases.

16 “(C) The response of the interdisciplinary
17 health care system to victims of domestic vio-
18 lence and access to health care resources for
19 victims of domestic violence.

20 “(D) The response of mental health sys-
21 tems, domestic violence service programs, and
22 other related systems and programs to victims
23 of domestic violence and their children who are
24 exposed to domestic violence, or to victims of
25 domestic violence with mental illness.

1 “(E) In the case of 3 specific resource cen-
2 ters, the response of domestic violence service
3 providers to victims of domestic violence who
4 are members of racial and ethnic minority
5 groups, to enhance the cultural and linguistic
6 relevancy of service delivery, resource utiliza-
7 tion, policy, research, technical assistance, com-
8 munity education, and prevention initiatives.

9 “(c) TRAINING AND TECHNICAL ASSISTANCE ON
10 EMERGING ISSUES.—Under subsection (a)(2)(B), the Sec-
11 retary may award grants to support training and technical
12 assistance that respond to emerging issues in the field of
13 domestic violence that the Secretary may identify in con-
14 sultation with representatives from community-based do-
15 mestic violence service providers, State Domestic Violence
16 Coalitions, national domestic violence organizations, and
17 culturally specific services, including the provision of
18 training and technical assistance on the complex issues ad-
19 dressing emerging immigrant communities and providing
20 cross-cultural leadership development and training.

21 “(d) ELIGIBILITY.—

22 “(1) IN GENERAL.—To be eligible to receive a
23 grant under subsection (b)(1)(A) or subparagraph
24 (A), (B), (C), or (D) of subsection (b)(2) and sub-
25 section (c), an entity shall be a private nonprofit or-

1 organization that focuses primarily on domestic vio-
2 lence or is a public or private nonprofit education in-
3 stitution that has a domestic violence institute, cen-
4 ter, or programs related to culturally specific issues
5 in domestic violence and that—

6 “(A) provides documentation to the Sec-
7 retary demonstrating experience working di-
8 rectly on issues of domestic violence, and (in
9 the case of an entity seeking a grant under sub-
10 section (b)(2)) demonstrating experience work-
11 ing directly in the corresponding specific special
12 issue area described in subsection (b)(2);

13 “(B) includes on the entity’s advisory
14 board representatives who are from domestic vi-
15 olence service programs and who are geographi-
16 cally and culturally diverse;

17 “(C) demonstrates the strong support of
18 domestic violence service programs from across
19 the Nation for the entity’s designation as a na-
20 tional resource center or a special issue re-
21 source center, as appropriate; and

22 “(D) demonstrates the capacity to act as a
23 nationwide resource center.

24 “(2) NATIONAL INDIAN RESOURCE CENTER.—

25 To be eligible to receive a grant under subsection

1 (b)(1)(B), an entity shall be a private nonprofit,
2 nongovernmental organization that focuses primarily
3 on issues of domestic violence within Indian tribes
4 and that submits documentation to the Secretary
5 demonstrating—

6 “(A) experience working with Indian tribes
7 and tribal organizations to respond to domestic
8 violence and the findings of section 901 of the
9 Violence Against Women Department of Justice
10 Reauthorization Act of 2005 (42 U.S.C.
11 3796gg–10 note);

12 “(B) experience providing Indian tribes
13 with assistance in developing tribally-based pre-
14 vention and intervention services addressing do-
15 mestic violence and safety for Indian women
16 consistent with the purposes of section 902 of
17 the Violence Against Women and Department
18 of Justice Reauthorization Act of 2005 (42
19 U.S.C. 3796gg–10 note);

20 “(C) strong support for the entity’s des-
21 ignation as the National Indian Resource Cen-
22 ter Addressing Domestic Violence and Safety
23 for Indian Women from advocates working
24 within Indian tribes to address domestic vio-
25 lence and the safety of Indian women; and

1 “(D) a record of demonstrated effective-
2 ness in assisting Indian tribes with prevention
3 and intervention services addressing domestic
4 violence.

5 “(3) SPECIAL ISSUE RESOURCE CENTERS CON-
6 CERNED WITH RACIAL AND ETHNIC MINORITY
7 GROUPS.—To be eligible to receive a grant under
8 subsection (b)(2)(E), an entity shall be an entity
9 that—

10 “(A) is a private nonprofit organization
11 that focuses primarily on issues of domestic vio-
12 lence in a racial or ethnic community, or is a
13 public or private nonprofit educational institu-
14 tion that has a domestic violence institute, cen-
15 ter, or program related to culturally specific
16 issues in domestic violence; and

17 “(B)(i) has documented experience in the
18 areas of domestic violence prevention and serv-
19 ices, and experience relevant to the specific ra-
20 cial or ethnic population to which information,
21 training, technical assistance, and outreach
22 would be provided under the grant;

23 “(ii) demonstrates the strong support of
24 advocates from across the Nation who are
25 working to address domestic violence;

1 Puerto Rico, Guam, American Samoa, the United States
2 Virgin Islands, and the Commonwealth of the Northern
3 Mariana Islands an amount equal to $\frac{1}{56}$ of the total re-
4 served amount.

5 “(c) APPLICATION.—Each coalition desiring a grant
6 under this section shall submit an application to the Sec-
7 retary at such time, in such manner, and containing such
8 information as the Secretary determines to be essential to
9 carry out the objectives of this section. Only one State Do-
10 mestic Violence Coalition, as defined in 302(10), may be
11 selected from each State. The application submitted by the
12 coalition for the grant shall provide documentation of the
13 coalition’s work, satisfactory to the Secretary, dem-
14 onstrating that the coalition—

15 “(1) meets all of the applicable requirements
16 set forth in this title; and

17 “(2) demonstrates the ability to appropriately
18 conduct all activities described in this section, as in-
19 dicated by—

20 “(A) documented experience in admin-
21 istering Federal grants to conduct the activities
22 described in subsection (d); or

23 “(B) a documented history of active par-
24 ticipation in the activities described in para-
25 graphs (1), (3), (4), and (5) of subsection (d)

1 and a demonstrated capacity to conduct the ac-
2 tivities described in subsection (d)(2).

3 “(d) USE OF FUNDS.—A coalition that receives a
4 grant under this section shall use the grant funds for ad-
5 ministration and operations to further the purposes of do-
6 mestic violence intervention and prevention, through ac-
7 tivities that—

8 “(1) shall include working with local domestic
9 violence service programs and providers of direct
10 services to encourage appropriate and comprehensive
11 responses to domestic violence against adults or
12 youth within the State involved, including providing
13 training and technical assistance and conducting
14 State needs assessments;

15 “(2) shall include participating in planning and
16 monitoring the distribution of subgrants and
17 subgrant funds within the State under section
18 308(a);

19 “(3) shall include working in collaboration with
20 service providers and community-based organizations
21 to address the needs of adult and youth domestic vi-
22 olence and dating violence victims, and their depend-
23 ents, who are members of racial and ethnic minority
24 populations and underserved populations;

1 “(4) may include collaborating with and pro-
2 viding information to entities in such fields as hous-
3 ing, health care, mental health, social welfare, or
4 business to support the development and implemen-
5 tation of effective policies, protocols, and programs
6 that address the safety and support needs of adult
7 and youth victims of domestic violence;

8 “(5) may include working with judicial and law
9 enforcement agencies to encourage appropriate re-
10 sponses to cases of domestic violence against adults
11 or youth;

12 “(6) may include working with family law
13 judges, criminal court judges, child protective service
14 agencies, and children’s advocates to develop appro-
15 priate responses to child custody and visitation
16 issues in cases of child exposure to domestic violence
17 and in cases in which both domestic violence and
18 child abuse are present; and

19 “(7) may include designing and conducting
20 public education campaigns regarding domestic vio-
21 lence against adults and youth, that may provide in-
22 formation to the public about prevention of domestic
23 violence, including information targeted to under-
24 served populations.

1 “(e) PROHIBITION ON LOBBYING.—No funds made
2 available to entities under this section shall be used, di-
3 rectly or indirectly, to influence the issuance, amendment,
4 or revocation of any executive order or similar promulga-
5 tion by any Federal, State, or local agency, or to under-
6 take to influence the passage or defeat of any legislation
7 by Congress, or by any State or local legislative body, or
8 State proposals by initiative petition, except that the rep-
9 resentatives of the entity may testify or make other appro-
10 priate communication—

11 “(1) when formally requested to do so by a leg-
12 islative body, a committee, or a member of the body
13 or committee; or

14 “(2) in connection with legislation or appropria-
15 tions directly affecting the activities of the entity.

16 “(f) REPORTS AND EVALUATION.—Each entity re-
17 ceiving a grant under this section shall submit a perform-
18 ance report to the Secretary at such time as shall be rea-
19 sonably required by the Secretary. Such performance re-
20 port shall describe the activities that have been carried out
21 with such grant funds, contain an evaluation of the effec-
22 tiveness of such activities, and provide such additional in-
23 formation as the Secretary may reasonably require.

24 “(g) INDIAN REPRESENTATIVES.—For purposes of
25 this section, a State Domestic Violence Coalition may in-

1 clude representatives of Indian tribes and tribal organiza-
2 tions.

3 **“SEC. 312. SPECIALIZED SERVICES FOR ABUSED PARENTS**
4 **AND THEIR CHILDREN.**

5 “(a) IN GENERAL.—

6 “(1) PROGRAM.—The Secretary shall establish
7 a grant program to expand the capacity of family vi-
8 olence, domestic violence, and dating violence service
9 programs and community-based programs to prevent
10 future domestic and dating violence by addressing
11 the needs of children and youth exposed to domestic
12 violence.

13 “(2) GRANTS.—The Secretary may make
14 grants to eligible entities through the program es-
15 tablished under paragraph (1) for periods of not
16 more than 3 years. If the Secretary determines that
17 an entity has received such a grant and been suc-
18 cessful in meeting the objectives of the grant appli-
19 cation submitted under subsection (c), the Secretary
20 may renew the grant for 1 additional period of not
21 more than 3 years.

22 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
23 a grant under this section, an entity shall be a local or
24 domestic violence or dating violence service provider or
25 community-based organization with a demonstrated record

1 of serving victims of domestic violence and dating violence
2 and their children.

3 “(c) APPLICATION.—An entity seeking a grant under
4 this section shall submit an application to the Secretary
5 at such time, in such manner, and containing such infor-
6 mation as the Secretary may reasonably require, includ-
7 ing—

8 “(1) a description of how the entity will
9 prioritize the safety of, and confidentiality of infor-
10 mation about, adult and youth victims of domestic
11 violence and their children;

12 “(2) a description of how the entity will provide
13 developmentally appropriate and age-appropriate
14 services, and linguistically and culturally appropriate
15 services, to the victims and children; and

16 “(3) a description of how the entity will ensure
17 that professionals working with the children receive
18 the training and technical assistance appropriate
19 and relevant to the unique needs of children exposed
20 to domestic violence and address the safety of the
21 non-abusing parent, and support the parent or care-
22 taker’s ongoing caregiving capacity.

23 “(d) USE OF FUNDS.—An entity that receives a
24 grant under this section for a family violence, domestic

1 violence, and dating violence service or community-based
2 program described in subsection (a)—

3 “(1) shall use the funds made available through
4 the grant—

5 “(A) to provide direct counseling, appro-
6 priate services, or advocacy on behalf of victims
7 of domestic violence and their children, includ-
8 ing coordinating services with services provided
9 by the child welfare system or local law enforce-
10 ment agencies;

11 “(B) to provide services for abused parents
12 to support those parents’ roles as caregivers
13 and their roles in responding to the social, emo-
14 tional, and developmental needs of their chil-
15 dren; and

16 “(C) where appropriate, to provide the
17 services described in this subsection while work-
18 ing with such an abused parent and child to-
19 gether; and

20 “(2) may use the funds made available through
21 the grant—

22 “(A) to provide early childhood develop-
23 ment and mental health services;

24 “(B) to coordinate activities with and pro-
25 vide technical assistance to community-based

1 organizations serving victims of domestic vio-
2 lence or children exposed to domestic violence;

3 “(C) to provide services including advocacy
4 efforts on behalf of victims of domestic violence
5 and dating violence and their minor children
6 with respect to issues related directly to domes-
7 tic violence or dating violence, including advoca-
8 cacy with the child welfare system; and

9 “(D) to provide additional services and re-
10 ferrals to services for children, including child
11 care, transportation, educational support, res-
12 pite care, supervised visitation, legal services or
13 other necessary services.

14 “(e) REPORTS AND EVALUATION.—Each entity re-
15 ceiving a grant under this section shall submit a perform-
16 ance report to the Secretary at such time as shall be rea-
17 sonably required by the Secretary. Such performance re-
18 port shall describe the activities that have been carried out
19 with such grant funds, contain an evaluation of the effec-
20 tiveness of such activities, and provide such additional in-
21 formation as the Secretary may reasonably require.

22 **“SEC. 313. NATIONAL DOMESTIC VIOLENCE HOTLINE**
23 **GRANT.**

24 “(a) IN GENERAL.—The Secretary—

1 “(1) shall award a grant to a nonprofit, non-
2 governmental entity to provide for the establishment
3 and operation of a 24-hour national, toll-free tele-
4 phone hotline to provide information and assistance
5 to adults and youth victims of domestic violence and
6 dating violence, family and household members of
7 such victims, and those collaterally affected by the
8 victimization; and

9 “(2) may award a grant to a nonprofit, non-
10 governmental entity to provide for the establishment
11 and operation of a 24-hour national, toll-free
12 helpline providing specialized information and assist-
13 ance to youth victims of domestic violence and dat-
14 ing violence, family and household members of such
15 victims, and those collaterally affected by the victim-
16 ization.

17 “(b) TERM.—The Secretary shall award grants under
18 this section for a period of not more than 5 years.

19 “(c) ANNUAL APPROVAL.—The provision of pay-
20 ments under a grant awarded under this section shall be
21 subject to annual approval by the Secretary and subject
22 to the availability of appropriations for each fiscal year
23 to make the payments.

1 “(d) APPLICATION.—To be eligible to receive a grant
2 under this section, an entity shall submit an application
3 to the Secretary that shall—

4 “(1) contain such agreements, assurances, and
5 information, be in such form, and be submitted in
6 such manner, as the Secretary shall prescribe;

7 “(2) demonstrate that the applicant has the
8 technological capacity to respond to the projected
9 national hotline call or electronic communication vol-
10 ume;

11 “(3) include a complete description of the appli-
12 cant’s plan for the operation of a national domestic
13 violence and dating violence hotline or youth
14 helpline, including descriptions of—

15 “(A) the hiring criteria and qualifications
16 for personnel;

17 “(B) the training program for personnel,
18 including technology training to ensure that all
19 persons affiliated are able to effectively operate
20 any technological systems;

21 “(C) the methods for the creation, mainte-
22 nance, and updating of a comprehensive re-
23 source database;

24 “(D) a plan for publicizing the availability
25 of services to adults, youth, racial and ethnic

1 minorities, underserved populations, American
2 Indians, Alaska Native, older individuals, and
3 individuals with disabilities and impairments;

4 “(E) a plan for providing hotline services
5 to users with limited English proficiency; in-
6 cluding service through personnel who speak
7 languages other than English;

8 “(F) a plan for facilitating access to serv-
9 ices by persons with hearing impairments;

10 “(G) a comprehensive disaster prepared-
11 ness and recovery plan; and

12 “(H) a comprehensive privacy and con-
13 fidentiality policy that includes provisions for
14 nondisclosure of any personally identifying in-
15 formation or individual information collected or
16 received in connection with services requested,
17 utilized, or denied through such grantee’s pro-
18 gram, including provisions that protect person-
19 ally identifying information or individual infor-
20 mation that may be collected, received, or main-
21 tained in any form, including electronically;

22 “(4) demonstrate the ability to safely and se-
23 curely provide information and referrals for callers
24 and electronic communicators, directly connect hot-

1 line callers to service providers, and appropriately
2 link electronic communicators to service providers;

3 “(5) demonstrate that the applicant has a com-
4 mitment to the provision of services to youth, racial
5 and ethnic minorities, underserved populations,
6 American Indians, Alaska Natives, older individuals,
7 and individuals with disabilities and impairments;

8 “(6) demonstrate that the applicant has recog-
9 nized expertise in the area of domestic violence and
10 dating violence and a record of high quality service
11 to victims of domestic violence and dating violence
12 and—

13 “(A) in an application to provide national
14 hotline services under subsection (a)(1)—

15 “(i) demonstrate that the applicant
16 has the capacity to effectively operate a
17 24-hour national, toll-free hotline that
18 principally serves victims of domestic vio-
19 lence and dating violence;

20 “(ii) demonstrate that the primary
21 purpose of the applicant is to provide serv-
22 ices to victims of domestic violence and
23 dating violence or demonstrate a signifi-
24 cant collaboration with a nonprofit, non-
25 governmental entity, the primary purpose

1 of which is to provide services to victims of
2 domestic violence or dating violence;

3 “(iii) demonstrate meaningful collabo-
4 ration in developing the application with
5 service providers, including coalitions, with
6 specialized expertise in serving youth, ra-
7 cial and ethnic minorities, underserved
8 populations, American Indians, Alaska Na-
9 tives, older individuals, and individuals
10 with disabilities and impairments; and

11 “(iv) demonstrate support from do-
12 mestic violence and dating violence advo-
13 cacy groups, community-based service pro-
14 viders, and State or tribal coalitions; or

15 “(B) in an application to provide national
16 youth helpline services under subsection
17 (a)(2)—

18 “(i) demonstrate that the applicant
19 has the capacity to use innovative techno-
20 logical approaches and methods of commu-
21 nication to effectively operate a 24-hour
22 national, toll-free youth helpline that prin-
23 cipally serves youth victims of domestic vi-
24 olence and dating violence;

1 “(ii) demonstrate that the primary
2 purpose of the applicant is to provide serv-
3 ices to youth victims of domestic violence
4 and dating violence or demonstrate signifi-
5 cant collaboration with a nonprofit, non-
6 governmental entity, the primary purpose
7 of which is to provide services to youth vic-
8 tims of domestic violence or dating vio-
9 lence;

10 “(iii) demonstrate meaningful collabo-
11 ration in developing the application with
12 service providers, including coalitions, with
13 specialized expertise in serving youth from
14 racial and ethnic minorities, underserved
15 populations, American Indian tribes, and
16 Alaska Native Villages; and

17 “(iv) demonstrate that the applicant
18 has support from various dating violence
19 advocacy groups, community-based youth
20 service providers, and state or tribal coali-
21 tions;

22 “(7) demonstrate that the applicant complies
23 with nondisclosure requirements as described in sec-
24 tion 306(e)(5);

1 “(8) demonstrate a plan for developing and fol-
2 lowing comprehensive quality assurance practices;
3 and

4 “(9) contain such other information as the Sec-
5 retary may require.

6 “(e) HOTLINE AND HELPLINE ACTIVITIES.—

7 “(1) IN GENERAL.—An entity that receives a
8 grant under subsection (a)(1) shall use funds made
9 available through the grant to establish and operate
10 a 24-hour national, toll-free telephone hotline to pro-
11 vide information and assistance to adult and youth
12 victims of domestic violence and dating violence. An
13 entity that receives a grant under subsection (a)(2)
14 shall use funds made available through the grant to
15 establish and operate a 24-hour national, toll-free
16 helpline providing specialized information and assist-
17 ance to youth victims of domestic violence and dat-
18 ing violence through the use of innovative ap-
19 proaches and methods of communication that effec-
20 tively outreach to the particular interests and per-
21 spectives of youth victims of domestic violence and
22 dating violence.

23 “(2) REQUIRED AND AUTHORIZED ACTIVI-
24 TIES.—In operating the hotline or youth helpline,
25 the entity—

1 “(A) shall contract with a carrier for the
2 use of a toll-free telephone line and an internet
3 service provider that provides the capability to
4 communicate electronically, through text mes-
5 saging, internet chat or other innovative and
6 appropriate methods of communication while
7 demonstrating due diligence to assess and ad-
8 dress the confidentiality and safety of users;

9 “(B) shall employ, train (including tech-
10 nology training), and supervise personnel to re-
11 spond to incoming requests for services, provide
12 crisis intervention, advocacy, and referral serv-
13 ices on a 24-hour-a-day basis, and directly con-
14 nect hotline callers to service providers or ap-
15 propriately link electronic communicators to
16 service providers;

17 “(C) shall assemble and maintain a cur-
18 rent and comprehensive database of information
19 relating to services for adult and youth victims
20 of domestic violence and dating violence to
21 which users may be referred throughout the
22 States, American Indian Tribes and Alaska Na-
23 tive Villages, including information on the avail-
24 ability of services for adult and youth victims of
25 domestic violence and dating violence;

1 “(D) shall provide assistance and referrals
2 to ethnic and racial minorities, persons with
3 limited English proficiency, individuals in un-
4 derserved populations, American Indian Tribes,
5 Alaska Native Villages, older individuals, and
6 individuals with disabilities and impairments,
7 and shall maintain a current resource database
8 of specialized programs whose primary purpose
9 is providing competent services to individuals
10 from these populations;

11 “(E) shall publicize available services to
12 potential users throughout the States, including
13 Tribal communities and Alaska Native Villages;

14 “(F) may provide appropriate assistance
15 and referrals for family and household members
16 of adult and youth victims of domestic violence
17 or dating violence and those collaterally affected
18 by the victimization;

19 “(G) at the discretion of the hotline or
20 helpline operator, may provide assistance or re-
21 ferrals to self-identified adult and youth per-
22 petrators of domestic violence and dating vio-
23 lence, but shall not be required to provide as-
24 sistance or referrals in any circumstance where

1 the hotline or helpline operator suspects the
2 safety of a victim may be endangered; and

3 “(H) may collect and disseminate non-per-
4 sonally identifying data about demographics,
5 trends, unmet needs, and other issues gathered
6 from users in compliance with section
7 306(c)(5).

8 “(f) REPORTS AND EVALUATION.—Entities receiving
9 a grant under this section shall submit a performance re-
10 port to the Secretary at such time as shall be reasonably
11 required by the Secretary. Such performance report shall
12 describe the activities that have been carried out with such
13 grant funds, contain an evaluation of the effectiveness of
14 such activities, and provide such additional information as
15 the Secretary may reasonably require.

16 **“SEC. 314. GRANTS FOR UNDERSERVED POPULATIONS.**

17 “(a) PURPOSE.—It is the purpose of this section to
18 provide for the awarding of grants to assist communities
19 in mobilizing and organizing resources in support of effec-
20 tive and sustainable programs that will address domestic
21 violence and dating violence experienced by adult and
22 youth underserved populations, including racial and ethnic
23 minority individuals.

24 “(b) AUTHORITY TO AWARD GRANTS.—The Sec-
25 retary, acting through the Family Violence Prevention and

1 Services Program, shall award planning, implementation,
2 and evaluation grants to eligible entities to assist in devel-
3 oping, implementing, and evaluating culturally and lin-
4 guistically appropriate, community-driven strategies to ad-
5 dress domestic violence and dating violence.

6 “(c) ELIGIBLE ENTITIES.—To be eligible to receive
7 a grant under this section, an entity shall—

8 “(1) represent a collaboration—

9 “(A) whose principal purpose is to develop
10 and implement interventions and prevention
11 strategies to address domestic violence and dat-
12 ing violence in a targeted underserved popu-
13 lation in the community served by the collabora-
14 tion; and

15 “(B) that includes—

16 “(i) at least 3 members selected
17 among—

18 “(I) at least one member from a
19 community-based organization with a
20 proven record of serving and rep-
21 resenting the targeted underserved
22 population in the community;

23 “(II) at least one member from a
24 local victim services program;

1 “(III) Indian tribes, American
2 Indian, Alaska Native tribal nonprofit
3 organizations, or national American
4 Indian organizations;

5 “(IV) community health centers;
6 and

7 “(V) nonprofit, nongovernmental
8 legal services programs that provide
9 specialized services for domestic vio-
10 lence and dating violence victims; and

11 “(2) submit to the Secretary an application at
12 such time, in such manner, and containing such in-
13 formation as the Secretary may require, which shall
14 include—

15 “(A) a description of the targeted under-
16 served population in the community to be
17 served under the grant;

18 “(B) a description of at least one access
19 barrier that exists in the underserved targeted
20 population, such as lack of—

21 “(i) awareness of domestic violence
22 and dating violence issues or dynamics;

23 “(ii) access to or awareness of domes-
24 tic violence and dating violence services
25 and responses; or

1 “(iii) linguistically or culturally appro-
2 priate domestic violence and dating vio-
3 lence services;

4 “(C) documentation that procedures have
5 been developed to ensure the grantees and sub-
6 grantees’ compliance with all grant conditions
7 as described in section 302(c); and

8 “(D) a demonstration of a proven record of
9 accomplishment of the collaboration members in
10 serving and working with the targeted commu-
11 nity, or a written commitment to developing
12 such competence.

13 “(d) PLANNING GRANTS.—

14 “(1) IN GENERAL.—The Secretary shall award
15 one-time grants to eligible entities described in sub-
16 section (c) to support the planning and development
17 of culturally and linguistically appropriate programs
18 that utilize community-driven intervention and pre-
19 vention strategies that address the barriers to do-
20 mestic violence and dating violence services, raise
21 awareness of domestic violence and dating violence
22 and promote community engagement in the preven-
23 tion of domestic violence and dating violence within
24 the targeted underserved population in the commu-

1 nity to be served under the grant. Such grants may
2 be used to—

3 “(A) expand the collaboration that is rep-
4 resented by the eligible entity through the iden-
5 tification of additional partners, particularly
6 among the targeted community, and establish
7 linkages with national, State, tribal, or local
8 public and private partners which may include
9 community health workers, advocacy, and policy
10 organizations;

11 “(B) establish community working groups;

12 “(C) conduct a needs assessment of the
13 community and targeted adult and youth un-
14 derserved population to determine what the bar-
15 riers are to access and the factors contributing
16 to the barriers, using input from the targeted
17 community;

18 “(D) participate in workshops sponsored
19 by the Family Violence Prevention and Services
20 Program for technical assistance, evaluation,
21 and other programmatic issues;

22 “(E) use up to 5 percent of funds awarded
23 under this subsection to procure technical as-
24 sistance from a list of providers approved by

1 the Family Violence Prevention and Services
2 Program;

3 “(F) identify promising intervention and
4 prevention strategies;

5 “(G) develop a plan with the input of the
6 targeted community that includes strategies
7 for—

8 “(i) implementing intervention and
9 prevention strategies that have the greatest
10 potential for addressing the barriers to ac-
11 cessing services, raising awareness of do-
12 mestic violence and dating violence, and
13 promoting community engagement in the
14 prevention of domestic violence and dating
15 violence within the targeted racial or ethnic
16 or other underserved population;

17 “(ii) identifying other sources of rev-
18 enue and integrating current and proposed
19 funding sources to ensure long-term sus-
20 tainability of the program; and

21 “(iii) evaluating the program, includ-
22 ing collecting data and measuring progress
23 toward addressing domestic violence and
24 dating violence or raising awareness of do-
25 mestic violence and dating violence in the

1 targeted racial or ethnic or other adult and
2 youth underserved population; and

3 “(H) conduct an evaluation of the planning
4 and development activities.

5 “(2) DURATION.—The period during which
6 payments may be made under a grant under para-
7 graph (1) shall not exceed 24 months, except where
8 the Secretary determines that extraordinary cir-
9 cumstances exist.

10 “(e) IMPLEMENTATION GRANTS.—

11 “(1) IN GENERAL.—The Secretary shall award
12 grants to eligible entities that have received a plan-
13 ning grant under subsection (d) to enable such enti-
14 ties to—

15 “(A) implement a plan including interven-
16 tion services or prevention strategies to address
17 the identified barrier or awareness issue or ini-
18 tiate the community engagement strategy for
19 the targeted adult and youth underserved popu-
20 lation, in an effective and timely manner;

21 “(B) collect data appropriate for moni-
22 toring and evaluating the program carried out
23 under the grant;

1 “(C) analyze and interpret data, or col-
2 laborate with academic or other appropriate in-
3 stitutions, for such analysis and collection;

4 “(D) participate in conferences and work-
5 shops for the purpose of informing and edu-
6 cating others regarding the experiences and les-
7 sons learned from the project;

8 “(E) collaborate with appropriate partners
9 to publish the results of the project for the ben-
10 efit of other domestic violence and dating vio-
11 lence programs;

12 “(F) establish mechanisms with other pub-
13 lic or private groups to maintain financial sup-
14 port for the program after the grant termi-
15 nates;

16 “(G) develop policy initiatives for systems
17 change to address the barriers or awareness
18 issue;

19 “(H) maintain relationships with local
20 partners and continue to develop new relation-
21 ships with national and State partners;

22 “(I) evaluate the implementation of the
23 planned activities above; and

24 “(J) use up to 5 percent of funds awarded
25 under this subsection to procure technical as-

1 sistance from a list of providers approved by
2 the Family Violence Prevention and Services
3 Program.

4 “(2) DURATION.—The period during which
5 payments may be made under a grant under para-
6 graph (1) shall not exceed 5 years with an extension
7 up to 10 years total. Such payments shall be subject
8 to annual approval by the Secretary and to the avail-
9 ability of appropriations for the fiscal year involved.

10 “(f) EVALUATION GRANTS.—

11 “(1) IN GENERAL.—The Secretary may award
12 grants to eligible entities that have received an im-
13 plementation grant under subsection (e) that require
14 additional assistance for the purpose of rigorous
15 data analysis, program evaluation (including process
16 and outcome measures), or dissemination of find-
17 ings.

18 “(2) PRIORITY.—In awarding grants under this
19 subsection, the Secretary shall give priority to—

20 “(A) entities that in previous funding cy-
21 cles—

22 “(i) have received a planning grant
23 under subsection (d); or

24 “(ii) implemented activities of the
25 type described in subsection (c)(1); and

1 “(B) entities that incorporate best prac-
2 tices or build on successful models in their ac-
3 tion plan, including the use of community advo-
4 cates.

5 “(g) SUSTAINABILITY.—The Secretary shall give pri-
6 ority to an eligible entity under this section if the entity
7 agrees that, with respect to the costs to be incurred by
8 the entity in carrying out the activities for which the grant
9 was awarded, the entity (and each of the participating
10 partners in the collaboration represented by the entity)
11 will maintain its expenditures of non-Federal funds for
12 such activities at a level that is not less than the level
13 of such expenditure during the fiscal year immediately
14 preceding the first fiscal year for which the grant is
15 awarded.

16 “(h) NONSUPPLANTATION.—Federal funds shall be
17 used to supplement and not supplant other Federal, State,
18 and local public funds expended to provide services and
19 activities that promote the purposes of this title.

20 “(i) TECHNICAL ASSISTANCE, EVALUATION AND
21 MONITORING.—

22 “(1) IN GENERAL.—For purposes of this sec-
23 tion—

24 “(A) up to 5 percent of the funds made
25 available under section 303(c) for each fiscal

1 year may be used by the Secretary for evalua-
2 tion, monitoring and other administrative costs
3 under this section; and

4 “(B) up to 3 percent of the funds made
5 available under section 303(c) for each fiscal
6 year may be used by the Secretary for technical
7 assistance.

8 “(2) TECHNICAL ASSISTANCE PROVIDED BY
9 GRANTEES.—The Secretary shall enable grantees to
10 share best practices, evaluation results, and reports
11 using the Internet, conferences, and other pertinent
12 information regarding the projects funded by this
13 section, including the outreach efforts of the Family
14 Violence Prevention and Services Program.

15 “(3) REPORTS AND EVALUATION.—Each entity
16 receiving funds under this section shall file a per-
17 formance report at such times as requested by the
18 Secretary describing the activities that have been
19 carried out with such grant funds and providing
20 such additional information as the Secretary may re-
21 quire.

22 “(j) ADMINISTRATIVE BURDENS.—The Secretary
23 shall make every effort to minimize duplicative or unneces-
24 sary administrative burdens on the grantees.

1 **“SEC. 315. DOMESTIC VIOLENCE PREVENTION ENHANCE-**
2 **MENT AND LEADERSHIP THROUGH ALLI-**
3 **ANCES (DELTA).**

4 “(a) IN GENERAL.—The Secretary shall provide
5 grants to statewide nonprofit organizations to establish
6 and operate projects to engage in primary prevention of
7 domestic violence and dating violence including violence
8 committed by and against youth, using a coordinated com-
9 munity response model and through prevention and edu-
10 cation programs.

11 “(b) TERM.—

12 “(1) IN GENERAL.—The Secretary shall provide
13 a grant or enter into a cooperative agreement under
14 this section for a period of not more than 5 fiscal
15 years.

16 “(2) CONTINUATION OF SUCCESSFUL PRO-
17 GRAMS.—For grants that are identified under this
18 section and that are deemed by the Secretary to be
19 successful in meeting the objectives of the initial
20 grant solicitation, the Secretary may extend the du-
21 ration of those grants for up to 5 additional years
22 beyond their scheduled expiration without the re-
23 quirement for a recompetition. The Secretary may
24 extend such grants for an additional 5 years fol-
25 lowing a second review in accordance with subsection
26 (c), and the determination by the Secretary that the

1 objectives of the grant are being achieved. Grants
2 awarded before fiscal year 2009 may be extended
3 further at the discretion of the Secretary.

4 “(c) ELIGIBILITY.—To be eligible to receive a grant
5 under this section, an entity shall be a State Domestic
6 Violence Coalition.

7 “(d) APPLICATIONS.—An organization that desires to
8 receive a grant under this section shall—

9 “(1) submit to the Secretary an application, in
10 such form and in such manner as the Secretary shall
11 prescribe, that demonstrates the capacity of the ap-
12 plicant and partnering local domestic violence service
13 providers and community-based organizations to un-
14 dertake the project and contains such other informa-
15 tion, agreements, and assurances as the Secretary
16 may require;

17 “(2) demonstrate that applicants have experi-
18 ence in providing, or the capacity to provide, preven-
19 tion focused training and technical assistance;

20 “(3) identify the means through which the pop-
21 ulations in the community to be served shall be se-
22 lected;

23 “(4) demonstrate collaborative community ini-
24 tiatives to prevent domestic violence and dating vio-
25 lence;

1 “(5) demonstrate that the applicant has a com-
2 mitment to diversity, and to the provision of services
3 and outreach to ethnic, racial, and non-English
4 speaking minorities, victims and children in under-
5 served populations, and older individuals and indi-
6 viduals with disabilities;

7 “(6) demonstrate the capacity of the applicant,
8 who may enter into a partnership with a local do-
9 mestic violence service provider or community-based
10 organization, to undertake the project involved; and

11 “(7) demonstrate that the applicant has the ca-
12 pacity to monitor and fund local coordinated com-
13 munity responses.

14 “(e) GEOGRAPHICAL DISPERSION.—The Secretary
15 shall provide grants under this section to and enter into
16 cooperative agreements under this section with organiza-
17 tions in communities geographically dispersed throughout
18 the Nation.

19 “(f) USE OF FUNDS.—

20 “(1) IN GENERAL.—An entity that receives a
21 grant under subsection (a) shall use the funds made
22 available through the grant or agreement to estab-
23 lish and operate a community project to coordinate
24 services for the prevention of and intervention in do-
25 mestic violence and dating violence.

1 “(2) TECHNICAL ASSISTANCE, EVALUATION
2 AND MONITORING.—The Secretary may use a por-
3 tion of the funds provided under this section to—

4 “(A) provide technical assistance;

5 “(B) monitor the performance of entities
6 carrying out activities under the grants or coop-
7 erative agreements; and

8 “(C) conduct an independent evaluation of
9 the program carried out under this section.

10 “(3) REQUIREMENTS.—In establishing and op-
11 erating a project under this section, an eligible enti-
12 ty shall develop, replicate, or conduct domestic vio-
13 lence and dating violence primary prevention pro-
14 grams that reduce risk factors and promote protec-
15 tive factors that reduce the likelihood of domestic vi-
16 olence and dating violence and shall—

17 “(A) use not more than 75 percent of
18 awarded funds to subcontract with local victim
19 service providers and community-based pro-
20 grams to develop and implement such plans;

21 “(B) in the case of a new grantee, use at
22 least one and at most three years for planning
23 and capacity building without subcontracting as
24 described above; and

1 “(C) use up to 8 percent of funds awarded
2 under this section to procure technical assist-
3 ance from a list of providers approved by the
4 Secretary and peer-to-peer technical assistance
5 from other grantees under this section.

6 The Secretary shall award funds in amounts (A) not
7 less than \$200,000 per year and (B) not more than
8 \$1,000,000 per year.

9 “(g) REPORTS AND EVALUATION.—Each entity re-
10 ceiving a grant under this section shall submit a perform-
11 ance report to the Secretary at such time as shall be rea-
12 sonably required by the Secretary. Such performance re-
13 port shall describe activities that have been carried out
14 with the funds made available through the grant, contain
15 an evaluation of the effectiveness of such activities, and
16 provide such additional information as the Secretary may
17 reasonably require. The Secretary shall make the evalua-
18 tions received under this subsection publicly available on
19 the Department of Health and Human Services website.
20 The reports shall also be submitted to the Committee on
21 Education and Labor of the House of Representatives and
22 the Committee on Health, Education, Labor, and Pen-
23 sions of the Senate.

1 **“SEC. 316. GRANTS TO ENHANCE CULTURALLY AND LIN-**
2 **GUISTICALLY SPECIFIC SERVICES FOR RA-**
3 **CIAL AND ETHNIC MINORITY GROUPS.**

4 “(a) ESTABLISHMENT.—The Secretary of Health
5 and Human Services, through the Director of the Family
6 Violence Prevention and Services Program, shall award
7 competitive grants to enhance culturally competent serv-
8 ices for adult and youth victims of domestic violence from
9 racial and ethnic minority groups.

10 “(b) PURPOSES.—

11 “(1) IN GENERAL.—The purposes of the pro-
12 gram authorized by this section is to—

13 “(A) develop and support innovative cul-
14 turally competent community-based programs
15 to enhance access to shelter services or sup-
16 portive services to further the purposes of do-
17 mestic violence and dating violence intervention
18 and prevention for individuals from racial and
19 ethnic minority groups who face obstacles to
20 using more traditional services and resources;

21 “(B) strengthen the capacity and further
22 the leadership development of individuals in ra-
23 cial and ethnic minority groups to address do-
24 mestic violence and dating violence in their
25 communities; and

1 “(C) address the needs of individuals with-
2 in racial and ethnic minority groups who are
3 also underserved as a result of disabilities, geo-
4 graphic isolation, immigration status, age, or
5 sexual orientation, and other populations deter-
6 mined to be underserved by the Secretary.

7 “(2) USE OF FUNDS.—

8 “(A) Funds awarded to eligible entities, as
9 described in subsection (c), shall be used to es-
10 tablish or enhance domestic violence and dating
11 violence intervention and prevention efforts that
12 address distinctive culturally competent re-
13 sponses to domestic violence and dating violence
14 in racial and ethnic minority groups.

15 “(B) In carrying out subparagraph (A),
16 the Secretary may award initial planning and
17 capacity building grants to those eligible enti-
18 ties that are establishing new culturally com-
19 petent programs.

20 “(C) The Secretary shall ensure that
21 awards are made, to the extent practical, only
22 on a competitive basis, and that a grant is
23 awarded for a proposal only if the proposal has
24 been recommended for such an award through
25 a process of peer review.

1 “(D) Not more than 3 percent of the funds
2 reserved under section 303(a)(3)(A)(v) for any
3 fiscal year shall be available for technical assist-
4 ance to be used by the grantees to access train-
5 ing and technical assistance from organizations
6 that are on a list of providers approved by the
7 Director to provide training and technical as-
8 sistance regarding the provision of effective cul-
9 turally competent, community-based services for
10 racial and ethnic minority groups.

11 “(E) Not more than 2 percent of the funds
12 reserved under section 303(a)(3)(A)(v) for any
13 fiscal year shall be available to the Director for
14 training and technical assistance for grantees.

15 “(3) TECHNICAL ASSISTANCE AND TRAINING.—
16 The Secretary shall develop a list of approved tech-
17 nical assistance providers having a demonstrated ex-
18 pertise in and whose primary purpose is addressing
19 the development and provision of culturally com-
20 petent community-based services to victims of do-
21 mestic violence and dating violence from the tar-
22 geted populations to provide training and technical
23 assistance for grantees.

24 “(c) ELIGIBLE ENTITIES.—To be eligible to receive
25 a grant under this section, an entity shall—

1 “(1) be a private nonprofit, nongovernmental
2 organization that is—

3 “(A) a community-based organization
4 whose primary purpose is providing culturally
5 competent services to victims of domestic vio-
6 lence or dating violence from racial and ethnic
7 minority groups; or

8 “(B) a local domestic violence or dating vi-
9 olence organization that has developed or in-
10 tends to develop a specific program to provide
11 culturally and linguistically specific services to
12 victims of domestic violence and dating violence
13 from racial and ethnic minority groups that has
14 previously established or intends to establish a
15 partnership with a community-based organiza-
16 tion whose primary purpose is providing cul-
17 turally competent services to victims of domes-
18 tic violence and dating violence from racial and
19 ethnic minority groups; and

20 “(C) a community-based organization
21 whose primary purpose is providing culturally
22 competent services to individuals from racial
23 and ethnic minority groups that can partner
24 with an organization having demonstrated ex-

1 pertise in serving victims of domestic violence
2 and dating violence; and

3 “(2) have an advisory board or steering com-
4 mittee and staffing which is reflective of the targeted
5 minority group.

6 “(d) CULTURAL COMPETENCY OF SERVICES.—The
7 Secretary shall ensure that information and services pro-
8 vided pursuant to this section are provided in the lan-
9 guage, educational, and cultural context that is most ap-
10 propriate for the individuals for whom the information and
11 services are intended.

12 “(e) GRANT PERIOD.—The Secretary shall award
13 grants for a 3-year period.

14 “(f) NONEXCLUSIVITY.—Nothing in this section shall
15 be interpreted to exclude linguistic and culturally specific
16 community-based organizations or programs from apply-
17 ing for other sources of funding available through this Act.

18 “(g) REPORTS AND EVALUATION.—Each entity re-
19 ceiving funds under this section shall file a performance
20 report at such times as requested by the Secretary describ-
21 ing the activities that have been carried out with such
22 grant funds and providing such additional information as
23 the Secretary may require.”.

1 **SEC. 3. SAFE HAVENS FOR CHILDREN.**

2 (a) IN GENERAL.—Section 1301 of the Victims of
3 Trafficking and Violence Protection Act of 2000 (42
4 U.S.C. 10420) is transferred to the end of subtitle L of
5 the Violence Against Women Act of 1994 (42 U.S.C.
6 14043c et seq.) and redesignated as section 41205 of the
7 Violence Against Women Act of 1994.

8 (b) CLERICAL AMENDMENTS.—

9 (1) IN GENERAL.—The table of contents for the
10 Violence Against Women Act of 1994 is amended by
11 inserting after the item relating to section 41204 the
12 following:

“Sec. 41205. Safe havens for children.”.

13 (2) REPEAL.—The table of contents for the
14 Victims of Trafficking and Violence Protection Act
15 of 2000 (Public Law 106–386) is amended by strik-
16 ing the item relating to section 1301.

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