

111TH CONGRESS
1ST SESSION

S. 327

To amend the Violence Against Women Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968 to improve assistance to domestic and sexual violence victims and provide for technical corrections.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2009

Mr. LEAHY introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Violence Against Women Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968 to improve assistance to domestic and sexual violence victims and provide for technical corrections.

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 “Improving Assistance
5 to Domestic and Sexual Violence Victims Act of 2009”.

1 **SEC. 2. DEFINITIONS AND UNIVERSAL GRANT CONDITIONS**
2 **UNDER VAWA.**

3 (a) **YOUTH DEFINITION.**—Section 40002(a)(37) of
4 the Violence Against Women Act of 1994 (42 U.S.C.
5 13925(a)(37)) is amended to read as follows:

6 “(37) **YOUTH.**—The term ‘youth’ means indi-
7 viduals who are between the ages of 12 and 24.”.

8 (b) **EXPERTISE REQUIREMENT.**—Section
9 40002(b)(11) of the Violence Against Women Act of 1994
10 (42 U.S.C. 13925(b)(11)) is amended by adding at the
11 end the following: “The Director of the Office on Violence
12 Against Women shall ensure that training or technical as-
13 sistance will be developed and provided by entities having
14 demonstrated expertise in the purposes, uses of funds, and
15 other aspects of the grant program for which such training
16 or technical assistance is provided.”.

17 (c) **MATCHING REQUIREMENT.**—Section 40002(b)(1)
18 of the Violence Against Women Act of 1994 (42 U.S.C.
19 13925(b)(1)) is amended to read as follows:

20 “(1) **MATCH.**—No matching funds shall be re-
21 quired for a grant or subgrant made under this title
22 for—

23 “(A) any tribe, territory, or victim service
24 provider; or

1 “(B) any other entity, including a State,
2 that the Attorney General determines has ade-
3 quately demonstrated financial need.”.

4 (d) TREATMENT OF CONFIDENTIAL INFORMATION.—
5 Section 40002(b)(2) of the Violence Against Women Act
6 of 1994 (42 U.S.C. 13925(b)(2)) is amended—

7 (1) in subparagraph (A), by inserting “privacy
8 and” before “safety”;

9 (2) in subparagraph (B)—

10 (A) by striking “and (D)” and inserting “,
11 (D), (E), (F), (G), and (H)”;

12 (B) in clause (i)—

13 (i) by inserting “, reveal, or release”
14 after “disclose”; and

15 (ii) by inserting “, regardless of
16 whether the information is encoded,
17 encrypted, hashed, or otherwise protected,”
18 after “individual information”; and

19 (C) in clause (ii)—

20 (i) by striking “reveal” and inserting
21 “disclose, reveal, or release”;

22 (ii) by striking each place it appears
23 “consent” and inserting “consent or au-
24 thorization”;

1 (iii) by striking “persons with disabili-
 2 ties” and inserting “a person with a
 3 court-appointed guardian”; and

4 (iv) by striking “person with disabili-
 5 ties” and inserting “person with a court-
 6 appointed guardian”;

7 (3) in subparagraph (C)—

8 (A) by inserting “disclosure, revelation, or”
 9 after “If”;

10 (B) in clause (i), by inserting “, revelation,
 11 or release” after “disclosure”; and

12 (C) in clause (ii), by inserting “disclosure,
 13 revelation, or” after “affected by the”; and

14 (4) by designating subparagraph (E) as sub-
 15 paragraph (H) and inserting after subparagraph (D)
 16 the following:

17 “(E) STATUTORILY PERMITTED REPORTS
 18 OF ABUSE OR NEGLECT.—Nothing in this para-
 19 graph shall prohibit a grantee or subgrantee
 20 from reporting abuse and neglect, as those
 21 terms are defined by law, and where mandated
 22 or expressly permitted by the State, tribe, or
 23 territory involved.

24 “(F) PREEMPTION.—The provisions of this
 25 paragraph shall not supersede any other provi-

1 sion of Federal, State, tribal, territorial, or local
2 law relating to the privacy or confidentiality of
3 information to the extent to which such other
4 provision provides greater privacy or confiden-
5 tiality protection than this paragraph for vic-
6 tims of domestic violence, dating violence, sex-
7 ual assault, or stalking.

8 “(G) CERTAIN MINORS AND PERSONS
9 WITH GUARDIANS.—If a minor or a person with
10 a court-appointed guardian is permitted by law
11 to receive services without the parent’s or
12 guardian’s consent or authorization, the minor
13 or person with a court-appointed guardian may
14 consent to a disclosure, revelation, or release of
15 information. In no case may consent or author-
16 ization for release of information be given by
17 the abuser of the minor, or person with a court-
18 appointed guardian, or the abuser of the other
19 parent of the minor.”.

20 (e) EFFECTIVE DATE.—The amendments made by
21 this section shall apply to grants awarded for periods be-
22 ginning on or after October 1, 2009.

23 **SEC. 3. CRIMINAL JUSTICE.**

24 (a) APPLICATION REQUIREMENTS.—

1 (1) IN GENERAL.—Section 2007(d) of the Om-
2 nibus Crime Control and Safe Streets Act of 1968
3 (42 U.S.C. 3796gg–1(d)) is amended—

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

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

8 (C) by inserting at the end the following:

9 “(5) proof of compliance with the requirements
10 prohibiting the publication of protection order infor-
11 mation on the Internet provided in section 2013A.”.

12 (2) EFFECTIVE DATE.—The amendments made
13 by paragraph (1) shall apply to grants awarded for
14 periods beginning on or after October 1, 2009.

15 (b) STATE AND FEDERAL OBLIGATIONS.—Section
16 2007(f) of the Omnibus Crime Control and Safe Streets
17 Act of 1968 (42 U.S.C. 3796gg–1(f)) is amended to read
18 as follows:

19 “(f) FEDERAL SHARE.—

20 “(1) IN GENERAL.—Except as provided under
21 paragraph (2), the Federal share of a grant made
22 under this subtitle may not exceed 75 percent of the
23 total costs of the projects described in the applica-
24 tion submitted.

1 “(2) EXEMPTION FROM MATCHING FUNDS.—No
2 matching funds shall be required for that portion of
3 a grant that is subgranted to any tribe or for victims
4 services.”.

5 (c) LIMITS ON INTERNET PUBLICATION OF PROTEC-
6 TION ORDER INFORMATION.—Section 2265(d) of title 18,
7 United States Code, is amended by striking paragraph (3).

8 (d) STATE CERTIFICATION.—Part T of the Omnibus
9 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
10 3796gg et seq.) is amended by inserting after section 2013
11 the following:

12 **“SEC. 2013A. LIMITS ON INTERNET PUBLICATION OF PRO-**
13 **TECTION ORDER INFORMATION.**

14 “(a) IN GENERAL.—A State, Indian tribal govern-
15 ment, or unit of local government shall not be eligible to
16 receive funds under this part unless the State, Indian trib-
17 al government, or unit of local government certifies that
18 it does not make available publicly on the Internet any
19 information regarding the filing for or issuance, modifica-
20 tion, registration, extension, or enforcement of a protec-
21 tion order, restraining order, or injunction in either the
22 issuing or enforcing State, tribal, or territorial jurisdic-
23 tion, if such publication would be likely to publicly reveal
24 the identity or location of the party protected under such
25 order.

1 “(b) EXCEPTION.—A State, Indian tribe, or territory
2 may share court-generated and law enforcement-generated
3 information about an order or injunction described in sub-
4 section (a) if such information is contained in secure, gov-
5 ernmental registries for purposes of enforcing orders and
6 injunctions described in subsection (a).

7 “(c) EFFECTIVE DATE.—A State, Indian tribal gov-
8 ernment, or unit of local government must meet the re-
9 quirements of subsection (a) and (b) by the later of—

10 “(1) 2 years from the date of enactment of the
11 Improving Assistance to Domestic and Sexual Vio-
12 lence Victims Act of 2009; or

13 “(2) the period ending on the date on which the
14 next session of the State legislature ends.”.

15 (e) HEALTH CARE PROFESSIONALS.—Section
16 2010(c) of the Omnibus Crime Control and Safe Streets
17 Act of 1968 (42 U.S.C. 3796gg-4) is amended by striking
18 “trained examiners for” and inserting “health care profes-
19 sionals for adult and youth”.

20 (f) RURAL STATE.—Section 40002 (a)(22) of the Vi-
21 olence Against Women Act of 1994 (42 U.S.C.
22 13925(a)(22)) is amended by striking “150,000 people,
23 based on the most recent decennial census” and inserting
24 “200,000 people, based on the decennial census of 2000”.

1 (g) COSTS FOR CRIMINAL CHARGES AND PROTEC-
 2 TION ORDERS.—Section 2011(a)(1) of the Omnibus
 3 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
 4 3796gg–5(a)(1)) is amended by inserting “dating vio-
 5 lence,” before “stalking”.

6 (h) GRANTS TO ENCOURAGE ARREST POLICIES AND
 7 ENFORCEMENT OF PROTECTION ORDERS.—Section
 8 2101(c)(4) of the Omnibus Crime Control and Safe
 9 Streets Act of 1968 (42 U.S.C. 3796hh(c)(4)) is amended
 10 by inserting “dating violence,” before “stalking”.

11 **SEC. 4. FAMILIES.**

12 (a) IN GENERAL.—Section 41304 of the Violence
 13 Against Women Act of 1994 (42 U.S.C. 14043d–3) is
 14 amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1), by striking “Attor-
 17 ney General, acting through the Director of the
 18 Office on Violence Against Women, and in col-
 19 laboration with the Department of Health and
 20 Human Services” and inserting “Secretary of
 21 Health and Human Services (in this section re-
 22 ferred to as the ‘Secretary’), through the Ad-
 23 ministration for Children, Youth and Families”;

24 (B) in paragraph (2), by striking “Direc-
 25 tor” and inserting “Secretary”; and

1 (C) in paragraph (3), by striking “Direc-
2 tor” and inserting “Secretary”; and

3 (2) in subsection (d)(1), by striking both places
4 it appears “Director” and inserting “Secretary”.

5 (b) EFFECTIVE DATE.—The amendments made by
6 subsection (a) shall apply to grants issued on or after Oc-
7 tober 1, 2009.

8 **SEC. 5. HOUSING.**

9 (a) SECTION 6.—Section 6(u)(1)(A) of the United
10 States Housing Act of 1937 (42 U.S.C. 1437d) is amend-
11 ed by inserting “, as described in subparagraph (C),” after
12 “HUD approved certification form”.

13 (b) SECTION 8.—Section 8(ee)(1)(A) of the United
14 States Housing Act of 1937 (42 U.S.C. 1437f) is amended
15 by inserting “, as described in subparagraph (C),” after
16 “HUD approved certification form”.

17 **SEC. 6. ECONOMIC SECURITY.**

18 (a) AUTHORITY.—Section 41501(a) of the Violence
19 Against Women Act of 1994 (42 U.S.C. 14043f(a)) is
20 amended—

21 (1) by striking “The Attorney General” and in-
22 serting the following:

23 “(1) IN GENERAL.—The Attorney General”;
24 and

1 (2) by striking the last sentence and inserting
2 the following:

3 “(2) INFORMATION AND ASSISTANCE.—The re-
4 source center shall provide information and assist-
5 ance to—

6 “(A) employers and labor organizations to
7 aid in their efforts to develop and implement re-
8 sponses to such violence; and

9 “(B) victim service providers, including
10 community-based organizations, State domestic
11 violence coalitions, State sexual assault coali-
12 tions, and tribal coalitions, to enable to them to
13 provide resource materials or other assistance
14 to employers, labor organizations, or employ-
15 ees.”.

16 (b) ENTITIES PROVIDING ASSISTANCE.—Section
17 41501 (c)(1) of the Violence Against Women Act of 1994
18 (42 U.S.C. 14043f(c)(1)) is amended by striking “and
19 labor organizations” and inserting “, labor organizations,
20 victim service providers, community-based organizations,
21 State domestic violence coalitions, State sexual assault
22 coalitions, and tribal coalitions”.

23 **SEC. 7. TRIBAL ISSUES.**

24 (a) CONSULTATION.—Section 903 of the Violence
25 Against Women and Department of Justice Reauthoriza-

1 tion Act of 2005 is amended by inserting at the end the
2 following:

3 “(c) REPORTS TO CONGRESS.—Not later than 3
4 months after the date of each of the annual consultations,
5 beginning with the first consultation following the date of
6 the enactment of this subsection, the Attorney General
7 shall submit to the Committee on Indian Affairs and the
8 Committee on the Judiciary of the Senate and the Com-
9 mittee on the Judiciary and the Committee on Natural
10 Resources of the House of Representatives a report sum-
11 marizing the annual consultations involved, any request of
12 Indian tribes made pursuant to such consultations for en-
13 hancing the safety of Indian women, and the investigative
14 efforts of the Federal Bureau of Investigation and pros-
15 ecutorial efforts of the United States Attorneys on cases
16 of domestic violence, sexual assault, dating violence, and
17 stalking, involving adult Indian women. The first of such
18 reports shall include the total number of investigations,
19 indictments, declinations, and convictions of cases de-
20 scribed in the previous sentence for the 3 years preceding
21 the annual consultation involved and each subsequent re-
22 port shall include the total number of investigations, in-
23 dictments, declination, and convictions of such cases for
24 the year preceding the annual consultation involved.”.

25 (b) GRANTS TO INDIAN TRIBAL GOVERNMENTS.—

1 (1) IN GENERAL.—Section 2015 of the Omni-
2 bus Crime Control and Safe Streets Act of 1968 (42
3 U.S.C. 3796gg–10) is amended by adding at the end
4 the following:

5 “(c) AVAILABILITY.—Funds appropriated under this
6 section shall remain available until expended and may only
7 be used for the activities described in this section.

8 “(d) DURATION.—Grants made under this section
9 shall be for a period of 24 months. Upon request of a
10 grantee, the tribal deputy director may extend the grant
11 period involved for purposes of enabling the grantee to
12 complete the activities agreed to under the terms of the
13 grant provided that no additional funds may be provided
14 under this section pursuant to such extension.

15 “(e) TECHNICAL ASSISTANCE.—

16 “(1) IN GENERAL.—Not later than 6 months
17 after the date of receipt of funding for this program,
18 the Director of the Office on Violence Against
19 Women shall set aside and disperse not less than 6
20 percent of the total amount of the funds made avail-
21 able under this section for the purpose of entering
22 into cooperative agreements with qualified tribal or-
23 ganizations to provide technical assistance and train-
24 ing to Indian tribes to address violence against In-
25 dian women. Such training and technical experience

1 shall be specifically designed to address the unique
2 legal status and geographic circumstances of the In-
3 dian tribes receiving funds under this section.

4 “(2) QUALIFIED TRIBAL ORGANIZATION.—For
5 purposes of paragraph (1), a qualified tribal organi-
6 zation is a tribal organization with demonstrated ex-
7 perience in providing training and technical experi-
8 ence to Indian tribes in addressing violence against
9 Indian women.”.

10 (2) EFFECTIVE DATE.—The amendment made
11 by paragraph (1) shall apply to grants made on or
12 after October 1, 2009.

13 **SEC. 8. POLYGRAPH PROCEDURES.**

14 (a) STOP GRANTS.—Section 2013(a) of the Omni-
15 bus Crime Control and Safe Streets Act of 1968 (42
16 U.S.C. 3796gg–8(a)) is amended by striking “as a condi-
17 tion for proceeding with the investigation of such an of-
18 fense”.

19 (b) GRANTS TO ENCOURAGE ARREST.—Section
20 2101(c)(5)(A) of the Omnibus Crime Control and Safe
21 Streets Act of 1968 (42 U.S.C. 3796hh(c)(5)(A)) is
22 amended by striking “as a condition for proceeding with
23 the investigation of such an offense”.

1 (c) EFFECTIVE DATE.—The amendments made by
 2 subsections (a) and (b) shall apply to grants made on or
 3 after the latter of the following dates:

4 (1) The date that is 2 years after the date of
 5 the enactment of this Act.

6 (2) The date on which the next session of the
 7 State legislature of the State involved ends.

8 **SEC. 9. SEXUAL ASSAULT NURSE EXAMINERS.**

9 Section 2101(b) of the Omnibus Crime Control and
 10 Safe Streets Act of 1968 (42 U.S.C. 3796hh(b)) is amend-
 11 ed by adding at the end the following new paragraph:

12 “(14) To provide for sexual assault forensic
 13 medical personnel examiners in the collection and
 14 preservation of evidence, expert testimony, and
 15 treatment of trauma related to sexual assault.”.

16 **SEC. 10. SEXUALLY TRANSMITTED INFECTION TESTING
 17 AND TREATMENT.**

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

20 (1) in subsection (b), as amended by section 9,
 21 by adding at the end the following new paragraph:

22 “(15) To develop human immunodeficiency
 23 virus (HIV), Hepatitis B, Hepatitis C, and sexually
 24 transmitted infection testing and treatment pro-
 25 grams for sexual assault victims that include notifi-

1 cation, treatment, counseling, and confidentiality
2 protocols.”; and

3 (2) in subsection (d)—

4 (A) by inserting “OR TREATMENT” after
5 “NOTICE”; and

6 (B) by striking paragraph (2) and insert-
7 ing the following:

8 “(2) certifies it has a law that requires the
9 State or unit of local government, respectively, to
10 provide at the request of a victim or the parent or
11 guardian of a victim—

12 “(A) anonymous and confidential free test-
13 ing for the victim for the human immuno-
14 deficiency virus (HIV), Hepatitis B, Hepatitis
15 C, and other sexually transmitted infections as
16 medically appropriate;

17 “(B) as soon as practicable, notification to
18 the victim, or parent or guardian of a victim, of
19 the testing results;

20 “(C) anonymous and confidential free fol-
21 low-up testing for the victim as medically ap-
22 propriate;

23 “(D) free prophylaxis and treatment as
24 necessary for the victim;

1 “(E) free counseling and support to the
2 victim regarding any health care concerns of
3 the victim with respect to the human immuno-
4 deficiency virus (HIV), Hepatitis B, Hepatitis
5 C, and other sexually transmitted infections;
6 and

7 “(F) assurances that the test results of the
8 victim shall remain confidential unless other-
9 wise provided by law; and

10 “(3) provides assurances to the satisfaction of
11 the Attorney General that its laws will be in compli-
12 ance with the requirements of paragraph (1) or (2)
13 by a date that is not later than the latter of the fol-
14 lowing dates:

15 “(A) The date that is 2 years after the
16 date of the enactment of the Improving Assist-
17 ance to Domestic and Sexual Violence Victims
18 Act of 2009.

19 “(B) The date on which the next session of
20 the State legislature ends.”.

21 **SEC. 11. CLARIFICATION OF THE TERM CULTURALLY AND**
22 **LINGUISTICALLY SPECIFIC.**

23 (a) **DEFINITIONS.**—Section 40002(a) of the Violence
24 Against Women Act of 1994 (42 U.S.C. 13925(a)) is
25 amended—

1 (1) by striking paragraph (17) and redesignating the subsequent paragraphs accordingly; and

2 (2) by inserting after paragraph (5) the following new paragraphs and redesignating the subsequent paragraphs (as redesignated by paragraph (1)) accordingly:

3 “(6) CULTURALLY SPECIFIC.—The terms ‘culturally specific’ and ‘culturally and linguistically specific’ mean specific to racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g))).

4 “(7) CULTURALLY AND LINGUISTICALLY SPECIFIC SERVICES.—The terms ‘culturally and linguistically specific services’ and ‘culturally specific services’ mean community-based services that offer full linguistic access and culturally specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward culturally specific communities.”.

5 (b) COLLABORATIVE GRANTS TO INCREASE THE LONG-TERM STABILITY OF VICTIMS.—Section 41404 of the Violence Against Women Act of 1994 (42 U.S.C. 13701 et seq.) is amended in subsection (f)(1) by striking “linguistically and culturally” and inserting “culturally and linguistically”.

1 (c) GRANTS TO COMBAT VIOLENCE AGAINST WOMEN
2 IN PUBLIC AND ASSISTED HOUSING.—Section 41405 of
3 the Violence Against Women Act of 1994 (42 U.S.C.
4 13701 et seq.) is amended in subsection (e)(2)(D) by
5 striking “linguistically and culturally” and inserting “cul-
6 turally and linguistically”.

7 (d) STATE GRANTS.—Section 2007(e)(2)(D) of the
8 Omnibus Crime Control and Safe Streets Act of 1968 (42
9 U.S.C. 3796gg–1(e)(2)(D)) is amended by striking “lin-
10 guistically and culturally” and inserting “culturally and
11 linguistically”.

12 (e) SEXUAL ASSAULT SERVICES.—Section 2014 of
13 the Omnibus Crime Control and Safe Streets Act of 1968
14 (42 U.S.C. 14043g) is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (1), by striking “and
17 other programs and projects”;

18 (B) in paragraph (2)(B)—

19 (i) by striking “and other nonprofit,
20 nongovernmental organizations for pro-
21 grams and activities”; and

22 (ii) by inserting “to sexual assault vic-
23 tims” after “that provide direct interven-
24 tion and related assistance”; and

1 (C) in paragraph (2)(C)(v), by striking
2 “linguistically and culturally” and inserting
3 “culturally and linguistically”;

4 (2) in subsection (e)(2)(A) by striking “that fo-
5 cuses primarily on” and inserting “whose primary
6 mission is to address one or more”;

7 (3) in subsection (e)(2)(C) by striking “linguis-
8 tically and culturally” and inserting “culturally and
9 linguistically”; and

10 (4) in subsection (c)(4)(B) by deleting “under-
11 served”.

12 (f) ENHANCING CULTURALLY AND LINGUISTICALLY
13 SPECIFIC SERVICES FOR VICTIMS OF DOMESTIC VIO-
14 LENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND
15 STALKING.—Section 121 of the Violence Against Women
16 and Department of Justice Reauthorization Act of 2005
17 (42 U.S.C. 14045a) is amended—

18 (1) in subsection (b)(1)(A) by inserting “for
19 culturally and linguistically specific populations”
20 after “resources”;

21 (2) in subsection (b)(1)(B) by inserting “cul-
22 turally and linguistically specific” before “resources
23 for”; and

1 (3) in subsection (g) by striking “linguistic and
2 culturally” and inserting “culturally and linguis-
3 tically”.

4 **SEC. 12. NATIONAL RESOURCE CENTER GRANTS TECH-**
5 **NICAL AMENDMENT.**

6 Section 41501(b)(3) of the Violence Against Women
7 Act of 1994 (42 U.S.C. 14043f(b)(3)) is amended by
8 striking “for materials”.

9 **SEC. 13. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**
10 **INDIAN WOMEN.**

11 Section 904(a)(1) of the Violence Against Women
12 and Department of Justice Reauthorization Act of 2005
13 (42 U.S.C. 3796gg–10(a)(1) note) is amended by striking
14 “in Indian country” and inserting “on land owned or held
15 in trust for the benefit of an Indian tribe included on the
16 list published under section 104 of the Federally Recog-
17 nized Indian Tribe List Act of 1994 (25 U.S.C. 479a–
18 1)”.

19 **SEC. 14. MOTIONS TO REOPEN.**

20 (a) **IN GENERAL.**—Section 240(c)(7)(C)(iv)(I) of the
21 Immigration and Nationality Act (8 U.S.C.
22 1229a(c)(7)(C)(iv)(I)) is amended to read as follows:

23 “(I) if the basis for the motion is
24 to apply for relief under subparagraph
25 (T) or (U) of section 101(a)(15),

1 clause (iii) or (iv) of section
2 204(a)(1)(A), clause (ii) or (iii) of sec-
3 tion 204(a)(1)(B), section 240A(b)(2),
4 section 244(a)(3) (as in effect on
5 March 31, 1997), or subsection (l) or
6 (m) of section 245;”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) shall take effect on the date of the enact-
9 ment of this Act and shall apply to applications filed be-
10 fore, on, or after such date.

11 **SEC. 15. EXTENSION OF T NONIMMIGRANT STATUS.**

12 (a) IN GENERAL.—Section 214(o)(7) of the Immigra-
13 tion and Nationality Act (8 U.S.C. 1184(o)(7)) is amend-
14 ed by adding at the end the following:

15 “(D) An alien may apply for extension of status
16 under subparagraph (B) retroactively after the expiration
17 of nonimmigrant status under subparagraph
18 101(a)(15)(T).”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 under subsection (a) shall take effect on the date of the
21 enactment of this Act and shall apply to applications filed
22 before, on, or after such date.

23 **SEC. 16. T AND U NONIMMIGRANT PROTECTIONS.**

24 (a) IN GENERAL.—Section 107(b)(1)(E)(i)(II)(aa) of
25 the Trafficking Victims Protection Act of 2000 (22 U.S.C.

1 7105(b)(1)(E)(i)(II)(aa)) is amended by striking “bona
2 fide” and inserting “prima facie”.

3 (b) CONFORMING AMENDMENT.—Section 214(p)(6)
4 of the Immigration and Nationality Act (8 U.S.C.
5 1184(p)(6)) is amended by striking “bona fide” and in-
6 serting “prima facie”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect on the date of the enactment
9 of this Act and shall apply to applications filed before, on,
10 or after such date.

11 **SEC. 17. U NONIMMIGRANT ADJUSTMENT OF STATUS.**

12 (a) IN GENERAL.—Section 245(m)(3) of the Immi-
13 gration and Nationality Act (8 U.S.C. 1255(m)(3)) is
14 amended by inserting “or an unmarried sibling under 18
15 years of age on the date of such application for adjustment
16 of status under paragraph (1),” after “a parent”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall take effect on the date of the enactment
19 of this Act and shall apply to applications filed before, on,
20 or after such date.

21 **SEC. 18. CONFORMING AMENDMENT CONFIRMING HOUS-**
22 **ING ASSISTANCE FOR QUALIFIED ALIENS.**

23 (a) IN GENERAL.—Section 214 of the Housing and
24 Community Development Act of 1980 (42 U.S.C. 1436a)
25 is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (6), by striking “or” at
3 the end;

4 (B) by redesignating paragraph (7) as
5 paragraph (8); and

6 (C) by inserting after paragraph (6) the
7 following:

8 “(7) a qualified alien described in section 431
9 of the Personal Responsibility and Work Oppor-
10 tunity Reconciliation Act of 1996 (8 U.S.C. 1641);
11 or”; and

12 (2) in subsection (c)—

13 (A) in paragraph (1)(A), by striking “(6)”
14 and inserting “(7)”; and

15 (B) in paragraph (2)(A), in the matter
16 preceding clause (i), by inserting “(other than
17 a qualified alien described in section 431 of the
18 Personal Responsibility and Work Opportunity
19 Reconciliation Act of 1996 (8 U.S.C. 1641)”
20 after “any alien”.

21 (b) EFFECTIVE DATE.—The amendments made by
22 subsection (a) shall apply to applications for public bene-
23 fits and public benefits provided on or after the date of
24 the enactment of this Act without regard to whether regu-

1 lations to carry out such amendments have been imple-
2 mented.

3 **SEC. 19. PROCESSING OF CERTAIN VISAS.**

4 (a) IN GENERAL.—Section 238(b)(5) of the William
5 Wilberforce Trafficking Victims Protection Reauthoriza-
6 tion Act of 2008 (Public Law 110–457; 122 Stat 5085)
7 is amended to read as follows:

8 “(5) Measures taken to ensure that—

9 “(A) the Office of Policy and Strategy at
10 United States Citizenship and Immigration
11 Services leads policy and program development
12 with regard to Violence Against Women Act
13 confidentiality-protected victims and their deriv-
14 ative family members; and

15 “(B) there is routine consultation with the
16 Office on Policy and Strategy during the devel-
17 opment of any other Department of Homeland
18 Security regulation or operational policy that
19 impacts Violence Against Women Act confiden-
20 tiality-protected victims and their derivative
21 family members.”.

22 (b) EFFECTIVE DATE.—The amendments made by
23 subsection (a) shall take effect on the date of the enact-

1 ment of this Act and shall apply to applications filed be-
2 fore, on, or after such date.

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