

111TH CONGRESS
2^D SESSION

S. 3817

AN ACT

To amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, 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 “CAPTA Reauthoriza-
5 tion Act of 2010”.

6 **TITLE I—CHILD ABUSE PREVEN-**
7 **TION AND TREATMENT ACT**

8 **SEC. 101. FINDINGS.**

9 Section 2 of the Child Abuse Prevention and Treat-
10 ment Act (42 U.S.C. 5101 note) is amended—

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

13 “(1) in fiscal year 2008, approximately 772,000
14 children were found by States to be victims of child
15 abuse and neglect;”;

16 (2) in paragraph (2)—

17 (A) in subparagraph (A), by inserting
18 “and close to $\frac{1}{3}$ of all child maltreatment-re-
19 lated fatalities in fiscal year 2008 were attrib-
20 uted to neglect alone” after “maltreatment”;
21 and

22 (B) in subparagraph (B)—

23 (i) by striking “60 percent” and in-
24 serting “71 percent”;

1 (ii) by striking “2001” and inserting
2 “fiscal year 2008”;

3 (iii) by striking “19 percent” and in-
4 serting “16 percent”;

5 (iv) by striking “10 percent” and in-
6 serting “9 percent”; and

7 (v) by striking “and 7 percent suf-
8 fered emotional maltreatment” and insert-
9 ing “, 7 percent suffered psychological
10 maltreatment, 2 percent experienced med-
11 ical neglect, and 9 percent were victims of
12 other forms of maltreatment”;

13 (3) in paragraph (3)—

14 (A) in subparagraph (A) by inserting “or
15 neglect” after “abuse”;

16 (B) in subparagraph (B), by striking
17 “2001, an estimated 1,300” and inserting “fis-
18 cal year 2008, an estimated 1,740”; and

19 (C) in subparagraph (C)—

20 (i) by inserting “in fiscal year 2008,”
21 after “(C)”;

22 (ii) by striking “41 percent” and in-
23 serting “45 percent”;

24 (iii) by striking “85 percent” and in-
25 serting “72 percent”;

1 (iv) by striking “6 years” and insert-
 2 ing “4 years”; and

3 (v) by striking “abuse” each place it
 4 appears and inserting “maltreatment”;

5 (4) in paragraph (4)(B), by striking “slightly”
 6 and all that follows and inserting “approximately 37
 7 percent of victims of child abuse did not receive
 8 post-investigation services in fiscal year 2008;”;

9 (5) by redesignating paragraphs (5) through
 10 (13) as paragraphs (6) through (11) and (13)
 11 through (15), respectively;

12 (6) by inserting after paragraph (4) of this sec-
 13 tion the following:

14 “(5) African-American children, American In-
 15 dian children, Alaska Native children, and children
 16 of multiple races and ethnicities experience the high-
 17 est rates of child abuse or neglect;”;

18 (7) in paragraph (6), as redesignated by para-
 19 graph (5) of this section—

20 (A) in subparagraph (A), by inserting “do-
 21 mestic violence services,” after “mental
 22 health,”; and

23 (B) by amending subparagraph (E) to read
 24 as follows:

“(E) recognizes the diversity of ethnic, cultural, and religious beliefs and traditions that may impact child rearing patterns, while not allowing the differences in those beliefs and traditions to enable abuse or neglect;”;

(8) by inserting after paragraph (11), as redesignated by paragraph (5) of this section, the following:

“(12) because both child maltreatment and domestic violence occur in up to 60 percent of the families in which either is present, States and communities should adopt assessments and intervention procedures aimed at enhancing the safety both of children and victims of domestic violence;”;

(9) in paragraphs (14) and (15), as redesignated by paragraph (5) of this section, by striking “Federal government” and inserting “Federal Government”; and

(10) in paragraph (14), as redesignated by paragraph (5) of this section, by inserting “and” at the end.

Subtitle A—General Program

SEC. 111. ADVISORY BOARD.

Section 102 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5102) is amended—

1 (1) in subsection (c)—

2 (A) in paragraph (4), by striking “medi-
3 cine (including pediatrics)” and inserting
4 “health care providers (including pediatri-
5 cians)”;

6 (B) in paragraph (12), by striking “and”;

7 (C) in paragraph (13), by striking the pe-
8 riod and inserting “; and”; and

9 (D) by adding at the end the following:

10 “(14) Indian tribes or tribal organizations.”;

11 and

12 (2) in subsection (f)—

13 (A) in paragraph (1), by inserting “tribal,”
14 after “State,” each place such term appears;
15 and

16 (B) in paragraph (2)—

17 (i) by striking “abuse or neglect
18 which” and inserting “child abuse or ne-
19 glect which”; and

20 (ii) by striking “Federal and State”
21 and inserting “Federal, State, and tribal”.

22 **SEC. 112. NATIONAL CLEARINGHOUSE.**

23 Section 103 of the Child Abuse Prevention and
24 Treatment Act (42 U.S.C. 5104) is amended—

1 (1) in subsection (a), by inserting “and neglect”
2 before the period;

3 (2) in subsection (b)—

4 (A) by redesignating paragraphs (2)
5 through (5) as paragraphs (4) through (7), re-
6 spectively;

7 (B) by striking paragraph (1) and insert-
8 ing the following:

9 “(1) maintain, coordinate, and disseminate in-
10 formation on effective programs, including private
11 and community-based programs, that have dem-
12 onstrated success with respect to the prevention, as-
13 sessment, identification, and treatment of child
14 abuse or neglect and hold the potential for broad-
15 scale implementation and replication;

16 “(2) maintain, coordinate, and disseminate in-
17 formation on the medical diagnosis and treatment of
18 child abuse and neglect;

19 “(3) maintain and disseminate information on
20 best practices relating to differential response;”;

21 (C) in paragraph (4), as redesignated by
22 subparagraph (A) of this paragraph, by insert-
23 ing “and disseminate” after “maintain”;

24 (D) in paragraph (5), as redesignated by
25 subparagraph (A) of this paragraph—

1 (i) in subparagraph (B), by inserting
 2 “(42 U.S.C. 5105 note)” before the semi-
 3 colon; and

4 (ii) in subparagraph (C), by striking
 5 “alcohol or drug” and inserting “sub-
 6 stance”;

7 (E) in subparagraph (C) of paragraph (6),
 8 as redesignated by subparagraph (A) of this
 9 paragraph, by striking “and” at the end;

10 (F) in subparagraph (B) of paragraph (7),
 11 as redesignated by subparagraph (A) of this
 12 paragraph, by striking “and child welfare per-
 13 sonnel.” and inserting “child welfare, substance
 14 abuse treatment services, and domestic violence
 15 services personnel; and”;

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

17 “(8) collect and disseminate information, in
 18 conjunction with the National Resource Centers au-
 19 thorized in section 310(b) of the Family Violence
 20 Prevention and Services Act, on effective programs
 21 and best practices for developing and carrying out
 22 collaboration between entities providing child protec-
 23 tive services and entities providing domestic violence
 24 services.”; and

25 (3) in subsection (c)(1)—

1 (A) by striking subparagraph (B) and in-
2 serting the following:

3 “(B) consult with the head of each agency
4 involved with child abuse and neglect on the de-
5 velopment of the components for information
6 collection and management of such clearing-
7 house and on the mechanisms for the sharing
8 of such information with other Federal agencies
9 and clearinghouses;”;

10 (B) in subparagraph (C)—

11 (i) in the matter preceding clause (i),
12 by inserting “tribal,” after “State,”;

13 (ii) in clause (i), by striking “and” at
14 the end; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(iii) information about the incidence
18 and characteristics of child abuse and ne-
19 glect in circumstances in which domestic
20 violence is present; and

21 “(iv) information about the incidence
22 and characteristics of child abuse and ne-
23 glect in cases related to substance abuse;”;
24 and

1 (C) in subparagraph (F), by striking
 2 “abused or neglected children” and inserting
 3 “victims of child abuse or neglect”.

4 **SEC. 113. RESEARCH AND ASSISTANCE ACTIVITIES.**

5 (a) RESEARCH.—Section 104(a) of the Child Abuse
 6 Prevention and Treatment Act (42 U.S.C. 5105(a)) is
 7 amended—

8 (1) in paragraph (1)—

9 (A) in the matter preceding subparagraph
 10 (A), by striking “from abuse or neglect and to
 11 improve the well-being of abused or neglected
 12 children” and inserting “from child abuse or
 13 neglect and to improve the well-being of victims
 14 of child abuse or neglect”;

15 (B) in subparagraph (B), by striking
 16 “abuse and neglect on” and inserting “child
 17 abuse and neglect on”;

18 (C) by redesignating subparagraphs (C),
 19 (D), (E), (F), (G), (H), and (I), as subpara-
 20 graphs (D), (E), (F), (H), (J), (N), and (O),
 21 respectively;

22 (D) by inserting after subparagraph (B)
 23 the following:

24 “(C) effective approaches to improving the
 25 relationship and attachment of infants and tod-

1 dlers who experience child abuse or neglect with
2 their parents or primary caregivers in cir-
3 cumstances where reunification is appro-
4 prium;”;

5 (E) in subparagraph (D), as redesignated
6 by subparagraph (C) of this paragraph, by in-
7 serting “and neglect” before the semicolon;

8 (F) in subparagraph (E), as redesignated
9 by subparagraph (C) of this paragraph—

10 (i) by inserting “, including best prac-
11 tices to meet the needs of special popu-
12 lations,” after “best practices”; and

13 (ii) by striking “(12)” and inserting
14 “(14)”;

15 (G) by inserting after subparagraph (F),
16 as redesignated by subparagraph (C) of this
17 paragraph, the following:

18 “(G) effective practices and programs to
19 improve activities such as identification, screen-
20 ing, medical diagnosis, forensic diagnosis,
21 health evaluations, and services, including ac-
22 tivities that promote collaboration between—

23 “(i) the child protective service sys-
24 tem; and

1 “(ii)(I) the medical community, in-
 2 cluding providers of mental health and de-
 3 velopmental disability services; and

4 “(II) providers of early childhood
 5 intervention services and special education
 6 for children who have been victims of child
 7 abuse or neglect;”;

8 (H) by inserting after subparagraph (H),
 9 as redesignated by subparagraph (C) of this
 10 paragraph, the following:

11 “(I) effective collaborations, between the
 12 child protective system and domestic violence
 13 service providers, that provide for the safety of
 14 children exposed to domestic violence and their
 15 nonabusing parents and that improve the inves-
 16 tigations, interventions, delivery of services, and
 17 treatments provided for such children and fami-
 18 lies;”;

19 (I) in subparagraph (J), as redesignated
 20 by subparagraph (C) of this paragraph, by
 21 striking “low income” and inserting “low-in-
 22 come”;

23 (J) by inserting after subparagraph (J), as
 24 redesignated by subparagraph (C) of this para-
 25 graph, the following:

1 “(K) the impact of child abuse and neglect
2 on the incidence and progression of disabilities;

3 “(L) the nature and scope of effective
4 practices relating to differential response, in-
5 cluding an analysis of best practices conducted
6 by the States;

7 “(M) child abuse and neglect issues facing
8 Indians, Alaska Natives, and Native Hawaiians,
9 including providing recommendations for im-
10 proving the collection of child abuse and neglect
11 data from Indian tribes and Native Hawaiian
12 communities;”;

13 (K) in subparagraph (N), as redesignated
14 by subparagraph (C) of this paragraph, by
15 striking “clauses (i) through (xi) of subpara-
16 graph (H)” and inserting “clauses (i) through
17 (x) of subparagraph (O)”;

18 (L) in subparagraph (O), as redesignated
19 by subparagraph (C) of this paragraph—

20 (i) in clauses (i) and (ii), by inserting
21 “and neglect” after “abuse”;

22 (ii) in clause (v), by striking “child
23 abuse have” and inserting “child abuse
24 and neglect have”; and

- 1 (iii) in clause (x), by striking “abuse”
- 2 and inserting “child abuse and neglect”;
- 3 (2) in paragraph (2), by striking “subpara-
- 4 graphs” and all that follows and inserting “clauses
- 5 (i) through (x) of paragraph (1)(O).”;
- 6 (3) in paragraph (3), by striking “Keeping
- 7 Children and Families Safe Act of 2003” and insert-
- 8 ing “CAPTA Reauthorization Act of 2010”;
- 9 (4) in paragraph (4)—
- 10 (A) by striking “(A) The” and inserting
- 11 the following:
- 12 “(A) IN GENERAL.—The”; and
- 13 (B) in subparagraph (B)—
- 14 (i) by striking all that precedes
- 15 “later” and inserting the following:
- 16 “(B) PUBLIC COMMENT.—Not”;
- 17 (ii) by striking “than 2” and inserting
- 18 “than 1”; and
- 19 (iii) by striking “Keeping Children
- 20 and Families Safe Act of 2003” and in-
- 21 serting “CAPTA Reauthorization Act of
- 22 2010”; and
- 23 (5) by adding at the end the following:
- 24 “(4) STUDY ON SHAKEN BABY SYNDROME.—
- 25 The Secretary shall conduct a study that—

1 “(A) identifies data collected on shaken
2 baby syndrome;

3 “(B) determines the feasibility of collecting
4 uniform, accurate data from all States regard-
5 ing—

6 “(i) incidence rates of shaken baby
7 syndrome;

8 “(ii) characteristics of perpetrators of
9 shaken baby syndrome, including age, gen-
10 der, relation to victim, access to prevention
11 materials and resources, and history of
12 substance abuse, domestic violence, and
13 mental illness; and

14 “(iii) characteristics of victims of
15 shaken baby syndrome, including gender,
16 date of birth, date of injury, date of death
17 (if applicable), and short- and long-term
18 injuries sustained.”.

19 (b) TECHNICAL ASSISTANCE.—Section 104(b) of the
20 Child Abuse Prevention and Treatment Act (42 U.S.C.
21 5105(b)) is amended—

22 (1) in paragraph (1), by inserting “and pro-
23 viders of mental health, substance abuse treatment,
24 and domestic violence prevention services” after
25 “disabilities”; and

1 (2) in paragraph (3)(B)—

2 (A) by striking “and child welfare per-
3 sonnel” and inserting “child welfare, substance
4 abuse, and domestic violence services per-
5 sonnel”; and

6 (B) by striking “subjected to abuse.” and
7 inserting “subjected to, or whom the personnel
8 suspect have been subjected to, child abuse or
9 neglect.”.

10 (c) PEER REVIEW FOR GRANTS AND CONTRACTS.—

11 Section 104(d) of the Child Abuse Prevention and Treat-
12 ment Act (42 U.S.C. 5105(d)) is amended—

13 (1) in paragraph (1)—

14 (A) by striking subparagraph (A) and in-
15 serting the following:

16 “(A) IN GENERAL.—To enhance the qual-
17 ity and usefulness of research in the field of
18 child abuse and neglect, the Secretary shall, in
19 consultation with experts in the field and other
20 Federal agencies, establish a formal, rigorous,
21 and meritorious peer review process for pur-
22 poses of evaluating and reviewing applications
23 for assistance through a grant or contract
24 under this section and determining the relative

merits of the project for which such assistance is requested.”; and

(B) by striking subparagraph (B) and inserting the following:

“(B) MEMBERS.—In establishing the process required by subparagraph (A), the Secretary shall only appoint to the peer review panels members who—

“(i) are experts in the field of child abuse and neglect or related disciplines, with appropriate expertise related to the applications to be reviewed; and

“(ii) are not individuals who are officers or employees of the Administration for Children and Families.

“(C) MEETINGS.—The peer review panels shall meet as often as is necessary to facilitate the expeditious review of applications for grants and contracts under this section, but shall meet not less often than once a year.

“(D) CRITERIA AND GUIDELINES.—The Secretary shall ensure that the peer review panel utilizes scientifically valid review criteria and scoring guidelines in the review of the applications for grants and contracts.”; and

1 (2) in paragraph (3)—

2 (A) by striking “(A) The” and inserting
3 the following:

4 “(A) MERITORIOUS PROJECTS.—The”; and

5 (B) in subparagraph (B), by striking all
6 that precedes “the instance” and inserting the
7 following:

8 “(B) EXPLANATION.—In”.

9 (d) DEMONSTRATION PROGRAMS AND PROJECTS.—
10 Section 104(e) of the Child Abuse Prevention and Treat-
11 ment Act (42 U.S.C. 5105(e)) is amended—

12 (1) in the matter preceding paragraph (1)—

13 (A) by striking “States or” and inserting
14 “entities that are States, Indian tribes or tribal
15 organizations, or”; and

16 (B) by striking “such agencies or organiza-
17 tions” and inserting “such entities”;

18 (2) in paragraph (1)(B), by striking “safely fa-
19 cilitate the” and inserting “facilitate the safe”; and

20 (3) in paragraph (2)—

21 (A) by inserting “child care and early
22 childhood education and care providers,” after
23 “in cooperation with”; and

24 (B) by striking “preschool” and inserting
25 “preschools,”.

1 **SEC. 114. GRANTS TO STATES, INDIAN TRIBES OR TRIBAL**
 2 **ORGANIZATIONS, AND PUBLIC OR PRIVATE**
 3 **AGENCIES AND ORGANIZATIONS.**

4 Section 105 of the Child Abuse Prevention and
 5 Treatment Act (42 U.S.C. 5106) is amended—

6 (1) in the heading, by striking “**STATES**” and
 7 inserting “**STATES, INDIAN TRIBES OR TRIBAL**
 8 **ORGANIZATIONS,**”

9 (2) in subsection (a)—

10 (A) in the matter preceding paragraph
 11 (1)—

12 (i) by striking “States,” and inserting
 13 “entities that are States, Indian tribes or
 14 tribal organizations, or”; and

15 (ii) by striking “such agencies or or-
 16 ganizations” and inserting “such entities”;
 17 (B) in paragraph (1)—

18 (i) in the matter preceding subpara-
 19 graph (A), by striking “this section” and
 20 inserting “this subsection”;

21 (ii) in subparagraph (A)—

22 (I) by inserting “health care,”
 23 before “medicine,”;

24 (II) by inserting “child care,”
 25 after “education,”; and

- 1 (III) by inserting “and neglect”
- 2 before the semicolon;
- 3 (iii) in subparagraph (B), by inserting
- 4 a comma after “youth”;
- 5 (iv) in subparagraph (D)—
- 6 (I) by striking “support the en-
- 7 hancement of linkages between” and
- 8 inserting “enhance linkages among”;
- 9 (II) by striking “including phys-
- 10 ical” and all that follows through
- 11 “partnerships” and inserting “entities
- 12 providing physical and mental health
- 13 services, community resources, and
- 14 developmental disability agencies, to
- 15 improve screening, forensic diagnosis,
- 16 and health and developmental evalua-
- 17 tions, and for partnerships”; and
- 18 (III) by striking “offer creative
- 19 approaches to using” and inserting
- 20 “support the coordinated use of”;
- 21 (v) by redesignating subparagraphs
- 22 (E) through (J) as subparagraphs (F),
- 23 (G), and (I) through (L), respectively;
- 24 (vi) by inserting after subparagraph
- 25 (D) the following:

“(E) for the training of personnel in best practices to meet the unique needs of children with disabilities, including promoting inter-agency collaboration;”;

(vii) by inserting after subparagraph (G), as redesignated by clause (v) of this subparagraph, the following:

“(H) for the training of personnel in childhood development including the unique needs of children under age 3;”;

(viii) in subparagraph (J), as redesignated by clause (v) of this subparagraph, by striking “and other public and private welfare agencies” and inserting “other public and private welfare agencies, and agencies that provide early intervention services”;

(ix) in subparagraph (K), as redesignated by clause (v) of this subparagraph, by striking “and” at the end;

(x) in subparagraph (L), as redesignated by clause (v) of this subparagraph—

(I) by striking “disabled infants”
each place it appears and inserting

1 “infants or toddlers with disabilities”;
 2 and

3 (II) by striking the period and
 4 inserting “; and”; and

5 (xi) by adding at the end the fol-
 6 lowing:

7 “(M) for the training of personnel in best
 8 practices relating to the provision of differential
 9 response.”;

10 (C) in paragraph (2)(C), by striking
 11 “where” and inserting “when”;

12 (D) in paragraph (3), by inserting “, lead-
 13 ership,” after “mutual support”;

14 (E) in paragraph (4), by striking all that
 15 precedes “Secretary” and inserting the fol-
 16 lowing:

17 “(4) KINSHIP CARE.—The”;

18 (F) in paragraph (4), by striking “in not
 19 more than 10 States”;

20 (G) in paragraph (5)—

21 (i) in the paragraph heading—

22 (I) by striking “BETWEEN” and
 23 inserting “AMONG”; and

24 (II) by striking “AND DEVELOP-
 25 MENTAL DISABILITIES” and inserting

1 “SUBSTANCE ABUSE, DEVELOP-
 2 MENTAL DISABILITIES, AND DOMES-
 3 TIC VIOLENCE SERVICE”;

4 (ii) by striking “between” and insert-
 5 ing “among”;

6 (iii) by striking “mental health” and
 7 all that follows through “, for” and insert-
 8 ing “mental health, substance abuse, devel-
 9 opmental disabilities, and domestic violence
 10 service agencies, and entities that carry
 11 out community-based programs, for”; and

12 (iv) by striking “help assure” and in-
 13 serting “ensure”; and

14 (H) by inserting after paragraph (5) the
 15 following:

16 “(6) COLLABORATIONS BETWEEN CHILD PRO-
 17 TECTIVE SERVICE ENTITIES AND DOMESTIC VIO-
 18 LENCE SERVICE ENTITIES.—The Secretary may
 19 award grants to public or private agencies and orga-
 20 nizations under this section to develop or expand ef-
 21 fective collaborations between child protective service
 22 entities and domestic violence service entities to im-
 23 prove collaborative investigation and intervention
 24 procedures, provision for the safety of the non-
 25 abusing parent involved and children, and provision

of services to children exposed to domestic violence that also support the caregiving role of the non-abusing parent.”; and

(3) in subsection (b)(4)—

(A) in subparagraph (A)(ii), by striking “neglected or abused” and inserting “victims of child abuse or neglect”;

(B) in subparagraphs (B)(ii) and (C)(iii), by striking “abuse or neglect” and inserting “child abuse and neglect”;

(C) in subparagraph (C)(iii), by striking “been neglected or abused” and inserting “been a victim of child abuse or neglect”; and

(D) in subparagraph (D), by striking “a” after “grantee is” and inserting “an”.

SEC. 115. GRANTS TO STATES FOR CHILD ABUSE OR NEGLECT PREVENTION AND TREATMENT PROGRAMS.

(a) SECTION HEADING.—Section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a) is amended by striking the section heading and inserting the following:

1 **“SEC. 106. GRANTS TO STATES FOR CHILD ABUSE OR NE-**
 2 **GLECT PREVENTION AND TREATMENT PRO-**
 3 **GRAMS.”.**

4 (b) DEVELOPMENT AND OPERATION GRANTS.—Sec-
 5 tion 106(a) of the Child Abuse Prevention and Treatment
 6 Act (42 U.S.C. 5106a(a)) is amended—

7 (1) in the matter preceding paragraph (1), by
 8 striking “based on” and all that follows through “18
 9 in” and inserting “from allotments made under sub-
 10 section (f) for”;

11 (2) in paragraph (1), by striking “abuse and
 12 neglect” and inserting “child abuse or neglect”;

13 (3) in paragraph (2)—

14 (A) in subparagraph (A), by inserting “,
 15 intra-agency, interstate, and intrastate” after
 16 “interagency”; and

17 (B) in subparagraph (B)(i), by striking
 18 “abuse and neglect” and inserting “child abuse
 19 or neglect”;

20 (4) in paragraph (4), by inserting “, including
 21 the use of differential response” after “protocols”;

22 (5) in paragraph (6)—

23 (A) in subparagraph (A) by inserting “, in-
 24 cluding the use of differential response,” after
 25 “strategies”;

1 (B) in subparagraph (B), by striking
2 “and” at the end;

3 (C) in subparagraph (C), by striking
4 “workers” and all that follows and inserting
5 “workers; and”; and

6 (D) by adding at the end the following:

7 “(D) training in early childhood, child, and
8 adolescent development;”;

9 (6) by striking paragraphs (8) and (9) and in-
10 serting the following:

11 “(8) developing, facilitating the use of, and im-
12 plementing research-based strategies and training
13 protocols for individuals mandated to report child
14 abuse and neglect;”;

15 (7) by redesignating paragraphs (10) through
16 (14) as paragraphs (9) through (13), respectively;

17 (8) in paragraph (9), as redesignated by para-
18 graph (7) of this subsection—

19 (A) in subparagraph (B), by striking
20 “and” at the end;

21 (B) in subparagraph (C), by adding “and”
22 at the end; and

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

24 “(D) the use of differential response in
25 preventing child abuse and neglect;”;

(9) in paragraph (10), as redesignated by paragraph (7) of this subsection, by inserting “, including the use of differential response” before the semicolon;

(10) in paragraph (12), as redesignated by paragraph (7) of this subsection, by striking “or” at the end;

(11) in paragraph (13), as redesignated by paragraph (7) of this subsection—

(A) by striking “supporting and enhancing” and all that follows through “community-based programs” and inserting “supporting and enhancing interagency collaboration among public health agencies, agencies in the child protective service system, and agencies carrying out private community-based programs—”;

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

“(A) to provide”;

(C) by striking “systems) and” and inserting “systems), and the use of differential response; and”;

(D) by striking “to address” and inserting the following:

“(B) to address”;

1 (E) by striking “abused or neglected” and
 2 inserting “victims of child abuse or ne-
 3 glect;”and

4 (F) by striking the period at the end and
 5 inserting “; or”; and

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

7 “(14) developing and implementing procedures
 8 for collaboration among child protective services, do-
 9 mestic violence services, and other agencies in—

10 “(A) investigations, interventions, and the
 11 delivery of services and treatment provided to
 12 children and families, including the use of dif-
 13 ferential response, where appropriate; and

14 “(B) the provision of services that assist
 15 children exposed to domestic violence, and that
 16 also support the caregiving role of their non-
 17 abusing parents.”.

18 (c) ELIGIBILITY REQUIREMENTS.—Section 106(b) of
 19 the Child Abuse Prevention and Treatment Act (42 U.S.C.
 20 5106a(b)) is amended—

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

23 “(1) STATE PLAN.—

24 “(A) IN GENERAL.—To be eligible to re-
 25 ceive a grant under this section, a State shall

1 submit to the Secretary a State plan that speci-
 2 fies the areas of the child protective services
 3 system described in subsection (a) that the
 4 State will address with amounts received under
 5 the grant.

6 “(B) DURATION OF PLAN.—Each State
 7 plan shall—

8 “(i) remain in effect for the duration
 9 of the State’s participation under this sec-
 10 tion; and

11 “(ii) be periodically reviewed and re-
 12 vised as necessary by the State to reflect
 13 changes in the State’s strategies and pro-
 14 grams under this section.

15 “(C) ADDITIONAL INFORMATION.—The
 16 State shall provide notice to the Secretary—

17 “(i) of any substantive changes, in-
 18 cluding any change to State law or regula-
 19 tions, relating to the prevention of child
 20 abuse and neglect that may affect the eligi-
 21 bility of the State under this section; and

22 “(ii) of any significant changes in how
 23 funds provided under this section are used
 24 to support activities described in this sec-
 25 tion, which may differ from the activities

1 described in the current State applica-
2 tion.”;

3 (2) in paragraph (2)—

4 (A) by redesignating subparagraphs (A)
5 through (D) as subparagraphs (B) through (E),
6 respectively;

7 (B) by striking the matter preceding sub-
8 paragraph (B), as redesignated by subpara-
9 graph (A) of this paragraph, and inserting the
10 following:

11 “(2) CONTENTS.—A State plan submitted
12 under paragraph (1) shall contain a description of
13 the activities that the State will carry out using
14 amounts received under the grant to achieve the ob-
15 jectives of this title, including—

16 “(A) an assurance that the State plan, to
17 the maximum extent practicable, is coordinated
18 with the State plan under part B of title IV of
19 the Social Security Act (42 U.S.C. 621 et seq.)
20 relating to child welfare services and family
21 preservation and family support services;”;

22 (C) in subparagraph (B), as redesignated
23 by subparagraph (A) of this paragraph—

24 (i) in the matter preceding clause

25 (i)—

1 (I) by striking “chief executive
 2 officer” and inserting “Governor”;
 3 and

4 (II) by striking “Statewide” and
 5 inserting “statewide”;

6 (ii) in clause (ii)—

7 (I) in the matter preceding sub-
 8 clause (I)—

9 (aa) by inserting “with”
 10 after “born”; and

11 (bb) by inserting “or a Fetal
 12 Alcohol Spectrum Disorder,”
 13 after “drug exposure,”; and

14 (II) in subclause (I), by inserting
 15 “or neglect” before the semicolon;

16 (iii) in clause (iii), by inserting “, or
 17 a Fetal Alcohol Spectrum Disorder” before
 18 the semicolon;

19 (iv) in clause (v), by inserting “, in-
 20 cluding the use of differential response,”
 21 after “procedures”;

22 (v) in clause (vi)—

23 (I) by striking “the abused or ne-
 24 glected child” and inserting “a victim
 25 of child abuse or neglect”; and

1 (II) by striking “abuse or ne-
 2 glect” and inserting “child abuse or
 3 neglect”;

4 (vi) in clause (ix), by striking “abuse
 5 and neglect” and inserting “child abuse
 6 and neglect”;

7 (vii) in clause (xi), by striking “or ne-
 8 glect” and inserting “and neglect”;

9 (viii) in clause (xiii)—

10 (I) by striking “an abused or ne-
 11 glected child” and inserting “a victim
 12 of child abuse or neglect”; and

13 (II) by inserting “including train-
 14 ing in early childhood, child, and ado-
 15 lescent development,” after “to the
 16 role,”;

17 (ix) in clause (xv)(II), by striking
 18 “abuse or neglect” and inserting “child
 19 abuse or neglect”;

20 (x) in clause (xviii), by striking
 21 “abuse and” and inserting “abuse or”;

22 (xi) in clause (xvi)—

23 (I) in subclause (III), by striking
 24 “; or” and inserting “;”; and

1 (II) by adding at the end the fol-
 2 lowing:

3 “(V) to have committed sexual
 4 abuse against the surviving child or
 5 another child of such parent; or

6 “(VI) to be required to register
 7 with a sex offender registry under sec-
 8 tion 113(a) of the Adam Walsh Child
 9 Protection and Safety Act of 2006
 10 (42 U.S.C. 16913(a));”;

11 (xii) in clause (xxi), by striking “Act;
 12 and” and inserting “Act (20 U.S.C. 1431
 13 et seq.);”;

14 (xiii) in clause (xxii)—

15 (I) by striking “not later”
 16 through “2003,”;

17 (II) by inserting “that meet the
 18 requirements of section 471(a)(20) of
 19 the Social Security Act (42 U.S.C.
 20 671(a)(20))” after “checks”; and

21 (III) by adding “and” at the end;
 22 and

23 (xiv) by adding at the end the fol-
 24 lowing:

“(xxiii) provisions for systems of technology that support the State child protective service system described in subsection (a) and track reports of child abuse and neglect from intake through final disposition;”;

(D) in subparagraph (C), as redesignated by subparagraph (A) of this paragraph—

(i) by striking “disabled infants with” each place it appears and inserting “infants with disabilities who have”; and

(ii) in clause (iii), by striking “life threatening” and inserting “life-threatening”;

(E) in subparagraph (D), as redesignated by subparagraph (A) of this paragraph—

(i) in clause (ii), by striking “and” at the end;

(ii) in clause (iii), by striking “and” at the end;

(iii) by adding at the end the following:

“(iv) policies and procedures encouraging the appropriate involvement of families in decisionmaking pertaining to chil-

dren who experienced child abuse or neglect;

“(v) policies and procedures that promote and enhance appropriate collaboration among child protective service agencies, domestic violence service agencies, substance abuse treatment agencies, and other agencies in investigations, interventions, and the delivery of services and treatment provided to children and families affected by child abuse or neglect, including children exposed to domestic violence, where appropriate; and

“(vi) policies and procedures regarding the use of differential response, as applicable;”;

(F) in subparagraph (E), as redesignated by subparagraph (A) of this paragraph—

(i) by inserting “(42 U.S.C. 621 et seq.)” after “Act”; and

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

(G) by inserting after subparagraph (E), as redesignated by subparagraph (A) of this paragraph, the following:

1 “(F) an assurance or certification that
 2 programs and training conducted under this
 3 title address the unique needs of unaccom-
 4 panied homeless youth, including access to en-
 5 rollment and support services and that such
 6 youth are eligible for under parts B and E of
 7 title IV of the Social Security Act (42 U.S.C.
 8 621 et seq., 670 et seq.) and meet the require-
 9 ments of the McKinney-Vento Homeless Assist-
 10 ance Act (42 U.S.C. 11301 et seq.); and

11 “(G) an assurance that the State, in devel-
 12 oping the State plan described in paragraph
 13 (1), has collaborated with community-based pre-
 14 vention agencies and with families affected by
 15 child abuse or neglect.”; and

16 (H) in the last sentence, by striking “sub-
 17 paragraph (A)” and inserting “subparagraph
 18 (B)”;

19 (3) in paragraph (3), by striking “paragraph
 20 (2)(A)” and inserting “paragraph (2)(B)”.

21 (d) CITIZEN REVIEW PANELS.—Section 106(c) of the
 22 Child Abuse Prevention and Treatment Act (42 U.S.C.
 23 5106a(c)) is amended—

1 (1) in paragraph (2), by inserting before the pe-
 2 riod the following: “, and may include adult former
 3 victims of child abuse or neglect”; and

4 (2) in paragraph (4)(A)(iii)(I), by inserting
 5 “(42 U.S.C. 670 et seq.)” before the semicolon.

6 (e) ANNUAL STATE DATA REPORTS.—Section 106(d)
 7 of the Child Abuse Prevention and Treatment Act (42
 8 U.S.C. 5106a(d)) is amended—

9 (1) in paragraph (1), by striking “as abused or
 10 neglected” and inserting “as victims of child abuse
 11 or neglect”;

12 (2) in paragraph (4), by inserting “, including
 13 use of differential response,” after “services”;

14 (3) by striking paragraph (7) and inserting the
 15 following:

16 “(7)(A) The number of child protective service
 17 personnel responsible for the—

18 “(i) intake of reports filed in the previous
 19 year;

20 “(ii) screening of such reports;

21 “(iii) assessment of such reports; and

22 “(iv) investigation of such reports.

23 “(B) The average caseload for the workers de-
 24 scribed in subparagraph (A).”;

1 (4) in paragraph (9), by striking “abuse or ne-
2 glect” and inserting “child abuse or neglect”;

3 (5) by striking paragraph (10) and inserting
4 the following:

5 “(10) For child protective service personnel re-
6 sponsible for intake, screening, assessment, and in-
7 vestigation of child abuse and neglect reports in the
8 State—

9 “(A) information on the education, quali-
10 fications, and training requirements established
11 by the State for child protective service profes-
12 sionals, including for entry and advancement in
13 the profession, including advancement to super-
14 visory positions;

15 “(B) data on the education, qualifications,
16 and training of such personnel;

17 “(C) demographic information of the child
18 protective service personnel; and

19 “(D) information on caseload or workload
20 requirements for such personnel, including re-
21 quirements for average number and maximum
22 number of cases per child protective service
23 worker and supervisor.”;

24 (6) in paragraph (11), by striking “and ne-
25 glect” and inserting “or neglect”; and

1 (7) by adding at the end the following:

2 “(15) The number of children referred to a
3 child protective services system under subsection
4 (b)(2)(B)(ii).

5 “(16) The number of children determined to be
6 eligible for referral, and the number of children re-
7 ferred, under subsection (b)(2)(B)(xxi), to agencies
8 providing early intervention services under part C of
9 the Individuals with Disabilities Education Act (20
10 U.S.C. 1431 et seq.).”.

11 (f) ANNUAL REPORT.—Section 106(e) of the Child
12 Abuse Prevention and Treatment Act (42 U.S.C.
13 5106a(e)) is amended by inserting “and neglect” before
14 the period.

15 (g) FORMULA.—Section 106 of the Child Abuse Pre-
16 vention and Treatment Act (42 U.S.C. 5106a) is amended
17 by adding at the end the following:

18 “(f) ALLOTMENTS.—

19 “(1) DEFINITIONS.—In this subsection:

20 “(A) FISCAL YEAR 2009 GRANT FUNDS.—

21 The term ‘fiscal year 2009 grant funds’ means
22 the amount appropriated under section 112 for
23 fiscal year 2009, and not reserved under section
24 112(a)(2).

1 “(B) GRANT FUNDS.—The term ‘grant
2 funds’ means the amount appropriated under
3 section 112 for a fiscal year and not reserved
4 under section 112(a)(2).

5 “(C) STATE.—The term ‘State’ means
6 each of the several States, the District of Co-
7 lumbia, and the Commonwealth of Puerto Rico.

8 “(D) TERRITORY.—The term ‘territory’
9 means Guam, American Samoa, the United
10 States Virgin Islands, and the Commonwealth
11 of the Northern Mariana Islands.

12 “(2) IN GENERAL.—Except as otherwise pro-
13 vided in this section, the Secretary shall make allot-
14 ments to each State and territory that applies for a
15 grant under this section in an amount equal to the
16 sum of—

17 “(A) \$50,000; and

18 “(B) an amount that bears the same rela-
19 tionship to any grant funds remaining after all
20 such States and territories have received
21 \$50,000, as the number of children under the
22 age of 18 in the State or territory bears to the
23 number of such children in all States and terri-
24 tories that apply for such a grant.

1 “(3) ALLOTMENTS FOR DECREASED APPRO-
2 PRIATION YEARS.—In the case where the grant
3 funds for a fiscal year are less than the fiscal year
4 2009 grant funds, the Secretary shall ratably reduce
5 each of the allotments under paragraph (2) for such
6 fiscal year.

7 “(4) ALLOTMENTS FOR INCREASED APPROPRIA-
8 TION YEARS.—

9 “(A) MINIMUM ALLOTMENTS TO STATES
10 FOR INCREASED APPROPRIATIONS YEARS.—In
11 any fiscal year for which the grant funds exceed
12 the fiscal year 2009 grant funds by more than
13 \$1,000,000, the Secretary shall adjust the allot-
14 ments under paragraph (2), as necessary, such
15 that no State that applies for a grant under
16 this section receives an allotment in an amount
17 that is less than—

18 “(i) \$100,000, for a fiscal year in
19 which the grant funds exceed the fiscal
20 year 2009 grant funds by more than
21 \$1,000,000 but less than \$2,000,000;

22 “(ii) \$125,000, for a fiscal year in
23 which the grant funds exceed the fiscal
24 year 2009 grant funds by at least
25 \$2,000,000 but less than \$3,000,000; and

1 “(iii) \$150,000, for a fiscal year in
2 which the grant funds exceed the fiscal
3 year 2009 grant funds by at least
4 \$3,000,000.

5 “(B) ALLOTMENT ADJUSTMENT.—In the
6 case of a fiscal year for which subparagraph
7 (A) applies and the grant funds are insufficient
8 to satisfy the requirements of such subpara-
9 graph (A), paragraph (2), and paragraph (5),
10 the Secretary shall, subject to paragraph (5),
11 ratably reduce the allotment of each State for
12 which the allotment under paragraph (2) is an
13 amount that exceeds the applicable minimum
14 under subparagraph (A), as necessary to ensure
15 that each State receives the applicable min-
16 imum allotment under subparagraph (A).

17 “(5) HOLD HARMLESS.—Notwithstanding para-
18 graphs (2) and (4), except as provided in paragraph
19 (3), no State or territory shall receive a grant under
20 this section in an amount that is less than the
21 amount such State or territory received under this
22 section for fiscal year 2009.”.

1 **SEC. 116. GRANTS TO STATES FOR PROGRAMS RELATING**
2 **TO THE INVESTIGATION AND PROSECUTION**
3 **OF CHILD ABUSE AND NEGLECT CASES.**

4 Section 107 of the Child Abuse Prevention and
5 Treatment Act (42 U.S.C. 5106c) is amended—

6 (1) in subsection (a)—

7 (A) by striking paragraphs (1) and (2) and
8 inserting the following:

9 “(1) the assessment and investigation of sus-
10 pected child abuse and neglect cases, including cases
11 of suspected child sexual abuse and exploitation, in
12 a manner that limits additional trauma to the child
13 and the child’s family;

14 “(2) the assessment and investigation of cases
15 of suspected child abuse-related fatalities and sus-
16 pected child neglect-related fatalities;”;

17 (B) in paragraph (3), by striking “particu-
18 larly” and inserting “including”; and

19 (C) in paragraph (4)—

20 (i) by striking “the handling” and in-
21 serting “the assessment and investigation”;
22 and

23 (ii) by striking “victims of abuse” and
24 inserting “suspected victims of child
25 abuse”;

(2) in subsection (b)(1), by striking “section 107(b)” and inserting “section 106(b)”;

(3) in subsection (c)(1)—

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

(B) in subparagraph (H), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

“(I) adult former victims of child abuse or neglect; and

“(J) individuals experienced in working with homeless children and youths (as defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)).”;

(4) in subsection (d)(1), by striking “particularly” and inserting “including”;

(5) in subsection (e)(1)—

(A) in subparagraph (A), by striking “particularly” and inserting “including”;

(B) in subparagraph (B)—

(i) by inserting a comma after “model”; and

(ii) by striking “improve the rate” and all that follows through “child sexual abuse cases” and inserting the following:

“improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children”; and

(C) in subparagraph (C)—

(i) by inserting a comma after “protocols”;

(ii) by striking “from abuse” and inserting “from child abuse and neglect”; and

(iii) by striking “particularly” and inserting “including”; and

(6) in subsection (f), by inserting “(42 U.S.C. 10603a)” after “1984”.

SEC. 117. MISCELLANEOUS REQUIREMENTS.

Section 108(d) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106d(d)) is amended to read as follows:

“(d) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should encourage all States and

1 public and private entities that receive assistance under
2 this title to—

3 “(1) ensure that children and families with lim-
4 ited English proficiency who participate in programs
5 under this title are provided with materials and serv-
6 ices through such programs in an appropriate lan-
7 guage other than English; and

8 “(2) ensure that individuals with disabilities
9 who participate in programs under this title are pro-
10 vided with materials and services through such pro-
11 grams that are appropriate to their disabilities.”.

12 **SEC. 118. REPORTS.**

13 (a) IN GENERAL.—Section 110 of the Child Abuse
14 Prevention and Treatment Act (42 U.S.C. 5106f) is
15 amended by striking subsections (a) and (b) and inserting
16 the following:

17 “(a) COORDINATION EFFORTS.—Not later than 1
18 year after the date of enactment of the CAPTA Reauthor-
19 ization Act of 2010, the Secretary shall submit to the
20 Committee on Education and Labor of the House of Rep-
21 resentatives and the Committee on Health, Education,
22 Labor, and Pensions of the Senate a report on efforts to
23 coordinate the objectives and activities of agencies and or-
24 ganizations that are responsible for programs and activi-
25 ties related to child abuse and neglect. Not later than 3

1 years after that date of enactment, the Secretary shall
 2 submit to those committees a second report on such efforts
 3 during the 3-year period following that date of enactment.
 4 Not later than 5 years after that date of enactment, the
 5 Secretary shall submit to those committees a third report
 6 on such efforts during the 5-year period following that
 7 date of enactment.

8 “(b) EFFECTIVENESS OF STATE PROGRAMS AND
 9 TECHNICAL ASSISTANCE.—Not later than 2 years after
 10 the date of enactment of the CAPTA Reauthorization Act
 11 of 2010 and every 2 years thereafter, the Secretary shall
 12 submit to the Committee on Education and Labor of the
 13 House of Representatives and the Committee on Health,
 14 Education, Labor, and Pensions of the Senate a report
 15 evaluating the effectiveness of programs receiving assist-
 16 ance under section 106 in achieving the objectives of sec-
 17 tion 106.”.

18 (b) STUDY AND REPORT RELATING TO CITIZEN RE-
 19 VIEW PANELS.—Section 110(c) of the Child Abuse Pre-
 20 vention and Treatment Act (42 U.S.C. 5106f(c)) is
 21 amended to read as follows:

22 “(c) STUDY AND REPORT RELATING TO CITIZEN RE-
 23 VIEW PANELS.—

24 “(1) IN GENERAL.—The Secretary shall con-
 25 duct a study to determine the effectiveness of citizen

1 review panels, established under section 106(c), in
2 achieving the stated function of such panels under
3 section 106(c)(4)(A) of—

4 “(A) examining the policies, procedures,
5 and practices of State and local child protection
6 agencies; and

7 “(B) evaluating the extent to which such
8 State and local child protection agencies are
9 fulfilling their child protection responsibilities,
10 as described in clauses (i) through (iii) of sec-
11 tion 106(c)(4)(A).

12 “(2) CONTENT OF STUDY.—The study de-
13 scribed in paragraph (1) shall be completed in a
14 manner suited to the unique design of citizen review
15 panels, including consideration of the variability
16 among the panels within and between States. The
17 study shall include the following:

18 “(A) Data describing the membership, or-
19 ganizational structure, operation, and adminis-
20 tration of all citizen review panels and the total
21 number of such panels in each State.

22 “(B) A detailed summary of the extent to
23 which collaboration and information-sharing oc-
24 curs between citizen review panels and State
25 child protective services agencies or any other

1 entities or State agencies. The summary shall
2 include a description of the outcomes that re-
3 sult from collaboration and information sharing.

4 “(C) Evidence of the adherence and re-
5 sponsiveness to the reporting requirements
6 under section 106(c)(6) by citizen review panels
7 and States.

8 “(3) REPORT.—Not later than 2 years after the
9 date of enactment of the CAPTA Reauthorization
10 Act of 2010, the Secretary shall submit to the Com-
11 mittee on Health, Education, Labor, and Pensions
12 of the Senate and the Committee on Education and
13 Labor of the House of Representatives a report that
14 contains the results of the study conducted under
15 paragraph (1).”.

16 **SEC. 119. DEFINITIONS.**

17 Section 111 of the Child Abuse Prevention and
18 Treatment Act (42 U.S.C. 5106g) is amended—

19 (1) in paragraph (5)—

20 (A) by inserting “except as provided in
21 section 106(f),” after “(5)”;

22 (B) by inserting “and” after “Samoa,”;
23 and

24 (C) by striking “and the Trust Territory of
25 the Pacific Islands”;

1 (2) in paragraph (6)(C), by striking the period
2 and inserting a semicolon; and

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

4 “(7) the term ‘Alaska Native’ has the meaning
5 given the term ‘Native’ in section 3 of the Alaska
6 Native Claims Settlement Act (43 U.S.C. 1602);

7 “(8) the term ‘infant or toddler with a dis-
8 ability’ has the meaning given the term in section
9 632 of the Individuals with Disabilities Education
10 Act (20 U.S.C. 1432);

11 “(9) the terms ‘Indian’, ‘Indian tribe’, and
12 ‘tribal organization’ have the meanings given the
13 terms in section 4 of the Indian Self-Determination
14 and Education Assistance Act (25 U.S.C. 450b);

15 “(10) the term ‘Native Hawaiian’ has the
16 meaning given the term in section 7207 of the Ele-
17 mentary and Secondary Education Act of 1965 (20
18 U.S.C. 7517); and

19 “(11) the term ‘unaccompanied homeless youth’
20 means an individual who is described in paragraphs
21 (2) and (6) of section 725 of the McKinney-Vento
22 Homeless Assistance Act (42 U.S.C. 11434a).”.

23 **SEC. 120. AUTHORIZATION OF APPROPRIATIONS.**

24 Section 112(a)(1) of the Child Abuse Prevention and
25 Treatment Act (42 U.S.C. 5106h(a)(1)) is amended—

1 (1) by striking “2004” and inserting “2010”;
2 and

3 (2) by striking “2005 through 2008” and in-
4 serting “2011 through 2015”.

5 **SEC. 121. RULE OF CONSTRUCTION.**

6 Section 113(a)(2) of the Child Abuse Prevention and
7 Treatment Act (42 U.S.C. 5106i(a)(2)) is amended by
8 striking “abuse or neglect” and inserting “child abuse or
9 neglect”.

10 **Subtitle B—Community-Based**
11 **Grants for the Prevention of**
12 **Child Abuse or Neglect**

13 **SEC. 131. TITLE HEADING.**

14 The title heading of title II of the Child Abuse Pre-
15 vention and Treatment Act (42 U.S.C. 5116) is amended
16 to read as follows:

17 **“TITLE II—COMMUNITY-BASED**
18 **GRANTS FOR THE PREVEN-**
19 **TION OF CHILD ABUSE AND**
20 **NEGLECT”.**

21 **SEC. 132. PURPOSE AND AUTHORITY.**

22 Section 201 of the Child Abuse Prevention and
23 Treatment Act (42 U.S.C. 5116) is amended—

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

“(1) to support community-based efforts to develop, operate, expand, enhance, and coordinate initiatives, programs, and activities to prevent child abuse and neglect and to support the coordination of resources and activities, to better strengthen and support families to reduce the likelihood of child abuse and neglect; and”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “hereafter”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting a comma after “expanding”; and

(II) by striking “(through networks where appropriate)”;

(ii) in subparagraph (E), by inserting before the semicolon the following: “, including access to such resources and opportunities for unaccompanied homeless youth”; and

(iii) by striking subparagraph (G) and inserting the following:

“(G) demonstrate a commitment to involving parents in the planning and program implementation of the lead agency and entities carrying out local programs funded under this title, including involvement of parents of children with disabilities, parents who are individuals with disabilities, racial and ethnic minorities, and members of other underrepresented or underserved groups; and”;

(C) in paragraph (2), by inserting after “children and families” the following: “, including unaccompanied homeless youth,”;

(D) in paragraph (3)—

(i) by inserting “substance abuse treatment services, domestic violence services,” after “mental health services,”;

(ii) by striking “family resource and support program” and inserting “community-based child abuse and neglect prevention program”; and

(iii) by striking “community-based family resource and support program” and inserting “community-based child abuse and neglect prevention programs”; and

(E) in paragraph (4)—

- 1 (i) by inserting “and reporting” after
- 2 “information management”;
- 3 (ii) by striking the comma after “pre-
- 4 vention-focused”; and
- 5 (iii) by striking “(through networks
- 6 where appropriate)”.

7 **SEC. 133. ELIGIBILITY.**

8 Section 202 of the Child Abuse Prevention and
9 Treatment Act (42 U.S.C. 5116a) is amended—

- 10 (1) in paragraph (1)—
- 11 (A) by striking “chief executive officer”
- 12 each place it appears and inserting “Governor”;
- 13 and
- 14 (B) by inserting a comma after “enhance”;
- 15 (2) in paragraphs (1), (2), and (3), by striking
- 16 “(through networks where appropriate)” each place
- 17 it appears;
- 18 (3) in paragraphs (2) and (3), in the matter
- 19 preceding subparagraph (A), by striking “chief exec-
- 20 utive officer” and inserting “Governor”; and
- 21 (4) in paragraph (2)—
- 22 (A) in subparagraphs (A) and (B), by in-
- 23 serting “adult former victims of child abuse or
- 24 neglect,” after “parents,”; and

1 (B) in subparagraph (C), by inserting a
 2 comma after “State”.

3 **SEC. 134. AMOUNT OF GRANT.**

4 Section 203(b)(1) of the Child Abuse Prevention and
 5 Treatment Act (42 U.S.C. 5116b(b)(1))—

6 (1) in subparagraph (A), by striking all that
 7 precedes “70” and inserting the following:

8 “(A) 70 PERCENT.—”; and

9 (2) in subparagraph (B), by striking all that
 10 precedes “30” and inserting the following:

11 “(B) 30 PERCENT.—”.

12 **SEC. 135. APPLICATION.**

13 Section 205 of the Child Abuse Prevention and
 14 Treatment Act (42 U.S.C. 5116d) is amended—

15 (1) in paragraphs (1) and (2), by striking
 16 “(through networks where appropriate)”;

17 (2) in paragraph (2)—

18 (A) by striking “and how family resource
 19 and support” and inserting “, including how
 20 community-based child abuse and neglect pre-
 21 vention”; and

22 (B) by striking “services provided” and in-
 23 serting “programs provided”;

24 (3) in paragraph (4), by inserting a comma
 25 after “operation”;

1 (4) in paragraph (6)—

2 (A) by striking “an assurance that the
3 State has the” and inserting “a description of
4 the State’s”; and

5 (B) by striking “consumers and” and in-
6 serting “consumers, of family advocates, and of
7 adult former victims of child abuse or neglect,”;

8 (5) in paragraph (7), by inserting a comma
9 after “expansion”;

10 (6) in paragraph (8)—

11 (A) by striking “and activities”; and

12 (B) by inserting after “homelessness,” the
13 following: “unaccompanied homeless youth,”;

14 (7) in paragraph (9), by inserting a comma
15 after “training”; and

16 (8) in paragraph (11), by inserting a comma
17 after “procedures”.

18 **SEC. 136. LOCAL PROGRAM REQUIREMENTS.**

19 (a) IN GENERAL.—Section 206(a) of the Child Abuse
20 Prevention and Treatment Act (42 U.S.C. 5116e(a)) is
21 amended—

22 (1) in the matter preceding paragraph (1), by
23 inserting a comma after “expand”;

24 (2) in paragraph (1)—

1 (A) by striking “parents and” and insert-
 2 ing “parents,”; and

3 (B) by inserting “in meaningful roles” be-
 4 fore the semicolon;
 5 (3) in paragraph (2)—

6 (A) by striking “a strategy to provide, over
 7 time,” and inserting “a comprehensive strategy
 8 to provide”;

9 (B) by striking “family centered” and in-
 10 serting “family-centered”; and

11 (C) by striking “and parents with young
 12 children,” and inserting “, to parents with
 13 young children, and to parents who are adult
 14 former victims of domestic violence or child
 15 abuse or neglect,”;

16 (4) in paragraph (3)—

17 (A) by striking all that precedes subpara-
 18 graph (C) and inserting the following:

19 “(3)(A) provide for core child abuse and neglect
 20 prevention services, which may be provided directly
 21 by the local recipient of the grant funds or through
 22 grants or agreements with other local agencies, such
 23 as—

24 “(i) parent education, mutual support and
 25 self help, and parent leadership services;

1 “(ii) respite care services;

2 “(iii) outreach and followup services, which
3 may include voluntary home visiting services;
4 and

5 “(iv) community and social service refer-
6 rals; and”; and

7 (B) in subparagraph (C)—

8 (i) in the matter preceding clause (i),
9 by striking “(C)” and inserting “(B) pro-
10 vide”;

11 (ii) by striking clause (ii) and insert-
12 ing the following:

13 “(ii) child care, early childhood edu-
14 cation and care, and intervention serv-
15 ices;”;

16 (iii) in clause (iii), by inserting “and
17 parents who are individuals with disabil-
18 ities” before the semicolon;

19 (iv) in clause (v), by striking “scho-
20 lastic tutoring” and inserting “academic
21 tutoring”;

22 (v) in clause (vii), by striking “and”
23 after the semicolon;

24 (vi) in clause (viii), by adding “and”
25 after the semicolon;

1 (vii) by adding at the end the fol-
 2 lowing:

3 “(ix) domestic violence service pro-
 4 grams that provide services and treatment
 5 to children and their non-abusing care-
 6 givers.”; and

7 (viii) in clause (v), by striking “scho-
 8 lastic tutoring” and inserting “academic
 9 tutoring”;

10 (5) in paragraph (5), by striking “family re-
 11 source and support program” and inserting “child
 12 abuse and neglect prevention program”; and

13 (6) in paragraph (6), by inserting a comma
 14 after “operation”.

15 (b) TECHNICAL AMENDMENT.—Section 206(b) of the
 16 Child Abuse Prevention and Treatment Act (42 U.S.C.
 17 5116e(b)) is amended—

18 (1) by striking “low income” and inserting
 19 “low-income”; and

20 (2) by striking “family resource and support
 21 programs” and inserting “child abuse and neglect
 22 prevention programs.”.

23 **SEC. 137. CONFORMING AMENDMENTS.**

24 Section 207 of the Child Abuse Prevention and
 25 Treatment Act (42 U.S.C. 5119f) is amended—

1 (1) in paragraph (1), by inserting a comma
2 after “operation”;

3 (2) in paragraph (2), by inserting “which de-
4 scription shall specify whether those services are
5 supported by research” after “section 202”;

6 (3) in paragraph (4)—

7 (A) by striking “section 205(3)” and in-
8 serting “section 204(3)”; and

9 (B) by inserting a comma after “oper-
10 ation”;

11 (4) in paragraph (6)—

12 (A) by inserting a comma after “local”;
13 and

14 (B) by inserting a comma after “expan-
15 sion”; and

16 (5) in paragraph (7), by striking “the results”
17 and all that follows and inserting “the results of
18 evaluation, or the outcomes of monitoring, conducted
19 under the State program to demonstrate the effec-
20 tiveness of activities conducted under this title in
21 meeting the purposes of the program; and”.

22 **SEC. 138. NATIONAL NETWORK FOR COMMUNITY-BASED**
23 **FAMILY RESOURCE PROGRAMS.**

24 Section 208 of the Child Abuse Prevention and
25 Treatment Act (42 U.S.C. 5116g) is amended—

1 (1) in paragraph (1), by inserting a comma
2 after “operate”;

3 (2) in paragraph (2), by inserting a comma
4 after “operate”; and

5 (3) in paragraph (4), by inserting a comma
6 after “operate”.

7 **SEC. 139. DEFINITIONS.**

8 Section 209 of the Child Abuse Prevention and
9 Treatment Act (42 U.S.C. 5116h) is amended—

10 (1) by striking paragraph (1);

11 (2) by redesignating paragraphs (2), (3), and
12 (5) as paragraphs (1) through (3), respectively; and

13 (3) in paragraph (3), as so redesignated—

14 (A) in the matter preceding subparagraph
15 (A), by inserting “, including the services of cri-
16 sis nurseries,” after “short term care services”;

17 (B) in subparagraphs (A) and (B), by
18 striking “abuse or neglect” and inserting “child
19 abuse or neglect”; and

20 (C) in subparagraph (C), by striking
21 “have” and all that follows and inserting “have
22 disabilities or chronic or terminal illnesses.”.

23 **SEC. 140. AUTHORIZATION OF APPROPRIATIONS.**

24 Section 210 of the Child Abuse Prevention and
25 Treatment Act (42 U.S.C. 5116i) is amended—

1 (1) by striking “2004” and inserting “2010”;
2 and

3 (2) by striking “2005 through 2008” and in-
4 serting “2011 through 2015”.

5 **SEC. 141. REDESIGNATION.**

6 Title II of the Child Abuse Prevention and Treatment
7 Act (42 U.S.C. 5116 et seq.) is amended by redesignating
8 sections 205 through 210 as sections 204 through 209,
9 respectively.

10 **SEC. 142. TRANSFER OF DEFINITIONS.**

11 (a) GENERAL DEFINITIONS.—The Child Abuse Pre-
12 vention and Treatment Act (42 U.S.C. 5101 et seq.) is
13 amended by inserting after section 2 the following:

14 **“SEC. 3. GENERAL DEFINITIONS.**

15 “In this Act—

16 “(1) the term ‘child’ means a person who has
17 not attained the lesser of—

18 “(A) the age of 18; or

19 “(B) except in the case of sexual abuse,
20 the age specified by the child protection law of
21 the State in which the child resides;

22 “(2) the term ‘child abuse and neglect’ means,
23 at a minimum, any recent act or failure to act on
24 the part of a parent or caretaker, which results in
25 death, serious physical or emotional harm, sexual

1 abuse or exploitation, or an act or failure to act
2 which presents an imminent risk of serious harm;

3 “(3) the term ‘child with a disability’ means a
4 child with a disability as defined in section 602 of
5 the Individuals with Disabilities Education Act (20
6 U.S.C. 1401), or an infant or toddler with a dis-
7 ability as defined in section 632 of such Act (20
8 U.S.C. 1432);

9 “(4) the term ‘Governor’ means the chief execu-
10 tive officer of a State;

11 “(5) the terms ‘Indian’, ‘Indian tribe’, and
12 ‘tribal organization’ have the meanings given the
13 terms in section 4 of the Indian Self-Determination
14 and Education Assistance Act (25 U.S.C. 450b);

15 “(6) the term ‘Secretary’ means the Secretary
16 of Health and Human Services;

17 “(7) except as provided in section 106(f), the
18 term ‘State’ means each of the several States, the
19 District of Columbia, the Commonwealth of Puerto
20 Rico, the Virgin Islands, Guam, American Samoa,
21 and the Commonwealth of the Northern Mariana Is-
22 lands; and

23 “(8) the term ‘unaccompanied homeless youth’
24 means an individual who is described in paragraphs

1 (2) and (6) of section 725 of the McKinney-Vento
 2 Homeless Assistance Act (42 U.S.C. 11434a).”.

3 (b) CONFORMING AMENDMENTS.—Section 111 of the
 4 Child Abuse Prevention and Treatment Act (42 U.S.C.
 5 5106g), as amended by section 119, is further amended—

6 (1) by striking paragraphs (1), (2), (3), (5),
 7 (9), and (11) of section 111;

8 (2) by redesignating paragraphs (7), (8), and
 9 (10) as paragraphs (1), (2), and (3), respectively,
 10 and inserting the paragraphs before paragraph (4);

11 (3) in paragraph (3), as so redesignated, by
 12 striking “and” at the end;

13 (4) in paragraph (4), by adding “and” at the
 14 end; and

15 (5) by redesignating paragraph (6) as para-
 16 graph (5).

17 **Subtitle C—Conforming** 18 **Amendments**

19 **SEC. 151. AMENDMENTS TO TABLE OF CONTENTS.**

20 The table of contents in section 1(b) of the Child
 21 Abuse Prevention and Treatment Act is amended—

22 (1) by inserting after the item relating to sec-
 23 tion 2 the following:

“Sec. 3. General definitions.”;

24 (2) by amending the item relating to section
 25 105 to read as follows:

“Sec. 105. Grants to States, Indian tribes or tribal organizations, and public or private agencies and organizations.”;

1 (3) by amending the item relating to section
2 106 to read as follows:

“Sec. 106. Grants to States for child abuse or neglect prevention and treatment programs.”;

3 (4) by striking the item relating to the title
4 heading of title II and inserting the following:

“TITLE II—COMMUNITY-BASED GRANTS FOR THE PREVENTION
OF CHILD ABUSE OR NEGLECT”;

5 and

6 (5) by striking the items relating to sections
7 204 through 210 and inserting the following:

“Sec. 204. Application.

“Sec. 205. Local program requirements.

“Sec. 206. Performance measures.

“Sec. 207. National network for community-based family resource programs.

“Sec. 208. Definitions.

“Sec. 209. Authorization of appropriations.”.

8 **TITLE II—FAMILY VIOLENCE** 9 **PREVENTION AND SERVICES** 10 **ACT**

11 **SEC. 201. FAMILY VIOLENCE PREVENTION AND SERVICES.**

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

14 **“TITLE III—FAMILY VIOLENCE** 15 **PREVENTION AND SERVICES**

16 **“SEC. 301. SHORT TITLE; PURPOSE.**

17 “(a) SHORT TITLE.—This title may be cited as the
18 ‘Family Violence Prevention and Services Act’.

1 “(b) PURPOSE.—It is the purpose of this title to—

2 “(1) assist States and Indian tribes in efforts
3 to increase public awareness about, and primary and
4 secondary prevention of, family violence, domestic vi-
5 olence, and dating violence;

6 “(2) assist States and Indian tribes in efforts
7 to provide immediate shelter and supportive services
8 for victims of family violence, domestic violence, or
9 dating violence, and their dependents;

10 “(3) provide for a national domestic violence
11 hotline;

12 “(4) provide for technical assistance and train-
13 ing relating to family violence, domestic violence,
14 and dating violence programs to States and Indian
15 tribes, local public agencies (including law enforce-
16 ment agencies, courts, and legal, social service, and
17 health care professionals in public agencies), non-
18 profit private organizations (including faith-based
19 and charitable organizations, community-based orga-
20 nizations, and voluntary associations), tribal organi-
21 zations, and other persons seeking such assistance
22 and training.

23 **“SEC. 302. DEFINITIONS.**

24 “In this title:

1 “(1) ALASKA NATIVE.—The term ‘Alaska Na-
 2 tive’ has the meaning given the term ‘Native’ in sec-
 3 tion 3 of the Alaska Native Claims Settlement Act
 4 (43 U.S.C. 1602).

5 “(2) DATING VIOLENCE.—The term ‘dating vio-
 6 lence’ has the meaning given such term in section
 7 40002(a) of the Violence Against Women Act of
 8 1994 (42 U.S.C. 13925(a)).

9 “(3) DOMESTIC VIOLENCE.—The term ‘domes-
 10 tic violence’ has the meaning given such term in sec-
 11 tion 40002(a) of the Violence Against Women Act of
 12 1994 (42 U.S.C. 13925(a)).

13 “(4) FAMILY VIOLENCE.—The term ‘family vio-
 14 lence’ means any act or threatened act of violence,
 15 including any forceful detention of an individual,
 16 that—

17 “(A) results or threatens to result in phys-
 18 ical injury; and

19 “(B) is committed by a person against an-
 20 other individual (including an elderly individual)
 21 to or with whom such person—

22 “(i) is related by blood;

23 “(ii) is or was related by marriage or
 24 is or was otherwise legally related; or

25 “(iii) is or was lawfully residing.

1 “(5) INDIAN; INDIAN TRIBE; TRIBAL ORGANIZA-
2 TION.—The terms ‘Indian’, ‘Indian tribe’, and ‘tribal
3 organization’ have the meanings given such terms in
4 section 4 of the Indian Self-Determination and Edu-
5 cation Assistance Act (25 U.S.C. 450b).

6 “(6) NATIVE HAWAIIAN.—The term ‘Native
7 Hawaiian’ has the meaning given the term in section
8 7207 of the Elementary and Secondary Education
9 Act of 1965 (20 U.S.C. 7517).

10 “(7) PERSONALLY IDENTIFYING INFORMA-
11 TION.—The term ‘personally identifying information’
12 has the meaning given the term in section 40002(a)
13 of the Violence Against Women Act of 1994 (42
14 U.S.C. 13925(a)).

15 “(8) SECRETARY.—The term ‘Secretary’ means
16 the Secretary of Health and Human Services.

17 “(9) SHELTER.—The term ‘shelter’ means the
18 provision of temporary refuge and supportive serv-
19 ices in compliance with applicable State law (includ-
20 ing regulation) governing the provision, on a regular
21 basis, of shelter, safe homes, meals, and supportive
22 services to victims of family violence, domestic vio-
23 lence, or dating violence, and their dependents.

24 “(10) STATE.—The term ‘State’ means each of
25 the several States, the District of Columbia, the

1 Commonwealth of Puerto Rico, and, except as other-
2 wise provided, Guam, American Samoa, the United
3 States Virgin Islands, and the Commonwealth of the
4 Northern Mariana Islands.

5 “(11) STATE DOMESTIC VIOLENCE COALI-
6 TION.—The term ‘State Domestic Violence Coalition’
7 means a statewide nongovernmental nonprofit pri-
8 vate domestic violence organization that—

9 “(A) has a membership that includes a
10 majority of the primary-purpose domestic vio-
11 lence service providers in the State;

12 “(B) has board membership that is rep-
13 resentative of primary-purpose domestic vio-
14 lence service providers, and which may include
15 representatives of the communities in which the
16 services are being provided in the State;

17 “(C) has as its purpose to provide edu-
18 cation, support, and technical assistance to such
19 service providers to enable the providers to es-
20 tablish and maintain shelter and supportive
21 services for victims of domestic violence and
22 their dependents; and

23 “(D) serves as an information clearing-
24 house, primary point of contact, and resource
25 center on domestic violence for the State and

1 supports the development of policies, protocols,
 2 and procedures to enhance domestic violence
 3 intervention and prevention in the State.

4 “(12) SUPPORTIVE SERVICES.—The term ‘sup-
 5 portive services’ means services for adult and youth
 6 victims of family violence, domestic violence, or dat-
 7 ing violence, and dependents exposed to family vio-
 8 lence, domestic violence, or dating violence, that are
 9 designed to—

10 “(A) meet the needs of such victims of
 11 family violence, domestic violence, or dating vio-
 12 lence, and their dependents, for short-term,
 13 transitional, or long-term safety; and

14 “(B) provide counseling, advocacy, or as-
 15 sistance for victims of family violence, domestic
 16 violence, or dating violence, and their depend-
 17 ents.

18 “(13) TRIBALLY DESIGNATED OFFICIAL.—The
 19 term ‘tribally designated official’ means an indi-
 20 vidual designated by an Indian tribe, tribal organiza-
 21 tion, or nonprofit private organization authorized by
 22 an Indian tribe, to administer a grant under section
 23 309.

24 “(14) UNDERSERVED POPULATIONS.—The
 25 term ‘underserved populations’ has the meaning

1 given the term in section 40002(a) of the Violence
2 Against Women Act of 1994 (42 U.S.C. 13925(a)).
3 For the purposes of this title, the Secretary has the
4 same authority to determine whether a population is
5 an underserved population as the Attorney General
6 has under that section 40002(a).

7 **“SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

8 “(a) FORMULA GRANTS TO STATES.—

9 “(1) IN GENERAL.—There is authorized to be
10 appropriated to carry out sections 301 through 312,
11 \$175,000,000 for each of fiscal years 2011 through
12 2015.

13 “(2) ALLOCATIONS.—

14 “(A) FORMULA GRANTS TO STATES.—

15 “(i) RESERVATION OF FUNDS.—For
16 any fiscal year for which the amounts ap-
17 propriated under paragraph (1) exceed
18 \$130,000,000, not less than 25 percent of
19 such excess funds shall be made available
20 to carry out section 312.

21 “(ii) FORMULA GRANTS.—Of the
22 amounts appropriated under paragraph (1)
23 for a fiscal year and not reserved under
24 clause (i), not less than 70 percent shall be

1 used for making grants under section
2 306(a).

3 “(B) GRANTS TO TRIBES.—Of the
4 amounts appropriated under paragraph (1) for
5 a fiscal year and not reserved under subpara-
6 graph (A)(i), not less than 10 percent shall be
7 used to carry out section 309.

8 “(C) TECHNICAL ASSISTANCE AND TRAIN-
9 ING CENTERS.—Of the amounts appropriated
10 under paragraph (1) for a fiscal year and not
11 reserved under subparagraph (A)(i), not less
12 than 6 percent shall be used by the Secretary
13 for making grants under section 310.

14 “(D) GRANTS FOR STATE DOMESTIC VIO-
15 LENCE COALITIONS.—Of the amounts appro-
16 priated under paragraph (1) for a fiscal year
17 and not reserved under subparagraph (A)(i),
18 not less than 10 percent of such amounts shall
19 be used by the Secretary for making grants
20 under section 311.

21 “(E) ADMINISTRATION, EVALUATION AND
22 MONITORING.—Of the amount appropriated
23 under paragraph (1) for a fiscal year and not
24 reserved under subparagraph (A)(i), not more
25 than 2.5 percent shall be used by the Secretary

1 for evaluation, monitoring, and other adminis-
2 trative costs under this title.

3 “(b) NATIONAL DOMESTIC VIOLENCE HOTLINE.—
4 There is authorized to be appropriated to carry out section
5 313 \$3,500,000 for each of fiscal years 2011 through
6 2015.

7 “(c) DOMESTIC VIOLENCE PREVENTION ENHANCE-
8 MENT AND LEADERSHIP THROUGH ALLIANCES.—There
9 is authorized to be appropriated to carry out section 314
10 \$6,000,000 for each of fiscal years 2011 through 2015.

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

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

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

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

20 “(3) make grants to eligible entities or enter
21 into contracts with for-profit or nonprofit non-
22 governmental entities and establish reporting re-
23 quirements for such grantees and contractors;

24 “(4) prescribe such regulations and guidance as
25 are reasonably necessary in order to carry out the

1 objectives and provisions of this title, including regu-
2 lations and guidance on implementing new grant
3 conditions established or provisions modified by
4 amendments made to this title by the CAPTA Reau-
5 thorization Act of 2010, to ensure accountability and
6 transparency of the actions of grantees and contrac-
7 tors, or as determined by the Secretary to be reason-
8 ably necessary to carry out this title; and

9 “(5) coordinate programs within the Depart-
10 ment of Health and Human Services, and seek to
11 coordinate those programs with programs adminis-
12 tered by other Federal agencies, that involve or af-
13 fect efforts to prevent family violence, domestic vio-
14 lence, and dating violence or the provision of assist-
15 ance for adult and youth victims of family violence,
16 domestic violence, or dating violence.

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

18 “(1) assign 1 or more employees of the Depart-
19 ment of Health and Human Services to carry out
20 the provisions of this title, including carrying out
21 evaluation and monitoring under this title, which
22 employees shall, prior to such appointment, have ex-
23 pertise in the field of family violence and domestic
24 violence prevention and services and, to the extent

1 practicable, have expertise in the field of dating vio-
2 lence;

3 “(2) provide technical assistance in the conduct
4 of programs for the prevention and treatment of
5 family violence, domestic violence, and dating vio-
6 lence;

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

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

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

24 “(C) coordinating family violence, domestic
25 violence, and dating violence research efforts

1 within the Department of Health and Human
2 Services with relevant research administered or
3 carried out by other Federal agencies and other
4 researchers, including research on the provision
5 of assistance for adult and youth victims of
6 family violence, domestic violence, or dating vio-
7 lence; and

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

14 “(c) REPORTS.—Every 2 years, the Secretary shall
15 review and evaluate the activities conducted by grantees,
16 subgrantees, and contractors under this title and the effec-
17 tiveness of the programs administered pursuant to this
18 title, and submit a report containing the evaluation to the
19 Committee on Education and Labor of the House of Rep-
20 resentatives and the Committee on Health, Education,
21 Labor, and Pensions of the Senate. Such report shall also
22 include a summary of the documentation provided to the
23 Secretary through performance reports submitted under
24 section 306(d). The Secretary shall make publicly avail-
25 able on the Department of Health and Human Services

1 website the evaluation reports submitted to Congress
2 under this subsection, including the summary of the docu-
3 mentation provided to the Secretary under section 306(d).

4 **“SEC. 305. ALLOTMENT OF FUNDS.**

5 “(a) IN GENERAL.—From the sums appropriated
6 under section 303 and available for grants to States under
7 section 306(a) for any fiscal year—

8 “(1) Guam, American Samoa, the United
9 States Virgin Islands, and the Commonwealth of the
10 Northern Mariana Islands shall each be allotted not
11 less than $\frac{1}{8}$ of 1 percent of the amounts available
12 for grants under section 306(a) for the fiscal year
13 for which the allotment is made; and

14 “(2) each State shall be allotted for a grant
15 under section 306(a), \$600,000, with the remaining
16 funds to be allotted to each State in an amount that
17 bears the same ratio to such remaining funds as the
18 population of such State bears to the population of
19 all States.

20 “(b) POPULATION.—For the purpose of this section,
21 the population of each State, and the total population of
22 all the States, shall be determined by the Secretary on
23 the basis of the most recent census data available to the
24 Secretary, and the Secretary shall use for such purpose,
25 if available, the annual interim current census data pro-

1 duced by the Secretary of Commerce pursuant to section
2 181 of title 13, United States Code.

3 “(c) Ratable Reduction.—If the sums appro-
4 priated under section 303 for any fiscal year and available
5 for grants to States under section 306(a) are not sufficient
6 to pay in full the total amounts that all States are entitled
7 to receive under subsection (a) for such fiscal year, then
8 the maximum amounts that all States are entitled to re-
9 ceive under subsection (a) for such fiscal year shall be rat-
10 ably reduced. In the event that additional funds become
11 available for making such grants for any fiscal year during
12 which the preceding sentence is applicable, such reduced
13 amounts shall be increased on the same basis as they were
14 reduced.

15 “(d) Reallocation.—If, at the end of the sixth
16 month of any fiscal year for which sums are appropriated
17 under section 303, the amount allotted to a State has not
18 been made available to such State in a grant under section
19 306(a) because of the failure of such State to meet the
20 requirements for such a grant, then the Secretary shall
21 reallocate such amount to States that meet such require-
22 ments.

23 “(e) Continued Availability of Funds.—All
24 funds allotted to a State for a fiscal year under this sec-
25 tion, and made available to such State in a grant under

1 section 306(a), shall remain available for obligation by the
 2 State until the end of the following fiscal year. All such
 3 funds that are not obligated by the State by the end of
 4 the following fiscal year shall be made available to the Sec-
 5 retary for discretionary activities under section 314. Such
 6 funds shall remain available for obligation, and for ex-
 7 penditure by a recipient of the funds under section 314,
 8 for not more than 1 year from the date on which the funds
 9 are made available to the Secretary.

10 “(f) DEFINITION.—In subsection (a)(2), the term
 11 ‘State’ does not include any jurisdiction specified in sub-
 12 section (a)(1).

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

14 “(a) FORMULA GRANTS TO STATES.—The Secretary
 15 shall award grants to States in order to assist in sup-
 16 porting the establishment, maintenance, and expansion of
 17 programs and projects—

18 “(1) to prevent incidents of family violence, do-
 19 mestic violence, and dating violence;

20 “(2) to provide immediate shelter, supportive
 21 services, and access to community-based programs
 22 for victims of family violence, domestic violence, or
 23 dating violence, and their dependents; and

24 “(3) to provide specialized services for children
 25 exposed to family violence, domestic violence, or dat-

1 ing violence, underserved populations, and victims
2 who are members of racial and ethnic minority pop-
3 ulations.

4 “(b) ADMINISTRATIVE EXPENSES.—

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

8 “(2) SUBGRANTS TO ELIGIBLE ENTITIES.—The
9 State shall use the remainder of the grant funds to
10 make subgrants to eligible entities for approved pur-
11 poses as described in section 308.

12 “(c) GRANT CONDITIONS.—

13 “(1) APPROVED ACTIVITIES.—In carrying out
14 the activities under this title, grantees and sub-
15 grantees may collaborate with and provide informa-
16 tion to Federal, State, local, and tribal public offi-
17 cials and agencies, in accordance with limitations on
18 disclosure of confidential or private information as
19 described in paragraph (5), to develop and imple-
20 ment policies to reduce or eliminate family violence,
21 domestic violence, and dating violence.

22 “(2) DISCRIMINATION PROHIBITED.—

23 “(A) APPLICATION OF CIVIL RIGHTS PRO-
24 VISIONS.—For the purpose of applying the pro-
25 hibitions against discrimination on the basis of

age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), on the basis of disability under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), on the basis of sex under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), or on the basis of race, color, or national origin under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), programs and activities funded in whole or in part with funds made available under this title are considered to be programs and activities receiving Federal financial assistance.

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

“(i) IN GENERAL.—No person shall on the ground of sex or religion be excluded from participation in, be denied the benefits of, or be subject to discrimination under, any program or activity funded in whole or in part with funds made available under this title. Nothing in this title shall require any such program or activity to include any individual in any program or activity without taking into consideration

1 that individual’s sex in those certain in-
2 stances where sex is a bona fide occupa-
3 tional qualification or programmatic factor
4 reasonably necessary to the normal or safe
5 operation of that particular program or ac-
6 tivity.

7 “(ii) ENFORCEMENT.—The Secretary
8 shall enforce the provisions of clause (i) in
9 accordance with section 602 of the Civil
10 Rights Act of 1964 (42 U.S.C. 2000d–1).
11 Section 603 of such Act (42 U.S.C.
12 2000d–2) shall apply with respect to any
13 action taken by the Secretary to enforce
14 such clause.

15 “(iii) CONSTRUCTION.—This subpara-
16 graph shall not be construed as affecting
17 any legal remedy provided under any other
18 provision of law.

19 “(C) ENFORCEMENT AUTHORITIES OF
20 SECRETARY.—Whenever the Secretary finds
21 that a State, Indian tribe, or other entity that
22 has received financial assistance under this title
23 has failed to comply with a provision of law re-
24 ferred to in subparagraph (A), with subpara-
25 graph (B), or with an applicable regulation (in-

cluding one prescribed to carry out subparagraph (B)), the Secretary shall notify the chief executive officer of the State involved or the tribally designated official of the tribe involved and shall request such officer or official to secure compliance. If, within a reasonable period of time, not to exceed 60 days, the chief executive officer or official fails or refuses to secure compliance, the Secretary may—

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

“(ii) exercise the powers and functions provided by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), sections 504 and 505 of the Rehabilitation Act of 1973 (29 U.S.C. 794, 794(a)), or title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), as may be applicable; or

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

1 “(D) ENFORCEMENT AUTHORITY OF AT-
2 TORNEY GENERAL.—When a matter is referred
3 to the Attorney General pursuant to subpara-
4 graph (C)(i), or whenever the Attorney General
5 has reason to believe that a State, an Indian
6 tribe, or an entity described in subparagraph
7 (C) is engaged in a pattern or practice in viola-
8 tion of a provision of law referred to in sub-
9 paragraph (A) or in violation of subparagraph
10 (B), the Attorney General may bring a civil ac-
11 tion in any appropriate district court of the
12 United States for such relief as may be appro-
13 priate, including injunctive relief.

14 “(3) INCOME ELIGIBILITY STANDARDS.—No in-
15 come eligibility standard may be imposed upon indi-
16 viduals with respect to eligibility for assistance or
17 services supported with funds appropriated to carry
18 out this title. No fees may be levied for assistance
19 or services provided with funds appropriated to carry
20 out this title.

21 “(4) MATCH.—No grant shall be made under
22 this section to any entity other than a State or an
23 Indian tribe unless the entity agrees that, with re-
24 spect to the costs to be incurred by the entity in car-
25 rying out the program or project for which the grant

1 is awarded, the entity will make available (directly or
2 through donations from public or private entities)
3 non-Federal contributions in an amount that is not
4 less than \$1 for every \$5 of Federal funds provided
5 under the grant. The non-Federal contributions re-
6 quired under this paragraph may be in cash or in
7 kind.

8 “(5) NONDISCLOSURE OF CONFIDENTIAL OR
9 PRIVATE INFORMATION.—

10 “(A) IN GENERAL.—In order to ensure the
11 safety of adult, youth, and child victims of fam-
12 ily violence, domestic violence, or dating vio-
13 lence, and their families, grantees and sub-
14 grantees under this title shall protect the con-
15 fidentiality and privacy of such victims and
16 their families.

17 “(B) NONDISCLOSURE.—Subject to sub-
18 paragraphs (C), (D), and (E), grantees and
19 subgrantees shall not—

20 “(i) disclose any personally identifying
21 information collected in connection with
22 services requested (including services uti-
23 lized or denied), through grantees’ and
24 subgrantees’ programs; or

1 “(ii) reveal personally identifying in-
2 formation without informed, written, rea-
3 sonably time-limited consent by the person
4 about whom information is sought, wheth-
5 er for this program or any other Federal
6 or State grant program, which consent—

7 “(I) shall be given by—

8 “(aa) the person, except as
9 provided in item (bb) or (cc);

10 “(bb) in the case of an
11 unemancipated minor, the minor
12 and the minor’s parent or guard-
13 ian; or

14 “(cc) in the case of an indi-
15 vidual with a guardian, the indi-
16 vidual’s guardian; and

17 “(II) may not be given by the
18 abuser or suspected abuser of the
19 minor or individual with a guardian,
20 or the abuser or suspected abuser of
21 the other parent of the minor.

22 “(C) RELEASE.—If release of information
23 described in subparagraph (B) is compelled by
24 statutory or court mandate—

1 “(i) grantees and subgrantees shall
2 make reasonable attempts to provide notice
3 to victims affected by the release of the in-
4 formation; and

5 “(ii) grantees and subgrantees shall
6 take steps necessary to protect the privacy
7 and safety of the persons affected by the
8 release of the information.

9 “(D) INFORMATION SHARING.—Grantees
10 and subgrantees may share—

11 “(i) nonpersonally identifying infor-
12 mation, in the aggregate, regarding serv-
13 ices to their clients and demographic non-
14 personally identifying information in order
15 to comply with Federal, State, or tribal re-
16 porting, evaluation, or data collection re-
17 quirements;

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

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

1 “(E) OVERSIGHT.—Nothing in this para-
2 graph shall prevent the Secretary from dis-
3 closing grant activities authorized in this title to
4 the Committee on Education and Labor of the
5 House of Representatives and the Committee
6 on Health, Education, Labor, and Pensions of
7 the Senate and exercising congressional over-
8 sight authority. In making all such disclosures,
9 the Secretary shall protect the confidentiality of
10 individuals and omit personally identifying in-
11 formation, including location information about
12 individuals and shelters.

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

20 “(G) PREEMPTION.—Nothing in this para-
21 graph shall be construed to supersede any pro-
22 vision of any Federal, State, tribal, or local law
23 that provides greater protection than this para-
24 graph for victims of family violence, domestic
25 violence, or dating violence.

1 “(H) CONFIDENTIALITY OF LOCATION.—

2 The address or location of any shelter facility
3 assisted under this title that otherwise main-
4 tains a confidential location shall, except with
5 written authorization of the person or persons
6 responsible for the operation of such shelter,
7 not be made public.

8 “(6) SUPPLEMENT NOT SUPPLANT.—Federal
9 funds made available to a State or Indian tribe
10 under this title shall be used to supplement and not
11 supplant other Federal, State, tribal, and local pub-
12 lic funds expended to provide services and activities
13 that promote the objectives of this title.

14 “(d) REPORTS AND EVALUATION.—Each grantee
15 shall submit an annual performance report to the Sec-
16 retary at such time as shall be reasonably required by the
17 Secretary. Such performance report shall describe the
18 grantee and subgrantee activities that have been carried
19 out with grant funds made available under subsection (a)
20 or section 309, contain an evaluation of the effectiveness
21 of such activities, and provide such additional information
22 as the Secretary may reasonably require.

23 **“SEC. 307. STATE APPLICATION.**

24 “(a) APPLICATION.—

1 “(1) IN GENERAL.—The chief executive officer
2 of a State seeking funds under section 306(a) or a
3 tribally designated official seeking funds under sec-
4 tion 309(a) shall submit an application to the Sec-
5 retary at such time and in such manner as the Sec-
6 retary may reasonably require.

7 “(2) CONTENTS.—Each such application
8 shall—

9 “(A) provide a description of the proce-
10 dures that have been developed to ensure com-
11 pliance with the provisions of sections 306(c)
12 and 308(d);

13 “(B) provide, with respect to funds de-
14 scribed in paragraph (1), assurances that—

15 “(i) not more than 5 percent of such
16 funds will be used for administrative costs;

17 “(ii) the remaining funds will be dis-
18 tributed to eligible entities as described in
19 section 308(a) for approved activities as
20 described in section 308(b); and

21 “(iii) in the distribution of funds by a
22 State under section 308(a), the State will
23 give special emphasis to the support of
24 community-based projects of demonstrated

1 effectiveness, that are carried out by non-
2 profit private organizations and that—

3 “(I) have as their primary pur-
4 pose the operation of shelters for vic-
5 tims of family violence, domestic vio-
6 lence, and dating violence, and their
7 dependents; or

8 “(II) provide counseling, advo-
9 cacy, and self-help services to victims
10 of family violence, domestic violence,
11 and dating violence, and their depend-
12 ents;

13 “(C) in the case of an application sub-
14 mitted by a State, provide an assurance that
15 there will be an equitable distribution of grants
16 and grant funds within the State and between
17 urban and rural areas within such State;

18 “(D) in the case of an application sub-
19 mitted by a State, provide an assurance that
20 the State will consult with and provide for the
21 participation of the State Domestic Violence
22 Coalition in the planning and monitoring of the
23 distribution of grants to eligible entities as de-
24 scribed in section 308(a) and the administra-
25 tion of the grant programs and projects;

1 “(E) describe how the State or Indian
2 tribe will involve community-based organiza-
3 tions, whose primary purpose is to provide cul-
4 turally appropriate services to underserved pop-
5 ulations, including how such community-based
6 organizations can assist the State or Indian
7 tribe in addressing the unmet needs of such
8 populations;

9 “(F) describe how activities and services
10 provided by the State or Indian tribe are de-
11 signed to reduce family violence, domestic vio-
12 lence, and dating violence, including how funds
13 will be used to provide shelter, supportive serv-
14 ices, and prevention services in accordance with
15 section 308(b);

16 “(G) specify the State agency or tribally
17 designated official to be designated as respon-
18 sible for the administration of programs and ac-
19 tivities relating to family violence, domestic vio-
20 lence, and dating violence, that are carried out
21 by the State or Indian tribe under this title,
22 and for coordination of related programs within
23 the jurisdiction of the State or Indian tribe;

24 “(H) provide an assurance that the State
25 or Indian tribe has a law or procedure that has

1 been implemented for the eviction of an abusing
2 spouse from a shared household; and

3 “(I) meet such requirements as the Sec-
4 retary reasonably determines are necessary to
5 carry out the objectives and provisions of this
6 title.

7 “(b) APPROVAL OF APPLICATION.—

8 “(1) IN GENERAL.—The Secretary shall ap-
9 prove any application that meets the requirements of
10 subsection (a) and section 306. The Secretary shall
11 not disapprove any application under this subsection
12 unless the Secretary gives the applicant reasonable
13 notice of the Secretary’s intention to disapprove and
14 a 6-month period providing an opportunity for cor-
15 rection of any deficiencies.

16 “(2) CORRECTION OF DEFICIENCIES.—The Sec-
17 retary shall give such notice, within 45 days after
18 the date of submission of the application, if any of
19 the provisions of subsection (a) or section 306 have
20 not been satisfied in such application. If the State
21 or Indian tribe does not correct the deficiencies in
22 such application within the 6-month period following
23 the receipt of the Secretary’s notice, the Secretary
24 shall withhold payment of any grant funds under
25 section 306 to such State or under section 309 to

1 such Indian tribe until such date as the State or In-
2 dian tribe provides documentation that the defi-
3 ciencies have been corrected.

4 “(3) STATE OR TRIBAL DOMESTIC VIOLENCE
5 COALITION PARTICIPATION IN DETERMINATIONS OF
6 COMPLIANCE.—State Domestic Violence Coalitions,
7 or comparable coalitions for Indian tribes, shall be
8 permitted to participate in determining whether
9 grantees for corresponding States or Indian tribes
10 are in compliance with subsection (a) and section
11 306(c), except that no funds made available under
12 section 311 shall be used to challenge a determina-
13 tion about whether a grantee is in compliance with,
14 or to seek the enforcement of, the requirements of
15 this title.

16 “(4) FAILURE TO REPORT; NONCONFORMING
17 EXPENDITURES.—The Secretary shall suspend fund-
18 ing for an approved application if the applicant fails
19 to submit an annual performance report under sec-
20 tion 306(d), or if funds are expended for purposes
21 other than those set forth in section 306(b), after
22 following the procedures set forth in paragraphs (1),
23 (2), and (3).

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

2 “(a) SUBGRANTS.—A State that receives a grant
3 under section 306(a) shall use grant funds described in
4 section 306(b)(2) to provide subgrants to eligible entities
5 for programs and projects within such State, that is de-
6 signed to prevent incidents of family violence, domestic vi-
7 olence, and dating violence by providing immediate shelter
8 and supportive services for adult and youth victims of fam-
9 ily violence, domestic violence, or dating violence (and
10 their dependents), and that may provide prevention serv-
11 ices to prevent future incidents of family violence, domes-
12 tic violence, and dating violence.

13 “(b) USE OF FUNDS.—

14 “(1) IN GENERAL.—Funds awarded to eligible
15 entities under subsection (a) shall be used to provide
16 shelter, supportive services, or prevention services to
17 adult and youth victims of family violence, domestic
18 violence, or dating violence, and their dependents,
19 which may include—

20 “(A) provision, on a regular basis, of im-
21 mediate shelter and related supportive services
22 to adult and youth victims of family violence,
23 domestic violence, or dating violence, and their
24 dependents, including paying for the operating
25 and administrative expenses of the facilities for
26 such shelter;

1 “(B) assistance in developing safety plans,
2 and supporting efforts of victims of family vio-
3 lence, domestic violence, or dating violence to
4 make decisions related to their ongoing safety
5 and well-being;

6 “(C) provision of individual and group
7 counseling, peer support groups, and referral to
8 community-based services to assist family vio-
9 lence, domestic violence, and dating violence vic-
10 tims, and their dependents, in recovering from
11 the effects of the violence;

12 “(D) provision of services, training, tech-
13 nical assistance, and outreach to increase
14 awareness of family violence, domestic violence,
15 and dating violence and increase the accessi-
16 bility of family violence, domestic violence, and
17 dating violence services;

18 “(E) provision of culturally and linguis-
19 tically appropriate services;

20 “(F) provision of services for children ex-
21 posed to family violence, domestic violence, or
22 dating violence, including age-appropriate coun-
23 seling, supportive services, and services for the
24 nonabusing parent that support that parent’s
25 role as a caregiver, which may, as appropriate,

1 include services that work with the nonabusing
2 parent and child together;

3 “(G) provision of advocacy, case manage-
4 ment services, and information and referral
5 services, concerning issues related to family vio-
6 lence, domestic violence, or dating violence
7 intervention and prevention, including—

8 “(i) assistance in accessing related
9 Federal and State financial assistance pro-
10 grams;

11 “(ii) legal advocacy to assist victims
12 and their dependents;

13 “(iii) medical advocacy, including pro-
14 vision of referrals for appropriate health
15 care services (including mental health, al-
16 cohol, and drug abuse treatment), but
17 which shall not include reimbursement for
18 any health care services;

19 “(iv) assistance locating and securing
20 safe and affordable permanent housing and
21 homelessness prevention services;

22 “(v) provision of transportation, child
23 care, respite care, job training and employ-
24 ment services, financial literacy services

1 and education, financial planning, and re-
2 lated economic empowerment services; and
3 “(vi) parenting and other educational
4 services for victims and their dependents;
5 and

6 “(H) prevention services, including out-
7 reach to underserved populations.

8 “(2) SHELTER AND SUPPORTIVE SERVICES.—

9 Not less than 70 percent of the funds distributed by
10 a State under subsection (a) shall be distributed to
11 entities for the primary purpose of providing imme-
12 diate shelter and supportive services to adult and
13 youth victims of family violence, domestic violence,
14 or dating violence, and their dependents, as de-
15 scribed in paragraph (1)(A). Not less than 25 per-
16 cent of the funds distributed by a State under sub-
17 section (a) shall be distributed to entities for the
18 purpose of providing supportive services and preven-
19 tion services as described in subparagraphs (B)
20 through (H) of paragraph (1).

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

24 “(1) a local public agency, or a nonprofit pri-
25 vate organization (including faith-based and chari-

1 table organizations, community-based organizations,
2 tribal organizations, and voluntary associations),
3 that assists victims of family violence, domestic vio-
4 lence, or dating violence, and their dependents, and
5 has a documented history of effective work con-
6 cerning family violence, domestic violence, or dating
7 violence; or

8 “(2) a partnership of 2 or more agencies or or-
9 ganizations that includes—

10 “(A) an agency or organization described
11 in paragraph (1); and

12 “(B) an agency or organization that has a
13 demonstrated history of serving populations in
14 their communities, including providing cul-
15 turally appropriate services.

16 “(d) CONDITIONS.—

17 “(1) DIRECT PAYMENTS TO VICTIMS OR DE-
18 PENDANTS.—No funds provided under this title may
19 be used as direct payment to any victim of family vi-
20 olence, domestic violence, or dating violence, or to
21 any dependent of such victim.

22 “(2) VOLUNTARILY ACCEPTED SERVICES.—Re-
23 ceipt of supportive services under this title shall be
24 voluntary. No condition may be applied for the re-

1 ceipt of emergency shelter as described in subsection
2 (b)(1)(A).

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

4 “(a) GRANTS AUTHORIZED.—The Secretary, in con-
5 sultation with tribal governments pursuant to Executive
6 Order 13175 (25 U.S.C. 450 note) and in accordance with
7 section 903 of the Violence Against Women and Depart-
8 ment of Justice Reauthorization Act of 2005 (42 U.S.C.
9 14045d), shall continue to award grants for Indian tribes
10 from amounts appropriated under section 303(a)(2)(B) to
11 carry out this section.

12 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
13 a grant under this section, an entity shall be an Indian
14 tribe, or a tribal organization or nonprofit private organi-
15 zation authorized by an Indian tribe. An Indian tribe shall
16 have the option to authorize a tribal organization or a non-
17 profit private organization to submit an application and
18 administer the grant funds awarded under this section.

19 “(c) CONDITIONS.—Each recipient of such a grant
20 shall comply with requirements that are consistent with
21 the requirements applicable to grantees under section 306.

22 “(d) GRANTEE APPLICATION.—To be eligible to re-
23 ceive a grant under this section, an entity shall submit
24 an application to the Secretary under section 307 at such
25 time, in such manner, and containing such information as

1 the Secretary determines to be essential to carry out the
 2 objectives and provisions of this title. The Secretary shall
 3 approve any application that meets requirements con-
 4 sistent with the requirements of section 306(c) and section
 5 307(a).

6 “(e) USE OF FUNDS.—An amount provided under a
 7 grant to an eligible entity shall be used for the services
 8 described in section 308(b).

9 **“SEC. 310. NATIONAL RESOURCE CENTERS AND TRAINING**
 10 **AND TECHNICAL ASSISTANCE CENTERS.**

11 “(a) PURPOSE AND GRANTS AUTHORIZED.—

12 “(1) PURPOSE.—The purpose of this section is
 13 to provide resource information, training, and tech-
 14 nical assistance relating to the objectives of this title
 15 to improve the capacity of individuals, organizations,
 16 governmental entities, and communities to prevent
 17 family violence, domestic violence, and dating vio-
 18 lence and to provide effective intervention services.

19 “(2) GRANTS AUTHORIZED.—From the
 20 amounts appropriated under this title and reserved
 21 under section 303(a)(2)(C), the Secretary—

22 “(A) shall award grants to eligible entities
 23 for the establishment and maintenance of—

24 “(i) 2 national resource centers (as
 25 provided for in subsection (b)(1)); and

“(ii) at least 7 special issue resource centers addressing key areas of domestic violence, and intervention and prevention (as provided for in subsection (b)(2)); and
“(B) may award grants, to—

“(i) State resource centers to reduce disparities in domestic violence in States with high proportions of Indian (including Alaska Native) or Native Hawaiian populations (as provided for in subsection (b)(3)); and

“(ii) support training and technical assistance that address emerging issues related to family violence, domestic violence, or dating violence, to entities demonstrating related expertise.

“(b) DOMESTIC VIOLENCE RESOURCE CENTERS.—

“(1) NATIONAL RESOURCE CENTERS.—In accordance with subsection (a)(2), the Secretary shall award grants to eligible entities for—

“(A) a National Resource Center on Domestic Violence, which shall—

“(i) offer a comprehensive array of technical assistance and training resources to Federal, State, and local governmental

1 agencies, domestic violence service pro-
2 viders, community-based organizations,
3 and other professionals and interested par-
4 ties, related to domestic violence service
5 programs and research, including pro-
6 grams and research related to victims and
7 their children who are exposed to domestic
8 violence; and

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

13 “(I) the incidence and prevention
14 of family violence and domestic vio-
15 lence; and

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

22 “(B) a National Indian Resource Center
23 Addressing Domestic Violence and Safety for
24 Indian Women, which shall—

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

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

20 “(iii) coordinate activities with other
21 Federal agencies, offices, and grantees that
22 address the needs of Indians (including
23 Alaska Natives), and Native Hawaiians
24 that experience domestic violence, includ-
25 ing the Office of Justice Services at the

1 Bureau of Indian Affairs, the Indian
2 Health Service of the Department of
3 Health and Human Services, and the Of-
4 fice on Violence Against Women of the De-
5 partment of Justice.

6 “(2) SPECIAL ISSUE RESOURCE CENTERS.—In
7 accordance with subsection (a)(2)(A)(ii), the Sec-
8 retary shall award grants to eligible entities for spe-
9 cial issue resource centers, which shall be national in
10 scope and shall provide information, training, and
11 technical assistance to State and local domestic vio-
12 lence service providers. Each special issue resource
13 center shall focus on enhancing domestic violence
14 intervention and prevention efforts in at least one of
15 the following areas:

16 “(A) The response of the criminal and civil
17 justice systems to domestic violence victims,
18 which may include the response to the use of
19 the self-defense plea by domestic violence vic-
20 tims and the issuance and use of protective or-
21 ders.

22 “(B) The response of child protective serv-
23 ice agencies to victims of domestic violence and
24 their dependents and child custody issues in do-
25 mestic violence cases.

1 “(C) The response of the interdisciplinary
2 health care system to victims of domestic vio-
3 lence and access to health care resources for
4 victims of domestic violence.

5 “(D) The response of mental health sys-
6 tems, domestic violence service programs, and
7 other related systems and programs to victims
8 of domestic violence and to their children who
9 are exposed to domestic violence.

10 “(E) In the case of 3 specific resource cen-
11 ters, enhancing domestic violence intervention
12 and prevention efforts for victims of domestic
13 violence who are members of racial and ethnic
14 minority groups, to enhance the cultural and
15 linguistic relevancy of service delivery, resource
16 utilization, policy, research, technical assistance,
17 community education, and prevention initia-
18 tives.

19 “(3) STATE RESOURCE CENTERS TO REDUCE
20 TRIBAL DISPARITIES.—

21 “(A) IN GENERAL.—In accordance with
22 subsection (a)(2), the Secretary may award
23 grants to eligible entities for State resource cen-
24 ters, which shall provide statewide information,
25 training, and technical assistance to Indian

1 tribes, tribal organizations, and local domestic
2 violence service organizations serving Indians
3 (including Alaska Natives) or Native Hawai-
4 ians, in a culturally sensitive and relevant man-
5 ner.

6 “(B) REQUIREMENTS.—An eligible entity
7 shall use a grant provided under this para-
8 graph—

9 “(i) to offer a comprehensive array of
10 technical assistance and training resources
11 to Indian tribes, tribal organizations, and
12 providers of services to Indians (including
13 Alaska Natives) or Native Hawaiians, spe-
14 cifically designed to enhance the capacity
15 of the tribes, organizations, and providers
16 to respond to domestic violence, including
17 offering the resources in States in which
18 the population of Indians (including Alaska
19 Natives) or Native Hawaiians exceeds 2.5
20 percent of the total population of the
21 State;

22 “(ii) to coordinate all projects and ac-
23 tivities with the national resource center
24 described in paragraph (1)(B), including
25 projects and activities that involve working

1 with nontribal State and local governments
 2 to enhance their capacity to understand
 3 the unique needs of Indians (including
 4 Alaska Natives) and Native Hawaiians;
 5 and

6 “(iii) to provide comprehensive com-
 7 munity education and domestic violence
 8 prevention initiatives in a culturally sen-
 9 sitive and relevant manner.

10 “(c) ELIGIBILITY.—

11 “(1) IN GENERAL.—To be eligible to receive a
 12 grant under subsection (b)(1)(A) or subparagraph
 13 (A), (B), (C), or (D) of subsection (b)(2), an entity
 14 shall be a nonprofit private organization that focuses
 15 primarily on domestic violence and that—

16 “(A) provides documentation to the Sec-
 17 retary demonstrating experience working di-
 18 rectly on issues of domestic violence, and (in
 19 the case of an entity seeking a grant under sub-
 20 section (b)(2)) demonstrating experience work-
 21 ing directly in the corresponding specific special
 22 issue area described in subsection (b)(2);

23 “(B) includes on the entity’s advisory
 24 board representatives who are from domestic vi-

1 olence service programs and who are geographi-
2 cally and culturally diverse; and

3 “(C) demonstrates the strong support of
4 domestic violence service programs from across
5 the Nation for the entity’s designation as a na-
6 tional resource center or a special issue re-
7 source center, as appropriate.

8 “(2) NATIONAL INDIAN RESOURCE CENTER.—

9 To be eligible to receive a grant under subsection
10 (b)(1)(B), an entity shall be a tribal organization or
11 a nonprofit private organization that focuses pri-
12 marily on issues of domestic violence within Indian
13 tribes and that submits documentation to the Sec-
14 retary demonstrating—

15 “(A) experience working with Indian tribes
16 and tribal organizations to respond to domestic
17 violence and the findings of section 901 of the
18 Violence Against Women and Department of
19 Justice Reauthorization Act of 2005 (42 U.S.C.
20 3796gg–10 note);

21 “(B) experience providing Indian tribes
22 and tribal organizations with assistance in de-
23 veloping tribally-based prevention and interven-
24 tion services addressing domestic violence and
25 safety for Indian women consistent with the

purposes of section 902 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note);

“(C) strong support for the entity’s designation as the National Indian Resource Center Addressing Domestic Violence and Safety for Indian Women from advocates working within Indian tribes to address domestic violence and the safety of Indian women;

“(D) a record of demonstrated effectiveness in assisting Indian tribes and tribal organizations with prevention and intervention services addressing domestic violence; and

“(E) the capacity to serve Indian tribes (including Alaska Native villages and regional and village corporations) across the United States.

“(3) SPECIAL ISSUE RESOURCE CENTERS CONCERNED WITH RACIAL AND ETHNIC MINORITY GROUPS.—To be eligible to receive a grant under subsection (b)(2)(E), an entity shall be an entity that—

“(A) is a nonprofit private organization that focuses primarily on issues of domestic vio-

1 lence in a racial or ethnic community, or is a
 2 public or private nonprofit educational institu-
 3 tion that has a domestic violence institute, cen-
 4 ter, or program related to culturally specific
 5 issues in domestic violence; and

6 “(B)(i) has documented experience in the
 7 areas of domestic violence prevention and serv-
 8 ices, and experience relevant to the specific ra-
 9 cial or ethnic population to which information,
 10 training, technical assistance, and outreach
 11 would be provided under the grant;

12 “(ii) demonstrates the strong support, of
 13 advocates from across the Nation who are
 14 working to address domestic violence; and

15 “(iii) has a record of demonstrated effec-
 16 tiveness in enhancing the cultural and linguistic
 17 relevancy of service delivery.

18 “(4) STATE RESOURCE CENTERS TO REDUCE
 19 TRIBAL DISPARITIES.—To be eligible to receive a
 20 grant under subsection (b)(3), an entity shall—

21 “(A)(i) be located in a State in which the
 22 population of Indians (including Alaska Na-
 23 tives) or Native Hawaiians exceeds 10 percent
 24 of the total population of the State; or

“(d) **REPORTS AND EVALUATION.**—Each entity receiving a grant under this section shall submit a performance report to the Secretary annually and in such manner as shall be reasonably required by the Secretary. Such performance report shall describe the activities that have been carried out with such grant funds, contain an evaluation of the effectiveness of the activities, and provide such additional information as the Secretary may reasonably require.

21 “(a) GRANTS.—The Secretary shall award grants for
22 the funding of State Domestic Violence Coalitions.

24 “(1) IN GENERAL.—From the amount appro-
25 priated under section 303(a)(2)(D) for each fiscal

1 year, the Secretary shall allot to each of the 50
2 States, the District of Columbia, the Commonwealth
3 of Puerto Rico, and each of the covered territories
4 an amount equal to $\frac{1}{56}$ of the amount so appro-
5 priated for such fiscal year.

6 “(2) DEFINITION.—For purposes of this sub-
7 section, the term ‘covered territories’ means Guam,
8 American Samoa, the United States Virgin Islands,
9 and the Commonwealth of the Northern Mariana Is-
10 lands.

11 “(c) APPLICATION.—Each State Domestic Violence
12 Coalition desiring a grant under this section shall submit
13 an application to the Secretary at such time, in such man-
14 ner, and containing such information as the Secretary de-
15 termines to be essential to carry out the objectives of this
16 section. The application submitted by the coalition for the
17 grant shall provide documentation of the coalition’s work,
18 satisfactory to the Secretary, demonstrating that the coali-
19 tion—

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

22 “(2) demonstrates the ability to conduct appro-
23 priately all activities described in this section, as in-
24 dicated by—

1 “(A) documented experience in admin-
2 istering Federal grants to conduct the activities
3 described in subsection (d); or

4 “(B) a documented history of active par-
5 ticipation in the activities described in para-
6 graphs (1), (3), (4), and (5) of subsection (d)
7 and a demonstrated capacity to conduct the ac-
8 tivities described in subsection (d)(2).

9 “(d) USE OF FUNDS.—A coalition that receives a
10 grant under this section shall use the grant funds for ad-
11 ministration and operations to further the purposes of
12 family violence, domestic violence, and dating violence
13 intervention and prevention, through activities that shall
14 include—

15 “(1) working with local family violence, domes-
16 tic violence, and dating violence service programs
17 and providers of direct services to encourage appro-
18 priate and comprehensive responses to family vio-
19 lence, domestic violence, and dating violence against
20 adults or youth within the State involved, including
21 providing training and technical assistance and con-
22 ducting State needs assessments;

23 “(2) participating in planning and monitoring
24 the distribution of subgrants and subgrant funds
25 within the State under section 308(a);

1 “(3) working in collaboration with service pro-
2 viders and community-based organizations to ad-
3 dress the needs of family violence, domestic violence,
4 and dating violence victims, and their dependents,
5 who are members of racial and ethnic minority pop-
6 ulations and underserved populations;

7 “(4) collaborating with and providing informa-
8 tion to entities in such fields as housing, health care,
9 mental health, social welfare, or business to support
10 the development and implementation of effective
11 policies, protocols, and programs that address the
12 safety and support needs of adult and youth victims
13 of family violence, domestic violence, or dating vio-
14 lence;

15 “(5) encouraging appropriate responses to cases
16 of family violence, domestic violence, or dating vio-
17 lence against adults or youth, including by working
18 with judicial and law enforcement agencies;

19 “(6) working with family law judges, criminal
20 court judges, child protective service agencies, and
21 children’s advocates to develop appropriate responses
22 to child custody and visitation issues in cases of
23 child exposure to family violence, domestic violence,
24 or dating violence and in cases in which—

1 “(A) family violence, domestic violence, or
2 dating violence is present; and

3 “(B) child abuse is present;

4 “(7) providing information to the public about
5 prevention of family violence, domestic violence, and
6 dating violence, including information targeted to
7 underserved populations; and

8 “(8) collaborating with Indian tribes and tribal
9 organizations (and corresponding Native Hawaiian
10 groups or communities) to address the needs of In-
11 dian (including Alaska Native) and Native Hawaiian
12 victims of family violence, domestic violence, or dat-
13 ing violence, as applicable in the State.

14 “(e) LIMITATION ON USE OF FUNDS.—A coalition
15 that receives a grant under this section shall not be re-
16 quired to use funds received under this title for the pur-
17 poses described in paragraph (5) or (6) of subsection (d)
18 if the coalition provides an annual assurance to the Sec-
19 retary that the coalition is—

20 “(1) using funds received under section
21 2001(c)(1) of the Omnibus Crime Control and Safe
22 Streets Act of 1968 (42 U.S.C. 3796gg(c)(1)) for
23 such purposes; and

24 “(2) coordinating the activities carried out by
25 the coalition under subsection (d) with the State’s

1 activities under part T of title I of the Omnibus
2 Crime Control and Safe Streets Act of 1968 (42
3 U.S.C. 3796gg et seq.) that address those purposes.

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

14 “(1) when formally requested to do so by a leg-
15 islative body, a committee, or a member of the body
16 or committee; or

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

19 “(g) REPORTS AND EVALUATION.—Each entity re-
20 ceiving a grant under this section shall submit a perform-
21 ance report to the Secretary at such time as shall be rea-
22 sonably required by the Secretary. Such performance re-
23 port shall describe the activities that have been carried out
24 with such grant funds, contain an evaluation of the effec-

1 tiveness of such activities, and provide such additional in-
2 formation as the Secretary may reasonably require.

3 “(h) INDIAN REPRESENTATIVES.—For purposes of
4 this section, a State Domestic Violence Coalition may in-
5 clude representatives of Indian tribes and tribal organiza-
6 tions.

7 **“SEC. 312. SPECIALIZED SERVICES FOR ABUSED PARENTS**
8 **AND THEIR CHILDREN.**

9 “(a) IN GENERAL.—

10 “(1) PROGRAM.—The Secretary shall establish
11 a grant program to expand the capacity of family vi-
12 olence, domestic violence, and dating violence service
13 programs and community-based programs to prevent
14 future domestic violence by addressing, in an appro-
15 priate manner, the needs of children exposed to fam-
16 ily violence, domestic violence, or dating violence.

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

1 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
 2 a grant under this section, an entity shall be a local agen-
 3 cy, a nonprofit private organization (including faith-based
 4 and charitable organizations, community-based organiza-
 5 tions, and voluntary associations), or a tribal organization,
 6 with a demonstrated record of serving victims of family
 7 violence, domestic violence, or dating violence and their
 8 children.

9 “(c) APPLICATION.—An entity seeking a grant under
 10 this section shall submit an application to the Secretary
 11 at such time, in such manner, and containing such infor-
 12 mation as the Secretary may reasonably require, includ-
 13 ing—

14 “(1) a description of how the entity will
 15 prioritize the safety of, and confidentiality of infor-
 16 mation about—

17 “(A) victims of family violence, victims of
 18 domestic violence, and victims of dating vio-
 19 lence; and

20 “(B) children of victims described in sub-
 21 paragraph (A);

22 “(2) a description of how the entity will provide
 23 developmentally appropriate and age-appropriate
 24 services, and culturally and linguistically appropriate
 25 services, to the victims and children; and

1 “(3) a description of how the entity will ensure
2 that professionals working with the children receive
3 the training and technical assistance appropriate
4 and relevant to the unique needs of children exposed
5 to family violence, domestic violence, or dating vio-
6 lence.

7 “(d) USE OF FUNDS.—An entity that receives a
8 grant under this section for a family violence, domestic
9 violence, and dating violence service or community-based
10 program described in subsection (a)—

11 “(1) shall use the funds made available through
12 the grant—

13 “(A) to provide direct counseling, appro-
14 priate services consistent with subsection (c)(2),
15 or advocacy on behalf of victims of family vio-
16 lence, domestic violence, or dating violence and
17 their children, including coordinating services
18 with services provided by the child welfare sys-
19 tem;

20 “(B) to provide services for nonabusing
21 parents to support those parents’ roles as care-
22 givers and their roles in responding to the so-
23 cial, emotional, and developmental needs of
24 their children; and

1 “(C) where appropriate, to provide the
2 services described in this subsection while work-
3 ing with such a nonabusing parent and child to-
4 gether; and

5 “(2) may use the funds made available through
6 the grant—

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

9 “(B) to coordinate activities with and pro-
10 vide technical assistance to community-based
11 organizations serving victims of family violence,
12 domestic violence, or dating violence or children
13 exposed to family violence, domestic violence, or
14 dating violence; and

15 “(C) to provide additional services and re-
16 ferrals to services for children, including child
17 care, transportation, educational support, res-
18 pite care, supervised visitation, or other nec-
19 essary services.

20 “(e) REPORTS AND EVALUATION.—Each entity re-
21 ceiving a grant under this section shall submit a perform-
22 ance report to the Secretary at such time as shall be rea-
23 sonably required by the Secretary. Such performance re-
24 port shall describe the activities that have been carried out
25 with such grant funds, contain an evaluation of the effec-

1 tiveness of such activities, and provide such additional in-
2 formation as the Secretary may reasonably require.

3 **“SEC. 313. NATIONAL DOMESTIC VIOLENCE HOTLINE**
4 **GRANT.**

5 “(a) IN GENERAL.—The Secretary shall award a
6 grant to a nonprofit private entity to provide for the ongoing
7 operation of a 24-hour, national, toll-free telephone
8 hotline to provide information and assistance to adult and
9 youth victims of family violence, domestic violence, or dating
10 violence, family and household members of such victims,
11 and persons affected by the victimization. The Secretary
12 shall give priority to applicants with experience in
13 operating a hotline that provides assistance to adult and
14 youth victims of family violence, domestic violence, or dating
15 violence.

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

18 “(c) CONDITIONS ON PAYMENT.—The provision of
19 payments under a grant awarded under this section shall
20 be subject to annual approval by the Secretary and subject
21 to the availability of appropriations for each fiscal year
22 to make the payments.

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

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

4 “(2) include a complete description of the appli-
5 cant’s plan for the operation of a national domestic
6 violence hotline, including descriptions of—

7 “(A) the training program for hotline per-
8 sonnel, including technology training to ensure
9 that all persons affiliated with the hotline are
10 able to effectively operate any technological sys-
11 tems used by the hotline;

12 “(B) the hiring criteria and qualifications
13 for hotline personnel;

14 “(C) the methods for the creation, mainte-
15 nance, and updating of a resource database;

16 “(D) a plan for publicizing the availability
17 of the hotline;

18 “(E) a plan for providing service to non-
19 English speaking callers, including service
20 through hotline personnel who have non-English
21 language capability;

22 “(F) a plan for facilitating access to the
23 hotline by persons with hearing impairments;
24 and

1 “(G) a plan for providing assistance and
2 referrals to youth victims of domestic violence
3 and for victims of dating violence who are mi-
4 nors, which may be carried out through a na-
5 tional teen dating violence hotline;

6 “(3) demonstrate that the applicant has recog-
7 nized expertise in the area of family violence, domes-
8 tic violence, or dating violence and a record of high
9 quality service to victims of family violence, domestic
10 violence, or dating violence, including a demonstra-
11 tion of support from advocacy groups and State Do-
12 mestic Violence Coalitions;

13 “(4) demonstrate that the applicant has the ca-
14 pacity and the expertise to maintain a domestic vio-
15 lence hotline and a comprehensive database of serv-
16 ice providers;

17 “(5) demonstrate the ability to provide informa-
18 tion and referrals for callers, directly connect callers
19 to service providers, and employ crisis interventions
20 meeting the standards of family violence, domestic
21 violence, and dating violence providers;

22 “(6) demonstrate that the applicant has a com-
23 mitment to diversity and to the provision of services
24 to underserved populations, including to ethnic, ra-
25 cial, and non-English speaking minorities, in addi-

1 tion to older individuals and individuals with disabil-
2 ities;

3 “(7) demonstrate that the applicant complies
4 with nondisclosure requirements as described in sec-
5 tion 306(c)(5) and follows comprehensive quality as-
6 surance practices; and

7 “(8) contain such other information as the Sec-
8 retary may require.

9 “(e) HOTLINE ACTIVITIES.—

10 “(1) IN GENERAL.—An entity that receives a
11 grant under this section for activities described, in
12 whole or in part, in subsection (a) shall use funds
13 made available through the grant to establish and
14 operate a 24-hour, national, toll-free telephone hot-
15 line to provide information and assistance to adult
16 and youth victims of family violence, domestic vio-
17 lence, or dating violence, and other individuals de-
18 scribed in subsection (a).

19 “(2) ACTIVITIES.—In establishing and oper-
20 ating the hotline, the entity—

21 “(A) shall contract with a carrier for the
22 use of a toll-free telephone line;

23 “(B) shall employ, train (including pro-
24 viding technology training), and supervise per-
25 sonnel to answer incoming calls, provide coun-

1 selling and referral services for callers on a 24-
2 hour-a-day basis, and directly connect callers to
3 service providers;

4 “(C) shall assemble and maintain a data-
5 base of information relating to services for
6 adult and youth victims of family violence, do-
7 mestic violence, or dating violence to which call-
8 ers may be referred throughout the United
9 States, including information on the availability
10 of shelters and supportive services for victims of
11 family violence, domestic violence, or dating vio-
12 lence;

13 “(D) shall widely publicize the hotline
14 throughout the United States, including to po-
15 tential users;

16 “(E) shall provide assistance and referrals
17 to meet the needs of underserved populations
18 and individuals with disabilities;

19 “(F) shall provide assistance and referrals
20 for youth victims of domestic violence and for
21 victims of dating violence who are minors,
22 which may be carried out through a national
23 teen dating violence hotline;

24 “(G) may provide appropriate assistance
25 and referrals for family and household members

1 of victims of family violence, domestic violence,
2 or dating violence, and persons affected by the
3 victimization described in subsection (a); and

4 “(H) at the discretion of the hotline oper-
5 ator, may provide assistance, or referrals for
6 counseling or intervention, for identified adult
7 and youth perpetrators, including self-identified
8 perpetrators, of family violence, domestic vio-
9 lence, or dating violence, but shall not be re-
10 quired to provide such assistance or referrals in
11 any circumstance in which the hotline operator
12 fears the safety of a victim may be impacted by
13 an abuser or suspected abuser.

14 “(f) REPORTS AND EVALUATION.—The entity receiv-
15 ing a grant under this section shall submit a performance
16 report to the Secretary at such time as shall be reasonably
17 required by the Secretary. Such performance report shall
18 describe the activities that have been carried out with such
19 grant funds, contain an evaluation of the effectiveness of
20 such activities, and provide such additional information as
21 the Secretary may reasonably require.

1 **“SEC. 314. DOMESTIC VIOLENCE PREVENTION ENHANCE-**
2 **MENT AND LEADERSHIP THROUGH ALLI-**
3 **ANCES (DELTA).**

4 “(a) IN GENERAL.—The Secretary shall enter into
5 cooperative agreements with State Domestic Violence Coa-
6 litions for the purposes of establishing, operating, and
7 maintaining local community projects to prevent family vi-
8 olence, domestic violence, and dating violence, including
9 violence committed by and against youth, using a coordi-
10 nated community response model and through prevention
11 and education programs.

12 “(b) TERM.—The Secretary shall enter into a cooper-
13 ative agreement under this section for a period of not more
14 than 5 fiscal years.

15 “(c) CONDITIONS ON PAYMENT.—The provision of
16 payments under a cooperative agreement under this sec-
17 tion shall be subject to—

18 “(1) annual approval by the Secretary; and

19 “(2) the availability of appropriations for each
20 fiscal year to make the payments.

21 “(d) ELIGIBILITY.—To be eligible to enter into a co-
22 operative agreement under this section, an organization
23 shall—

24 “(1) be a State Domestic Violence Coalition;
25 and

1 “(2) include representatives of pertinent sectors
2 of the local community, which may include—

3 “(A) health care providers and State or
4 local health departments;

5 “(B) the education community;

6 “(C) the faith-based community;

7 “(D) the criminal justice system;

8 “(E) family violence, domestic violence,
9 and dating violence service program advocates;

10 “(F) human service entities such as State
11 child services divisions;

12 “(G) business and civic leaders; and

13 “(H) other pertinent sectors.

14 “(e) APPLICATIONS.—An organization that desires to
15 enter into a cooperative agreement under this section shall
16 submit to the Secretary an application, in such form and
17 in such manner as the Secretary shall require, that—

18 “(1) demonstrates the capacity of the applicant,
19 who may enter into a partnership with a local family
20 violence, domestic violence, or dating violence service
21 provider or community-based organization, to under-
22 take the project involved;

23 “(2) demonstrates that the project will include
24 a coordinated community response to improve and
25 expand prevention strategies through increased com-

1 munication and coordination among all affected sec-
2 tors of the local community;

3 “(3) includes a complete description of the ap-
4 plicant’s plan for the establishment and implementa-
5 tion of the coordinated community response, includ-
6 ing a description of—

7 “(A) the method to be used for identifica-
8 tion and selection of an administrative com-
9 mittee made up of persons knowledgeable about
10 comprehensive family violence, domestic vio-
11 lence, and dating violence prevention planning
12 to oversee the project, hire staff, assure compli-
13 ance with the project outline, and secure annual
14 evaluation of the project;

15 “(B) the method to be used for identifica-
16 tion and selection of project staff and a project
17 evaluator;

18 “(C) the method to be used for identifica-
19 tion and selection of a project council consisting
20 of representatives of the community sectors list-
21 ed in subsection (d)(2); and

22 “(D) the method to be used for identifica-
23 tion and selection of a steering committee con-
24 sisting of representatives of the various commu-
25 nity sectors who will chair subcommittees of the

1 project council, each of which will focus on 1 of
2 the sectors;

3 “(4) demonstrates that the applicant has expe-
4 rience in providing, or the capacity to provide, pre-
5 vention-focused training and technical assistance;

6 “(5) demonstrates that the applicant has the
7 capacity to carry out collaborative community initia-
8 tives to prevent family violence, domestic violence,
9 and dating violence; and

10 “(6) contains such other information, agree-
11 ments, and assurances as the Secretary may require.

12 “(f) GEOGRAPHICAL DISPERSION.—The Secretary
13 shall enter into cooperative agreements under this section
14 with organizations in States geographically dispersed
15 throughout the Nation.

16 “(g) USE OF FUNDS.—

17 “(1) IN GENERAL.—An organization that enters
18 into a cooperative agreement under subsection (a)
19 shall use the funds made available through the
20 agreement to establish, operate, and maintain com-
21 prehensive family violence, domestic violence, and
22 dating violence prevention programming.

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

1 “(A) provide technical assistance;

2 “(B) monitor the performance of organiza-
3 tions carrying out activities under the coopera-
4 tive agreements; and

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

7 “(3) REQUIREMENTS.—In establishing and op-
8 erating a project under this section, an eligible orga-
9 nization shall—

10 “(A) establish protocols to improve and ex-
11 pand family violence, domestic violence, and
12 dating violence prevention and intervention
13 strategies within affected community sectors de-
14 scribed in subsection (d)(2);

15 “(B) develop comprehensive prevention
16 plans to coordinate prevention efforts with
17 other community sectors;

18 “(C) provide for periodic evaluation of the
19 project, and analysis to assist in replication of
20 the prevention strategies used in the project in
21 other communities, and submit a report under
22 subsection (h) that contains the evaluation and
23 analysis;

24 “(D) develop, replicate, or conduct com-
25 prehensive, evidence-informed primary preven-

tion programs that reduce risk factors and promote protective factors that reduce the likelihood of family violence, domestic violence, and dating violence, which may include—

“(i) educational workshops and seminars;

“(ii) training programs for professionals;

“(iii) the preparation of informational material;

“(iv) developmentally appropriate education programs;

“(v) other efforts to increase awareness of the facts about, or to help prevent, family violence, domestic violence, and dating violence; and

“(vi) the dissemination of information about the results of programs conducted under this subparagraph;

“(E) utilize evidence-informed prevention program planning; and

“(F) recognize, in applicable cases, the needs of underserved populations, racial and linguistic populations, and individuals with disabilities.

1 “(h) REPORTS AND EVALUATION.—Each organiza-
 2 tion entering into a cooperative agreement under this sec-
 3 tion shall submit a performance report to the Secretary
 4 at such time as shall be reasonably required by the Sec-
 5 retary. Such performance report shall describe activities
 6 that have been carried out with the funds made available
 7 through the agreement, contain an evaluation of the effec-
 8 tiveness of such activities, and provide such additional in-
 9 formation as the Secretary may reasonably require. The
 10 Secretary shall make the evaluations received under this
 11 subsection publicly available on the Department of Health
 12 and Human Services website. The reports shall also be
 13 submitted to the Committee on Education and Labor of
 14 the House of Representatives and the Committee on
 15 Health, Education, Labor, and Pensions of the Senate.”.

16 **SEC. 202. AMENDMENTS TO OTHER LAWS.**

17 (a) TITLE 11, UNITED STATES CODE.—Section
 18 707(b)(2)(A)(ii)(I) of title 11, United States Code, is
 19 amended in the 4th sentence by striking “section 309 of
 20 the Family Violence Prevention and Services Act” and in-
 21 serting “section 302 of the Family Violence Prevention
 22 and Services Act”.

23 (b) INDIVIDUALS WITH DISABILITIES EDUCATION
 24 ACT.—Section 635(c)(2)(G) of the Individuals with Dis-
 25 abilities Education Act (20 U.S.C. 1435(c)(2)(G)) is

1 amended by striking “section 320 of the Family Violence
 2 Prevention and Services Act” and inserting “section 302
 3 of the Family Violence Prevention and Services Act”.

4 (c) OMNIBUS CRIME CONTROL AND SAFE STREETS
 5 ACT OF 1968.—Section 2001(c)(2)(A) of the Omnibus
 6 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
 7 3796gg(c)(2)(A)) is amended by striking “through the
 8 Family Violence Prevention and Services Act (42 U.S.C.
 9 10410 et seq.)” and inserting “under section 311 of the
 10 Family Violence Prevention and Services Act”.

11 (d) VIOLENCE AGAINST WOMEN ACT OF 1994.—Sec-
 12 tion 40002(a)(26) of the Violence Against Women Act of
 13 1994 (42 U.S.C. 13925(a)(26)) is amended by striking
 14 “under the Family Violence Prevention and Services Act
 15 (42 U.S.C. 10410(b))” and inserting “under sections 302
 16 and 311 of the Family Violence Prevention and Services
 17 Act”.

18 (e) VIOLENT CRIME CONTROL AND LAW ENFORCE-
 19 MENT ACT OF 1994.—The portion of section 310004(d)
 20 of the Violent Crime Control and Law Enforcement Act
 21 of 1994 (42 U.S.C. 14214(d)) that pertains to the defini-
 22 tion of the term “prevention program” is amended—

23 (1) in paragraph (20), by striking “section
 24 40211” and inserting “section 313 of the Family Vi-

1 olence Prevention and Services Act (relating to a
2 hotline)”;

3 (2) in paragraph (22), by striking “section
4 40241” and inserting “sections 301 through 312 of
5 the Family Violence Prevention and Services Act”;
6 and

7 (3) in paragraph (24), by striking “section
8 40261” and inserting “section 314 of the Family Vi-
9 olence Prevention and Services Act (relating to com-
10 munity projects to prevent family violence, domestic
11 violence, and dating violence)”.

12 **TITLE III—CHILD ABUSE PRE-**
13 **VENTION AND TREATMENT**
14 **AND ADOPTION REFORM ACT**
15 **OF 1978**

16 **SEC. 301. CHILD ABUSE PREVENTION AND TREATMENT**
17 **AND ADOPTION REFORM.**

18 (a) FINDINGS.—Section 201 of the Child Abuse Pre-
19 vention and Treatment and Adoption Reform Act of 1978
20 (42 U.S.C. 5111) is amended—

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

23 “(a) FINDINGS.—Congress finds that—

1 “(1) on the last day of fiscal year 2009, some
2 424,000 children were living in temporary foster
3 family homes or other foster care settings;

4 “(2) most children in foster care are victims of
5 child abuse or neglect by their biological parents and
6 their entry into foster care brought them the addi-
7 tional trauma of separation from their homes and
8 often their communities;

9 “(3) on average, children entering foster care
10 have more physical and mental health needs than do
11 children in the general population, and some require
12 intensive services because the children entering fos-
13 ter care—

14 “(A) were born to mothers who did not re-
15 ceive prenatal care;

16 “(B) were born with life-threatening condi-
17 tions or disabilities;

18 “(C) were born addicted to alcohol or other
19 drugs; or

20 “(D) have HIV/AIDS;

21 “(4) each year, thousands of children in foster
22 care, regardless of their age, the size of the sibling
23 group they are a part of, their racial or ethnic sta-
24 tus, their medical condition, or any physical, mental

1 or emotional disability they may have, are in need of
2 placement with permanent, loving, adoptive families;

3 “(5)(A) States have made important strides in
4 increasing the number of children who are placed in
5 permanent homes with adoptive parents and in re-
6 ducing the length of time children wait for such a
7 placement; and

8 “(B) many thousands of children, however, still
9 remain in institutions or foster homes solely because
10 of legal and other barriers to such a placement;

11 “(6)(A) on the last day of fiscal year 2009,
12 there were 115,000 children waiting for adoption;

13 “(B) children waiting for adoption have had pa-
14 rental rights of all living parents terminated or the
15 children have a permanency goal of adoption;

16 “(C)(i) the average age of children adopted with
17 public child welfare agency involvement during fiscal
18 year 2009 was a little more than 6 years; and

19 “(ii) the average age of children waiting for
20 adoption on the last day of that fiscal year was a lit-
21 tle more than 8 years of age and more than 30,000
22 of those children were 12 years of age or older; and

23 “(D)(i) 25 percent of the children adopted with
24 public child welfare agency involvement during fiscal
25 year 2009 were African-American; and

1 “(ii) 30 percent of the children waiting for
2 adoption on the last day of fiscal year 2009 were Af-
3 rican-American;

4 “(7) adoption may be the best alternative for
5 assuring the healthy development of children placed
6 in foster care;

7 “(8) there are qualified persons seeking to
8 adopt such children who are unable to do so because
9 of barriers to their placement and adoption; and

10 “(9) in order both to enhance the stability of
11 and love in the home environments of such children
12 and to avoid wasteful expenditures of public funds,
13 such children—

14 “(A) should not have medically indicated
15 treatment withheld from them; or

16 “(B) be maintained in foster care or insti-
17 tutions when adoption is appropriate and fami-
18 lies can be found for such children.”; and

19 (2) in subsection (b)—

20 (A) in the matter preceding paragraph (1),
21 by inserting “older children, minority children,
22 and” after “particularly”; and

23 (B) by striking paragraph (2) and insert-
24 ing the following:

1 “(2) maintain an Internet-based national adop-
2 tion information exchange system to—

3 “(A) bring together children who would
4 benefit from adoption and qualified prospective
5 adoptive parents who are seeking such children;

6 “(B) conduct national recruitment efforts
7 in order to reach prospective parents for chil-
8 dren awaiting adoption; and

9 “(C) connect placement agencies, prospec-
10 tive adoptive parents, and adoptive parents to
11 resources designed to reduce barriers to adop-
12 tion, support adoptive families, and ensure per-
13 manency; and”.

14 (b) INFORMATION AND SERVICES.—Section 203 of
15 the Child Abuse Prevention and Treatment and Adoption
16 Reform Act of 1978 (42 U.S.C. 5113) is amended—

17 (1) in subsection (a), by striking all that follows
18 “facilitate the adoption of” and inserting “older chil-
19 dren, minority children, and children with special
20 needs, particularly infants and toddlers with disabil-
21 ities who have life-threatening conditions, and serv-
22 ices to couples considering adoption of children with
23 special needs.”;

24 (2) in subsection (b)—

25 (A) in paragraph (1)—

1 (i) by striking “and” after “regarding
2 adoption” and inserting a comma; and

3 (ii) by inserting “, and post-legal
4 adoption services” after “adoption assist-
5 ance programs”;

6 (B) in paragraph (2), by inserting “, in-
7 cluding efforts to promote the adoption of older
8 children, minority children, and children with
9 special needs” after “national level”;

10 (C) in paragraph (7)—

11 (i) by striking “study the efficacy of
12 States contracting with” and inserting “in-
13 crease the effective use of”;

14 (ii) by striking the comma after “or-
15 ganizations)” and inserting “by States,”;

16 (iii) by inserting a comma after “insti-
17 tutions”; and

18 (iv) by inserting “, including assisting
19 in efforts to work with organizations that
20 promote the placement of older children,
21 minority children, and children with special
22 needs” after “children for adoption”;

23 (D) in paragraph (9)—

24 (i) in subparagraph (B), by striking
25 “and” at the end;

- 1 (ii) in subparagraph (C), by adding
- 2 “and” after the semicolon at the end; and
- 3 (iii) by adding at the end the fol-
- 4 lowing:
- 5 “(D) identify best practices to reduce
- 6 adoption disruption and termination;”; and
- 7 (E) in paragraph (10)—
- 8 (i) in the matter preceding subpara-
- 9 graph (A), by inserting “tribal child wel-
- 10 fare agencies,” after “local government en-
- 11 tities,”; and
- 12 (ii) in subparagraph (A)—
- 13 (I) in clause (ii), by inserting “,
- 14 including developing and using proce-
- 15 dures to notify family and relatives
- 16 when a child enters the child welfare
- 17 system” before the semicolon at the
- 18 end;
- 19 (II) by redesignating clauses (vii)
- 20 and (viii) as clauses (viii) and (ix), re-
- 21 spectively; and
- 22 (III) by inserting after clause (vi)
- 23 the following:

1 “(vii) education and training of pro-
 2 spective adoptive or adoptive parents;”;
 3 and

4 (3) in subsection (d)—

5 (A) in paragraph (1), by striking the sec-
 6 ond sentence and all that follows; and

7 (B) in paragraph (2)—

8 (i) in subparagraph (A)—

9 (I) in the second sentence, by in-
 10 sserting “, consistent with the purpose
 11 of this title” after “by the Secretary”;
 12 and

13 (II) by striking the third sen-
 14 tence and inserting the following:
 15 “Each application shall contain infor-
 16 mation that—

17 “(i) describes how the State plans to
 18 improve the placement rate of children in
 19 permanent homes;

20 “(ii) describes the methods the State,
 21 prior to submitting the application, has
 22 used to improve the placement of older
 23 children, minority children, and children
 24 with special needs, who are legally free for
 25 adoption;

“(iii) describes the evaluation the State plans to conduct, to identify the effectiveness of programs and methods of placement under this subsection, and submit to the Secretary; and

“(iv) describes how the State plans to coordinate activities under this subsection with relevant activities under section 473 of the Social Security Act (42 U.S.C. 673).”;

(ii) in subparagraph (B)(i), by inserting “older children, minority children, and” after “successful placement of”; and

(iii) by adding at the end the following:

“(C) EVALUATION.—The Secretary shall compile the results of evaluations submitted by States (described in subparagraph (A)(iii)) and submit a report containing the compiled results to the appropriate committees of Congress.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 205 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5115) is amended—

(1) in subsection (a)—

1 (A) by striking “2004” and inserting
2 “2010”; and

3 (B) by striking “2005 through 2008” and
4 inserting “2011 through 2015”;

5 (2) by redesignating subsection (b) as sub-
6 section (c); and

7 (3) by inserting after subsection (a) the fol-
8 lowing:

9 “(b) Not less than 30 percent and not more than 50
10 percent of the funds appropriated under subsection (a)
11 shall be allocated for activities under subsections (b)(10)
12 and (c) of section 203.”.

13 **TITLE IV—ABANDONED INFANTS** 14 **ASSISTANCE ACT OF 1988**

15 **SEC. 401. ABANDONED INFANTS ASSISTANCE.**

16 (a) FINDINGS.—Section 2 of the Abandoned Infants
17 Assistance Act of 1988 (42 U.S.C. 5117aa) is amended—

18 (1) in paragraph (4), by striking “including
19 those” and all that follows through “‘AIDS’)” and
20 inserting “including those with HIV/AIDS”; and

21 (2) in paragraph (5), by striking “acquired im-
22 mune deficiency syndrome” and inserting “HIV/
23 AIDS”.

1 (b) REPEAL.—Title II of the Abandoned Infants As-
 2 sistance Act of 1988 (Public Law 100–505; 102 Stat.
 3 2536) is repealed.

4 (c) DEFINITIONS.—Section 301 of the Abandoned In-
 5 fants Assistance Act of 1988 (42 U.S.C. 5117aa–21) is
 6 amended—

7 (1) by striking paragraph (2); and

8 (2) by redesignating paragraphs (3) through
 9 (5) as paragraphs (2) through (4), respectively.

10 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
 11 302 of the Abandoned Infants Assistance Act of 1988 (42
 12 U.S.C. 5117aa–22) is amended—

13 (1) in subsection (a)(1)—

14 (A) by striking “2004” and inserting
 15 “2010”; and

16 (B) by striking “2005 through 2008” and
 17 inserting “2011 through 2015”; and

18 (2) in subsection (b)(2), by striking “fiscal year
 19 2003” and inserting “fiscal year 2010”.

Passed the Senate December 3, 2010.

Attest:

Secretary.

111TH CONGRESS
2^D SESSION

S. 3817

AN ACT

To amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.