

Calendar No. 670111TH CONGRESS
2^D SESSION**S. 3817**

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.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 2010

Mr. DODD (for himself, Mr. ENZI, Mr. HARKIN, Mr. ALEXANDER, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

DECEMBER 2, 2010

Reported by Mr. HARKIN, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “CAPTA Reauthoriza-
3 tion Act of 2010”.

4 **TITLE I—CHILD ABUSE PREVEN-**
5 **TION AND TREATMENT ACT**

6 **SEC. 101. FINDINGS.**

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

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

11 “(1) in 2007, approximately 794,000 American
12 children were *fiscal year 2008, approximately 772,000*
13 *children were found by States to be victims of child*
14 *abuse and neglect;*”;

15 (2) in paragraph (2)—

16 (A) in subparagraph (A), by inserting “,
17 and more than 34 percent of child fatalities in
18 2007 were attributed to neglect” after “mal-
19 treatment”; and

20 (A) in subparagraph (A), by inserting “and
21 close to $\frac{1}{3}$ of all child maltreatment-related fa-
22 talities in fiscal year 2008 were attributed to ne-
23 glect alone” after “maltreatment”; and

24 (B) in subparagraph (B)—

25 (i) by striking “60 percent” and in-
26 serting “5971 percent”;

1 (ii) by striking “2001” and inserting
2 “~~2007~~”*“fiscal year 2008”*;

3 (iii) by striking “19 percent” and in-
4 sserting “~~11~~16 percent”;

5 (iv) by striking “10 percent” and in-
6 sserting “~~slightly less than 8 percent~~”*“9*
7 *percent”*; and

8 (v) by striking “and 7 percent suf-
9 fered emotional maltreatment” and insert-
10 ing “, 4 percent suffered psychological
11 maltreatment, and ~~13~~ percent were victims
12 of multiple maltreatments*7 percent suffered*
13 *psychological maltreatment, 2 percent expe-*
14 *rienced medical neglect, and 9 percent were*
15 *victims of other forms of maltreatment”*;

16 (3) in paragraph (3)—

17 (A) in subparagraph (A) by inserting “or
18 neglect” after “abuse”;

19 (B) in subparagraph (B), by striking
20 “2001, an estimated 1,300” and inserting
21 “~~2007, an estimated 1,760~~”*“fiscal year 2008,*
22 *an estimated 1,740”*; and

23 (C) in subparagraph (C)—

24 (i) by inserting “in ~~2007~~*fiscal year*
25 *2008,*” after “(C)”;

1 (ii) by striking “41 percent” and in-
2 serting “~~42~~45 percent”;

3 (iii) by striking “85 percent” and in-
4 serting “~~76~~72 percent”;

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

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

9 (4) in paragraph (4)(B), by striking “slightly”
10 and all that follows and inserting “approximately
11 ~~38~~37 percent of victims of child abuse did not re-
12 ceive post-investigation services in ~~2007~~*fiscal year*
13 *2008*.”;

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

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

19 “(5) African-American children, American In-
20 dian children, Alaska Native children, and children
21 of multiple races and ethnicities experience the high-
22 est rates of child abuse or neglect;”;

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

1 (A) in subparagraph (A), by inserting “do-
2 mestic violence services,” after “mental
3 health,”; and

4 (B) by amending subparagraph (E) to read
5 as follows:

6 “(E) recognizes the diversity of ethnic, cul-
7 tural, and religious beliefs and traditions that
8 may impact child rearing patterns, while not al-
9 lowing the differences in those beliefs and tradi-
10 tions to enable abuse or neglect;”;

11 (8) by inserting after paragraph (11), as redes-
12 igned by paragraph (5) of this section, the fol-
13 lowing:

14 “(12) because both child maltreatment and do-
15 mestic violence occur in up to 60 percent of the fam-
16 ilies in which either is present, States and commu-
17 nities should adopt assessments and intervention
18 procedures aimed at enhancing the safety both of
19 children and victims of domestic violence;”;

20 (9) in paragraphs (14) and (15), as redesi-
21 gnated by paragraph (5) of this section, by striking
22 “Federal government” and inserting “Federal Gov-
23 ernment”; and

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

4 **Subtitle A—General Program**

5 **SEC. 111. ADVISORY BOARD.**

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

8 (1) in subsection (c)—

9 (A) in paragraph (4), by striking “medi-
10 cine (including pediatrics)” and inserting
11 “health care providers (including pediatri-
12 cians)”;

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

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

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

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

18 and

19 (2) in subsection (f)—

20 (A) in paragraph (1), by inserting “tribal,”
21 after “State,” each place such term appears;

22 and

23 (B) in paragraph (2)—

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

4 (ii) by striking “Federal and State”
5 and inserting “Federal, State, and tribal”.

6 **SEC. 112. NATIONAL CLEARINGHOUSE.**

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

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

11 (2) in subsection (b)—

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

15 (B) by striking paragraph (1) and insert-
16 ing the following:

17 “(1) maintain, coordinate, and disseminate in-
18 formation on ~~all~~ effective programs, including pri-
19 vate and community-based programs, that have dem-
20 onstrated success with respect to the prevention, as-
21 sessment, identification, and treatment of child
22 abuse or neglect and hold the potential for ~~broad~~
23 ~~scale~~*broad-scale* implementation and replication;

1 “(2) maintain, coordinate, and disseminate in-
2 formation on the medical diagnosis and treatment of
3 child abuse ~~and~~ neglect;

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

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

9 (D) in paragraph (5), as redesignated by
10 subparagraph (A) of this paragraph—

11 (i) in subparagraph (B), by inserting
12 “(42 U.S.C. 5105 note)” before the semi-
13 colon; and

14 (ii) in subparagraph (C), by striking
15 “alcohol or drug” and inserting “sub-
16 stance”;

17 (E) in subparagraph (C) of paragraph (6),
18 as redesignated by subparagraph (A) of this
19 paragraph, by striking “and” at the end;

20 (F) in subparagraph (B) of paragraph (7),
21 as redesignated by subparagraph (A) of this
22 paragraph, by striking “and child welfare per-
23 sonnel.” and inserting “child welfare, substance
24 abuse treatment services, and domestic violence
25 services personnel; and”; and

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

2 “(8) collect and disseminate information, in
3 conjunction with the National Resource Centers au-
4 thorized in section 310(b) of the Family Violence
5 Prevention and Services Act, on effective programs
6 and best practices for developing and carrying out
7 collaboration between entities providing child protec-
8 tive services and entities providing domestic violence
9 services.”; and

10 (3) in subsection (c)(1)—

11 (A) by striking subparagraph (B) and in-
12 serting the following:

13 “(B) consult with the head of each agency
14 involved with child abuse and neglect on the de-
15 velopment of the components for information
16 collection and management of such clearing-
17 house and on the mechanisms for the sharing
18 of such information with other Federal agencies
19 and clearinghouses;”;

20 (B) in subparagraph (C)—

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

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

1 ~~(ii)~~(iii) by adding at the end the fol-
 2 lowing:

3 “(iii) information about the incidence
 4 and characteristics of child abuse ~~or~~and
 5 neglect in circumstances in which domestic
 6 violence is present; and

7 “(iv) information about the incidence
 8 and characteristics of child abuse and ne-
 9 glect in cases related to substance abuse;”;
 10 and

11 (C) in subparagraph (F), by striking
 12 “abused or neglected children” and inserting
 13 “victims of child abuse or neglect”.

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

15 (a) RESEARCH.—Section 104(a) of the Child Abuse
 16 Prevention and Treatment Act (42 U.S.C. 5105(a)) is
 17 amended—

18 (1) in paragraph (1)—

19 (A) in the matter preceding subparagraph
 20 (A), by striking “from abuse or neglect and to
 21 improve the well-being of abused or neglected
 22 children” and inserting “from child abuse or
 23 neglect and to improve the well-being of victims
 24 of child abuse or neglect”;

1 (B) in subparagraph (B), by striking
2 “abuse and neglect on” and inserting “child
3 abuse and neglect on”;

4 (C) by redesignating subparagraphs (C),
5 (D), (E), (F), (G), (H), and (I), as subpara-
6 graphs (D), (E), (F), (H), (J), (N), and (O),
7 respectively;

8 (D) by inserting after subparagraph (B)
9 the following:

10 ~~“(C) effective approaches to providing as-~~
11 ~~sistance to infants or toddlers who experience~~
12 ~~child abuse or neglect, together with their par-~~
13 ~~ents or primary caregivers, to improve the rela-~~
14 ~~tionship and attachment involved;”;~~

15 *“(C) effective approaches to improving the*
16 *relationship and attachment of infants and tod-*
17 *dlers who experience child abuse or neglect with*
18 *their parents or primary caregivers in cir-*
19 *cumstances where reunification is appropriate;”;*

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

23 (F) in subparagraph (E), as redesignated
24 by subparagraph (C) of this paragraph—

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

4 (ii) by striking “(12)” and inserting
5 “(14)”;

6 (G) by inserting after subparagraph (F),
7 as redesignated by subparagraph (C) of this
8 paragraph, the following:

9 “(G) effective practices and programs to
10 improve activities such as identification, screen-
11 ing, medical diagnosis, forensic diagnosis,
12 health evaluations, and services, including ac-
13 tivities that promote collaboration between—

14 “(i) the child protective service sys-
15 tem; and

16 “(ii)(I) the medical community, in-
17 cluding providers of mental health and de-
18 velopmental disability services; and

19 “(II) providers of early childhood
20 intervention services and special education
21 for children who have been victims of child
22 abuse or neglect;”;

23 (H) by inserting after subparagraph (H),
24 as redesignated by subparagraph (C) of this
25 paragraph, the following:

1 “(I) effective collaborations, between the
2 child protective system and domestic violence
3 service providers, that provide for the safety of
4 children exposed to domestic violence and their
5 nonabusing parents and that improve the inves-
6 tigations, interventions, delivery of services, and
7 treatments provided for such children and fami-
8 lies;”;

9 (I) in subparagraph (J), as redesignated
10 by subparagraph (C) of this paragraph, by
11 striking “low income” and inserting “low-in-
12 come”;

13 (J) by inserting after subparagraph (J), as
14 redesignated by subparagraph (C) of this para-
15 graph, the following:

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

18 “(L) the nature and scope of effective
19 practices relating to differential response, in-
20 cluding an analysis of best practices conducted
21 by the States;

22 “(M) child abuse and neglect issues facing
23 Indians, Alaska Natives, and Native Hawaiians,
24 including providing recommendations for im-
25 proving the collection of child abuse and neglect

1 data from Indian tribes and Native Hawaiian
2 communities;”;

3 (K) in subparagraph (N), as redesignated
4 by subparagraph (C) of this paragraph, by
5 striking “clauses (i) through (xi) of subpara-
6 graph (H)” and inserting “clauses (i) through
7 (x) of subparagraph (O)”;

8 (L) in subparagraph (O), as redesignated
9 by subparagraph (C) of this paragraph—

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

12 (ii) in clause (v), by striking “child
13 abuse have” and inserting “child abuse
14 and neglect have”; and

15 (iii) in clause (x), by striking “abuse”
16 and inserting “child abuse and neglect”;

17 (2) in paragraph (2), by striking “subpara-
18 graphs” and all that follows and inserting “clauses
19 (i) through (x) of paragraph (1)(O).”;

20 (3) in paragraph (3), by striking “Keeping
21 Children and Families Safe Act of 2003” and insert-
22 ing “CAPTA Reauthorization Act of 2010”; and

23 (4) in paragraph (4)—

24 (A) by striking “(A) The” and inserting
25 the following:

1 “(A) IN GENERAL.—The”; and
 2 (B) in subparagraph (B)—
 3 (i) by striking all that precedes
 4 “later” and inserting the following:
 5 “(B) PUBLIC COMMENT.—Not”;
 6 (ii) by striking “than 2” and inserting
 7 “than 1”; and
 8 (iii) by striking “Keeping Children
 9 and Families Safe Act of 2003” and in-
 10 sserting “CAPTA Reauthorization Act of
 11 2010”;

12 *(5) by adding at the end the following:*
 13 *“(4) STUDY ON SHAKEN BABY SYNDROME.—The*
 14 *Secretary shall conduct a study that—*
 15 *“(A) identifies data collected on shaken*
 16 *baby syndrome;*
 17 *“(B) determines the feasibility of collecting*
 18 *uniform, accurate data from all States regard-*
 19 *ing—*
 20 *“(i) incidence rates of shaken baby*
 21 *syndrome;*
 22 *“(ii) characteristics of perpetrators of*
 23 *shaken baby syndrome, including age, gen-*
 24 *der, relation to victim, access to prevention*
 25 *materials and resources, and history of sub-*

1 *stance abuse, domestic violence, and mental*
 2 *illness; and*

3 “(iii) *characteristics of victims of shak-*
 4 *en baby syndrome, including gender, date of*
 5 *birth, date of injury, date of death (if appli-*
 6 *cable), and short- and long-term injuries*
 7 *sustained.”.*

8 (b) TECHNICAL ASSISTANCE.—Section 104(b) of the
 9 Child Abuse Prevention and Treatment Act (42 U.S.C.
 10 5105(b)) is amended—

11 (1) in paragraph (1), by inserting “and pro-
 12 viders of mental health, substance abuse treatment,
 13 and domestic violence prevention services” after
 14 “disabilities”; and

15 (2) in paragraph (3)(B)—

16 (A) by striking “and child welfare per-
 17 sonnel” and inserting “child welfare, substance
 18 abuse, and domestic violence services per-
 19 sonnel”; and

20 (B) by striking “subjected to abuse.” and
 21 inserting “subjected to, or whom the personnel
 22 suspect have been subjected to, child abuse or
 23 neglect.”.

24 (c) PEER REVIEW FOR ~~GRANTS~~ *FOR GRANTS AND*
 25 *CONTRACTS*.—Section 104(d) of the Child Abuse Preven-

1 tion and Treatment Act (42 U.S.C. 5105(d)) is amend-
2 ed—

3 (1) in paragraph (1)—

4 (A) by striking subparagraph (A) and in-
5 serting the following:

6 “(A) IN GENERAL.—To enhance the qual-
7 ity and usefulness of research in the field of
8 child abuse and neglect, the Secretary shall, in
9 consultation with experts in the field and other
10 Federal agencies, establish a formal, rigorous,
11 and meritorious peer review process for pur-
12 poses of evaluating and reviewing applications
13 for assistance through a grant or contract
14 under this section and determining the relative
15 merits of the project for which such assistance
16 is requested.”; and

17 (B) by striking subparagraph (B) and in-
18 serting the following:

19 “(B) MEMBERS.—In establishing the proc-
20 ess required by subparagraph (A), the Sec-
21 retary shall only appoint to the peer review pan-
22 els members who—

23 “(i) are experts in the field of child
24 abuse and neglect or related disciplines,

1 with appropriate expertise related to the
2 applications to be reviewed; and

3 “(ii) are not individuals who are offi-
4 cers or employees of the Administration for
5 Children and Families.

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

11 “(D) CRITERIA AND GUIDELINES.—The
12 Secretary shall ensure that the peer review
13 panel utilizes scientifically valid review criteria
14 and scoring guidelines in the review of the ap-
15 plications for grants and contracts.”; and

16 (2) in paragraph (3)—

17 (A) by striking “(A) The” and inserting
18 the following:

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

20 (B) in subparagraph (B), by striking all
21 that precedes “the instance” and inserting the
22 following:

23 “(B) EXPLANATION.—In”.

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

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

5 (A) by striking “States or” and inserting
 6 “entities that are States, Indian tribes or tribal
 7 organizations, or”; and

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

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

12 (3) in paragraph (2)—

13 (A) by inserting “child care and early
 14 childhood education and care providers,” after
 15 “in cooperation with”; and

16 (B) by striking “preschool” and inserting
 17 “preschools,”.

18 **SEC. 114. GRANTS TO STATES, INDIAN TRIBES OR TRIBAL**
 19 **ORGANIZATIONS, AND PUBLIC OR PRIVATE**
 20 **AGENCIES AND ORGANIZATIONS.**

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

23 (1) in the heading, by striking “**STATES**” and
 24 inserting “**STATES, INDIAN TRIBES OR TRIBAL**
 25 **ORGANIZATIONS,**”

1 (2) in subsection (a)—

2 (A) in the matter preceding paragraph

3 (1)—

4 (i) by striking “States,” and inserting
5 “entities that are States, Indian tribes or
6 tribal organizations, or”; and

7 (ii) by striking “such agencies or or-
8 ganizations” and inserting “such entities”;

9 (B) in paragraph (1)—

10 (i) in the matter preceding subpara-
11 graph (A), by striking “this section” and
12 inserting “this subsection”;

13 (ii) in subparagraph (A)—

14 (I) by inserting “health care,”
15 before “medicine,”;

16 (II) by inserting “child care,”
17 after “education,”; and

18 (III) by inserting “and neglect”
19 before the semicolon;

20 (iii) in subparagraph (B), by inserting
21 a comma after “youth”;

22 (iv) in subparagraph (D)—

23 (I) by striking “support the en-
24 hancement of linkages between” and
25 inserting “enhance linkages among”;

1 (II) by striking “including phys-
2 ical” and all that follows through
3 “partnerships” and inserting “entities
4 providing physical and mental health
5 services, community resources, and
6 developmental disability agencies, to
7 improve screening, forensic diagnosis,
8 and health and developmental evalua-
9 tions, and for partnerships”; and

10 (III) by striking “offer creative
11 approaches to using” and inserting
12 “support the coordinated use of”;

13 (v) by redesignating subparagraphs
14 (E) through (J) as subparagraphs (F),
15 (G), and (I) through (L), respectively;

16 (vi) by inserting after subparagraph
17 (D) the following:

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

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

1 “(H) for the training of personnel in child-
2 hood development including the unique needs of
3 children under age 3;”;

4 (viii) in subparagraph (J), as redesign-
5 ated by clause (v) of this subparagraph,
6 by striking “and other public and private
7 welfare agencies” and inserting “other
8 public and private welfare agencies, and
9 agencies that provide early intervention
10 services”;

11 (ix) in subparagraph (K), as redesign-
12 ated by clause (v) of this subparagraph,
13 by striking “and” at the end;

14 (x) in subparagraph (L), as redesign-
15 ated by clause (v) of this subparagraph—

16 (I) by striking “disabled infants”
17 each place it appears and inserting
18 “infants or toddlers with disabilities”;

19 and

20 (II) by striking the period and
21 inserting “; and”; and

22 (xi) by adding at the end the fol-
23 lowing:

1 “(M) for the training of personnel in best
2 practices relating to the provision of differential
3 response.”;

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

6 ~~(C)~~(D) in paragraph (3), by inserting “,
7 leadership,” after “mutual support”;

8 ~~(D)~~(E) in paragraph (4), by striking all
9 that precedes “Secretary” and inserting the fol-
10 lowing:

11 “(4) KINSHIP CARE.—The”;

12 ~~(E)~~(F) in paragraph (4), by striking “in
13 not more than 10 States”;

14 ~~(F)~~(G) in paragraph (5)—

15 (i) in the paragraph heading—

16 (I) by striking “BETWEEN” and
17 inserting “AMONG”; and

18 (II) by striking “AND DEVELOP-
19 MENTAL DISABILITIES” and inserting
20 “SUBSTANCE ABUSE, DEVELOP-
21 MENTAL DISABILITIES, AND DOMES-
22 TIC VIOLENCE SERVICE”;

23 (ii) by striking “between” and insert-
24 ing “among”;

1 (iii) by striking “mental health” and
2 all that follows through “, for” and insert-
3 ing “mental health, substance abuse, devel-
4 opmental disabilities, and domestic violence
5 service agencies, and entities that carry
6 out community-based programs, for”; and

7 (iv) by striking “help assure” and in-
8 serting “ensure”; and

9 ~~(G)~~(H) by inserting after paragraph (5)
10 the following:

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

24 (3) in subsection (b)(4)—

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

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

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

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

12 **SEC. 115. GRANTS TO STATES FOR CHILD ABUSE OR NE-**
 13 **GLECT PREVENTION AND TREATMENT PRO-**
 14 **GRAMS.**

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

19 **“SEC. 106. GRANTS TO STATES FOR CHILD ABUSE OR NE-**
 20 **GLECT PREVENTION AND TREATMENT PRO-**
 21 **GRAMS.”.**

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

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

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

7 (3) in paragraph (2)—

8 (A) in subparagraph (A), by inserting “,
9 intra-agency, interstate, and intrastate” after
10 “interagency”; and

11 (B) in subparagraph (B)(i), by striking
12 “abuse and neglect” and inserting “child abuse
13 or neglect”;

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

16 (5) in paragraph (6)—

17 (A) in subparagraph (A) by inserting “, in-
18 cluding the use of differential response,” after
19 “strategies”;

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

22 (C) in subparagraph (C), by striking
23 “workers” and all that follows and inserting
24 “workers; and”; and

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

1 “(D) training in early childhood, child, and
2 adolescent development;”;

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

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

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

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

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

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

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

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

20 (9) in paragraph (10), as redesignated by para-
21 graph (7) of this subsection, by inserting “, includ-
22 ing the use of differential response” before the semi-
23 colon;

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

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

6 (A) by striking “supporting and enhanc-
7 ing” and all that follows through “community-
8 based programs” and inserting “supporting and
9 enhancing interagency collaboration among pub-
10 lic health agencies, agencies in the child protec-
11 tive service system, and agencies carrying out
12 private community-based programs—”;

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

15 “(A) to provide”;

16 (C) by striking “systems) and” and insert-
17 ing “systems), and the use of differential re-
18 sponse; and”;

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

21 “(B) to address”;

22 (E) by striking “abused or neglected” and
23 inserting “victims of child abuse or ne-
24 glect;”and

1 (F) by striking the period at the end and
2 inserting “; or”; and

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

4 “(14) developing and implementing procedures
5 for collaboration among child protective services, do-
6 mestic violence services, and other agencies in—

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

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

15 (c) ELIGIBILITY REQUIREMENTS.—Section 106(b) of
16 the Child Abuse Prevention and Treatment Act (42 U.S.C.
17 5106a(b)) is amended—

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

20 “(1) STATE PLAN.—

21 “(A) IN GENERAL.—To be eligible to re-
22 ceive a grant under this section, a State shall
23 submit to the Secretary a State plan that speci-
24 fies the areas of the child protective services
25 system described in subsection (a) that the

1 State will address with amounts received under
2 the grant.

3 “(B) DURATION OF PLAN.—Each State
4 plan shall—

5 “(i) remain in effect for the duration
6 of the State’s participation under this sec-
7 tion; and

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

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

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

19 “(ii) *of* any significant changes in how
20 funds provided under this section are used
21 to support activities described in this sec-
22 tion, which may differ from the activities
23 described in the current State applica-
24 tion.”;

25 (2) in paragraph (2)—

1 (A) by redesignating subparagraphs (A)
 2 through (D) as subparagraphs (B) through (E),
 3 respectively;

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

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

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

19 (C) in subparagraph (B), as redesignated
 20 by subparagraph (A) of this paragraph—

21 (i) in the matter preceding clause

22 (i)—

23 (I) by striking “chief executive
 24 officer” and inserting “Governor”;

25 and

- 1 (II) by striking “Statewide” and
2 inserting “statewide”;
- 3 (ii) in clause (ii)—
- 4 (I) in the matter preceding sub-
5 clause (I)—
- 6 (aa) by inserting “with”
7 after “born”; and
- 8 (bb) by inserting “or a Fetal
9 Alcohol Spectrum Disorder,”
10 after “drug exposure,”; and
- 11 (II) in subclause (I), by inserting
12 “or neglect” before the semicolon;
- 13 (iii) in clause (iii), by inserting “, or
14 a Fetal Alcohol Spectrum Disorder” before
15 the semicolon;
- 16 (iv) in clause (v), by inserting “, in-
17 cluding the use of differential response,”
18 after “procedures”;
- 19 (v) in clause (vi)—
- 20 (I) by striking “the abused or ne-
21 glected child” and inserting “a victim
22 of child abuse or neglect”; and
- 23 (II) by striking “abuse or ne-
24 glect” and inserting “child abuse or
25 neglect”;

1 (vi) in clause (ix), by striking “abuse
2 and neglect” and inserting “child abuse
3 and neglect”;

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

6 (viii) in clause (xiii)—

7 (I) by striking “an abused or ne-
8 glected child” and inserting “a victim
9 of child abuse or neglect”; and

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

14 (ix) in clause (xv)(II), by striking
15 “abuse or neglect” and inserting “child
16 abuse or neglect”;

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

19 *(xi) in clause (xvi)—*

20 *(I) in subclause (III), by striking*
21 *“; or” and inserting “;”; and*

22 *(II) by adding at the end the fol-*
23 *lowing:*

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

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

9 ~~(xi)~~(xvii) in clause (xxi), by striking
10 “Act; and” and inserting “Act (20 U.S.C.
11 1431 et seq.);”;

12 ~~(xii)~~(xviii) in clause (xxii)—

13 (I) by striking “not later”
14 through “2003,”; and

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

19 ~~(H)~~(III) in clause ~~(xxii)~~, by add-
20 ing “and” at the end; and

21 ~~(xiii)~~(xiv) by adding at the end the
22 following:

23 “(xxiii) provisions for systems of tech-
24 nology that support the State child protec-
25 tive service system described in subsection

1 (a) and track reports of child abuse and
2 neglect from intake through final disposi-
3 tion;”;

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

6 (i) by striking “disabled infants with”
7 each place it appears and inserting “in-
8 fants with disabilities who have”; and

9 (ii) in clause (iii), by striking “life
10 threatening” and inserting “life-threat-
11 ening”;

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

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

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

18 (iii) by adding at the end the fol-
19 lowing:

20 “(iv) policies and procedures encour-
21 aging the appropriate involvement of fami-
22 lies in decisionmaking pertaining to chil-
23 dren who experienced child abuse or ne-
24 glect;

1 “(v) policies and procedures that pro-
2 mote and enhance appropriate collabora-
3 tion among child protective service agen-
4 cies, domestic violence service agencies,
5 substance abuse treatment agencies, and
6 other agencies in investigations, interven-
7 tions, and the delivery of services and
8 treatment provided to children and families
9 affected by child abuse or neglect, includ-
10 ing children exposed to domestic violence,
11 where appropriate; and

12 “(vi) policies and procedures regard-
13 ing the use of differential response, as ap-
14 plicable;”;

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

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

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

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

24 “(F) an assurance or certification that
25 programs and training conducted under this

1 title address the unique needs of unaccom-
2 panied homeless youth, including access to en-
3 rollment and support ~~services and ne-~~
4 ~~glect~~services and that such youth are eligible for
5 under parts B and E of title IV of the Social
6 Security Act (42 U.S.C. 621 et seq., 670 et
7 seq.) and *meet the requirements of* the McKin-
8 ney-Vento Homeless Assistance Act (42 U.S.C.
9 11301 et seq.); and

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

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

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

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

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

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

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

6 (1) in paragraph (1), by striking “as abused or
7 neglected” and inserting “as victims of child abuse
8 or neglect”;

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

11 (3) by striking paragraph (7) and inserting the
12 following:

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

15 “(i) intake of reports filed in the previous
16 year;

17 “(ii) screening of such reports;

18 “(iii) assessment of such reports; and

19 “(iv) investigation of such reports.

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

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

24 (5) by striking paragraph (10) and inserting
25 the following:

1 “(10) For child protective service personnel re-
2 sponsible for intake, screening, assessment, and in-
3 vestigation of child abuse and neglect reports in the
4 State—

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

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

13 “(C) demographic information of the child
14 protective service personnel; and

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

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

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

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

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

7 (f) ANNUAL REPORT.—Section 106(e) of the Child
8 Abuse Prevention and Treatment Act (42 U.S.C.
9 5106a(e)) is amended by inserting “and neglect” before
10 the period.

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

14 “(f) ALLOTMENTS.—

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

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

17 The term ‘fiscal year 2009 grant funds’ means
18 the amount appropriated under section 112 for
19 fiscal year 2009, and not reserved under section
20 112(a)(2).

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

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

4 “(D) TERRITORY.—The term ‘territory’
5 means Guam, American Samoa, the United
6 States Virgin Islands, and the Commonwealth
7 of the Northern Mariana Islands.

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

13 “(A) \$50,000; and

14 “(B) an amount that bears the same rela-
15 tionship to any grant funds remaining after all
16 such States and territories have received
17 \$50,000, as the number of children under the
18 age of 18 in the State or territory bears to the
19 number of such children in all States and terri-
20 tories that apply for such a grant.

21 “(3) ALLOTMENTS FOR DECREASED APPRO-
22 PRIATION YEARS.—In the case where the grant
23 funds for a fiscal year are less than the fiscal year
24 2009 grant funds, the Secretary shall ratably reduce

1 each of the allotments under paragraph (2) for such
2 fiscal year.

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

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

14 “(i) \$100,000, for a fiscal year in
15 which the grant funds exceed the fiscal
16 year 2009 grant funds by more than
17 \$1,000,000 but less than \$2,000,000;

18 “(ii) \$125,000, for a fiscal year in
19 which the grant funds exceed the fiscal
20 year 2009 grant funds by at least
21 \$2,000,000 but less than \$3,000,000; and

22 “(iii) \$150,000, for a fiscal year in
23 which the grant funds exceed the fiscal
24 year 2009 grant funds by at least
25 \$3,000,000.

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

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

19 **SEC. 116. GRANTS TO STATES FOR PROGRAMS RELATING**
 20 **TO THE INVESTIGATION AND PROSECUTION**
 21 **OF CHILD ABUSE AND NEGLECT CASES.**

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

24 (1) in subsection (a)—

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

3 “(1) the assessment and investigation of sus-
4 pected child abuse and neglect cases, including cases
5 of suspected child sexual abuse and exploitation, in
6 a manner that limits additional trauma to the child
7 and the child’s family;

8 “(2) the assessment and investigation of cases
9 of suspected child abuse-related fatalities and sus-
10 pected child neglect-related fatalities;”;

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

13 (C) in paragraph (4)—

14 (i) by striking “the handling” and in-
15 serting “the assessment and investigation”;
16 and

17 (ii) by striking “victims of abuse” and
18 inserting “suspected victims of child
19 abuse”;

20 (2) in subsection (b)(1), by striking “section
21 107(b)” and inserting “section 106(b)”;

22 (3) in subsection (c)(1)—

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

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

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

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

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

10 (4) in subsection (d)(1), by striking “particu-
11 larly” and inserting “including”;

12 (5) in subsection (e)(1)—

13 (A) in subparagraph (A), by striking “par-
14 ticularly” and inserting “including”;

15 (B) in subparagraph (B)—

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

18 (ii) by striking “improve the rate”
19 and all that follows through “child sexual
20 abuse cases” and inserting the following:
21 “improve the prompt and successful resolu-
22 tion of civil and criminal court proceedings
23 or enhance the effectiveness of judicial and
24 administrative action in child abuse and
25 neglect cases, particularly child sexual

1 abuse and exploitation cases, including the
 2 enhancement of performance of court-ap-
 3 pointed attorneys and guardians ad litem
 4 for children”; and

5 (C) in subparagraph (C)—

6 (i) by inserting a comma after “proto-
 7 cols”;

8 (ii) by striking “from abuse” and in-
 9 serting “from child abuse and neglect”;
 10 and

11 (iii) by striking “particularly” and in-
 12 serting “including”; and

13 (6) in subsection (f), by inserting “(42 U.S.C.
 14 10603a)” after “1984”.

15 **SEC. 117. MISCELLANEOUS REQUIREMENTS.**

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

19 “(d) SENSE OF CONGRESS.—It is the sense of ~~con-~~
 20 ~~gress~~*Congress* that the Secretary should encourage all
 21 States and public and private entities that receive assist-
 22 ance under this title to—

23 “(1) ensure that children and families with lim-
 24 ited English proficiency who participate in programs
 25 under this title are provided with materials and serv-

1 ices through such programs in an appropriate lan-
2 guage other than English; and

3 “(2) ensure that individuals with disabilities
4 who participate in programs under this title are pro-
5 vided with materials and services through such pro-
6 grams that are appropriate to their disabilities.”.

7 **SEC. 118. REPORTS.**

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

12 “(a) COORDINATION EFFORTS.—Not later than 1
13 year after the date of enactment of the CAPTA Reauthor-
14 ization Act of 2010, the Secretary shall submit to the
15 Committee on Education and Labor of the House of Rep-
16 resentatives and the Committee on Health, Education,
17 Labor, and Pensions of the Senate a report on efforts to
18 coordinate the objectives and activities of agencies and or-
19 ganizations that are responsible for programs and activi-
20 ties related to child abuse and neglect. Not later than 3
21 years after that date of enactment, the Secretary shall
22 submit to those committees a second report on such efforts
23 during the 3-year period following that date of enactment.
24 Not later than 5 years after that date of enactment, the
25 Secretary shall submit to those committees a third report

1 on such efforts during the 5-year period following that
2 date of enactment.

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

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

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

19 “(1) IN GENERAL.—The Secretary shall con-
20 duct a study to determine the effectiveness of citizen
21 review panels, established under section 106(c), in
22 achieving the stated function of such panels under
23 section 106(c)(4)(A) of—

1 “(A) examining the policies, procedures,
2 and practices of State and local child protection
3 agencies; and

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

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

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

19 “(B) A detailed summary of the extent to
20 which collaboration and information-sharing oc-
21 curs between citizen review panels and State
22 child protective services agencies or any other
23 entities or State agencies. The summary shall
24 include a description of the outcomes that re-
25 sult from collaboration and information sharing.

1 “(C) Evidence of the adherence and re-
2 sponsiveness to the reporting requirements
3 under section 106(e)(6) by citizen review panels
4 and States.

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

13 **SEC. 119. DEFINITIONS.**

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

16 (1) in paragraph (5)—

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

19 (B) by inserting “and” after “Samoa,”;
20 and

21 (C) by striking “and the Trust Territory of
22 the Pacific Islands”;

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

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

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

4 “(8) the term ‘infant or toddler with a dis-
5 ability’ has the meaning given the term in section
6 632 of the Individuals with Disabilities Education
7 Act (20 U.S.C. 1432);

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

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

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

20 **SEC. 120. AUTHORIZATION OF APPROPRIATIONS.**

21 ~~Section 112(a)(1) of the Child Abuse Prevention and~~
22 ~~Treatment Act (42 U.S.C. 5106h(a)(1)) is amended by~~
23 ~~striking “\$120,000,000” and all that follows and inserting~~
24 ~~“\$132,000,000 for fiscal year 2011 and such sums as may~~
25 ~~be necessary for each of fiscal years 2012 through~~

1 ~~2015.~~Section 112(a)(1) of the Child Abuse Prevention
2 and Treatment Act (42 U.S.C. 5106h(a)(1)) is amended—

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

4 and

5 (2) by striking “2005 through 2008” and insert-
6 ing “2011 through 2015”.

7 **SEC. 121. RULE OF CONSTRUCTION.**

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

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

15 **SEC. 131. TITLE HEADING.**

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

19 **“TITLE II—COMMUNITY-BASED**
20 **GRANTS FOR THE PREVEN-**
21 **TION OF CHILD ABUSE**
22 **ORAND NEGLECT”.**

23 **SEC. 132. PURPOSE AND AUTHORITY.**

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

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

3 “(1) to support community-based efforts to de-
4 velop, operate, expand, enhance, and coordinate ini-
5 tiatives, programs, and activities to prevent child
6 abuse and neglect and to support the coordination of
7 resources and activities, to better strengthen and
8 support families to reduce the likelihood of child
9 abuse and neglect; and”;

10 (2) in subsection (b)—

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

13 (B) in paragraph (1)—

14 (i) in the matter preceding subpara-
15 graph (A)—

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

18 (II) by striking “(through net-
19 works where appropriate)”;

20 (ii) in subparagraph (E), by inserting
21 before the semicolon the following: “, in-
22 cluding access to such resources and op-
23 portunities for unaccompanied homeless
24 youth”; and

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

3 “(G) demonstrate a commitment to involv-
 4 ing parents in the planning and program imple-
 5 mentation of the lead agency and entities car-
 6 rying out local programs funded under this
 7 title, including involvement of parents of chil-
 8 dren with disabilities, parents who are individ-
 9 uals with disabilities, racial and ethnic minori-
 10 ties, and members of other underrepresented or
 11 underserved groups; and”;

12 (C) in paragraph (2), by inserting after
 13 “children and families” the following: “, includ-
 14 ing unaccompanied homeless youth,”;

15 (D) in paragraph (3)—

16 (i) by inserting “substance abuse
 17 treatment services, domestic violence serv-
 18 ices,” after “mental health services,”; ~~and~~

19 (ii) by striking “*family resource and*
 20 *support program*” and inserting “*commu-*
 21 *nity-based child abuse and neglect preven-*
 22 *tion program*”; and

23 ~~(ii)~~(iii) by striking “community-based
 24 family resource and support program” and

1 inserting “community-based child abuse
2 and neglect prevention programs”; and

3 (E) in paragraph (4)—

4 (i) by inserting “and” after “report-
5 ing”;

6 (i) by inserting “and reporting” after
7 “information management”;

8 (ii) by striking the comma after “pre-
9 vention-focused”; and

10 (iii) by striking “(through networks
11 where appropriate)”.

12 **SEC. 133. ELIGIBILITY.**

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

15 (1) in paragraph (1)—

16 (A) by striking “chief executive officer”
17 each place it appears and inserting “Governor”;
18 and

19 (B) by inserting a comma after “enhance”;

20 (2) in paragraphs (1), (2), and (3), by striking
21 “(through networks where appropriate)” each place
22 it appears;

23 (3) in paragraphs (2) and (3), in the matter
24 preceding subparagraph (A), by striking “chief execu-
25 tive officer” and inserting “Governor”; and

1 (4) in subparagraphs (A) and (B) of paragraph
2 (2), by inserting “adult former victims of child abuse
3 or neglect,” after “parents,”.

4 (4) in paragraph (2)—

5 (A) in subparagraphs (A) and (B), by in-
6 serting “adult former victims of child abuse or
7 neglect,” after “parents,”; and

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

10 **SEC. 134. AMOUNT OF GRANT.**

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

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

15 “(A) 70 PERCENT.—”; and

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

18 “(B) 30 PERCENT.—”.

19 **SEC. 135. APPLICATION.**

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

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

24 (2) in paragraph (2)—

1 (A) by striking “and how family resource
2 and support” and inserting “, including how
3 community-based child abuse and neglect pre-
4 vention”; and

5 (B) by striking “services provided” and in-
6 serting “programs provided”;

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

9 (4) in paragraph (6)—

10 (A) by striking “an assurance that the
11 State has the” and inserting “a description of
12 the State’s”; and

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

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

18 (6) in paragraph (8)—

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

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

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

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

1 **SEC. 136. LOCAL PROGRAM REQUIREMENTS.**

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

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

7 (2) in paragraph (1)—

8 (A) by striking “parents and” and insert-
9 ing “parents,”; and

10 (B) by inserting “in meaningful roles” be-
11 fore the semicolon;

12 (3) in paragraph (2)—

13 (A) by striking “a strategy to provide, over
14 time,” and inserting “a comprehensive strategy
15 to provide”;

16 (B) by striking “family centered” and in-
17 serting “family-centered”; and

18 (C) by striking “and parents with young
19 children,” and inserting “, to parents with
20 young children, and to parents who are adult
21 former victims of domestic violence or child
22 abuse or neglect,”;

23 (4) in paragraph (3)—

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

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

6 “(i) parent education, mutual support and
7 self help, and parent leadership services;

8 “(ii) respite care services;

9 “(iii) outreach and followup services, which
10 may include voluntary home visiting services;
11 and

12 “(iv) community and social service refer-
13 rals; and”;

14 (B) in subparagraph (C)—

15 (i) in the matter preceding clause (i),
16 by striking “(C)” and inserting “(B) pro-
17 vide”;

18 (ii) by striking clause (ii) and insert-
19 ing the following:

20 “(ii) child care, early childhood edu-
21 cation and care, and intervention serv-
22 ices;”;

23 (iii) in clause (iii), by inserting “and
24 parents who are individuals with disabil-
25 ities” before the semicolon;

1 (iv) in clause (v), by striking “scho-
2 lastic tutoring” and inserting “academic
3 tutoring”;

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

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

8 (vii) by adding at the end the fol-
9 lowing:

10 “(ix) domestic violence service pro-
11 grams that provide services and treatment
12 to children and their non-abusing care-
13 givers.”; and

14 (viii) in clause (v), by striking “scho-
15 lastic tutoring” and inserting “academic
16 tutoring”;

17 (5) in paragraph (5), by striking “family re-
18 source and support program” and inserting “child
19 abuse and neglect prevention program”; and

20 (6) in paragraph (6), by inserting a comma
21 after “operation”.

22 (b) TECHNICAL AMENDMENT.—Section 206(b) of the
23 Child Abuse Prevention and Treatment Act (42 U.S.C.
24 5116e(b)) is amended—

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

3 (2) by striking “family resource and support
4 programs” and inserting “child abuse and neglect
5 prevention programs.”.

6 **SEC. 137. CONFORMING AMENDMENTS.**

7 Section 207 of the Child Abuse Prevention and
8 Treatment Act (42 U.S.C. ~~5116g~~^{5119f}) is amended—

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

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

14 (3) in paragraph (4)—

15 (A) by striking “section 205(3)” and in-
16 sserting “section 204(3)”; and

17 (B) by inserting a comma after “oper-
18 ation”;

19 (4) in paragraph (6)—

20 (A) by inserting a comma after “local”;
21 and

22 (B) by inserting a comma after “expan-
23 sion”; and

24 (5) in paragraph (7), by striking “the results”
25 and all that follows and inserting “the results of

1 evaluation, or the outcomes of monitoring, conducted
 2 under the State program to demonstrate the effec-
 3 tiveness of activities conducted under this title in
 4 meeting the purposes of the program; and”.

5 **SEC. 138. NATIONAL NETWORK FOR COMMUNITY-BASED**
 6 **FAMILY RESOURCE PROGRAMS.**

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

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

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

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

15 **SEC. 139. DEFINITIONS.**

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

18 (1) in paragraph (1), by inserting before the pe-
 19 riod the following: “(20 U.S.C. 1401(3), 1432(5))”;

20 (2) in paragraph (5)—

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

1 (~~B~~) in subparagraphs (~~A~~) and (~~B~~), by
 2 striking “abuse or neglect” and inserting “child
 3 abuse or neglect”; and

4 (~~C~~) in subparagraph (~~C~~), by striking
 5 “have” and all that follows and inserting “have
 6 disabilities or chronic or terminal illnesses.”;

7 (~~3~~) by redesignating paragraph (~~5~~) as para-
 8 graph (~~4~~); and

9 (~~4~~) by adding at the end the following:

10 “(~~5~~) INDIAN TRIBE; TRIBAL ORGANIZATION.—

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

15 “(~~6~~) UNACCOMPANIED HOMELESS YOUTH.—

16 The term ‘unaccompanied homeless youth’ has the
 17 same meaning given the term under section 111.”.

18 **SEC. 139. DEFINITIONS.**

19 *Section 209 of the Child Abuse Prevention and Treat-*
 20 *ment Act (42 U.S.C. 5116h) is amended—*

21 (1) *by striking paragraph (1);*

22 (2) *by redesignating paragraphs (2), (3), and (5)*
 23 *as paragraphs (1) through (3), respectively; and*

24 (3) *in paragraph (3), as so redesignated—*

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

4 (B) in subparagraphs (A) and (B), by strik-
5 ing “abuse or neglect” and inserting “child abuse
6 or neglect”; and

7 (C) in subparagraph (C), by striking
8 “have” and all that follows and inserting “have
9 disabilities or chronic or terminal illnesses.”.

10 **SEC. 140. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 210 of the Child Abuse Prevention and
12 ~~Treatment Act (42 U.S.C. 5116i) is amended by striking~~
13 ~~“\$80,000,000” and all that follows and inserting~~
14 ~~“\$88,000,000 for fiscal year 2011 and such sums as may~~
15 ~~be necessary for each of fiscal years 2012 through 2015.”.~~

16 *Treatment Act (42 U.S.C. 5116i) is amended—*

17

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

19 *and*

20 (2) by striking “2005 through 2008” and insert-
21 ing “2011 through 2015”.

22 **SEC. 141. REDESIGNATION.**

23 Title II of the Child Abuse Prevention and Treatment
24 Act (42 U.S.C. 5116 et seq.) is amended by redesignating

1 sections 205 through 210 as sections 204 through 209,
2 respectively.

3 **SEC. 142. TRANSFER OF DEFINITIONS.**

4 (a) *GENERAL DEFINITIONS.*—*The Child Abuse Preven-*
5 *tion and Treatment Act (42 U.S.C. 5101 et seq.) is amended*
6 *by inserting after section 2 the following:*

7 **“SEC. 3. GENERAL DEFINITIONS.**

8 *“In this Act—*

9 *“(1) the term ‘child’ means a person who has not*
10 *attained the lesser of—*

11 *“(A) the age of 18; or*

12 *“(B) except in the case of sexual abuse, the*
13 *age specified by the child protection law of the*
14 *State in which the child resides;*

15 *“(2) the term ‘child abuse and neglect’ means, at*
16 *a minimum, any recent act or failure to act on the*
17 *part of a parent or caretaker, which results in death,*
18 *serious physical or emotional harm, sexual abuse or*
19 *exploitation, or an act or failure to act which pre-*
20 *sents an imminent risk of serious harm;*

21 *“(3) the term ‘child with a disability’ means a*
22 *child with a disability as defined in section 602 of the*
23 *Individuals with Disabilities Education Act (20*
24 *U.S.C. 1401), or an infant or toddler with a dis-*

1 *ability as defined in section 632 of such Act (20*
2 *U.S.C. 1432);*

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

5 *“(5) the terms ‘Indian’, ‘Indian tribe’, and ‘tribal*
6 *organization’ have the meanings given the terms in*
7 *section 4 of the Indian Self-Determination and Edu-*
8 *cation Assistance Act (25 U.S.C. 450b);*

9 *“(6) the term ‘Secretary’ means the Secretary of*
10 *Health and Human Services;*

11 *“(7) except as provided in section 106(f), the*
12 *term ‘State’ means each of the several States, the Dis-*
13 *trict of Columbia, the Commonwealth of Puerto Rico,*
14 *the Virgin Islands, Guam, American Samoa, and the*
15 *Commonwealth of the Northern Mariana Islands; and*

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

20 **(b) CONFORMING AMENDMENTS.**—*Section 111 of the*
21 *Child Abuse Prevention and Treatment Act (42 U.S.C.*
22 *5106g), as amended by section 119, is further amended—*

23 *(1) by striking paragraphs (1), (2), (3), (5), (9),*
24 *and (11) of section 111;*

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

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

6 (4) in paragraph (4), by adding “and” at the
 7 end; and

8 (5) by redesignating paragraph (6) as para-
 9 graph (5).

10 **Subtitle C—Conforming** 11 **Amendments**

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

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

15 (1) by inserting after the item relating to section
 16 2 the following:

“Sec. 3. General definitions.”;

17 ~~(1)~~(2) by amending the item relating to section
 18 105 to read as follows:

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

19 ~~(2)~~(3) by amending the item relating to section
 20 106 to read as follows:

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

21 ~~(3)~~(4) by striking the item relating to the title
 22 heading of title II and inserting the following:

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

1 and

2 (4)(5) by striking the items relating to sections
3 204 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.”.

4 **TITLE II—FAMILY VIOLENCE**
5 **PREVENTION AND SERVICES**
6 **ACT**

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

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

10 **“TITLE III—FAMILY VIOLENCE**
11 **PREVENTION AND SERVICES**

12 **“SEC. 301. PURPOSES***SHORT TITLE; PURPOSE.*

13 “It is the purpose of this title to—

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

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

17 “(1) assist States and Indian tribes in efforts
18 to increase public awareness about, and primary and
19 secondary prevention of, family violence, domestic vi-
20 olence, and dating violence;

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

5 “(3) provide for a national domestic violence
6 hotline;

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

19 **“SEC. 302. DEFINITIONS.**

20 “In this title:

21 “(1) ALASKA NATIVE.—The term ‘Alaska Na-
22 tive’ has the meaning given the term ‘Native’ in sec-
23 tion 3 of the Alaska Native Claims Settlement Act
24 (43 U.S.C. 1602).

1 “(2) DATING VIOLENCE.—The term ‘dating vio-
2 lence’ has the meaning given such term in section
3 40002(a) of the Violence Against Women Act of
4 1994 (42 U.S.C. 13925(a)).

5 “(3) DOMESTIC VIOLENCE.—The term ‘domes-
6 tic violence’ has the meaning given such term in sec-
7 tion 40002(a) of the Violence Against Women Act of
8 1994 (42 U.S.C. 13925(a)).

9 “(4) FAMILY VIOLENCE.—The term ‘family vio-
10 lence’ means any act or threatened act of violence,
11 including any forceful detention of an individual,
12 that—

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

15 “(B) is committed by a person against an-
16 other individual (including an elderly individual)
17 to or with whom such person—

18 “(i) is related by blood;

19 “(ii) is or was related by marriage or
20 is or was otherwise legally related; or

21 “(iii) is or was lawfully residing.

22 “(5) INDIAN; INDIAN TRIBE; TRIBAL ORGANIZA-
23 TION.—The terms ‘Indian’, ‘Indian tribe’, and ‘tribal
24 organization’ have the meanings given such terms in

1 section 4 of the Indian Self-Determination and Edu-
2 cation Assistance Act (25 U.S.C. 450b).

3 ~~“(6) NATIVE HAWAIIAN; NATIVE HAWAIIAN OR-~~
4 ~~GANIZATION.—The term ‘Native Hawaiian’ and ‘Na-~~
5 ~~tive Hawaiian organization’ have the meanings given~~
6 ~~the terms in section 7207 of the Elementary and~~
7 ~~Secondary Education Act of 1965 (20 U.S.C. 7517).~~

8 *“(6) NATIVE HAWAIIAN.—The term ‘Native Ha-*
9 *waiian’ has the meaning given the term in section*
10 *7207 of the Elementary and Secondary Education*
11 *Act of 1965 (20 U.S.C. 7517).*

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

17 ~~“(8) SECRETARY.—The term ‘Secretary’ means~~
18 ~~the Secretary of Health and Human Services.~~

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

1 “(10) STATE.—The term ‘State’ means each of
2 the several States, the District of Columbia, the
3 Commonwealth of Puerto Rico, and, except as other-
4 wise provided, Guam, American Samoa, the United
5 States Virgin Islands, and the Commonwealth of the
6 Northern Mariana Islands.

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

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

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

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

1 “(D) serves as an information clearing-
 2 house, primary point of contact, and resource
 3 center on domestic violence for the State and
 4 supports the development of policies, protocols,
 5 and procedures to enhance domestic violence
 6 intervention and prevention in the State.

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

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

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

21 “(13) TRIBALLY DESIGNATED OFFICIAL.—The
 22 term ‘tribally designated official’ means an
 23 individual designated by an Indian tribe to receive a
 24 grant to an Indian tribe, tribal organization, or non-
 25 profit private organization under section 309(a).

1 *vidual designated by an Indian tribe, tribal organiza-*
 2 *tion, or nonprofit private organization authorized by*
 3 *an Indian tribe, to administer a grant under section*
 4 *309.*

5 “(14) UNDERSERVED POPULATIONS.—The
 6 term ‘underserved populations’ has the meaning
 7 given the term in section 40002(a)(~~33~~) of the Vio-
 8 lence Against Women Act of 1994 (42 U.S.C.
 9 13925(a)(~~33~~)). For the purposes of this title, the
 10 Secretary has the same authority to determine
 11 whether a population is an underserved population
 12 as the Attorney General has under that section
 13 40002(a)(~~33~~).

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

15 “(a) FORMULA GRANTS TO STATES.—

16 “(1) IN GENERAL.—There is authorized to be
 17 appropriated to carry out sections 301 through 312,
 18 ~~\$192,000,000 for fiscal year 2011 and such sums as~~
 19 ~~may be necessary for each of fiscal years 2012~~
 20 ~~through 2015.~~ *\$175,000,000 for each of fiscal years*
 21 *2011 through 2015.*

22 “(2) ALLOCATIONS.—

23 “(A) FORMULA GRANTS TO STATES.—

24 “(i) RESERVATION OF FUNDS.—For
 25 any fiscal year for which the amounts ap-

1 appropriated under paragraph (1) exceed
2 \$130,000,000, not less than 25 percent of
3 such excess funds shall be made available
4 to carry out section 312.

5 “(ii) FORMULA GRANTS.—Of the
6 amounts appropriated under paragraph (1)
7 for a fiscal year and not reserved under
8 clause (i), not less than 70 percent shall be
9 used for making grants under section
10 306(a).

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

16 “(C) TECHNICAL ASSISTANCE AND TRAIN-
17 ING CENTERS.—Of the amounts appropriated
18 under paragraph (1) for a fiscal year and not
19 reserved under subparagraph (A)(i), not less
20 than 6 percent shall be used by the Secretary
21 for making grants under section 310.

22 “(D) GRANTS FOR STATE DOMESTIC VIO-
23 LENCE COALITIONS.—Of the amounts appro-
24 priated under paragraph (1) for a fiscal year
25 and not reserved under subparagraph (A)(i),

1 not less than 10 percent of such amounts shall
 2 be used by the Secretary for making grants
 3 under section 311.

4 “(E) ADMINISTRATION, EVALUATION AND
 5 MONITORING.—Of the amount appropriated
 6 under paragraph (1) for a fiscal year and not
 7 reserved under subparagraph (A)(i), not more
 8 than 2.5 percent shall be used by the Secretary
 9 for evaluation, monitoring, and other adminis-
 10 trative costs under this title.

11 “(b) NATIONAL DOMESTIC VIOLENCE HOTLINE.—
 12 There is authorized to be appropriated to carry out section
 13 ~~313~~ ~~\$5,000,000~~ for fiscal year ~~2011~~ and such sums as
 14 may be necessary for each of fiscal years ~~2012~~ through
 15 ~~2015~~. *\$3,500,000 for each of fiscal years 2011 through 2015.*

16 “(c) DOMESTIC VIOLENCE PREVENTION ENHANCE-
 17 MENT AND LEADERSHIP THROUGH ALLIANCES.—There
 18 is authorized to be appropriated to carry out section ~~314~~
 19 ~~\$7,000,000~~ for fiscal year ~~2011~~ and such sums as may
 20 be necessary for each of fiscal years ~~2012~~ through
 21 ~~2015~~. *\$6,000,000 for each of fiscal years 2011 through 2015.*

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

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

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

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

7 “(3) make grants to eligible entities or enter
8 into contracts with for-profit or nonprofit non-
9 governmental entities and establish reporting re-
10 quirements for such grantees and contractors;

11 “(4) prescribe such regulations and guidance as
12 are reasonably necessary in order to carry out the
13 objectives and provisions of this title, including regu-
14 lations and guidance on implementing new grant
15 conditions established or provisions modified by
16 amendments made to this title by the CAPTA Reau-
17 thorization Act of 2010, to ensure accountability and
18 transparency of the actions of grantees *and contrac-*
19 *tors*, or as determined by the Secretary to be reason-
20 ably necessary to carry out this title; and

21 “(5) coordinate programs within the Depart-
22 ment of Health and Human Services, and seek to
23 coordinate *those* programs with programs adminis-
24 tered by other Federal agencies, that involve or ~~im-~~
25 ~~pact~~*affect* efforts to prevent family violence, domestic

1 violence, and dating violence or the provision of as-
2 sistance for adult and youth victims of family vio-
3 lence, domestic violence, or dating violence.

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

5 “(1) ~~appoint~~*assign* 1 or more employees of the
6 Department of Health and Human Services to carry
7 out the provisions of this title, including carrying out
8 evaluation and monitoring under this title, which
9 employees shall, prior to such appointment, have ex-
10 pertise in the field of family violence and domestic
11 violence prevention and services *and, to the extent*
12 *practicable, have expertise in the field of dating vio-*
13 *lence;*

14 “(2) ~~provide for the training of personnel and~~
15 provide technical assistance in the conduct of pro-
16 grams for the prevention and treatment of family vi-
17 olence, domestic violence, and dating violence;

18 “(3) provide for and coordinate research into
19 the most effective approaches to the intervention in
20 and prevention of family violence, domestic violence,
21 and dating violence, by—

22 “(A) consulting with experts and program
23 providers within the family violence, domestic
24 violence, and dating violence field to identify
25 gaps in research and knowledge, establish re-

1 search priorities, and disseminate research find-
2 ings;

3 “(B) collecting and reporting data on the
4 provision of family violence, domestic violence,
5 and dating violence services, including assist-
6 ance and programs supported by Federal funds
7 made available under this title and by other
8 governmental or nongovernmental sources of
9 funds; and

10 “(C) coordinating family violence, domestic
11 violence, and dating violence research efforts
12 within the Department of Health and Human
13 Services with relevant research administered or
14 carried out by other Federal agencies and other
15 researchers, including research on the provision
16 of assistance for adult and youth victims of
17 family violence, domestic violence, or dating vio-
18 lence; and

19 “(4) support the development and implementa-
20 tion of effective policies, protocols, and programs
21 within the Department and at other Federal agen-
22 cies that address the safety and support needs of
23 adult and youth victims of family violence, domestic
24 violence, or dating violence.

1 “(c) REPORTS.—Every 2 years, the Secretary shall
2 review and evaluate the activities conducted by ~~grantees~~
3 ~~and subgrantees~~ *grantees, subgrantees, and contractors*
4 under this title and the effectiveness of the programs ad-
5 ministered pursuant to this title, and submit a report con-
6 taining the evaluation to the Committee on Education and
7 Labor of the House of Representatives and the Committee
8 on Health, Education, Labor, and Pensions of the Senate.
9 Such report shall also include a summary of the docu-
10 mentation provided to the Secretary through performance
11 reports submitted under section 306(d). The Secretary
12 shall make publicly available on the Department of Health
13 and Human Services website the evaluation reports sub-
14 mitted to Congress under this subsection, including the
15 summary of the documentation provided to the Secretary
16 under section 306(d).

17 **“SEC. 305. ALLOTMENT OF FUNDS.**

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

21 “(1) Guam, American Samoa, the United
22 States Virgin Islands, and the Commonwealth of the
23 Northern Mariana Islands shall each be allotted not
24 less than $\frac{1}{8}$ of 1 percent of the amounts available

1 for grants under section 306(a) for the fiscal year
2 for which the allotment is made; and

3 “(2) each State shall be allotted for a grant
4 under section 306(a), \$600,000, with the remaining
5 funds to be allotted to each State in an amount that
6 bears the same ratio to such remaining funds as the
7 population of such State bears to the population of
8 all States.

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

17 “(c) RATABLE REDUCTION.—If the sums appro-
18 priated under section 303 for any fiscal year and available
19 for grants to States under section 306(a) are not sufficient
20 to pay in full the total amounts that all States are entitled
21 to receive under subsection (a) for such fiscal year, then
22 the maximum amounts that all States are entitled to re-
23 ceive under subsection (a) for such fiscal year shall be rat-
24 ably reduced. In the event that additional funds become
25 available for making such grants for any fiscal year during

1 which the preceding sentence is applicable, such reduced
2 amounts shall be increased on the same basis as they were
3 reduced.

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

12 “(e) CONTINUED AVAILABILITY OF FUNDS.—All
13 funds allotted to a State for a fiscal year under this sec-
14 tion, *and* made available to such State in a grant under
15 section 306(a), ~~and~~ *shall remain available for obligation by*
16 *the State until the end of the following fiscal year. All such*
17 *funds that are* not obligated by the State by the end of
18 the *following* fiscal year shall be made available to the Sec-
19 retary for discretionary activities under section 314. Such
20 funds shall remain available for obligation, and for ex-
21 penditure by a recipient of the funds under section 314,
22 for not more than 1 year from the date on which the funds
23 are made available to the Secretary.

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

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

5 ~~“(a) FORMULA GRANTS TO STATES.—The Secretary
6 shall award grants to States in order to assist in sup-
7 porting the establishment, maintenance, and expansion of
8 programs and projects to prevent incidents of family vio-
9 lence, domestic violence, and dating violence, to provide
10 immediate shelter, supportive services, and access to com-
11 munity-based programs for victims of family violence, do-
12 mestic violence, or dating violence, and their dependents,
13 and to provide specialized services for children exposed to
14 family violence, domestic violence, or dating violence, un-
15 derserved populations, and victims who are members of
16 racial and ethnic minority populations.~~

17 “(a) *FORMULA GRANTS TO STATES.—The Secretary
18 shall award grants to States in order to assist in supporting
19 the establishment, maintenance, and expansion of programs
20 and projects—*

21 *“(1) to prevent incidents of family violence, do-
22 mestic violence, and dating violence;*

23 *“(2) to provide immediate shelter, supportive
24 services, and access to community-based programs for*

1 *victims of family violence, domestic violence, or dat-*
2 *ing violence, and their dependents; and*

3 *“(3) to provide specialized services for children*
4 *exposed to family violence, domestic violence, or dat-*
5 *ing violence, underserved populations, and victims*
6 *who are members of racial and ethnic minority popu-*
7 *lations.*

8 “(b) ADMINISTRATIVE EXPENSES.—

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

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

16 “(c) GRANT CONDITIONS.—

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

1 “(2) DISCRIMINATION PROHIBITED.—

2 “(A) APPLICATION OF CIVIL RIGHTS PRO-
3 VISIONS.—For the purpose of applying the pro-
4 hibitions against discrimination on the basis of
5 age under the Age Discrimination Act of 1975
6 (42 U.S.C. 6101 et seq.), on the basis of dis-
7 ability under section 504 of the Rehabilitation
8 Act of 1973 (29 U.S.C. 794), on the basis of
9 sex under title IX of the Education Amend-
10 ments of 1972 (20 U.S.C. 1681 et seq.), or on
11 the basis of race, color, or national origin under
12 title VI of the Civil Rights Act of 1964 (42
13 U.S.C. 2000d et seq.), programs and activities
14 funded in whole or in part with funds made
15 available under this title are considered to be
16 programs and activities receiving Federal finan-
17 cial assistance.

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

20 “(i) IN GENERAL.—No person shall
21 on the ground of sex or religion be ex-
22 cluded from participation in, be denied the
23 benefits of, or be subject to discrimination
24 under, any program or activity funded in
25 whole or in part with funds made available

1 under this title. Nothing in this title shall
2 require any such program or activity to in-
3 clude any individual in any program or ac-
4 tivity without taking into consideration
5 that individual's sex in those certain in-
6 stances where sex is a bona fide occupa-
7 tional qualification or programmatic factor
8 reasonably necessary to the normal or safe
9 operation of that particular program or ac-
10 tivity.

11 “(ii) ENFORCEMENT.—The Secretary
12 shall enforce the provisions of clause (i) in
13 accordance with section 602 of the Civil
14 Rights Act of 1964 (42 U.S.C. 2000d–1).
15 Section 603 of such Act (42 U.S.C.
16 2000d–2) shall apply with respect to any
17 action taken by the Secretary to enforce
18 such clause.

19 “(iii) CONSTRUCTION.—This subpara-
20 graph shall not be construed as affecting
21 any legal remedy provided under any other
22 provision of law.

23 “(C) ENFORCEMENT AUTHORITIES OF
24 SECRETARY.—Whenever the Secretary finds
25 that a State, Indian tribe, or other entity that

1 has received financial assistance under this title
2 has failed to comply with a provision of law re-
3 ferred to in subparagraph (A), with subpara-
4 graph (B), or with an applicable regulation (in-
5 cluding one prescribed to carry out subpara-
6 graph (B)), the Secretary shall notify the chief
7 executive officer of the State involved or *the*
8 tribally designated official *of the tribe involved*
9 and shall request such officer or official to se-
10 cure compliance. If, within a reasonable period
11 of time, not to exceed 60 days, the chief execu-
12 tive officer or official fails or refuses to secure
13 compliance, the Secretary may—

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

17 “(ii) exercise the powers and functions
18 provided by title VI of the Civil Rights Act
19 of 1964 (42 U.S.C. 2000d et seq.), the
20 Age Discrimination Act of 1975 (42
21 U.S.C. 6101 et seq.), sections 504 and 505
22 of the Rehabilitation Act of 1973 (29
23 U.S.C. 794, 794(a)), or title IX of the
24 Education Amendments of 1972 (20

1 U.S.C. 1681 et seq.), as may be applicable;

2 or

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

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

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

1 “(4) MATCH.—No grant shall be made under
2 this section to any entity other than a State or an
3 Indian tribe unless the entity agrees that, with re-
4 spect to the costs to be incurred by the entity in car-
5 rying out the program or project for which the grant
6 is awarded, the entity will make available (directly or
7 through donations from public or private entities)
8 non-Federal contributions in an amount that is not
9 less than \$1 for every \$5 of Federal funds provided
10 under the grant. The non-Federal contributions re-
11 quired under this paragraph may be in cash or in
12 kind.

13 “(5) NONDISCLOSURE OF CONFIDENTIAL OR
14 PRIVATE INFORMATION.—

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

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

1 “(i) disclose any personally identifying
2 information collected in connection with
3 services requested (including services uti-
4 lized or denied), through grantees’ and
5 subgrantees’ programs; or

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

12 “(I) shall be given by—

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

15 “(bb) in the case of an
16 unemancipated minor, the minor
17 and the minor’s parent or guard-
18 ian; or

19 “(cc) in the case of an indi-
20 vidual with a guardian, the indi-
21 vidual’s guardian; and

22 “(II) may not be given by the
23 *abuser or* suspected abuser of the
24 minor or individual with a guardian,

1 or the *abuser or* suspected abuser of
2 the other parent of the minor.

3 “(C) RELEASE.—If release of information
4 described in subparagraph (B) is compelled by
5 statutory or court mandate—

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

10 “(ii) grantees and subgrantees shall
11 take steps necessary to protect the privacy
12 and safety of the persons affected by the
13 release of the information.

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

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

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

1 istries for protective order enforcement
2 purposes; and

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

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

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

1 “(G) PREEMPTION.—Nothing in this para-
2 graph shall be construed to supersede any pro-
3 vision of any Federal, State, tribal, or local law
4 that provides greater protection than this para-
5 graph for victims of family violence, domestic
6 violence, or dating violence.

7 “(H) CONFIDENTIALITY OF LOCATION.—
8 The address or location of any shelter facility
9 assisted under this title that otherwise main-
10 tains a confidential location shall, except with
11 written authorization of the person or persons
12 responsible for the operation of such shelter,
13 not be made public.

14 “(6) SUPPLEMENT NOT SUPPLANT.—Federal
15 funds made available to a State or Indian tribe
16 under this title shall be used to supplement and not
17 supplant other Federal, State, tribal, and local pub-
18 lic funds expended to provide services and activities
19 that promote the objectives of this title.

20 “(d) REPORTS AND EVALUATION.—Each State
21 grantee shall submit an annual performance report to the
22 Secretary at such time as shall be reasonably required by
23 the Secretary. Such performance report shall describe the
24 grantee and subgrantee activities that have been carried
25 out with grant funds made available under ~~subsection~~

1 ~~(a)~~subsection (a) or section 309, contain an evaluation of
 2 the effectiveness of such activities, and provide such addi-
 3 tional information as the Secretary may reasonably re-
 4 quire.

5 **“SEC. 307. STATE APPLICATION.**

6 “(a) APPLICATION.—

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

13 “(2) CONTENTS.—Each such application
 14 shall—

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

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

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

23 “(ii) the remaining funds will be dis-
 24 tributed to eligible entities as described in

1 section 308(a) for approved activities as
2 described in section 308(b); and

3 “(iii) in the distribution of funds by a
4 State under section 308(a), the State will
5 give special emphasis to the support of
6 community-based projects of demonstrated
7 effectiveness, that are carried out by non-
8 profit private organizations and that—

9 “(I) have as their primary pur-
10 pose the operation of shelters for vic-
11 tims of family violence, domestic vio-
12 lence, and dating violence, and their
13 dependents; or

14 “(II) provide counseling, advo-
15 cacy, and self-help services to victims
16 of family violence, domestic violence,
17 and dating violence, and their depend-
18 ents;

19 “(C) in the case of an application sub-
20 mitted by a State, provide an assurance that
21 there will be an equitable distribution of grants
22 and grant funds within the State and between
23 urban and rural areas within such State;

24 “(D) in the case of an application sub-
25 mitted by a State, provide an assurance that

1 the State will consult with and provide for the
2 participation of the State Domestic Violence
3 Coalition in the planning and monitoring of the
4 distribution of grants to eligible entities as de-
5 scribed in section 308(a) and the administra-
6 tion of the grant programs and projects;

7 “(E) describe how the State or Indian
8 tribe will involve community-based organiza-
9 tions, whose primary purpose is to provide cul-
10 turally appropriate services to underserved pop-
11 ulations, including how such community-based
12 organizations can assist the State or Indian
13 tribe in addressing the unmet needs of such
14 populations;

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

22 “(G) specify the State agency or tribally
23 designated official to be designated as respon-
24 sible for the administration of programs and ac-
25 tivities relating to family violence, domestic vio-

1 lence, ~~or~~and dating violence, that are carried
 2 out by the State or Indian tribe under this title,
 3 and for coordination of related programs within
 4 the jurisdiction of the State or Indian tribe;

5 “(H) provide an assurance that the State
 6 or Indian tribe has a law or procedure that has
 7 been implemented for the eviction of an abusing
 8 spouse from a shared household; and

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

13 “(b) APPROVAL OF APPLICATION.—

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

22 “(2) CORRECTION OF DEFICIENCIES.—The Sec-
 23 retary shall give such notice, within 45 days after
 24 the date of submission of the application, if any of
 25 the provisions of subsection (a) or section 306 have

1 not been satisfied in such application. If the State
2 or Indian tribe does not correct the deficiencies in
3 such application within the 6-month period following
4 the receipt of the Secretary's notice, the Secretary
5 shall withhold payment of any grant funds under
6 section 306 to such State or under section 309 to
7 such Indian tribe until such date as the State or In-
8 dian tribe provides documentation that the defi-
9 ciencies have been corrected.

10 “(3) STATE OR TRIBAL DOMESTIC VIOLENCE
11 COALITION PARTICIPATION IN DETERMINATIONS OF
12 COMPLIANCE.—State Domestic Violence Coalitions,
13 or comparable coalitions for Indian tribes, shall be
14 permitted to participate in determining whether
15 grantees for corresponding States or Indian tribes
16 are in compliance with subsection (a) and section
17 306(c), except that no funds made available under
18 section 311 shall be used to challenge a determina-
19 tion about whether a grantee is in compliance with,
20 or to seek the enforcement of, the requirements of
21 this title.

22 “(4) FAILURE TO REPORT; NONCONFORMING
23 EXPENDITURES.—The Secretary shall suspend fund-
24 ing for an approved application if the applicant fails
25 to submit an annual performance report under sec-

1 tion 306(d), or if funds are expended for purposes
 2 other than those set forth in section 306(b), after
 3 following the procedures set forth in paragraphs (1),
 4 (2), and (3).

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

6 “(a) SUBGRANTS.—A State that receives a grant
 7 under section 306(a) shall use grant funds described in
 8 section 306(b)(2) to provide subgrants to eligible entities
 9 for programs and projects within such State, ~~to that is de-~~
 10 *signed to prevent incidents of family violence, domestic vio-*
 11 *lence, and dating violence and to provide immediate shel-*
 12 *ter, supportive services, or prevention services for adult*
 13 *and youth victims of family violence, domestic violence, or*
 14 *dating violence, and their dependents, in order violence by*
 15 *providing immediate shelter and supportive services for*
 16 *adult and youth victims of family violence, domestic vio-*
 17 *lence, or dating violence (and their dependents), and that*
 18 *may provide prevention services to prevent future incidents*
 19 of family violence, domestic violence, and dating violence.

20 “(b) USE OF FUNDS.—

21 “(1) IN GENERAL.—Funds awarded to eligible
 22 entities under subsection (a) shall be used to provide
 23 shelter, supportive services, or prevention services to
 24 adult and youth victims of family violence, domestic

1 violence, or dating violence, and their dependents,
2 which may include—

3 “(A) provision, on a regular basis, of im-
4 mediate shelter and related supportive services
5 to adult and youth victims of family violence,
6 domestic violence, or dating violence, and their
7 dependents, including paying for the operating
8 and administrative expenses of the facilities for
9 such shelter;

10 “(B) assistance in ~~the development~~
11 ~~of~~*developing* safety plans, and supporting ef-
12 forts of victims of family violence, domestic vio-
13 lence, or dating violence to make decisions re-
14 lated to their ongoing safety and well-being;

15 “(C) provision of individual and group
16 counseling, peer support groups, and referral to
17 community-based services to assist family vio-
18 lence, domestic violence, and dating violence vic-
19 tims, and their dependents, in recovering from
20 the effects of the violence;

21 “(D) provision of services, training, tech-
22 nical assistance, and outreach to increase
23 awareness of family violence, domestic violence,
24 and dating violence and increase the accessi-

1 bility of family violence, domestic violence, and
2 dating violence services;

3 “(E) provision of culturally and linguis-
4 tically appropriate services;

5 “(F) provision of services for children ex-
6 posed to family violence, domestic violence, or
7 dating violence, including age-appropriate coun-
8 seling, supportive services, and services for the
9 ~~abused~~*nonabusing* parent that support that par-
10 ent’s role as a caregiver, which may, as appro-
11 priate, include services that work with the *non-*
12 *abusing* parent and child together;

13 “(G) provision of advocacy, case manage-
14 ment services, and information and referral
15 services, concerning issues related to family vio-
16 lence, domestic violence, or dating violence
17 intervention and prevention, including—

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

21 “(ii) legal advocacy to assist victims
22 *and their dependents*;

23 “(iii) medical advocacy, including pro-
24 vision of referrals for appropriate health
25 care services (including mental health, al-

1 cohol, and drug abuse treatment), but
2 which shall not include reimbursement for
3 any health care services;

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

7 “(v) provision of transportation, child
8 care, respite care, job training and employ-
9 ment services, financial literacy services
10 and education, financial planning, and re-
11 lated economic empowerment services; and

12 “(vi) parenting and other educational
13 services for victims and their dependents;
14 and

15 “(H) prevention services, including out-
16 reach to underserved populations.

17 “(2) SHELTER AND SUPPORTIVE SERVICES.—

18 Not less than 70 percent of the funds distributed by
19 a State under subsection (a) shall be distributed to
20 entities for the primary purpose of providing imme-
21 diate shelter and supportive services to adult and
22 youth victims of family violence, domestic violence,
23 or dating violence, and their dependents, as de-
24 scribed in paragraph (1)(A). Not less than 25 per-
25 cent of the funds distributed by a State under sub-

1 section (a) shall be distributed to entities for the
2 purpose of providing supportive services and preven-
3 tion services as described in subparagraphs (B)
4 through (H) of paragraph (1).

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

8 “(1) a local public agency, or a nonprofit pri-
9 vate organization (including faith-based and chari-
10 table organizations, community-based organizations,
11 tribal organizations, and voluntary associations),
12 that assists victims of family violence, domestic vio-
13 lence, or dating violence, and their dependents, and
14 has a documented history of effective work con-
15 cerning family violence, domestic violence, ~~and~~ or dat-
16 ing violence; or

17 “(2) a partnership of 2 or more agencies or or-
18 ganizations that includes—

19 “(A) an agency or organization described
20 in paragraph (1); and

21 “(B) an agency or organization that has a
22 demonstrated history of serving populations in
23 their communities, including providing cul-
24 turally appropriate services.

25 “(d) CONDITIONS.—

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

6 “(2) VOLUNTARILY ACCEPTED SERVICES.—Re-
7 ceipt of supportive services under this title shall be
8 voluntary. No condition may be applied for the re-
9 ceipt of emergency shelter as described in subsection
10 (b)(1)(A).

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

12 “(a) GRANTS AUTHORIZED.—The Secretary, in con-
13 sultation with tribal governments pursuant to Executive
14 Order 13175 (25 U.S.C. 450 note) and in accordance with
15 section 903 of the Violence Against Women and Depart-
16 ment of Justice Reauthorization Act of 2005 (42 U.S.C.
17 14045d), shall continue to award grants for Indian tribes
18 from amounts appropriated under section 303(a)(2)(B) to
19 carry out this section.

20 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
21 a grant under this section, an entity shall be an Indian
22 tribe, or a tribal organization or nonprofit private organi-
23 zation authorized by an Indian tribe. An Indian tribe shall
24 have the option to authorize a tribal organization or a non-

1 profit private organization to submit an application and
2 administer the grant funds awarded under this section.

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

6 “(d) GRANTEE APPLICATION.—To be eligible to re-
7 ceive a grant under this section, an entity shall submit
8 an application to the Secretary under section 307 at such
9 time, in such manner, and containing such information as
10 the Secretary determines to be essential to carry out the
11 objectives and provisions of this title. The Secretary shall
12 approve any application that meets requirements con-
13 sistent with the requirements of section 306(c) and section
14 307(a).

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

18 **“SEC. 310. NATIONAL RESOURCE CENTERS AND TRAINING**

19 **AND TECHNICAL ASSISTANCE CENTERS.**

20 “(a) PURPOSE AND GRANTS AUTHORIZED.—

21 “(1) PURPOSE.—The purpose of this section is
22 to provide resource information, training, and tech-
23 nical assistance relating to the objectives of this title
24 to improve the capacity of individuals, organizations,
25 governmental entities, and communities to prevent

1 family violence, domestic violence, and dating vio-
 2 lence and to provide effective intervention services.

3 “(2) GRANTS AUTHORIZED.—From the
 4 amounts appropriated under this title and reserved
 5 under section 303(a)(2)(C), the Secretary—

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

8 “(i) 2 national resource centers (as
 9 provided for in subsection (b)(1)); *and*

10 “(ii) at least 7 special issue resource
 11 centers addressing key areas of domestic
 12 violence, and intervention and prevention
 13 (as provided for in subsection (b)(2)); and

14 “(iii) State resource centers to reduce
 15 disparities in domestic violence in States
 16 with high proportions of Indian (including
 17 Alaska Native) or Native Hawaiian popu-
 18 lations (as provided for in subsection
 19 (b)(3)); and

20 “(B) may award grants, to support train-
 21 ing and technical assistance that address
 22 emerging issues related to family violence, do-
 23 mestic violence, or dating violence, to entities
 24 demonstrating related expertise.

25 “(B) may award grants, to—

1 “(i) *State resource centers to reduce*
2 *disparities in domestic violence in States*
3 *with high proportions of Indian (including*
4 *Alaska Native) or Native Hawaiian popu-*
5 *lations (as provided for in subsection*
6 *(b)(3)); and*

7 “(ii) *support training and technical*
8 *assistance that address emerging issues re-*
9 *lated to family violence, domestic violence,*
10 *or dating violence, to entities demonstrating*
11 *related expertise.*

12 “(b) DOMESTIC VIOLENCE RESOURCE CENTERS.—

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

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

18 “(i) offer a comprehensive array of
19 technical assistance and training resources
20 to Federal, State, and local governmental
21 agencies, domestic violence service pro-
22 viders, community-based organizations,
23 and other professionals and interested par-
24 ties, related to domestic violence service
25 programs and research, including pro-

1 grams and research related to victims and
2 their children who are exposed to domestic
3 violence; and

4 “(ii) maintain a central resource li-
5 brary in order to collect, prepare, analyze,
6 and disseminate information and statistics
7 related to—

8 “(I) the incidence and prevention
9 of family violence and domestic vio-
10 lence; and

11 “(II) the provision of shelter,
12 supportive services, and prevention
13 services to adult and youth victims of
14 domestic violence (including services
15 to prevent repeated incidents of vio-
16 lence); and

17 “(B) a National Indian Resource Center
18 Addressing Domestic Violence and Safety for
19 Indian Women, which shall—

20 “(i) offer a comprehensive array of
21 technical assistance and training resources
22 to Indian tribes and tribal organizations,
23 specifically designed to enhance the capac-
24 ity of the tribes and organizations to re-
25 spond to domestic violence and the findings

1 of section 901 of the Violence Against
2 Women and Department of Justice Reau-
3 thorization Act of 2005 (42 U.S.C.
4 3796gg–10 note);

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

14 “(iii) coordinate activities with other
15 Federal agencies, offices, and grantees that
16 address the needs of Indians (including
17 Alaska Natives), and Native Hawaiians
18 that experience domestic violence, includ-
19 ing the Office of Justice Services at the
20 Bureau of Indian Affairs, the Indian
21 Health Service of the Department of
22 Health and Human Services, and the Of-
23 fice on Violence Against Women of the De-
24 partment of Justice.

1 “(2) SPECIAL ISSUE RESOURCE CENTERS.—In
2 accordance with subsection ~~(a)(2)(a)(2)(A)(ii)~~, the
3 Secretary shall award grants to eligible entities for
4 special issue resource centers, which shall be na-
5 tional in scope and shall provide information, train-
6 ing, and technical assistance to State and local do-
7 mestic violence service providers. Each special issue
8 resource center shall focus on enhancing domestic vi-
9 olence intervention and prevention efforts in at least
10 one of the following areas:

11 “(A) The response of the criminal and civil
12 justice systems to domestic violence victims,
13 which may include the response to the use of
14 the self-defense plea by domestic violence vic-
15 tims and the issuance and use of protective or-
16 ders.

17 “(B) The response of child protective serv-
18 ice agencies to victims of domestic violence and
19 their dependents and child custody issues in do-
20 mestic violence cases.

21 “(C) The response of the interdisciplinary
22 health care system to victims of domestic vio-
23 lence and access to health care resources for
24 victims of domestic violence.

1 “(D) The response of mental health sys-
 2 tems, domestic violence service programs, and
 3 other related systems and programs to victims
 4 of domestic violence and to their children who
 5 are exposed to domestic violence.

6 “(E) In the case of 3 specific resource cen-
 7 ters, enhancing domestic violence intervention
 8 and prevention efforts ~~in the response of domes-~~
 9 ~~tie violence service providers to~~for victims of do-
 10 mestic violence who are members of racial and
 11 ethnic minority groups, to enhance the cultural
 12 and linguistic relevancy of service delivery, re-
 13 source utilization, policy, research, technical as-
 14 sistance, community education, and prevention
 15 initiatives.

16 “(3) STATE RESOURCE CENTERS TO REDUCE
 17 TRIBAL DISPARITIES.—

18 “(A) IN GENERAL.—In accordance with
 19 subsection (a)(2), the Secretary ~~shall~~may award
 20 grants to eligible entities for State resource cen-
 21 ters, which shall provide statewide information,
 22 training, and technical assistance to Indian
 23 tribes, tribal organizations, and local domestic
 24 violence service organizations serving Indians
 25 (including Alaska Natives) or Native Hawai-

1 ians, in a culturally sensitive and relevant man-
2 ner.

3 “(B) REQUIREMENTS.—An eligible entity
4 shall use a grant provided under this para-
5 graph—

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

18 “(ii) to coordinate all projects and ac-
19 tivities with the national resource center
20 described in paragraph (1)(B), including
21 projects and activities that involve working
22 with nontribal State and local governments
23 to enhance their capacity to understand
24 the unique needs of Indians (including

1 Alaska Natives) and Native Hawaiians;
2 and

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

7 “(c) ELIGIBILITY.—

8 “(1) IN GENERAL.—To be eligible to receive a
9 grant under ~~paragraph (1)(A)~~ *subsection (b)(1)(A)* or
10 subparagraph (A), (B), (C), or (D) of subsection
11 (b)(2), an entity shall be a nonprofit private organi-
12 zation that focuses primarily on domestic violence
13 and that—

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

21 “(B) includes on the entity’s advisory
22 board representatives who are from domestic vi-
23 olence service programs and who are geographi-
24 cally and culturally diverse; and

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

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

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

19 “(B) experience providing Indian tribes
20 and tribal organizations with assistance in de-
21 veloping tribally-based prevention and interven-
22 tion services addressing domestic violence and
23 safety for Indian women consistent with the
24 purposes of section 902 of the Violence Against
25 Women and Department of Justice Reauthor-

1 ization Act of 2005 (42 U.S.C. 3796gg–10
2 note);

3 “(C) strong support for the entity’s des-
4 ignation as the National Indian Resource Cen-
5 ter Addressing Domestic Violence and Safety
6 for Indian Women from advocates working
7 within Indian tribes to address domestic vio-
8 lence and the safety of Indian women;

9 “(D) a record of demonstrated effective-
10 ness in assisting Indian tribes and tribal orga-
11 nizations with prevention and intervention serv-
12 ices addressing domestic violence; and

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

17 “(3) SPECIAL ISSUE RESOURCE CENTERS CON-
18 CERNED WITH RACIAL AND ETHNIC MINORITY
19 GROUPS.—To be eligible to receive a grant under
20 subsection (b)(2)(E), an entity shall be an entity
21 that—

22 “(A) is a nonprofit private organization
23 that focuses primarily on issues of domestic vio-
24 lence in a racial or ethnic community, or is a
25 public or private nonprofit educational institu-

1 tion that has a domestic violence institute, cen-
 2 ter, or program related to culturally specific
 3 issues in domestic violence; and

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

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

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

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

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

23 “(ii) be an Indian tribe or tribal organiza-
 24 tion Note: Mention Native Hawaiian commu-
 25 nities or organizations in this paragraph? that

1 focuses primarily on issues of domestic violence
2 among Indians or an institution of higher edu-
3 cation; and

4 *“(ii) be an Indian tribe, tribal organiza-*
5 *tion, or Native Hawaiian organization that fo-*
6 *cuses primarily on issues of domestic violence*
7 *among Indians or Native Hawaiians, or an in-*
8 *stitution of higher education; and*

9 “(B) demonstrate the ability to serve all
10 regions of the State, including underdeveloped
11 areas and areas that are geographically distant
12 from population centers.

13 “(d) REPORTS AND EVALUATION.—Each entity re-
14 ceiving a grant under this section shall submit a perform-
15 ance report to the Secretary annually and in such manner
16 as shall be reasonably required by the Secretary. Such per-
17 formance report shall describe the activities that have been
18 carried out with such grant funds, contain an evaluation
19 of the effectiveness of the activities, and provide such addi-
20 tional information as the Secretary may reasonably re-
21 quire.

22 **“SEC. 311. GRANTS TO STATE DOMESTIC VIOLENCE COALI-**
23 **TIONS.**

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

1 “(b) ALLOTMENT OF FUNDS.—

2 “(1) IN GENERAL.—From the amount appro-
 3 priated under section 303(a)(2)(D) for each fiscal
 4 year, the Secretary shall allot to each of the 50
 5 States, the District of Columbia, the Commonwealth
 6 of Puerto Rico, and ~~the combined~~ *each of the covered*
 7 territories an amount equal to ~~1/53~~ *1/56* of the
 8 amount so appropriated for such fiscal year.

9 “(2) DEFINITION.—For purposes of this sub-
 10 section, the term ‘~~combined~~ *covered* territories’ means
 11 Guam, American Samoa, the United States Virgin
 12 Islands, and the Commonwealth of the Northern
 13 Mariana Islands.

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

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

1 “(2) demonstrates the ability to ~~appropriately~~
2 ~~conduct~~ *to conduct appropriately* all activities de-
3 scribed in this section, as indicated by—

4 “(A) documented experience in admin-
5 istering Federal grants to conduct the activities
6 described in subsection (d); or

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

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

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

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

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

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

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

22 “(6) working with family law judges, criminal
23 court judges, child protective service agencies, and
24 children’s advocates to develop appropriate responses
25 to child custody and visitation issues in cases of

1 child exposure to family violence, domestic violence,
2 or dating violence and in cases in which—

3 “(A) family violence, domestic violence, or
4 dating violence is present; and

5 “(B) child abuse is present;

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

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

16 “(e) LIMITATION ON USE OF FUNDS.—A coalition
17 that receives a grant under this section shall not be re-
18 quired to use funds received under ~~this Act~~ *this title* for
19 the purposes described in paragraph (5) or (6) of sub-
20 section (d) if the coalition provides an annual assurance
21 to the Secretary that the coalition is—

22 ~~“(1) using funds received under the Violence~~
23 ~~Against Women Act of 1994 for such purposes; and~~

24 “(1) *using funds received under section*
25 *2001(c)(1) of the Omnibus Crime Control and Safe*

1 *Streets Act of 1968 (42 U.S.C. 3796gg(c)(1)) for such*
2 *purposes; and*

3 “(2) coordinating the activities carried out by
4 the coalition under subsection (d) with the State’s
5 activities under ~~the Violence Against Women Act of~~
6 ~~1994~~*part T of title I of the Omnibus Crime Control*
7 *and Safe Streets Act of 1968 (42 U.S.C. 3796gg et*
8 *seq.)* that address those purposes.

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

19 “(1) when formally requested to do so by a leg-
20 islative body, a committee, or a member of the body
21 or committee; or

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

24 “(g) REPORTS AND EVALUATION.—Each entity re-
25 ceiving a grant under this section shall submit a perform-

1 ance report to the Secretary at such time as shall be rea-
2 sonably required by the Secretary. Such performance re-
3 port shall describe the activities that have been carried out
4 with such grant funds, contain an evaluation of the effec-
5 tiveness of such activities, and provide such additional in-
6 formation as the Secretary may reasonably require.

7 “(h) INDIAN REPRESENTATIVES.—For purposes of
8 this section, a State Domestic Violence Coalition may in-
9 clude representatives of Indian tribes and tribal organiza-
10 tions.

11 **“SEC. 312. SPECIALIZED SERVICES FOR ABUSED PARENTS**
12 **AND THEIR CHILDREN.**

13 “(a) IN GENERAL.—

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

21 “(2) GRANTS.—The Secretary may make
22 grants to eligible entities through the program es-
23 tablished under paragraph (1) for periods of not
24 more than 2 years. If the Secretary determines that
25 an entity has received such a grant and been suc-

1 successful in meeting the objectives of the grant appli-
 2 cation submitted under subsection (c), the Secretary
 3 may renew the grant for 1 additional period of not
 4 more than 2 years.

5 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
 6 a grant under this section, an entity shall be a local ~~agency~~
 7 ~~or agency~~, a nonprofit private organization (including faith-
 8 based and charitable organizations, community-based or-
 9 ganizations, ~~tribal organizations, and voluntary associa-~~
 10 ~~tions~~) *and voluntary associations*), or a tribal organization,
 11 with a demonstrated record of serving victims of family
 12 violence, domestic violence, or dating violence and their
 13 children.

14 “(c) APPLICATION.—An entity seeking a grant under
 15 this section shall submit an application to the Secretary
 16 at such time, in such manner, and containing such infor-
 17 mation as the Secretary may reasonably require, includ-
 18 ing—

19 “(1) a description of how the entity will
 20 prioritize the safety of, and confidentiality of
 21 ~~information about, victims of family violence, domes-~~
 22 ~~tic violence, or dating violence and their chil-~~
 23 ~~dren~~; *mation about—*

1 “(A) *victims of family violence, victims of*
2 *domestic violence, and victims of dating violence;*
3 *and*

4 “(B) *children of victims described in sub-*
5 *paragraph (A);*

6 “(2) a description of how the entity will provide
7 developmentally appropriate and age-appropriate
8 services, and culturally and linguistically appropriate
9 services, to the victims and children; and

10 “(3) a description of how the entity will ensure
11 that professionals working with the children receive
12 the training and technical assistance appropriate
13 and relevant to the unique needs of children exposed
14 to family violence, domestic violence, or dating vio-
15 lence.

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

20 “(1) shall use the funds made available through
21 the grant—

22 “(A) to provide direct counseling, appro-
23 priate services consistent with subsection (c)(2),
24 or advocacy on behalf of victims of family vio-
25 lence, domestic violence, or dating violence and

1 their children, including coordinating services
 2 with services provided by the child welfare sys-
 3 tem;

4 “(B) to provide services for
 5 ~~abused~~*nonabusing* parents to support those par-
 6 ents’ roles as caregivers and their roles in re-
 7 sponding to the social, emotional, and develop-
 8 mental needs of their children; and

9 “(C) where appropriate, to provide the
 10 services described in this subsection while work-
 11 ing with such ~~an abused~~*a nonabusing* parent
 12 and child together; and

13 “(2) may use the funds made available through
 14 the grant—

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

17 “(B) to coordinate activities with and pro-
 18 vide technical assistance to community-based
 19 organizations serving victims of family violence,
 20 domestic violence, or dating violence or children
 21 exposed to family violence, domestic violence, or
 22 dating violence; and

23 “(C) to provide additional services and re-
 24 ferrals to services for children, including child
 25 care, transportation, educational support, res-

1 “(c) CONDITIONS ON PAYMENT.—The provision of
2 payments under a grant awarded under this section shall
3 be subject to annual approval by the Secretary and subject
4 to the availability of appropriations for each fiscal year
5 to make the payments.

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

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

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

15 “(A) the training program for hotline per-
16 sonnel, including technology training to ensure
17 that all persons affiliated with the hotline are
18 able to effectively operate any technological sys-
19 tems used by the hotline;

20 “(B) the hiring criteria and qualifications
21 for hotline personnel;

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

24 “(D) a plan for publicizing the availability
25 of the hotline;

1 “(E) a plan for providing service to non-
2 English speaking callers, including service
3 through hotline personnel who have non-English
4 language capability; ~~and~~

5 “(F) a plan for facilitating access to the
6 hotline by persons with hearing impairments;
7 and

8 “(F) shall provide (G) a plan for providing
9 assistance and referrals to youth victims of do-
10 mestic violence and for victims of dating vio-
11 lence who are minors, which may be carried out
12 through a national teen dating violence hotline;

13 “(3) demonstrate that the applicant has recog-
14 nized expertise in the area of family violence, domes-
15 tic violence, ~~and dating~~ or dating violence and a
16 record of high quality service to victims of family vi-
17 olence, domestic violence, or dating violence, includ-
18 ing a demonstration of support from advocacy
19 groups and State Domestic Violence Coalitions;

20 “(4) demonstrate that the applicant has the ca-
21 pacity and the expertise to maintain a domestic vio-
22 lence hotline and a comprehensive database of serv-
23 ice providers;

24 “(5) demonstrate the ability to provide informa-
25 tion and referrals for callers, directly connect callers

1 to service providers, and employ crisis interventions
2 meeting the standards of family violence, domestic
3 violence, and dating violence providers;

4 “(6) demonstrate that the applicant has a com-
5 mitment to diversity and to the provision of services
6 to underserved populations, including to ethnic, ra-
7 cial, and non-English speaking minorities, in addi-
8 tion to older individuals and individuals with disabil-
9 ities;

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

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

16 “(e) HOTLINE ACTIVITIES.—

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

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

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

5 “(B) shall employ, train (including pro-
6 viding technology training), and supervise per-
7 sonnel to answer incoming calls, provide coun-
8 seling and referral services for callers on a 24-
9 hour-a-day basis, and directly connect callers to
10 service providers;

11 “(C) shall assemble and maintain a data-
12 base of information relating to services for
13 adult and youth victims of family violence, do-
14 mestic violence, or dating violence to which call-
15 ers may be referred throughout the United
16 States, including information on the availability
17 of shelters and supportive services for victims of
18 family violence, domestic violence, or dating vio-
19 lence;

20 “(D) shall widely publicize the hotline
21 throughout the United States, including to po-
22 tential users;

23 “(E) shall provide assistance and referrals
24 to meet the needs of underserved populations
25 and individuals with disabilities;

1 “(F) shall provide assistance and referrals
 2 for youth victims of domestic violence and for
 3 victims of dating violence who are minors,
 4 which may be carried out through a national
 5 teen dating violence hotline;

6 “(G) may provide appropriate assistance
 7 and referrals for family and household members
 8 of victims of family violence, domestic violence,
 9 or dating violence, and persons affected by the
 10 victimization described in subsection (a); and

11 “(H) at the discretion of the hotline oper-
 12 ator, may provide ~~assistance or referrals~~
 13 ~~for assistance, or referrals for counseling or inter-~~
 14 ~~vention, for~~ identified adult and youth perpetra-
 15 tors, including self-identified perpetrators, of
 16 family violence, domestic violence, or dating vio-
 17 lence, but shall not be required to provide such
 18 assistance or referrals in any circumstance in
 19 which the hotline operator fears the safety of a
 20 victim may be impacted by an ~~accused~~
 21 ~~abuser~~ *abuser or suspected abuser.*

22 “(f) REPORTS AND EVALUATION.—The entity receiv-
 23 ing a grant under this section shall submit a performance
 24 report to the Secretary at such time as shall be reasonably
 25 required by the Secretary. Such performance report shall

1 describe the activities that have been carried out with such
2 grant funds, contain an evaluation of the effectiveness of
3 such activities, and provide such additional information as
4 the Secretary may reasonably require.

5 **“SEC. 314. DOMESTIC VIOLENCE PREVENTION ENHANCE-**
6 **MENT AND LEADERSHIP THROUGH ALLI-**
7 **ANCES (DELTA).**

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

16 “(b) TERM.—The Secretary shall enter into a cooper-
17 ative agreement under this section for a period of not more
18 than 5 fiscal years.

19 “(c) CONDITIONS ON PAYMENT.—The provision of
20 payments under a cooperative agreement under this sec-
21 tion shall be subject to—

22 “(1) annual approval by the Secretary; and

23 “(2) the availability of appropriations for each
24 fiscal year to make the payments.

1 “(d) ELIGIBILITY.—To be eligible to enter into a co-
2 operative agreement under this section, an organization
3 shall—

4 “(1) be a State Domestic Violence Coalition;
5 and

6 “(2) include representatives of pertinent sectors
7 of the local community, which may include—

8 “(A) health care providers and State or
9 local health departments;

10 “(B) the education community;

11 “(C) the faith-based community;

12 “(D) the criminal justice system;

13 “(E) family violence, domestic violence,
14 and dating violence service program advocates;

15 “(F) human service entities such as State
16 child services divisions;

17 “(G) business and civic leaders; and

18 “(H) other pertinent sectors.

19 “(e) APPLICATIONS.—An organization that desires to
20 enter into a cooperative agreement under this section shall
21 submit to the Secretary an application, in such form and
22 in such manner as the Secretary shall require, that—

23 “(1) demonstrates the capacity of the applicant,
24 who may enter into a partnership with a local family
25 violence, domestic violence, or dating violence service

1 provider or community-based organization, to under-
2 take the project involved;

3 “(2) demonstrates that the project will include
4 a coordinated community response to improve and
5 expand prevention strategies through increased com-
6 munication and coordination among all affected sec-
7 tors of the local community;

8 “(3) includes a complete description of the ap-
9 plicant’s plan for the establishment and implementa-
10 tion of the coordinated community response, includ-
11 ing a description of—

12 “(A) the method to be used for identifica-
13 tion and selection of an administrative com-
14 mittee made up of persons knowledgeable about
15 comprehensive family violence, domestic vio-
16 lence, and dating violence prevention planning
17 to oversee the project, hire staff, assure compli-
18 ance with the project outline, and secure annual
19 evaluation of the project;

20 “(B) the method to be used for identifica-
21 tion and selection of project staff and a project
22 evaluator;

23 “(C) the method to be used for identifica-
24 tion and selection of a project council consisting

1 of representatives of the community sectors list-
2 ed in subsection (d)(2); and

3 “(D) the method to be used for identifica-
4 tion and selection of a steering committee con-
5 sisting of representatives of the various commu-
6 nity sectors who will chair subcommittees of the
7 project council, each of which will focus on 1 of
8 the sectors;

9 “(4) demonstrates that the applicant has expe-
10 rience in providing, or the capacity to provide, pre-
11 vention-focused training and technical assistance;

12 “(5) demonstrates that the applicant has the
13 capacity to carry out collaborative community initia-
14 tives to prevent family violence, domestic violence,
15 and dating violence; and

16 “(6) contains such other information, agree-
17 ments, and assurances as the Secretary may require.

18 “(f) GEOGRAPHICAL DISPERSION.—The Secretary
19 shall enter into cooperative agreements under this section
20 with organizations in States geographically dispersed
21 throughout the Nation.

22 “(g) USE OF FUNDS.—

23 “(1) IN GENERAL.—An organization that enters
24 into a cooperative agreement under subsection (a)
25 shall use the funds made available through the

1 agreement to establish, operate, and maintain com-
2 prehensive family violence, domestic violence, and
3 dating violence prevention programming.

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

7 “(A) provide technical assistance;

8 “(B) monitor the performance of organiza-
9 tions carrying out activities under the coopera-
10 tive agreements; and

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

13 “(3) REQUIREMENTS.—In establishing and op-
14 erating a project under this section, an eligible orga-
15 nization shall—

16 “(A) establish protocols to improve and ex-
17 pand family violence, domestic violence, and
18 dating violence prevention and intervention
19 strategies within affected community sectors de-
20 scribed in subsection (d)(2);

21 “(B) develop comprehensive prevention
22 plans to coordinate prevention efforts with
23 other community sectors;

24 “(C) provide for periodic evaluation of the
25 project, and analysis to assist in replication of

1 the prevention strategies used in the project in
2 other communities, and submit a report under
3 subsection (h) that contains the evaluation and
4 analysis;

5 “(D) develop, replicate, or conduct com-
6 prehensive, evidence-informed primary preven-
7 tion programs that reduce risk factors and pro-
8 mote protective factors that reduce the likeli-
9 hood of family violence, domestic violence, and
10 dating violence, which may include—

11 “(i) educational workshops and semi-
12 nars;

13 “(ii) training programs for profes-
14 sionals;

15 “(iii) the preparation of informational
16 material;

17 “(iv) developmentally appropriate edu-
18 cation programs;

19 “(v) other efforts to increase aware-
20 ness of the facts about, or to help prevent,
21 family violence, domestic violence, and dat-
22 ing violence; and

23 “(vi) the dissemination of information
24 about the results of programs conducted
25 under this subparagraph;

1 “(E) utilize evidence-informed prevention
2 program planning; and

3 “(F) recognize, in applicable cases, the
4 needs of underserved populations, racial and
5 linguistic populations, and individuals with dis-
6 abilities.

7 “(h) REPORTS AND EVALUATION.—Each organiza-
8 tion entering into a cooperative agreement under this sec-
9 tion shall submit a performance report to the Secretary
10 at such time as shall be reasonably required by the Sec-
11 retary. Such performance report shall describe activities
12 that have been carried out with the funds made available
13 through the agreement, contain an evaluation of the effec-
14 tiveness of such activities, and provide such additional in-
15 formation as the Secretary may reasonably require. The
16 Secretary shall make the evaluations received under this
17 subsection publicly available on the Department of Health
18 and Human Services website. The reports shall also be
19 submitted to the Committee on Education and Labor of
20 the House of Representatives and the Committee on
21 Health, Education, Labor, and Pensions of the Senate.”.

22 **SEC. 202. AMENDMENTS TO OTHER LAWS.**

23 (a) *TITLE 11, UNITED STATES CODE.—Section*
24 *707(b)(2)(A)(ii)(I) of title 11, United States Code, is*
25 *amended in the 4th sentence by striking “section 309 of the*

1 *Family Violence Prevention and Services Act*” and insert-
2 ing “section 302 of the *Family Violence Prevention and*
3 *Services Act*”.

4 (b) *INDIVIDUALS WITH DISABILITIES EDUCATION*
5 *ACT*.—Section 635(c)(2)(G) of the *Individuals with Dis-*
6 *abilities Education Act* (20 U.S.C. 1435(c)(2)(G)) is
7 amended by striking “section 320 of the *Family Violence*
8 *Prevention and Services Act*” and inserting “section 302
9 of the *Family Violence Prevention and Services Act*”.

10 (c) *OMNIBUS CRIME CONTROL AND SAFE STREETS*
11 *ACT OF 1968*.—Section 2001(c)(2)(A) of the *Omnibus*
12 *Crime Control and Safe Streets Act of 1968* (42 U.S.C.
13 3796gg(c)(2)(A)) is amended by striking “through the *Fam-*
14 *ily Violence Prevention and Services Act* (42 U.S.C. 10410
15 *et seq.*)” and inserting “under section 311 of the *Family*
16 *Violence Prevention and Services Act*”.

17 (d) *VIOLENCE AGAINST WOMEN ACT OF 1994*.—Sec-
18 tion 40002(a)(26) of the *Violence Against Women Act of*
19 *1994* (42 U.S.C. 13925(a)(26)) is amended by striking
20 “under the *Family Violence Prevention and Services Act*
21 (42 U.S.C. 10410(b))” and inserting “under sections 302
22 and 311 of the *Family Violence Prevention and Services*
23 *Act*”.

24 (e) *VIOLENT CRIME CONTROL AND LAW ENFORCE-*
25 *MENT ACT OF 1994*.—The portion of section 310004(d) of

1 *the Violent Crime Control and Law Enforcement Act of*
 2 *1994 (42 U.S.C. 14214(d)) that pertains to the definition*
 3 *of the term “prevention program” is amended—*

4 (1) *in paragraph (20), by striking “section*
 5 *40211” and inserting “section 313 of the Family Vio-*
 6 *lence Prevention and Services Act (relating to a hot-*
 7 *line)”;*

8 (2) *in paragraph (22), by striking “section*
 9 *40241” and inserting “sections 301 through 312 of the*
 10 *Family Violence Prevention and Services Act”;* and

11 (3) *in paragraph (24), by striking “section*
 12 *40261” and inserting “section 314 of the Family Vio-*
 13 *lence Prevention and Services Act (relating to com-*
 14 *munity projects to prevent family violence, domestic*
 15 *violence, and dating violence)”.*

16 **TITLE III—CHILD ABUSE PRE-**
 17 **VENTION AND TREATMENT**
 18 **AND ADOPTION REFORM ACT**
 19 **OF 1978**

20 **SEC. 301. CHILD ABUSE PREVENTION AND TREATMENT**
 21 **AND ADOPTION REFORM.**

22 (a) FINDINGS.—Section 201 of the Child Abuse Pre-
 23 vention and Treatment and Adoption Reform Act of 1978
 24 (42 U.S.C. 5111) is amended—

25 ~~(1)~~ *in subsection (a)—*

1 (A) in paragraph (1)—

2 (i) by striking “565,000” and insert-
3 ing “506,000”; and

4 (ii) by striking “2001” and inserting
5 “2005”; and

6 (B) in paragraph (5)(A), by striking
7 “131,000” and inserting “122,000”; and

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

10 “(a) *FINDINGS.—Congress finds that—*

11 “(1) *on the last day of fiscal year 2009, some*
12 *424,000 children were living in temporary foster fam-*
13 *ily homes or other foster care settings;*

14 “(2) *most children in foster care are victims of*
15 *child abuse or neglect by their biological parents and*
16 *their entry into foster care brought them the addi-*
17 *tional trauma of separation from their homes and*
18 *often their communities;*

19 “(3) *on average, children entering foster care*
20 *have more physical and mental health needs than do*
21 *children in the general population, and some require*
22 *intensive services because the children entering foster*
23 *care—*

24 “(A) *were born to mothers who did not re-*
25 *ceive prenatal care;*

1 “(B) were born with life-threatening condi-
2 tions or disabilities;

3 “(C) were born addicted to alcohol or other
4 drugs; or

5 “(D) have HIV/AIDS;

6 “(4) each year, thousands of children in foster
7 care, regardless of their age, the size of the sibling
8 group they are a part of, their racial or ethnic status,
9 their medical condition, or any physical, mental or
10 emotional disability they may have, are in need of
11 placement with permanent, loving, adoptive families;

12 “(5)(A) States have made important strides in
13 increasing the number of children who are placed in
14 permanent homes with adoptive parents and in re-
15 ducing the length of time children wait for such a
16 placement; and

17 “(B) many thousands of children, however, still
18 remain in institutions or foster homes solely because
19 of legal and other barriers to such a placement;

20 “(6)(A) on the last day of fiscal year 2009, there
21 were 115,000 children waiting for adoption;

22 “(B) children waiting for adoption have had pa-
23 rental rights of all living parents terminated or the
24 children have a permanency goal of adoption;

1 “(C)(i) *the average age of children adopted with*
2 *public child welfare agency involvement during fiscal*
3 *year 2009 was a little more than 6 years; and*

4 “(ii) *the average age of children waiting for*
5 *adoption on the last day of that fiscal year was a lit-*
6 *tle more than 8 years of age and more than 30,000*
7 *of those children were 12 years of age or older; and*

8 “(D)(i) *25 percent of the children adopted with*
9 *public child welfare agency involvement during fiscal*
10 *year 2009 were African-American; and*

11 “(ii) *30 percent of the children waiting for adop-*
12 *tion on the last day of fiscal year 2009 were African-*
13 *American;*

14 “(7) *adoption may be the best alternative for as-*
15 *suming the healthy development of children placed in*
16 *foster care;*

17 “(8) *there are qualified persons seeking to adopt*
18 *such children who are unable to do so because of bar-*
19 *riers to their placement and adoption; and*

20 “(9) *in order both to enhance the stability of and*
21 *love in the home environments of such children and*
22 *to avoid wasteful expenditures of public funds, such*
23 *children—*

24 “(A) *should not have medically indicated*
25 *treatment withheld from them; or*

1 “(B) be maintained in foster care or insti-
2 tutions when adoption is appropriate and fami-
3 lies can be found for such children.”; and

4 (2) in subsection (b)—

5 (A) in the matter preceding paragraph (1),
6 by inserting “older children, minority children,
7 and” after “particularly”; and

8 (B) by striking paragraph (2) and insert-
9 ing the following:

10 “(2) maintain an Internet-based national adop-
11 tion information exchange system to—

12 “(A) bring together children who would
13 benefit from adoption and qualified prospective
14 adoptive parents who are seeking such children;

15 “(B) conduct national recruitment efforts
16 in order to reach prospective parents for chil-
17 dren awaiting adoption; and

18 “(C) connect placement agencies, prospec-
19 tive adoptive parents, and adoptive parents to
20 resources designed to reduce barriers to adop-
21 tion, support adoptive families, and ensure per-
22 manency; and”.

23 (b) INFORMATION AND SERVICES.—Section 203 of
24 the Child Abuse Prevention and Treatment and Adoption
25 Reform Act of 1978 (42 U.S.C. 5113) is amended—

1 (1) in subsection (a), by striking all that follows
2 “facilitate the adoption of” and inserting “older chil-
3 dren, minority children, and children with special
4 needs, particularly infants and toddlers with disabil-
5 ities who have life-threatening conditions, and serv-
6 ices to couples considering adoption of children with
7 special needs.”;

8 (2) in subsection (b)—

9 (A) in paragraph (1)—

10 (i) by striking “and” after “regarding
11 adoption” and inserting a comma; and

12 (ii) by inserting “, and post-legal
13 adoption services” after “adoption assist-
14 ance programs”;

15 (B) in paragraph (2), by inserting “, in-
16 cluding efforts to promote the adoption of older
17 children, minority children, and children with
18 special needs” after “national level”;

19 (C) in paragraph (7)—

20 (i) by striking “study the efficacy of
21 States contracting with” and inserting “in-
22 crease the effective use of”;

23 (ii) by striking the comma after “or-
24 ganizations)” and inserting “by States,”;

1 (iii) by inserting a comma after “insti-
2 tutions”; and

3 (iv) by inserting “, including assisting
4 in efforts to work with organizations that
5 promote the placement of older children,
6 minority children, and children with special
7 needs” after “children for adoption”;

8 (D) in paragraph (9)—

9 (i) in subparagraph (B), by striking
10 “and” at the end;

11 (ii) in subparagraph (C), by adding
12 “and” after the semicolon at the end; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(D) identify best practices to reduce
16 adoption disruption and termination;”; and

17 (E) in paragraph (10)—

18 (i) in the matter preceding subpara-
19 graph (A), by inserting “tribal child wel-
20 fare agencies,” after “local government en-
21 tities,”; and

22 (ii) in subparagraph (A)—

23 (I) in clause (ii), by inserting “,
24 including developing and using proce-
25 dures to notify family and relatives

1 when a child enters the child welfare
2 system” before the semicolon at the
3 end;

4 (II) by redesignating clauses (vii)
5 and (viii) as clauses (viii) and (ix), re-
6 spectively; and

7 (III) by inserting after clause (vi)
8 the following:

9 “(vii) education and training of pro-
10 spective adoptive or adoptive parents;”;

11 and

12 (3) in subsection (d)—

13 (A) in paragraph (1), by striking the sec-
14 ond sentence and all that follows; and

15 (B) in paragraph (2)—

16 (i) in subparagraph (A)—

17 (I) in the second sentence, by in-
18 serting “, consistent with the purpose
19 of this title” after “by the Secretary”;
20 and

21 (II) by striking the ~~3rd~~*third* sen-
22 tence and inserting the following:
23 “Each application shall contain infor-
24 mation that—

1 “(i) describes how the State plans to
2 improve the placement rate of children in
3 permanent homes;

4 “(ii) describes the methods the State,
5 prior to submitting the application, has
6 used to improve the placement of older
7 children, minority children, and children
8 with special needs, who are legally free for
9 adoption;

10 “(iii) describes the evaluation the
11 State plans to conduct, to identify the ef-
12 fectiveness of programs and methods of
13 placement under this subsection, and sub-
14 mit to the Secretary; and

15 “(iv) describes how the State plans to
16 coordinate activities under this subsection
17 with relevant activities under section 473
18 of the Social Security Act (42 U.S.C.
19 673).”;

20 (ii) in subparagraph (B)(i), by insert-
21 ing “older children, minority children,
22 and” after “successful placement of”; and

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

1 “(C) EVALUATION.—The Secretary shall
2 compile the results of evaluations submitted by
3 States (described in subparagraph (A)(iii)) and
4 submit a report containing the compiled results
5 to the appropriate committees of Congress.”.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
7 205 of the Child Abuse Prevention and Treatment and
8 Adoption Reform Act of 1978 (42 U.S.C. 5115) is amend-
9 ed—

10 ~~(1) in paragraph (1), by striking~~
11 ~~“\$40,000,000” and all that follows through “2008”~~
12 ~~and inserting “\$40,000,000 for fiscal year 2011 and~~
13 ~~such sums as may be necessary for each of fiscal~~
14 ~~years 2012 through 2015”;~~

15 (1) *in subsection (a)—*

16 (A) *by striking “2004” and inserting*
17 ~~“2010”;~~ *and*

18 (B) *by striking “2005 through 2008” and*
19 ~~inserting “2011 through 2015”;~~

20 (2) *by redesignating subsection (b) as sub-*
21 ~~section (c); and~~

22 (3) *by inserting after subsection (a) the fol-*
23 ~~lowing:~~

24 “(b) Not less than 30 percent and not more than 50
25 percent of the funds appropriated under subsection (a)

1 shall be allocated for activities under subsections (b)(10)
2 and (c) of section 203.”.

3 **TITLE IV—ABANDONED INFANTS**
4 **ASSISTANCE ACT OF 1988**

5 **SEC. 401. ABANDONED INFANTS ASSISTANCE.**

6 (a) *FINDINGS.*—Section 2 of the Abandoned Infants
7 Assistance Act of 1988 (42 U.S.C. 5117aa) is amended—

8 (1) in paragraph (4), by striking “including
9 those” and all that follows through “‘AIDS’” and in-
10 sserting “including those with HIV/AIDS”; and

11 (2) in paragraph (5), by striking “acquired im-
12 mune deficiency syndrome” and inserting “HIV/
13 AIDS”.

14 (b) *REPEAL.*—Title II of the Abandoned Infants As-
15 sistance Act of 1988 (Public Law 100–505; 102 Stat. 2536)
16 is repealed.

17 (a) *EVALUATIONS, STUDY, AND REPORTS.*—Section
18 ~~102(b)(2)~~ of the Abandoned Infants Assistance Act of
19 ~~1988 (42 U.S.C. 5117aa–12(b)(2))~~ is amended by striking
20 “Keeping Children and Families Safe Act of 2003” and
21 inserting “CAPTA Reauthorization Act of 2010”.

22 (c) *DEFINITIONS.*—Section 301 of the Abandoned In-
23 fants Assistance Act of 1988 (42 U.S.C. 5117aa–21) is
24 amended—

25 (1) by striking paragraph (2); and

1 (2) *by redesignating paragraphs (3) through (5)*
2 *as paragraphs (2) through (4), respectively.*

3 ~~(b)~~(d) AUTHORIZATION OF APPROPRIATIONS.—Sec-
4 tion 302 of the Abandoned Infants Assistance Act of 1988
5 (42 U.S.C. 5117aa–22) is amended—

6 (1) ~~in~~ subsection (a)(1), ~~by striking~~
7 “\$45,000,000” and all that follows and inserting
8 “\$45,000,000 for fiscal year 2011 and such sums as
9 may be necessary for each of fiscal years 2012
10 through 2015.”; and

11 (1) *in subsection (a)(1)—*

12 (A) *by striking “2004” and inserting*
13 *“2010”; and*

14 (B) *by striking “2005 through 2008” and*
15 *inserting “2011 through 2015”; and*

16 (2) ~~in~~ subsection (b)(2), ~~by striking~~ “fiscal year
17 2003” and inserting “fiscal year 2010”.

Calendar No. 670

11TH CONGRESS
2^D SESSION
S. 3817

A BILL

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.

DECEMBER 2, 2010

Reported with amendments