

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1197

To reauthorize the Violence Against Women Act of 1994.

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IN THE SENATE OF THE UNITED STATES

JUNE 8, 2005

Mr. BIDEN (for himself, Mr. HATCH, Mr. SPECTER, Mr. LEAHY, Mr. DEWINE, Mr. KOHL, Mr. GRASSLEY, Mr. KENNEDY, Mrs. BOXER, Ms. STABENOW, Mr. SCHUMER, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To reauthorize the Violence Against Women Act of 1994.

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

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Violence Against  
5 Women Act of 2005”.

6 **SEC. 2. TABLE OF CONTENTS.**

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

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Sec. 2. Table of contents.

Sec. 3. Universal definitions and grant provisions.

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

Sec. 101. Stop grants improvements.

- Sec. 102. Grants to encourage arrest and enforce protection orders improvements.
- Sec. 103. Legal assistance for victims improvements.
- Sec. 104. Ensuring crime victim access to legal services.
- Sec. 105. The Violence Against Women Act court training and improvements.
- Sec. 106. Full faith and credit improvements.
- Sec. 107. Privacy protections for victims of domestic violence, dating violence, sexual violence, and stalking.
- Sec. 108. Sex offender management.
- Sec. 109. Stalker database.
- Sec. 110. Federal victim assistants reauthorization.
- Sec. 111. Grants for law enforcement training programs.
- Sec. 112. Reauthorization of the Court-Appointed Special Advocate Program.
- Sec. 113. Preventing cyberstalking.
- Sec. 114. Criminal provision relating to stalking.
- Sec. 115. Repeat offender provision.
- Sec. 116. Prohibiting dating violence.
- Sec. 117. Prohibiting violence in special maritime and territorial jurisdiction.

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

- Sec. 201. Findings.
- Sec. 202. Sexual assault services program.
- Sec. 203. Amendments to the rural domestic violence and child abuse enforcement assistance program.
- Sec. 204. Training and services to end violence against women with disabilities.
- Sec. 205. Training and services to end violence against women in later life.
- Sec. 206. Strengthening the national domestic violence hotline.

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

- Sec. 301. Findings.
- Sec. 302. Rape prevention and education.
- Sec. 303. Services, education, protection, and justice for young victims of violence.
- Sec. 304. Grants to reduce violence against women on campus.
- Sec. 305. Juvenile justice.
- Sec. 306. Safe havens.

TITLE IV—STRENGTHENING AMERICA'S FAMILIES BY PREVENTING VIOLENCE

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

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

- Sec. 501. Findings.
- Sec. 502. Purpose.
- Sec. 503. Training and education of health professionals in domestic and sexual violence.
- Sec. 504. Grants to foster public health responses to domestic violence, dating violence, sexual assault, and stalking grants.

Sec. 505. Research on effective interventions in the healthcare setting.

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

Sec. 601. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, or stalking.

Sec. 603. Public and Indian housing authority plans reporting requirement.

Sec. 604. Housing strategies.

Sec. 605. Amendment to the McKinney-Vento Homeless Assistance Act.

Sec. 606. Amendments to the low-income housing assistance voucher program.

Sec. 607. Amendments to the public housing program.

TITLE VII—PROVIDING ECONOMIC SECURITY FOR VICTIMS OF  
VIOLENCE

Sec. 701. Emergency leave.

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

TITLE VIII—PROTECTION OF BATTERED AND TRAFFICKED  
IMMIGRANT WOMEN

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Sec. 801. Treatment of spouse and children of victims.

Sec. 802. Presence of victims of a severe form of trafficking in persons.

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Sec. 823. Petitioning rights of certain former spouses under Cuban adjustment.

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Sec. 826. Limitations on enforcement.

Sec. 827. Protecting abused juveniles.

Sec. 828. Rulemaking.

## TITLE IX—SAFETY FOR INDIAN WOMEN

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

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

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

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

6 “(a) DEFINITIONS.—In this title:

7 “(1) COURTS.—The term ‘courts’ means any  
 8 civil or criminal, tribal, and Alaskan Village, Fed-  
 9 eral, State, local or territorial court having jurisdic-  
 10 tion to address domestic violence, dating violence,  
 11 sexual assault or stalking, including immigration,  
 12 family, juvenile, and dependency courts, and the ju-  
 13 dicial officers serving in those courts, including  
 14 judges, magistrate judges, commissioners, justices of  
 15 the peace, or any other person with decisionmaking  
 16 authority.

17 “(2) CHILD MALTREATMENT.—The term ‘child  
 18 maltreatment’ means the physical or psychological  
 19 abuse or neglect of a child or youth, including sexual  
 20 assault and abuse.

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

5                   “(A) clerks, special masters, domestic rela-  
6                   tions officers, administrators, mediators, cus-  
7                   tody evaluators, guardians ad litem, lawyers,  
8                   negotiators, probation, parole, interpreters, vic-  
9                   tim assistants, victim advocates, and judicial,  
10                  administrative, or any other professionals or  
11                  personnel similarly involved in the legal process;

12                   “(B) court security personnel;

13                   “(C) personnel working in related, supple-  
14                   mentary offices or programs (such as child sup-  
15                   port enforcement); and

16                   “(D) any other court-based or community-  
17                   based personnel having responsibilities or au-  
18                   thority to address domestic violence, dating vio-  
19                   lence, sexual assault, or stalking in the court  
20                   system.

21           “(4) DOMESTIC VIOLENCE.—The term ‘domes-  
22           tic violence’ includes felony or misdemeanor crimes  
23           of violence committed by a current or former spouse  
24           of the victim, by a person with whom the victim  
25           shares a child in common, by a person who is co-

1       habitating with or has cohabitated with the victim as  
 2       a spouse, by a person similarly situated to a spouse  
 3       of the victim under the domestic or family violence  
 4       laws of the jurisdiction receiving grant monies, or by  
 5       any other person against an adult, youth, or child  
 6       victim who is protected from that person’s acts  
 7       under the domestic or family violence laws of the ju-  
 8       risdiction receiving grant monies.

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

14                       “(A) the length of the relationship;

15                       “(B) the type of relationship; and

16                       “(C) the frequency of interaction between  
 17       the persons involved in the relationship.

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

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

23                       “(B) where the existence of such a rela-  
 24       tionship shall be determined based on a consid-  
 25       eration of the following factors:

1 “(i) The length of the relationship.

2 “(ii) The type of relationship.

3 “(iii) The frequency of interaction be-  
4 tween the persons involved in the relation-  
5 ship.

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

9 “(A) infliction of injury, unreasonable con-  
10 finement, intimidation, or cruel punishment  
11 with resulting physical harm, pain, or mental  
12 anguish; or

13 “(B) deprivation by a person, including a  
14 caregiver, of goods or services that are nec-  
15 essary to avoid physical harm, mental anguish,  
16 or mental illness.

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

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

23 “(10) INDIAN TRIBE.—The term ‘Indian tribe’  
24 means a tribe, band, pueblo, nation, or other orga-  
25 nized group or community of Indians, including any

1 Alaska Native village or regional or village corpora-  
2 tion (as defined in, or established pursuant to, the  
3 Alaska Native Claims Settlement Act (43 U.S.C.  
4 1601 et seq.)), that is recognized as eligible for the  
5 special programs and services provided by the  
6 United States to Indians because of their status as  
7 Indians.

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

12 “(12) LAW ENFORCEMENT.—The term ‘law en-  
13 forcement’ means a public agency charged with po-  
14 licing functions, including any of its component bu-  
15 reaus (such as governmental victim services pro-  
16 grams), including those referred to in section 3 of  
17 the Indian Enforcement Reform Act (25 U.S.C.  
18 2802).

19 “(13) LEGAL ASSISTANCE.—The term ‘legal as-  
20 sistance’ includes assistance to adult and youth vic-  
21 tims of domestic violence, dating violence, sexual as-  
22 sault, and stalking in—

23 “(A) family, tribal, territorial, immigra-  
24 tion, employment, administrative agency, hous-  
25 ing matters, campus administrative or protec-

1           tion or stay away order proceedings, and other  
2           similar matters; and

3                   “(B) criminal justice investigations, pros-  
4                   ecutions and post-trial matters (including sen-  
5                   tencing, parole, and probation) that impact the  
6                   victim’s safety and privacy.

7                   “(14) LINGUISTICALLY AND CULTURALLY SPE-  
8                   CIFIC SERVICES.—The term ‘linguistically and cul-  
9                   turally specific services’ means community-based  
10                  services that offer full linguistic access and cul-  
11                  turally specific services and resources, including out-  
12                  reach, collaboration, and support mechanisms pri-  
13                  marily directed toward racial and ethnic populations  
14                  and other underserved communities.

15                  “(15) PERSONALLY IDENTIFYING INFORMATION  
16                  OR PERSONAL INFORMATION.—The term ‘personally  
17                  identifying information’ or ‘personal information’  
18                  means individually identifying information for or  
19                  about an individual including information likely to  
20                  disclose the location of a victim of domestic violence,  
21                  dating violence, sexual assault, or stalking, includ-  
22                  ing—

23                           “(A) a first and last name;

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

1           “(C) contact information (including a post-  
2           al, e-mail or Internet protocol address, or tele-  
3           phone or facsimile number);

4           “(D) a social security number; and

5           “(E) any other information, including date  
6           of birth, racial or ethnic background, or reli-  
7           gious affiliation, that, in combination with any  
8           of subparagraphs (A) through (D), would serve  
9           to identify any individual.

10          “(16) PROSECUTION.—The term ‘prosecution’  
11          means any public agency charged with direct respon-  
12          sibility for prosecuting criminal offenders, including  
13          such agency’s component bureaus (such as govern-  
14          mental victim services programs).

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

18                 “(A) any injunction, restraining order, or  
19                 any other order issued by a civil or criminal  
20                 court for the purpose of preventing violent or  
21                 threatening acts or harassment against, sexual  
22                 violence or contact or communication with or  
23                 physical proximity to, another person, including  
24                 any temporary or final orders issued by civil or  
25                 criminal courts whether obtained by filing an

1 independent action or as a pendente lite order  
2 in another proceeding so long as any civil order  
3 was issued in response to a complaint, petition,  
4 or motion filed by or on behalf of a person seek-  
5 ing protection; and

6 “(B) any support, child custody or visita-  
7 tion provisions, orders, remedies, or relief  
8 issued as part of a protection order, restraining  
9 order, or stay away injunction pursuant to  
10 State, tribal, territorial, or local law authorizing  
11 the issuance of protection orders, restraining  
12 orders, or injunctions for the protection of vic-  
13 tims of domestic violence, dating violence, sex-  
14 ual assault, or stalking.

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

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

17 “(A) any area or community, respectively,  
18 no part of which is within an area designated  
19 as a standard metropolitan statistical area by  
20 the Office of Management and Budget; or

21 “(B) any area or community, respectively,  
22 that is—

23 “(i) within an area designated as a  
24 metropolitan statistical area or considered

1 as part of a metropolitan statistical area;  
2 and

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

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

9 “(20) SEXUAL ASSAULT.—The term ‘sexual as-  
10 sault’ means any conduct prescribed by chapter  
11 109A of title 18, United States Code, whether or not  
12 the conduct occurs in the special maritime and terri-  
13 torial jurisdiction of the United States or in a Fed-  
14 eral prison and includes both assaults committed by  
15 offenders who are strangers to the victim and as-  
16 saults committed by offenders who are known or re-  
17 lated by blood or marriage to the victim.

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

22 “(A) fear for his or her safety or the safety  
23 of others; or

24 “(B) suffer substantial emotional distress.

1           “(22) 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 Virgin  
5 Islands, and the Northern Mariana Islands.

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

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

17           “(25) TERRITORIAL DOMESTIC VIOLENCE OR  
18 SEXUAL ASSAULT COALITION.—The term ‘territorial  
19 domestic violence or sexual assault coalition’ means  
20 a program addressing domestic violence that is—

21                   “(A) an established nonprofit, nongovern-  
22 mental territorial coalition addressing domestic  
23 violence or sexual assault within the territory;  
24 or

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

6           “(26) TRIBAL COALITION.—The term ‘tribal co-  
7           alition’ means—

8           “(A) an established nonprofit, nongovern-  
9           mental tribal coalition addressing domestic vio-  
10          lence and sexual assault against American In-  
11          dian and Alaskan Native women; or

12          “(B) individuals or organizations that pro-  
13          pose to incorporate as nonprofit, nongovern-  
14          mental tribal coalitions to address domestic vio-  
15          lence and sexual assault against American In-  
16          dian and Alaskan Native women.

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

19          “(A) the governing body of an Indian  
20          tribe; or

21          “(B) a tribe, band, pueblo, nation, or other  
22          organized group or community of Indians, in-  
23          cluding any Alaska Native village or regional or  
24          village corporation (as defined in, or established  
25          pursuant to, the Alaska Native Claims Settle-

1           ment Act (43 U.S.C. 1601 et seq.)), that is rec-  
2           ognized as eligible for the special programs and  
3           services provided by the United States to Indi-  
4           ans because of their status as Indians.

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

7                   “(A) the governing body of any Indian  
8                   tribe;

9                   “(B) any legally established organization  
10                  of Indians which is controlled, sanctioned, or  
11                  chartered by such governing body of a tribe or  
12                  tribes to be served, or which is democratically  
13                  elected by the adult members of the Indian  
14                  community to be served by such organization  
15                  and which includes the maximum participation  
16                  of Indians in all phases of its activities; or

17                  “(C) any tribal nonprofit organization.

18           “(29) UNDERSERVED POPULATIONS.—The  
19           term ‘underserved populations’ includes populations  
20           underserved because of geographic location, under-  
21           served racial and ethnic populations, populations un-  
22           derserved because of special needs (such as language  
23           barriers, disabilities, alienage status, or age), and  
24           any other population determined to be underserved  
25           by the Attorney General.

1           “(30) VICTIM ADVOCATE.—The term ‘victim  
2 advocate’ means a person, whether paid or serving  
3 as a volunteer, who provides services to victims of  
4 domestic violence, sexual assault, stalking, or dating  
5 violence under the auspices or supervision of a vic-  
6 tim services program.

7           “(31) VICTIM ASSISTANT.—The term ‘victim  
8 assistant’ means a person, whether paid or serving  
9 as a volunteer, who provides services to victims of  
10 domestic violence, sexual assault, stalking, or dating  
11 violence under the auspices or supervision of a court  
12 or a law enforcement or prosecution agency.

13           “(32) VICTIM SERVICES OR VICTIM SERVICE  
14 PROVIDER.—The term ‘victim services’ or ‘victim  
15 service provider’ means a nonprofit, nongovern-  
16 mental organization that assists domestic violence,  
17 dating violence, sexual assault, or stalking victims,  
18 including rape crisis centers, domestic violence wom-  
19 en’s shelters, faith-based organizations, and other  
20 organizations, with a documented history of effective  
21 work concerning domestic violence, dating violence,  
22 sexual assault, or stalking.

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

1 “(b) GRANT CONDITIONS.—

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

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

8 “(A) IN GENERAL.—In order to ensure the  
9 safety of adult, youth, and child victims of do-  
10 mestic violence, dating violence, sexual assault,  
11 or stalking, and their families, grantee and sub-  
12 grantees under this title shall protect the con-  
13 fidentiality and privacy of persons receiving  
14 services.

15 “(B) NONDISCLOSURE.—Subject to sub-  
16 paragraphs (C) and (D), grantees and sub-  
17 grantees shall not—

18 “(i) disclose any personally identifying  
19 information or individual information col-  
20 lected in connection with services re-  
21 quested, utilized, or denied through grant-  
22 ees’ and subgrantees’ programs; or

23 “(ii) reveal individual client informa-  
24 tion without the informed, written, reason-  
25 ably time-limited consent of the person (or

1 in the case of an unemancipated minor, the  
2 minor and the parent or guardian or in the  
3 case of persons with disabilities, the guard-  
4 ian) about whom information is sought,  
5 whether for this program or any other  
6 Federal, State, tribal, or territorial grant  
7 program.

8 “(C) RELEASE.—If release of information  
9 described in subparagraph (B) is compelled by  
10 statutory or court mandate—

11 “(i) grantees and subgrantees shall  
12 make reasonable attempts to provide notice  
13 to victims affected by the disclosure of in-  
14 formation;

15 “(ii) grantees and subgrantees shall  
16 take steps necessary to protect the privacy  
17 and safety of the persons affected by the  
18 release of the information; and

19 “(iii) consent for release may not be  
20 given by the abuser of the minor, person  
21 with disabilities, or the abuser of the other  
22 parent of the minor.

23 “(D) INFORMATION SHARING.—Grantees  
24 and subgrantees may share—

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

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

13          “(iii) law enforcement- and prosecu-  
14          tion-generated information necessary for  
15          law enforcement and prosecution purposes.

16          “(3) APPROVED ACTIVITIES.—In carrying out  
17          the activities under this title, grantees and sub-  
18          grantees may collaborate with and provide informa-  
19          tion to Federal, State, local, tribal, and territorial  
20          public officials and agencies to develop and imple-  
21          ment policies to reduce or eliminate domestic vio-  
22          lence, dating violence, sexual assault, and stalking.

23          “(4) NON-SUPPLANTATION.—Any Federal  
24          funds received under this title shall be used to sup-

1       plement, not supplant, non-Federal funds that would  
2       otherwise be available for activities under this title.

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

7           “(c) REPORTS.—An entity receiving a grant under  
8       this title shall submit to the disbursing agency a report  
9       detailing the activities undertaken with the grant funds,  
10      including and providing additional information as the  
11      agency shall require.

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

15           “(1) evaluations of specific programs or  
16      projects funded by the disbursing agency under this  
17      title or related research; or

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

23          (b) DEFINITIONS IN CRIME CONTROL ACT.—Part T  
24      of title I of the Omnibus Crime Control and Safe Streets

1 Act of 1968 (42 U.S.C. 3796gg et seq.) is amended by  
 2 inserting before section 2001 the following:

3 **“SEC. 2000. DEFINITIONS.**

4 “In this title the definitions in section 40002 of the  
 5 Violence Against Women Act of 1994 shall apply.”.

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

9 **“SEC. 1002. DEFINITIONS.**

10 “In this division the definitions in section 40002 of  
 11 the Violence Against Women Act of 1994 shall apply.”.

12 **TITLE I—ENHANCING JUDICIAL**  
 13 **AND LAW ENFORCEMENT**  
 14 **TOOLS TO COMBAT VIOLENCE**  
 15 **AGAINST WOMEN**

16 **SEC. 101. STOP GRANTS IMPROVEMENTS.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
 18 1001(a)(18) of title I of the Omnibus Crime Control and  
 19 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)) is  
 20 amended by striking “\$185,000,000 for each of fiscal  
 21 years 2001 through 2005” and inserting “\$225,000,000  
 22 for each of fiscal years 2006 through 2010”.

23 (b) PURPOSE AREA ENHANCEMENTS.—Section  
 24 2001(b) of title I of the Omnibus Crime Control and Safe  
 25 Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended—

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

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

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

6           “(12) maintaining core victim services and  
7           criminal justice initiatives, while supporting com-  
8           plementary new initiatives and emergency services  
9           for victims and their families.”.

10          (c) CLARIFICATION OF ACTIVITIES REGARDING UN-  
11          DERSERVED POPULATIONS.—Section 2007 of the Omni-  
12          bus Crime Control and Safe Streets Act of 1968 (42  
13          U.S.C. 3796gg–1) is amended—

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

18                 (2) in subsection (e)(2), by striking subpara-  
19                 graph (D) and inserting the following:

20                         “(D) recognize and meaningfully respond  
21                         to the needs of underserved populations and en-  
22                         sure that monies set aside to fund linguistically  
23                         and culturally specific services and activities for  
24                         underserved populations are distributed equally  
25                         among those populations.”.

1 (d) TRIBAL AND TERRITORIAL SETASIDES.—Section  
2 2007 of the Omnibus Crime Control and Safe Streets Act  
3 of 1968 (42 U.S.C. 3796gg–1) is amended—

4 (1) in subsection (b)—

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

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

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

17 (D) in paragraph (4), by striking “ $\frac{1}{54}$ ”  
18 and inserting “ $\frac{1}{56}$ ”;

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

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

23 (2) in subsection (d)—

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

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

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

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

15 (e) TRAINING, TECHNICAL ASSISTANCE, AND DATA  
16 COLLECTION.—Section 2007 of the Omnibus Crime Con-  
17 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg–  
18 1) is amended by adding at the end the following:

19 “(i) TRAINING, TECHNICAL ASSISTANCE, AND DATA  
20 COLLECTION.—

21 “(1) IN GENERAL.—Of the total amounts ap-  
22 propriated under this part, not less than 3 percent  
23 and up to 8 percent shall be available for providing  
24 training and technical assistance relating to the pur-

1 pose areas of this part to improve the capacity of  
2 grantees, subgrantees and other entities.

3 “(2) INDIAN TRAINING.—The Director of the  
4 Office on Violence Against Women shall ensure that  
5 training or technical assistance regarding violence  
6 against Indian women will be developed and pro-  
7 vided by entities having expertise in tribal law and  
8 culture.”.

9 (f) AVAILABILITY OF FORENSIC MEDICAL EXAMS.—  
10 Section 2010 of the Omnibus Crime Control and Safe  
11 Streets Act of 1968 (42 U.S.C. 3796gg–4) is amended by  
12 adding at the end the following:

13 “(c) USE OF FUNDS.—A State or Indian tribal gov-  
14 ernment may use Federal grant funds under this part to  
15 pay for forensic medical exams performed by trained ex-  
16 aminers for victims of sexual assault, except that such  
17 funds may not be used to pay for forensic medical exams  
18 by any State or Indian tribal government that requires  
19 victims of sexual assault to seek reimbursement for such  
20 exams from their insurance carriers.

21 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-  
22 tion shall be construed to permit a State, Indian tribal  
23 government, or territorial government to require a victim  
24 of sexual assault to participate in the criminal justice sys-  
25 tem or cooperate with law enforcement in order to be pro-

1 vided with a forensic medical exam, reimbursement for  
 2 charges incurred on account of such an exam, or both.

3 “(e) JUDICIAL NOTIFICATION.—

4 “(1) IN GENERAL.—A State, Indian tribal gov-  
 5 ernment, or unit of local government shall not be en-  
 6 titled to funds under this part unless the State, In-  
 7 dian tribal government, or unit of local govern-  
 8 ment—

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

15 “(B) gives the Attorney General assur-  
 16 ances that its judicial administrative policies  
 17 and practices will be in compliance with the re-  
 18 quirements of subparagraph (A) within the  
 19 later of—

20 “(i) the period ending on the date on  
 21 which the next session of the State legisla-  
 22 ture ends; or

23 “(ii) 2 years.

24 “(2) REDISTRIBUTION.—Funds withheld from a  
 25 State, unit of local government, or Indian tribal gov-

1           ernment under subsection (a) shall be distributed to  
2           other States, units of local government, and Indian  
3           tribal governments, pro rata.”.

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

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

9           “(a) IN GENERAL.—In order to be eligible for grants  
10 under this part, a State, Indian tribal government, terri-  
11 torial government, or unit of local government must certify  
12 within 3 years of the date of enactment of this section  
13 that their laws, policies, or practices ensure that no law  
14 enforcement officer, prosecuting officer or other govern-  
15 ment official shall ask or require an adult, youth, or child  
16 victim of an alleged sex offense as defined under Federal,  
17 tribal, State, territorial, or local law to submit to a poly-  
18 graph examination or other truth telling device as a condi-  
19 tion for proceeding with the investigation of such an of-  
20 fense.

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

1 **SEC. 102. GRANTS TO ENCOURAGE ARREST AND ENFORCE**  
2 **PROTECTION ORDERS IMPROVEMENTS.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
4 1001(a)(19) of title I of the Omnibus Crime Control and  
5 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is  
6 amended by striking “\$65,000,000 for each of fiscal years  
7 2001 through 2005” and inserting “\$75,000,000 for each  
8 of fiscal years 2006 through 2010. Funds appropriated  
9 under this paragraph shall remain available until ex-  
10 pended.”.

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

14 (1) in subsection (a), by striking “to treat do-  
15 mestic violence as a serious violation” and inserting  
16 “to treat domestic violence, dating violence, sexual  
17 assault, and stalking as serious violations”;

18 (2) in subsection (b)—

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

22 (B) in paragraph (1), by—

23 (i) striking “mandatory arrest or”;

24 and

25 (ii) striking “mandatory arrest pro-  
26 grams and”;

1 (C) in paragraph (2), by—

2 (i) inserting after “educational pro-  
3 grams,” the following: “protection order  
4 registries,”;

5 (ii) striking “domestic violence and  
6 dating violence” and inserting “domestic  
7 violence, dating violence, sexual assault,  
8 and stalking. Policies, educational pro-  
9 grams, registries, and training described in  
10 this paragraph shall incorporate confiden-  
11 tiality, and privacy protections for victims  
12 of domestic violence, dating violence, sex-  
13 ual assault, and stalking”;

14 (D) in paragraph (3), by—

15 (i) striking “domestic violence cases”  
16 and inserting “domestic violence, dating vi-  
17 olence, sexual assault, and stalking cases”;  
18 and

19 (ii) striking “groups” and inserting  
20 “teams”;

21 (E) in paragraph (5), by striking “domes-  
22 tic violence and dating violence” and inserting  
23 “domestic violence, dating violence, sexual as-  
24 sault, and stalking”;

25 (F) in paragraph (6), by—

1 (i) striking “other” and inserting  
2 “civil”; and

3 (ii) inserting after “domestic violence”  
4 the following: “, dating violence, sexual as-  
5 sault, and stalking”; and

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

7 “(9) To develop State, territorial, or local poli-  
8 cies, procedures, and protocols, and to develop effec-  
9 tive methods for identifying the pattern and history  
10 of abuse that indicates which party is the actual per-  
11 petrador of abuse.

12 “(10) To plan, develop and establish com-  
13 prehensive victim service and support centers, such  
14 as family justice centers, designed to bring together  
15 victim advocates from non-profit, non-governmental  
16 victim services organizations, law enforcement offi-  
17 cers, prosecutors, probation officers, governmental  
18 victim assistants, forensic medical professionals, civil  
19 legal attorneys, chaplains, legal advocates, represent-  
20 atives from community-based organizations and  
21 other relevant public or private agencies or organiza-  
22 tions into one centralized location, in order to im-  
23 prove safety, access to services, and confidentiality  
24 for victims and families.

1           “(11) To develop and implement policies and  
2 training for police, prosecutors, and the judiciary in  
3 recognizing, investigating, and prosecuting instances  
4 of sexual assault, with an emphasis on recognizing  
5 the threat to the community for repeat crime per-  
6 petration by such individuals.”;

7           (3) in subsection (c)—

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

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

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

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

16           “(A) no law enforcement officer, pros-  
17 ecuting officer or other government official shall  
18 ask or require an adult, youth, or child victim  
19 of a sex offense as defined under Federal, trib-  
20 al, State, territorial, or local law to submit to  
21 a polygraph examination or other truth telling  
22 device as a condition for proceeding with the in-  
23 vestigation of such an offense; and

24           “(B) the refusal of a victim to submit to  
25 an examination described in subparagraph (A)

1           shall not prevent the investigation of the of-  
2           fense.”; and

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

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

9           (c) APPLICATIONS.—Section 2102(b) of the Omnibus  
10          Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
11          3796hh–1(b)) is amended in each of paragraphs (1) and  
12          (2) by inserting after “involving domestic violence” the fol-  
13          lowing: “, dating violence, sexual assault, or stalking”.

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

18          **“SEC. 2106. TRAINING AND TECHNICAL ASSISTANCE.**

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

1 **SEC. 103. LEGAL ASSISTANCE FOR VICTIMS IMPROVE-**  
2 **MENTS.**

3 Section 1201 of the Violence Against Women Act of  
4 2000 (42 U.S.C. 3796gg-6) is amended—

5 (1) in subsection (a), by—

6 (A) inserting before “legal assistance” the  
7 following: “civil and criminal”;

8 (B) inserting after “effective aid to” the  
9 following: “adult and youth”; and

10 (C) inserting at the end the following:  
11 “Criminal legal assistance provided for under  
12 this section shall be limited to criminal matters  
13 relating to domestic violence, sexual assault,  
14 dating violence, and stalking.”;

15 (2) in subsection (e), by inserting “and tribal  
16 organizations, territorial organizations” after “In-  
17 dian tribal governments”;

18 (3) in subsection (d)—

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

21 “(2) any training program conducted in satis-  
22 faction of the requirement of paragraph (1) has been  
23 or will be developed with input from and in collabo-  
24 ration with a tribal, State, territorial, or local do-  
25 mestic violence, dating violence, sexual assault or  
26 stalking organization or coalition, as well as appro-

1 appropriate tribal, State, territorial, and local law enforce-  
2 ment officials; and

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

5 (4) in subsection (e), by inserting “dating vio-  
6 lence,” after “domestic violence,”; and

7 (5) in subsection (f)—

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

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

13 (B) in paragraph (2)(A), by—

14 (i) striking “5 percent” and inserting  
15 “10 percent”; and

16 (ii) inserting “adult and youth” after  
17 “that assist”.

18 **SEC. 104. ENSURING CRIME VICTIM ACCESS TO LEGAL**  
19 **SERVICES.**

20 (a) IN GENERAL.—Section 502 of the Department of  
21 Commerce, Justice, and State, the Judiciary, and Related  
22 Agencies Appropriations Act, 1998 (Public Law 105–119;  
23 111 Stat. 2510) is amended—

24 (1) in subsection (a)(2)(C)—

1 (A) in the matter preceding clause (i), by  
2 striking “using funds derived from a source  
3 other than the Corporation to provide” and in-  
4 sserting “providing”;

5 (B) in clause (i), by striking “in the  
6 United States” and all that follows and insert-  
7 ing “or a victim of sexual assault or trafficking  
8 in the United States, or qualifies for immigra-  
9 tion relief under section 101(a)(15)(U) of the  
10 Immigration and Nationality Act (8 U.S.C.  
11 1101(a)(15)(U)); or”; and

12 (C) in clause (ii), by striking “has been  
13 battered” and all that follows and inserting “,  
14 without the active participation of the alien, has  
15 been battered or subjected to extreme cruelty or  
16 a victim of sexual assault or trafficking in the  
17 United States, or qualifies for immigration re-  
18 lief under section 101(a)(15)(U) of the Immi-  
19 gration and Nationality Act (8 U.S.C.  
20 1101(a)(15)(U)).”; and

21 (2) in subsection (b)(2), by striking “described  
22 in such subsection” and inserting “, sexual assault  
23 or trafficking, or the crimes listed in section  
24 101(a)(15)(U)(iii) of the Immigration and Nation-  
25 ality Act (8 U.S.C. 1101(a)(15)(U)(iii))”.

1 (b) SAVINGS PROVISION.—Nothing in this Act, or the  
 2 amendments made by this Act, shall be construed to re-  
 3 strict the legal assistance provided to victims of trafficking  
 4 and certain family members authorized under section  
 5 107(b)(1) of the Trafficking Victims Protection Act of  
 6 2000 (22 U.S.C. 7105(b)(1)).

7 **SEC. 105. THE VIOLENCE AGAINST WOMEN ACT COURT**  
 8 **TRAINING AND IMPROVEMENTS.**

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

13 **“Subtitle J—Violence Against**  
 14 **Women Act Court Training and**  
 15 **Improvements**

16 **“SEC. 41001. SHORT TITLE.**

17 “This subtitle may be cited as the ‘Violence Against  
 18 Women Act Court Training and Improvements Act of  
 19 2005’.

20 **“SEC. 41002. PURPOSE.**

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

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

3           “(2) education for court-based and court-related  
4 personnel on issues relating to victims’ needs, in-  
5 cluding safety, security, privacy, confidentiality, and  
6 economic independence, as well as information about  
7 perpetrator behavior and best practices for holding  
8 perpetrators accountable;

9           “(3) collaboration and training with Federal,  
10 State, and local public agencies and officials and  
11 nonprofit, nongovernmental organizations to improve  
12 implementation and enforcement of relevant Federal,  
13 State, tribal, territorial, and local law;

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

16           “(A) court infrastructure (such as special-  
17 ized courts, dockets, intake centers, or inter-  
18 preter services);

19           “(B) community-based initiatives within  
20 the court system (such as court watch pro-  
21 grams, victim assistants, or community-based  
22 supplementary services);

23           “(C) offender management, monitoring,  
24 and accountability programs;

1           “(D) safe and confidential information-  
2 storage and -sharing databases within and be-  
3 tween court systems;

4           “(E) education and outreach programs to  
5 improve community access, including enhanced  
6 access for racial and ethnic communities and  
7 underserved populations; and

8           “(F) other projects likely to improve court  
9 responses to domestic violence, dating violence,  
10 sexual assault, and stalking; and

11          “(5) providing technical assistance to Federal,  
12 State, tribal, territorial, or local courts wishing to  
13 improve their practices and procedures or to develop  
14 new programs.

15 **“SEC. 41003. GRANT REQUIREMENTS.**

16          “Grants awarded under this subtitle shall be subject  
17 to the following conditions:

18          “(1) **ELIGIBLE GRANTEES.**—Eligible grantees  
19 may include—

20           “(A) Federal, State, tribal, territorial, or  
21 local courts or court-based programs; and

22           “(B) national, State, tribal, or local pri-  
23 vate, nonprofit organizations with demonstrated  
24 expertise in developing and providing judicial

1 education about domestic violence, dating vio-  
2 lence, sexual assault, or stalking.

3 “(2) CONDITIONS OF ELIGIBILITY.—To be eligi-  
4 ble for a grant under this section, applicants shall  
5 certify in writing that—

6 “(A) any courts or court-based personnel  
7 working directly with or making decisions about  
8 adult or minor parties experiencing domestic vi-  
9 olence, dating violence, sexual assault, and  
10 stalking have completed or will complete edu-  
11 cation about domestic violence, dating violence,  
12 sexual assault, and stalking;

13 “(B) any education program developed  
14 under section 41002 has been or will be devel-  
15 oped with significant input from and in collabo-  
16 ration with a national, tribal, State, territorial,  
17 or local victim services provider or coalition;  
18 and

19 “(C) the grantee’s internal organizational  
20 policies, procedures, or rules do not require me-  
21 diation or counseling between offenders and vic-  
22 tims physically together in cases where domestic  
23 violence, dating violence, sexual assault, or  
24 stalking is an issue.

1 **“SEC. 41004. NATIONAL EDUCATION CURRICULA.**

2 “(a) IN GENERAL.—The Attorney General, through  
3 the Director of the Office on Violence Against Women,  
4 shall fund efforts to develop a national education cur-  
5 riculum for use by State and national judicial educators  
6 to ensure that all courts and court personnel have access  
7 to information about relevant Federal, State, territorial,  
8 or local law, promising practices, procedures, and policies  
9 regarding court responses to adult and youth domestic vio-  
10 lence, dating violence, sexual assault, and stalking.

11 “(b) ELIGIBLE ENTITIES.—Any curricula developed  
12 under this section—

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

18 “(2) if the primary grantee does not have dem-  
19 onstrated expertise with such issues, shall be devel-  
20 oped by the primary grantee in partnership with an  
21 organization having such expertise.

22 **“SEC. 41005. TRIBAL CURRICULA.**

23 “(a) IN GENERAL.—The Attorney General, through  
24 the Office on Violence Against Women, shall fund efforts  
25 to develop education curricula for tribal court judges to  
26 ensure that all tribal courts have relevant information

1 about promising practices, procedures, policies, and law  
2 regarding tribal court responses to adult and youth domes-  
3 tic violence, dating violence, sexual assault, and stalking.

4 “(b) ELIGIBLE ENTITIES.—Any curricula developed  
5 under this section—

6 “(1) shall be developed by a tribal organization  
7 having demonstrated expertise in developing judicial  
8 education curricula on issues relating to domestic vi-  
9 olence, dating violence, sexual assault, and stalking;  
10 and

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

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

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

19 “(b) AVAILABILITY.—Funds appropriated under this  
20 section shall remain available until expended and may only  
21 be used for the specific programs and activities described  
22 in this subtitle.

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

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

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

5 (1) striking “or Indian tribe” each place it ap-  
6 pears and inserting “, Indian tribe, or territory”;  
7 and

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

10 (b) CLARIFICATION OF ENTITIES HAVING ENFORCE-  
11 MENT AUTHORITY AND RESPONSIBILITIES.—Section  
12 2265(a) of title 18, United States Code, is amended by  
13 striking “and enforced as if it were” and inserting “and  
14 enforced by the court and law enforcement personnel of  
15 the other State, Indian tribal government or Territory as  
16 if it were”.

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

21 “(3) LIMITS ON INTERNET PUBLICATION OF  
22 REGISTRATION INFORMATION.—A State, Indian  
23 tribe, or territory shall not publish publicly on the  
24 Internet any information regarding the registration  
25 or filing of a protection order, restraining order, or  
26 injunction in either the issuing or enforcing State,

1 tribal or territorial jurisdiction, if such publication  
2 would be likely to publicly reveal the identity or loca-  
3 tion of the party protected under such order. A  
4 State, Indian tribe, or territory may share court-gen-  
5 erated and law enforcement-generated information  
6 contained in secure, governmental registries for pro-  
7 tection order enforcement purposes.”.

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

10 (1) by striking paragraph (5) and inserting the  
11 following:

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

14 “(A) any injunction, restraining order, or  
15 any other order issued by a civil or criminal  
16 court for the purpose of preventing violent or  
17 threatening acts or harassment against, sexual  
18 violence, or contact or communication with or  
19 physical proximity to, another person, including  
20 any temporary or final order issued by a civil  
21 or criminal court whether obtained by filing an  
22 independent action or as a pendente lite order  
23 in another proceeding so long as any civil or  
24 criminal order was issued in response to a com-

1           plaint, petition, or motion filed by or on behalf  
2           of a person seeking protection; and

3                   “(B) any support, child custody or visita-  
4                   tion provisions, orders, remedies or relief issued  
5                   as part of a protection order, restraining order,  
6                   or injunction pursuant to State, tribal, terri-  
7                   torial, or local law authorizing the issuance of  
8                   protection orders, restraining orders, or injunc-  
9                   tions for the protection of victims of domestic  
10                  violence, sexual assault, dating violence, or  
11                  stalking.”; and

12                  (2) in clauses (i) and (ii) of paragraph (7)(A),  
13                  by striking “2261A, a spouse or former spouse of  
14                  the abuser, a person who shares a child in common  
15                  with the abuser, and a person who cohabits or has  
16                  cohabited as a spouse with the abuser” and inserting  
17                  “2261A—

18                                 “(I) a spouse or former spouse of  
19                                 the abuser, a person who shares a  
20                                 child in common with the abuser, and  
21                                 a person who cohabits or has  
22                                 cohabited as a spouse with the abuser;  
23                                 or

24   “(II) a person who is or has been  
25   in a social relationship of a romantic

1 or intimate nature with the victim, as  
 2 determined by the length of the rela-  
 3 tionship, the type of relationship, and  
 4 the frequency of interaction between  
 5 the persons involved in the relation-  
 6 ship”.

7 **SEC. 107. PRIVACY PROTECTIONS FOR VICTIMS OF DOMES-**  
 8 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**  
 9 **VIOLENCE, AND STALKING.**

10 The Violence Against Women Act of 1994 (108 Stat.  
 11 1902 et seq.) is amended by adding at the end the fol-  
 12 lowing:

13 **“Subtitle K—Privacy Protections**  
 14 **for Victims of Domestic Vio-**  
 15 **lence, Dating Violence, Sexual**  
 16 **Violence, and Stalking**

17 **“SEC. 41101. GRANTS TO PROTECT THE PRIVACY AND CON-**  
 18 **FIDENTIALITY OF VICTIMS OF DOMESTIC VI-**  
 19 **OLENCE, DATING VIOLENCE, SEXUAL AS-**  
 20 **SAULT, AND STALKING.**

21 “The Attorney General, through the Director of the  
 22 Office on Violence Against Women, may award grants  
 23 under this subtitle to States, tribes, territories, or local  
 24 agencies or nonprofit, nongovernmental organizations to  
 25 ensure that personally identifying information of adult,

1 youth, and child victims of domestic violence, sexual vio-  
2 lence, stalking, and dating violence shall not be released  
3 or disclosed to the detriment of such victimized persons.

4 **“SEC. 41102. PURPOSE AREAS.**

5 “Grants made under this subtitle may be used—

6 “(1) to develop or improve protocols, proce-  
7 dures, and policies for the purpose of preventing the  
8 release of personally identifying information of vic-  
9 tims (such as developing alternative identifiers);

10 “(2) to defray the costs of modifying or improv-  
11 ing existing databases, registries, and victim notifi-  
12 cation systems to ensure that personally identifying  
13 information of victims is protected from release, un-  
14 authorized information sharing and disclosure;

15 “(3) to develop confidential opt out systems  
16 that will enable victims of violence to make a single  
17 request to keep personally identifying information  
18 out of multiple databases, victim notification sys-  
19 tems, and registries; or

20 “(4) to develop safe uses of technology (such as  
21 notice requirements regarding electronic surveillance  
22 by government entities), to protect against abuses of  
23 technology (such as electronic or GPS stalking), or  
24 providing training for law enforcement on high tech

1 electronic crimes of domestic violence, dating vio-  
2 lence, sexual assault, and stalking.

3 **“SEC. 41103. ELIGIBLE ENTITIES.**

4 “Entities eligible for grants under this subtitle in-  
5 clude—

6 “(1) jurisdictions or agencies within jurisdic-  
7 tions having authority or responsibility for devel-  
8 oping or maintaining public databases, registries or  
9 victim notification systems;

10 “(2) nonprofit nongovernmental victim advocacy  
11 organizations having expertise regarding confiden-  
12 tiality, privacy, and information technology and how  
13 these issues are likely to impact the safety of vic-  
14 tims;

15 “(3) States or State agencies;

16 “(4) local governments or agencies;

17 “(5) tribal governments, agencies, or organiza-  
18 tions;

19 “(6) territorial governments, agencies, or orga-  
20 nizations; or

21 “(7) nonprofit nongovernmental victim advocacy  
22 organizations, including statewide domestic violence  
23 and sexual assault coalitions.

1 **“SEC. 41104. GRANT CONDITIONS.**

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

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

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

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

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

1 **SEC. 108. SEX OFFENDER MANAGEMENT.**

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

5 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
6 are authorized to be appropriated to carry out this section  
7 \$3,000,000 for each of fiscal years 2006 through 2010.”.

8 **SEC. 109. STALKER DATABASE.**

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

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

12 and

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

14 **SEC. 110. FEDERAL VICTIM ASSISTANTS REAUTHORIZA-**  
15 **TION.**

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

19 **“SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM AS-**  
20 **SISTANTS.**

21 “There are authorized to be appropriated for the  
22 United States attorneys for the purpose of appointing vic-  
23 tim assistants for the prosecution of sex crimes and do-  
24 mestic violence crimes where applicable (such as the Dis-  
25 trict of Columbia), \$1,000,000 for each of fiscal years  
26 2006 through 2010.”.

1 **SEC. 111. GRANTS FOR LAW ENFORCEMENT TRAINING PRO-**  
2 **GRAMS.**

3 (a) DEFINITIONS.—In this section:

4 (1) ACT OF TRAFFICKING.—The term “act of  
5 trafficking” means an act or practice described in  
6 paragraph (8) of section 103 of the Trafficking Vic-  
7 tims Protection Act of 2000 (22 U.S.C. 7102).

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

10 (3) STATE.—The term “State” means any  
11 State of the United States, the District of Columbia,  
12 the Commonwealth of Puerto Rico, Guam, the  
13 United States Virgin Islands, the Commonwealth of  
14 the Northern Mariana Islands, American Samoa,  
15 and any other territory or possession of the United  
16 States.

17 (4) VICTIM OF TRAFFICKING.—The term “vic-  
18 tim of trafficking” means a person subjected to an  
19 act of trafficking.

20 (b) GRANTS AUTHORIZED.—The Attorney General  
21 may award grants to eligible entities to provide training  
22 to State and local law enforcement personnel to identify  
23 and protect victims of trafficking.

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

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

5           (2) train law enforcement or State or local  
6           prosecutors to identify, investigate, or prosecute acts  
7           of trafficking; or

8           (3) train law enforcement or State or local  
9           prosecutors to utilize laws that prohibit acts of traf-  
10          ficking and to assist in the development of State and  
11          local laws to prohibit acts of trafficking.

12          (d) RESTRICTIONS.—

13           (1) ADMINISTRATIVE EXPENSES.—An eligible  
14           entity that receives a grant under this section may  
15           use not more than 5 percent of the total amount of  
16           such grant for administrative expenses.

17           (2) NONEXCLUSIVITY.—Nothing in this section  
18           may be construed to restrict the ability of an eligible  
19           entity to apply for or obtain funding from any other  
20           source to carry out the training described in sub-  
21           section (c).

22          (e) AUTHORIZATION OF APPROPRIATIONS.—There  
23          are authorized to be appropriated \$10,000,000 for each  
24          of the fiscal years 2006 through 2010 to carry out the  
25          provisions of this section.

1 **SEC. 112. REAUTHORIZATION OF THE COURT-APPOINTED**  
2 **SPECIAL ADVOCATE PROGRAM.**

3 (a) FINDINGS.—Section 215 of the Victims of Child  
4 Abuse Act of 1990 (42 U.S.C. 13011) is amended by  
5 striking paragraphs (1) and (2) and inserting the fol-  
6 lowing:

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

12 “(2) the National Court Appointed Special Ad-  
13 vocate Association maintains a system of account-  
14 ability, including standards, quality assurance, train-  
15 ing, and technical assistance for a network of 70,000  
16 volunteers in more than 850 programs operating in  
17 49 States, the District of Columbia, and the Virgin  
18 Islands; and

19 “(3) in 2003, Court Appointed Special Advo-  
20 cate volunteers represented 288,000 children, more  
21 than 50 percent of the estimated 540,000 children  
22 in foster care because of substantiated cases of child  
23 abuse or neglect.”.

24 (b) IMPLEMENTATION DATE.—Section 216 of the  
25 Victims of Child Abuse Act of 1990 (42 U.S.C. 13012)

1 is amended by striking “January 1, 1995” and inserting  
2 “January 1, 2010”.

3 (c) CLARIFICATION OF PROGRAM GOALS.—Section  
4 217 of the Victims of Child Abuse Act of 1990 (42 U.S.C.  
5 13013) is amended—

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

8 (2) subsection (b)—

9 (A) in paragraph (1), by striking “to ini-  
10 tiate or expand” and inserting “to initiate, sus-  
11 tain, and expand”; and

12 (B) in paragraph (2), by—

13 (i) striking “(1)(a)” and inserting  
14 “(1)(A)”;

15 (ii) striking “to initiate and to ex-  
16 pand” and inserting “to initiate, sustain,  
17 and expand”; and

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

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

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

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

7 **SEC. 113. PREVENTING CYBERSTALKING.**

8 (a) IN GENERAL.—Paragraph (1) of section 223(h)  
9 of the Communications Act of 1934 (47 U.S.C. 223(h)(1))  
10 is amended—

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

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

15 (3) by adding at the end the following new sub-  
16 paragraph:

17 “(C) in the case of subparagraph (C) of  
18 subsection (a)(1), includes any device or soft-  
19 ware that can be used to originate telecommuni-  
20 cations or other types of communications that  
21 are transmitted, in whole or in part, by the  
22 Internet (as such term is defined in section  
23 1104 of the Internet Tax Freedom Act (47  
24 U.S.C. 151 note)).”.

1 (b) RULE OF CONSTRUCTION.—This section and the  
2 amendment made by this section may not be construed  
3 to affect the meaning given the term “telecommunications  
4 device” in section 223(h)(1) of the Communications Act  
5 of 1934, as in effect before the date of the enactment of  
6 this section.

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

8 (a) INTERSTATE STALKING.—Section 2261A of title  
9 18, United States Code, is amended to read as follows:

10 **“§ 2261A. Stalking**

11 “Whoever—

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

24 “(2) with the intent—

1           “(A) to kill, injure, harass, place under  
2 surveillance, intimidate, or cause substantial  
3 emotional harm to a person in another State or  
4 tribal jurisdiction or within the special maritime  
5 and territorial jurisdiction of the United States;  
6 or

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

12                   “(i) that person;

13                   “(ii) a member of the immediate fam-  
14 ily (as defined in section 115 of that per-  
15 son; or

16                   “(iii) a spouse or intimate partner of  
17 that person;

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

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

3 **SEC. 115. REPEAT OFFENDER PROVISION.**

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

6 **“§ 2265A. Repeat offender provision**

7 “The maximum term of imprisonment for a violation  
8 of this chapter after a prior interstate domestic violence  
9 offense (as defined in section 2261) or interstate violation  
10 of protection order (as defined in section 2262) or inter-  
11 state stalking (as defined in sections 2261A(a) and  
12 2261A(b)) may be twice the term otherwise provided for  
13 the violation.”.

14 **SEC. 116. PROHIBITING DATING VIOLENCE.**

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

17 (1) in paragraph (1), striking “or intimate  
18 partner” and inserting “, intimate partner, or dating  
19 partner”; and

20 (2) in paragraph (2), striking “or intimate  
21 partner” and inserting “, intimate partner, or dating  
22 partner”.

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

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

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

7                   “(B) the type of relationship; and

8                   “(C) the frequency of interaction between  
9 the persons involved in the relationship.”.

10 **SEC. 117. PROHIBITING VIOLENCE IN SPECIAL MARITIME**  
11 **AND TERRITORIAL JURISDICTION.**

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

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

1 **TITLE II—IMPROVING SERVICES**  
2 **FOR VICTIMS OF DOMESTIC**  
3 **VIOLENCE, DATING VIO-**  
4 **LENCE, SEXUAL ASSAULT,**  
5 **AND STALKING**

6 **SEC. 201. FINDINGS.**

7 Congress finds the following:

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

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

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

17 (A) lost productivity;

18 (B) medical and mental health care;

19 (C) police and fire services;

20 (D) social services;

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

22 (F) reduced quality of life.

23 (4) Nonreporting of sexual assault in rural  
24 areas is a particular problem because of the high  
25 rate of nonstranger sexual assault.

1           (5) Geographic isolation often compound the  
2 problems facing sexual assault victims. The lack of  
3 anonymity and accessible support services can limit  
4 opportunities for justice for victims.

5           (6) Domestic elder abuse is primarily family  
6 abuse. The National Elder Abuse Incidence Study  
7 found that the perpetrator was a family member in  
8 90 percent of cases.

9           (7) Barriers for older victims leaving abusive  
10 relationships include—

11                   (A) the inability to support themselves;

12                   (B) poor health that increases their de-  
13 pendence on the abuser;

14                   (C) fear of being placed in a nursing home;

15                   and

16                   (D) ineffective responses by domestic  
17 abuse programs and law enforcement.

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

24           (9) Many women with disabilities also fail to re-  
25 port the abuse, since they are dependent on their

1 abusers and fear being abandoned or institutional-  
2 ized.

3 (10) Of the 598 battered women's programs  
4 surveyed—

5 (A) only 35 percent of these programs of-  
6 fered disability awareness training for their  
7 staff; and

8 (B) only 16 percent dedicated a staff mem-  
9 ber to provide services to women with disabil-  
10 ities.

11 (11) Problems of domestic violence are exacer-  
12 bated for immigrants when spouses control the im-  
13 migration status of their family members, and abus-  
14 ers use threats of refusal to file immigration papers  
15 and threats to deport spouses and children as power-  
16 ful tools to prevent battered immigrant women from  
17 seeking help, trapping battered immigrant women in  
18 violent homes because of fear of deportation.

19 (12) Battered immigrant women who attempt  
20 to flee abusive relationships may not have access to  
21 bilingual shelters or bilingual professionals, and face  
22 restrictions on public or financial assistance. They  
23 may also lack assistance of a certified interpreter in  
24 court, when reporting complaints to the police or a

1 9-1-1 operator, or even in acquiring information  
2 about their rights and the legal system.

3 (13) More than 500 men and women call the  
4 National Domestic Violence Hotline every day to get  
5 immediate, informed, and confidential assistance to  
6 help deal with family violence.

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

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

18 (16) Approximately 60 percent of the callers in-  
19 dicate that calling the Hotline is their first attempt  
20 to address a domestic violence situation and that  
21 they have not called the police or any other support  
22 services.

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

1           (18) Improving technology infrastructure at the  
2           National Domestic Violence Hotline and training ad-  
3           vocates, volunteers, and other staff on upgraded  
4           technology will drastically increase the Hotline’s  
5           ability to answer more calls quickly and effectively.

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

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

11 **“SEC. 2013. SEXUAL ASSAULT SERVICES.**

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

13                 “(1) to assist States, tribes, and territories in  
14                 providing intervention, advocacy, accompaniment,  
15                 support services, and related assistance for—

16                         “(A) adult, youth, and child victims of sex-  
17                         ual assault;

18                         “(B) family and household members of  
19                         such victims; and

20                         “(C) those collaterally affected by the vic-  
21                         timization, except for the perpetrator of such  
22                         victimization;

23                 “(2) to provide for technical assistance and  
24                 training relating to sexual assault to—

1           “(A) Federal, State, tribal, territorial and  
2 local governments, law enforcement agencies,  
3 and courts;

4           “(B) professionals working in legal, social  
5 service, and health care settings;

6           “(C) nonprofit organizations;

7           “(D) faith-based organizations; and

8           “(E) other individuals and organizations  
9 seeking such assistance.

10       “(b) GRANTS TO STATES AND TERRITORIES.—

11           “(1) GRANTS AUTHORIZED.—The Attorney  
12 General shall award grants to States and territories  
13 to support the establishment, maintenance, and ex-  
14 pansion of rape crisis centers and other programs  
15 and projects to assist those victimized by sexual as-  
16 sault.

17           “(2) ALLOCATION AND USE OF FUNDS.—

18           “(A) ADMINISTRATIVE COSTS.—Not more  
19 than 5 percent of the grant funds received by  
20 a State or territory governmental agency under  
21 this subsection for any fiscal year may be used  
22 for administrative costs.

23           “(B) GRANT FUNDS.—Any funds received  
24 by a State or territory under this subsection  
25 that are not used for administrative costs shall

1 be used to provide grants to rape crisis centers  
2 and other nonprofit, nongovernmental organiza-  
3 tions for programs and activities within such  
4 State or territory that provide direct interven-  
5 tion and related assistance.

6 “(C) INTERVENTION AND RELATED AS-  
7 SISTANCE.—Intervention and related assistance  
8 under subparagraph (B) may include—

9 “(i) 24 hour hotline services providing  
10 crisis intervention services and referral;

11 “(ii) accompaniment and advocacy  
12 through medical, criminal justice, and so-  
13 cial support systems, including medical fa-  
14 cilities, police, and court proceedings;

15 “(iii) crisis intervention, short-term  
16 individual and group support services, and  
17 comprehensive service coordination and su-  
18 pervision to assist sexual assault victims  
19 and family or household members;

20 “(iv) information and referral to as-  
21 sist the sexual assault victim and family or  
22 household members;

23 “(v) community-based, linguistically  
24 and culturally specific services and support  
25 mechanisms, including outreach activities

1 for racial and ethnic, and other under-  
2 served communities; and

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

6 “(3) APPLICATION.—

7 “(A) IN GENERAL.—Each eligible entity  
8 desiring a grant under this subsection shall  
9 submit an application to the Attorney General  
10 at such time and in such manner as the Attor-  
11 ney General may reasonably require.

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

14 “(i) set forth procedures designed to  
15 assure meaningful involvement of the State  
16 or territorial sexual assault coalition and  
17 representatives from racial and ethnic and  
18 other underserved communities in the de-  
19 velopment of the application and the imple-  
20 mentation of the plans;

21 “(ii) set forth procedures designed to  
22 ensure an equitable distribution of grants  
23 and grant funds within the State or terri-  
24 tory and between urban and rural areas  
25 within such State or territory;

1           “(iii) identify the State or territorial  
2           agency that is responsible for the adminis-  
3           tration of programs and activities; and

4           “(iv) meet other such requirements as  
5           the Attorney General reasonably deter-  
6           mines are necessary to carry out the pur-  
7           poses and provisions of this section.

8           “(4) MINIMUM AMOUNT.—The Attorney Gen-  
9           eral shall allocate to each State not less than 0.50  
10          percent of the total amount appropriated in a fiscal  
11          year for grants under this section, except that the  
12          United States Virgin Islands, American Samoa,  
13          Guam, the District of Columbia, Puerto Rico, and  
14          the Commonwealth of the Northern Mariana Islands  
15          shall each be allocated 0.125 percent of the total ap-  
16          propriations.

17          “(c) GRANTS FOR CULTURALLY SPECIFIC PROGRAMS  
18          ADDRESSING SEXUAL ASSAULT.—

19                 “(1) GRANTS AUTHORIZED.—The Attorney  
20                 General shall award grants to eligible entities to  
21                 support the establishment, maintenance, and expan-  
22                 sion of culturally specific intervention and related  
23                 assistance for victims of sexual assault.

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

1           “(A) be a private nonprofit organization  
2 that focuses primarily on racial and ethnic com-  
3 munities;

4           “(B) must have documented organizational  
5 experience in the area of sexual assault inter-  
6 vention or have entered into a partnership with  
7 an organization having such expertise;

8           “(C) have expertise in the development of  
9 community-based, linguistically and culturally  
10 specific outreach and intervention services rel-  
11 evant for the specific racial and ethnic commu-  
12 nities to whom assistance would be provided or  
13 have the capacity to link to existing services in  
14 the community tailored to the needs of racial  
15 and ethnic populations; and

16           “(D) have an advisory board or steering  
17 committee and staffing which is reflective of the  
18 targeted racial and ethnic community.

19           “(3) AWARD BASIS.—The Attorney General  
20 shall award grants under this section on a competi-  
21 tive basis.

22           “(4) DISTRIBUTION.—

23           “(A) The Attorney General shall not use  
24 more than 2.5 percent of funds appropriated  
25 under this subsection in any year for adminis-

1           tration, monitoring, and evaluation of grants  
2           made available under this subsection.

3           “(B) Up to 5 percent of funds appro-  
4           priated under this section in any year shall be  
5           available for technical assistance by a national,  
6           nonprofit, nongovernmental organization or or-  
7           ganizations whose primary focus and expertise  
8           is in addressing sexual assault within racial and  
9           ethnic communities.

10          “(5) TERM.—The Attorney General shall make  
11          grants under this section for a period of no less than  
12          2 fiscal years.

13          “(6) REPORTING.—Each entity receiving a  
14          grant under this subsection shall submit a report to  
15          the Attorney General that describes the activities out  
16          with such grant funds.

17          “(d) GRANTS TO STATE, TERRITORIAL, AND TRIBAL  
18          SEXUAL ASSAULT COALITIONS.—

19          “(1) GRANTS AUTHORIZED.—

20          “(A) IN GENERAL.—The Attorney General  
21          shall award grants to State, territorial, and  
22          tribal sexual assault coalitions to assist in sup-  
23          porting the establishment, maintenance, and ex-  
24          pansion of such coalitions.

1           “(B) MINIMUM AMOUNT.—Not less than  
2           10 percent of the total amount appropriated to  
3           carry out this section shall be used for grants  
4           under subparagraph (A).

5           “(C) ELIGIBLE APPLICANTS.—Each of the  
6           State, territorial, and tribal sexual assault coali-  
7           tions.

8           “(2) USE OF FUNDS.—Grant funds received  
9           under this subsection may be used to—

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

14           “(B) work with judicial and law enforce-  
15           ment agencies to encourage appropriate re-  
16           sponses to sexual assault cases;

17           “(C) work with courts, child protective  
18           services agencies, and children’s advocates to  
19           develop appropriate responses to child custody  
20           and visitation issues when sexual assault has  
21           been determined to be a factor;

22           “(D) design and conduct public education  
23           campaigns;

1           “(E) plan and monitor the distribution of  
2           grants and grant funds to their State, territory,  
3           or tribe; or

4           “(F) collaborate with and inform Federal,  
5           State, or local public officials and agencies to  
6           develop and implement policies to reduce or  
7           eliminate sexual assault.

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

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

14           “(B) the remaining funds shall be available  
15           for grants to State and territorial coalitions,  
16           and the Attorney General shall allocate an  
17           amount equal to  $\frac{1}{56}$  of the amounts so appro-  
18           priated to each of those States and territorial  
19           coalitions.

20           “(4) APPLICATION.—Each eligible entity desir-  
21           ing a grant under this subsection shall submit an  
22           application to the Attorney General at such time, in  
23           such manner, and containing such information as  
24           the Attorney General determines to be essential to  
25           carry out the purposes of this section.

1           “(5) FIRST-TIME APPLICANTS.—No entity shall  
2           be prohibited from submitting an application under  
3           this subsection during any fiscal year for which  
4           funds are available under this subsection because  
5           such entity has not previously applied or received  
6           funding under this subsection.

7           “(e) GRANTS TO TRIBES.—

8           “(1) GRANTS AUTHORIZED.—The Attorney  
9           General may award grants to Indian tribes, tribal  
10          organizations, and nonprofit tribal organizations for  
11          the operation of a sexual assault programs or  
12          projects in Indian country and Alaskan native vil-  
13          lages to support the establishment, maintenance,  
14          and expansion of programs and projects to assist  
15          those victimized by sexual assault.

16          “(2) ALLOCATION AND USE OF FUNDS.—

17                 “(A) ADMINISTRATIVE COSTS.—Not more  
18                 than 5 percent of the grant funds received by  
19                 an Indian tribe, tribal organization, and non-  
20                 profit tribal organization under this subsection  
21                 for any fiscal year may be used for administra-  
22                 tive costs.

23                 “(B) GRANT FUNDS.—Any funds received  
24                 under this subsection that are not used for ad-  
25                 ministrative costs shall be used to provide

1 grants to tribal organizations and nonprofit  
2 tribal organizations for programs and activities  
3 within Indian country and Alaskan native vil-  
4 lages that provide direct intervention and re-  
5 lated assistance.

6 “(f) AUTHORIZATION OF APPROPRIATIONS.—

7 “(1) IN GENERAL.—There are authorized to be  
8 appropriated \$50,000,000 for each of the fiscal  
9 years 2006 through 2010 to carry out the provisions  
10 of this section.

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

14 “(A) not more than 2.5 percent shall be  
15 used by the Attorney General for evaluation,  
16 monitoring, and other administrative costs  
17 under this section;

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

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

24 “(D) not less than 7 percent shall be used  
25 for making grants to State, territorial, and trib-

1 al sexual assault coalitions under subsection  
2 (d);

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

5 “(F) not less than 7 percent shall be used  
6 for grants for culturally specific programs ad-  
7 dressing sexual assault under subsection (c).”.

8 **SEC. 203. AMENDMENTS TO THE RURAL DOMESTIC VIO-**  
9 **LENCE AND CHILD ABUSE ENFORCEMENT AS-**  
10 **SISTANCE PROGRAM.**

11 Section 40295 of the Safe Homes for Women Act of  
12 1994 (42 U.S.C. 13971) is amended to read as follows:

13 **“SEC. 40295. RURAL DOMESTIC VIOLENCE, DATING VIO-**  
14 **LENCE, SEXUAL ASSAULT, STALKING, AND**  
15 **CHILD ABUSE ENFORCEMENT ASSISTANCE.**

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

17 “(1) to identify, assess, and appropriately re-  
18 spond to child, youth, and adult victims of domestic  
19 violence, sexual assault, dating violence, and stalking  
20 in rural communities, by encouraging collaboration  
21 among—

22 “(A) domestic violence, dating violence,  
23 sexual assault, and stalking victim service pro-  
24 viders;

25 “(B) law enforcement agencies;

1           “(C) prosecutors;

2           “(D) courts;

3           “(E) other criminal justice service pro-  
4           viders;

5           “(F) human and community service pro-  
6           viders;

7           “(G) educational institutions; and

8           “(H) health care providers;

9           “(2) to establish and expand nonprofit, non-  
10          governmental, State, tribal, territorial, and local gov-  
11          ernment victim services in rural communities to  
12          child, youth, and adult victims; and

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

15               “(A) dealing directly and immediately with  
16               domestic violence, sexual assault, dating vio-  
17               lence, and stalking occurring in rural commu-  
18               nities; and

19               “(B) creating and implementing strategies  
20               to increase awareness and prevent domestic vio-  
21               lence, sexual assault, dating violence, and stalk-  
22               ing.

23          “(b) GRANTS AUTHORIZED.—The Attorney General,  
24          acting through the Director of the Office on Violence  
25          Against Women (referred to in this section as the ‘Direc-

1 tor'), may award grants to States, Indian tribes, local gov-  
2 ernments, and nonprofit, public or private entities, includ-  
3 ing tribal nonprofit organizations, to carry out programs  
4 serving rural areas or rural communities that address do-  
5 mestic violence, dating violence, sexual assault, and stalk-  
6 ing by—

7           “(1) implementing, expanding, and establishing  
8 cooperative efforts and projects among law enforce-  
9 ment officers, prosecutors, victim advocacy groups,  
10 and other related parties to investigate and pros-  
11 ecute incidents of domestic violence, dating violence,  
12 sexual assault, and stalking;

13           “(2) providing treatment, counseling, advocacy,  
14 and other long- and short-term assistance to adult  
15 and minor victims of domestic violence, dating vio-  
16 lence, sexual assault, and stalking in rural commu-  
17 nities; and

18           “(3) working in cooperation with the commu-  
19 nity to develop education and prevention strategies  
20 directed toward such issues.

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

24           “(d) ALLOTMENTS AND PRIORITIES.—

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

6           “(2) ALLOTMENT FOR SEXUAL ASSAULT SERV-  
7 ICES.—Not less than 25 percent of the total amount  
8 made available for each fiscal year to carry out this  
9 section shall be allocated for grants that meaning-  
10 fully address sexual assault in rural communities.

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

16           “(4) UNDERSERVED POPULATIONS.—In award-  
17 ing grants under this section, the Director shall give  
18 priority to racial, ethnic, and other underserved pop-  
19 ulations.

20           “(5) ALLOCATION OF FUNDS FOR RURAL  
21 STATES.—Not less than 75 percent of the total  
22 amount made available for each fiscal year to carry  
23 out this section shall be allocated to eligible entities  
24 located in rural States.

25           “(e) AUTHORIZATION OF APPROPRIATIONS.—



1 section 3 of the Americans with Disabilities Act of  
2 1990 (42 U.S.C. 12102)); and

3 “(2) to enhance direct services to such individ-  
4 uals.

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

7 “(1) to provide personnel, training, technical  
8 assistance, advocacy, intervention, risk reduction and  
9 prevention of domestic violence, dating violence,  
10 stalking, and sexual assault against disabled women  
11 and girls;

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

16 “(3) to conduct cross-training for victim service  
17 organizations, governmental agencies, courts, law en-  
18 forcement, and nonprofit, nongovernmental organi-  
19 zations serving individuals with disabilities about  
20 risk reduction, intervention, prevention and the na-  
21 ture of domestic violence, dating violence, stalking,  
22 and sexual assault for disabled women and girls;

23 “(4) to provide technical assistance to assist  
24 with modifications to existing policies, protocols, and  
25 procedures to ensure equal access to the services,

1 programs, and activities of victim service organiza-  
2 tions for disabled women and girls;

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

7 “(A) the Americans with Disabilities Act of  
8 1990; and

9 “(B) section 504 of the Rehabilitation Act  
10 of 1973;

11 “(6) to rehabilitate facilities, purchase equip-  
12 ment, and provide personnel so that shelters and vic-  
13 tim service organizations can accommodate the  
14 needs of disabled women and girls;

15 “(7) to provide advocacy and intervention serv-  
16 ices for disabled women and girls who are victims of  
17 domestic violence, dating violence, stalking, or sexual  
18 assault; or

19 “(8) to develop model programs providing advo-  
20 cacy and intervention services within organizations  
21 serving disabled women and girls who are victims of  
22 domestic violence, dating violence, sexual assault, or  
23 stalking.

24 “(c) ELIGIBLE ENTITIES.—

1           “(1) IN GENERAL.—An entity shall be eligible  
2           to receive a grant under this section if the entity  
3           is—

4                       “(A) a State;

5                       “(B) a unit of local government;

6                       “(C) an Indian tribal government or tribal  
7           organization; or

8                       “(D) a nonprofit and nongovernmental vic-  
9           tim services organization, such as a State do-  
10          mestic violence or sexual assault coalition or a  
11          nonprofit, nongovernmental organization serv-  
12          ing disabled women and girls.

13           “(2) LIMITATION.—A grant awarded for the  
14          purpose described in subsection (b)(8) shall only be  
15          awarded to an eligible agency (as defined in section  
16          410 of the Rehabilitation Act of 1973 (29 U.S.C.  
17          796f-5).

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

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

1 **SEC. 205. TRAINING AND SERVICES TO END VIOLENCE**  
2 **AGAINST WOMEN IN LATER LIFE.**

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

6 **“SEC. 40802. ENHANCED TRAINING AND SERVICES TO END**  
7 **VIOLENCE AGAINST AND ABUSE OF WOMEN**  
8 **LATER IN LIFE.**

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

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

20 “(2) providing or enhancing services for victims  
21 of elder abuse, neglect, and exploitation, including  
22 domestic and sexual violence, who are 60 years of  
23 age or older;

24 “(3) increasing the physical accessibility of  
25 buildings in which services are or will be rendered  
26 for victims of elder abuse, neglect, and exploitation,

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

3 “(4) creating or supporting multidisciplinary  
4 collaborative community responses to victims of elder  
5 abuse, neglect, and exploitation, including domestic  
6 and sexual violence, who are 60 years of age or  
7 older; and

8 “(5) conducting cross-training for victim service  
9 organizations, governmental agencies, courts, law en-  
10 forcement, and nonprofit, nongovernmental organi-  
11 zations serving victims of domestic and sexual abuse  
12 who are 60 years of age or older.

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

15 “(1) a State;

16 “(2) a unit of local government;

17 “(3) an Indian tribal government or tribal orga-  
18 nization; or

19 “(4) a nonprofit and nongovernmental victim  
20 services organization with demonstrated experience  
21 in assisting elderly women or demonstrated experi-  
22 ence in addressing domestic violence or sexual as-  
23 sault.”.

24 (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
25 40803 of the Violence Against Women Act of 1994 (42

1 U.S.C. 14041b) is amended by striking “\$5,000,000 for  
2 each of fiscal years 2001 through 2005” and inserting  
3 “\$10,000,000 for each of the fiscal years 2006 through  
4 2010”.

5 **SEC. 206. STRENGTHENING THE NATIONAL DOMESTIC VIO-**  
6 **LENCE HOTLINE.**

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

9 (1) in subsection (d), by adding at the end the  
10 following:

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

17 (2) in subsection (g)—

18 (A) in paragraph (1), by striking  
19 “\$3,500,000” and all that follows and inserting  
20 “\$5,000,000 for each of fiscal years 2006  
21 through 2010.”;

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

23 (C) by redesignating paragraph (3) as  
24 paragraph (2).

1 **TITLE III—SERVICES, PROTEC-**  
2 **TION, AND JUSTICE FOR**  
3 **YOUNG VICTIMS OF VIO-**  
4 **LENCE**

5 **SEC. 301. FINDINGS.**

6 Congress finds the following:

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

10 (2) The Department of Justice consistently  
11 finds that young women between the ages of 16 and  
12 24 experience the highest rate of non-fatal intimate  
13 partner violence.

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

17 (4) Young people experience particular obsta-  
18 cles to seeking help. They often do not have access  
19 to money, transportation, or shelter services. They  
20 must overcome issues such as distrust of adults, lack  
21 of knowledge about available resources, or pressure  
22 from peers and parents.

23 (5) A needs assessment on teen relationship  
24 abuse for the State of California, funded by the Cali-  
25 fornia Department of Health Services, identified a

1       desire for confidentiality and confusion about the  
2       law as 2 of the most significant barriers to young  
3       victims of domestic and dating violence seeking help.

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

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

12              (8) 40 percent of girls ages 14 to 17 report  
13      knowing someone their age who has been hit or  
14      beaten by a boyfriend, and 13 percent of college  
15      women report being stalked.

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

23              (10) According to a 3-year study of student-  
24      athletes at 10 Division I universities, male athletes  
25      made up only 3.3 percent of the general male uni-

1       iversity population, but they accounted for 19 percent  
2       of the students reported for sexual assault and 35  
3       percent of domestic violence perpetrators.

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

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

8       “(c) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

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

1 **“Subtitle L—Services, Education,**  
2 **Protection and Justice for**  
3 **Young Victims of Violence**

4 **“SEC. 41201. SERVICES TO ADVOCATE FOR AND RESPOND**  
5 **TO TEENS.**

6 “(a) GRANTS AUTHORIZED.—The Secretary of the  
7 Department of Health and Human Services (in this sec-  
8 tion referred to as the ‘Secretary’), acting through the  
9 Family and Youth Services Bureau, in consultation with  
10 the Department of Justice, shall award grants to eligible  
11 entities to conduct programs to serve victims of domestic  
12 violence, dating violence, sexual assault, and stalking who  
13 are between the ages of 12 and 24. Amounts appropriated  
14 under this section may only be used for programs and ac-  
15 tivities described under subsection (c).

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

18 “(1) a nonprofit, nongovernmental entity, the  
19 primary purpose of which is to provide services to  
20 teen and young adult victims of domestic violence,  
21 dating violence, sexual assault, or stalking;

22 “(2) a community-based organization special-  
23 izing in intervention or violence prevention services  
24 for youth;

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

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

8           “(c) USE OF FUNDS.—

9           “(1) IN GENERAL.—An entity that receives a  
10          grant under this section shall use amounts provided  
11          under the grant to design or replicate, and imple-  
12          ment, programs and services, using domestic vio-  
13          lence, dating violence, sexual assault, and stalking  
14          intervention models to respond to the needs of youth  
15          who are victims of domestic violence, dating violence,  
16          sexual assault or stalking.

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

18               “(A) shall provide direct counseling and  
19               advocacy for teens and young adults, who have  
20               experienced domestic violence, dating violence,  
21               sexual assault or stalking;

22               “(B) shall include linguistically, culturally,  
23               and community relevant services for racial, eth-  
24               nic, and other underserved populations or link-

1           ages to existing services in the community tai-  
2           lored to the needs of underserved populations;

3           “(C) may include mental health services  
4           for teens and young adults who have experi-  
5           enced domestic violence, dating violence, sexual  
6           assault, or stalking;

7           “(D) may include legal advocacy efforts on  
8           behalf of minors and young adults with respect  
9           to domestic violence, dating violence, sexual as-  
10          sault or stalking;

11          “(E) may work with public officials and  
12          agencies to develop and implement policies,  
13          rules, and procedures in order to reduce or  
14          eliminate domestic violence, dating violence,  
15          sexual assault, and stalking against youth and  
16          young adults; and

17          “(F) may use not more than 25 percent of  
18          the grant funds to provide additional services  
19          and resources for youth, including childcare,  
20          transportation, educational support, and respite  
21          care.

22          “(d) AWARDS BASIS.—

23                 “(1) GRANTS TO INDIAN TRIBES.—Not less  
24          than 7 percent of funds appropriated under this sec-

1       tion in any year shall be available for grants to In-  
2       dian Tribes or tribal organizations.

3           “(2) ADMINISTRATION.—The Secretary shall  
4       not use more than 2.5 percent of funds appropriated  
5       under this section in any year for administration,  
6       monitoring, and evaluation of grants made available  
7       under this section.

8           “(3) TECHNICAL ASSISTANCE.—Not less than 5  
9       percent of funds appropriated under this section in  
10      any year shall be available to provide technical as-  
11      sistance for programs funded under this section.

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

14      “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
15      is authorized to be appropriated to carry out this section,  
16      \$15,000,000 for each of fiscal years 2006 through 2010.

17      **“SEC. 41202. ACCESS TO JUSTICE FOR TEENS.**

18      “(a) PURPOSE.—It is the purpose of this section to  
19      encourage cross training and collaboration between the  
20      courts, domestic violence and sexual assault service pro-  
21      viders, youth organizations and service providers, violence  
22      prevention programs, and law enforcement agencies, so  
23      that communities can establish and implement policies,  
24      procedures, and practices to protect and more comprehen-  
25      sively and effectively serve young victims of dating vio-

1 lence, domestic violence, sexual assault, and stalking who  
2 are between the ages of 12 and 24, and to engage, where  
3 necessary, other entities addressing the safety, health,  
4 mental health, social service, housing, and economic needs  
5 of young victims of domestic violence, dating violence, sex-  
6 ual assault, and stalking, including community-based sup-  
7 ports such as schools, local health centers, community ac-  
8 tion groups, and neighborhood coalitions.

9 “(b) GRANT AUTHORITY.—

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

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

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

20 “(A) shall include a victim service provider  
21 that has a documented history of effective work  
22 concerning domestic violence, dating violence,  
23 sexual assault, or stalking and the effect that  
24 those forms of abuse have on young people;

25 “(B) shall include a court; and

1 “(C) may include—

2 “(i) batterer intervention programs or  
3 sex offender treatment programs with spe-  
4 cialized knowledge and experience working  
5 with youth offenders;

6 “(ii) community-based youth organiza-  
7 tions that deal specifically with the con-  
8 cerns and problems faced by youth, includ-  
9 ing programs that target teen parents and  
10 racial, ethnic, and other underserved com-  
11 munities;

12 “(iii) schools or school-based pro-  
13 grams designed to provide prevention or  
14 intervention services to youth experiencing  
15 problems;

16 “(iv) faith-based entities that deal  
17 with the concerns and problems faced by  
18 youth;

19 “(v) healthcare entities eligible for re-  
20 imbursement under title XVIII of the So-  
21 cial Security Act, including providers that  
22 target the special needs of youth;

23 “(vi) education programs on HIV and  
24 other sexually transmitted diseases that  
25 are designed to target teens; or

1                   “(vii) Indian Health Services, Indian  
2                   Child Welfare, the Bureau of Indian Af-  
3                   fairs, or the Federal Bureau of Investiga-  
4                   tions.

5           “(c) USES OF FUNDS.—An entity that receives a  
6 grant under this section shall use the funds made available  
7 through the grant for cross-training and collaborative ef-  
8 forts—

9                   “(1) addressing domestic violence, dating vio-  
10                  lence, sexual assault, and stalking, assessing and  
11                  analyzing currently available services for youth and  
12                  young adult victims, determining relevant barriers to  
13                  such services in a particular locality, and developing  
14                  a community protocol to address such problems col-  
15                  laboratively;

16                  “(2) to establish and enhance linkages and col-  
17                  laboration between—

18                         “(A) domestic violence and sexual assault  
19                         service providers; and

20                         “(B) where applicable, law enforcement  
21                         agencies, courts, Federal agencies, and other  
22                         entities addressing the safety, health, mental  
23                         health, social service, housing, and economic  
24                         needs of young victims of abuse, including com-  
25                         munity-based supports such as schools, local

1 health centers, community action groups, and  
2 neighborhood coalitions—

3 “(i) to respond effectively and com-  
4 prehensively to the varying needs of young  
5 victims of abuse;

6 “(ii) to include linguistically, cul-  
7 turally, and community relevant services  
8 for racial, ethnic, and other underserved  
9 populations or linkages to existing services  
10 in the community tailored to the needs of  
11 underserved populations; and

12 “(iii) to include where appropriate  
13 legal assistance, referral services, and pa-  
14 rental support;

15 “(3) to educate the staff of courts, domestic vi-  
16 olence and sexual assault service providers, and, as  
17 applicable, the staff of law enforcement agencies, In-  
18 dian child welfare agencies, youth organizations,  
19 schools, healthcare providers, and other community  
20 prevention and intervention programs to responsibly  
21 address minor victims and perpetrators of domestic  
22 violence, dating violence, sexual assault, and stalk-  
23 ing;

24 “(4) to identify, assess, and respond appro-  
25 priately to dating violence, domestic violence, sexual

1 assault, or stalking against minors and young adults  
2 and meet the needs of young victims of violence; and

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

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

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

23 “(f) DISTRIBUTION.—In awarding grants under this  
24 section—

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

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

13          “(3) the Attorney General of the United States  
14          shall not use more than 2.5 percent of funds appro-  
15          priated under this section in any year for adminis-  
16          tration of grants made available under this section;  
17          and

18          “(4) up to 8 percent of funds appropriated  
19          under this section in any year shall be available to  
20          provide technical assistance for programs funded  
21          under this section.

22          “(g) DISSEMINATION OF INFORMATION.—Not later  
23          than 12 months after the end of the grant period under  
24          this section, the Director shall prepare, submit to Con-

1 gress, and make widely available, including through elec-  
 2 tronic means, summaries that contain information on—

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

5 “(2) related initiatives undertaken by the Direc-  
 6 tor to promote attention to dating violence, domestic  
 7 violence, sexual assault, and stalking and their im-  
 8 pact on young victims by—

9 “(A) the staffs of courts;

10 “(B) domestic violence, dating violence,  
 11 sexual assault, and stalking service providers;  
 12 and

13 “(C) law enforcement agencies and com-  
 14 munity organizations.

15 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
 16 are authorized to be appropriated to carry out this section,  
 17 \$5,000,000 in each of fiscal years 2006 through 2010.

18 **“SEC. 41203. GRANTS FOR TRAINING AND COLLABORATION**  
 19 **ON THE INTERSECTION BETWEEN DOMESTIC**  
 20 **VIOLENCE AND CHILD MALTREATMENT.**

21 “(a) PURPOSE.—The purpose of this section is to  
 22 support efforts by child welfare agencies, domestic violence  
 23 or dating violence victim services providers, courts, law en-  
 24 forcement, and other related professionals and community  
 25 organizations to develop collaborative responses and serv-

1 ices and provide cross-training to enhance community re-  
2 sponses to families where there is both child maltreatment  
3 and domestic violence.

4 “(b) GRANTS AUTHORIZED.—The Secretary of the  
5 Department of Health and Human Services (in this sec-  
6 tion referred to as the ‘Secretary’), through the Family  
7 and Youth Services Bureau, and in consultation with the  
8 Office on Violence Against Women, shall award grants on  
9 a competitive basis to eligible entities for the purposes and  
10 in the manner described in this section.

11 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
12 are authorized to be appropriated to carry out this section  
13 \$5,000,000 for each of fiscal years 2006 through 2010.  
14 Funds appropriated under this section shall remain avail-  
15 able until expended. Of the amounts appropriated to carry  
16 out this section for each fiscal year, the Secretary shall—

17 “(1) use not more than 3 percent for evalua-  
18 tion, monitoring, site visits, grantee conferences, and  
19 other administrative costs associated with con-  
20 ducting activities under this section;

21 “(2) set aside not more than 7 percent for  
22 grants to programs addressing child maltreatment  
23 and domestic violence or dating violence that are op-  
24 erated by, or in partnership with, a tribal organiza-  
25 tion; and

1           “(3) set aside up to 8 percent for technical as-  
2           sistance and training to be provided by organizations  
3           having demonstrated expertise in developing collabora-  
4           tive community and system responses to families  
5           in which there is both child maltreatment and do-  
6           mestic violence or dating violence, which technical  
7           assistance and training may be offered to jurisdic-  
8           tions in the process of developing community re-  
9           sponses to families in which children are exposed to  
10          child maltreatment and domestic violence or dating  
11          violence, whether or not they are receiving funds  
12          under this section.

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

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

19          “(f) USES OF FUNDS.—Entities receiving grants  
20          under this section shall use amounts provided to develop  
21          collaborative responses and services and provide cross-  
22          training to enhance community responses to families  
23          where there is both child maltreatment and domestic vio-  
24          lence or dating violence. Amounts distributed under this

1 section may only be used for programs and activities de-  
2 scribed in subsection (g).

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

5 “(1) encourage cross training, education, serv-  
6 ice development, and collaboration among child wel-  
7 fare agencies, domestic violence victim service pro-  
8 viders, and courts, law enforcement agencies, com-  
9 munity-based programs, and other entities, in order  
10 to ensure that such entities have the capacity to and  
11 will identify, assess, and respond appropriately to—

12 “(A) domestic violence or dating violence  
13 in homes where children are present and may  
14 be exposed to the violence;

15 “(B) domestic violence or dating violence  
16 in child protection cases; and

17 “(C) the needs of both the child and non-  
18 abusing parent;

19 “(2) establish and implement policies, proce-  
20 dures, programs, and practices for child welfare  
21 agencies, domestic violence victim service providers,  
22 courts, law enforcement agencies, and other entities,  
23 that are consistent with the principles of protecting  
24 and increasing the immediate and long-term safety

1 and well being of children and non-abusing parents  
2 and caretakers;

3 “(3) increase cooperation and enhance linkages  
4 between child welfare agencies, domestic violence vic-  
5 tim service providers, courts, law enforcement agen-  
6 cies, and other entities to provide more comprehen-  
7 sive community-based services (including health,  
8 mental health, social service, housing, and neighbor-  
9 hood resources) to protect and to serve both child  
10 and adult victims;

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

15 “(5) analyze and change policies, procedures,  
16 and protocols that contribute to overrepresentation  
17 of racial and ethnic minorities in the court and child  
18 welfare system; and

19 “(6) provide appropriate referrals to commu-  
20 nity-based programs and resources, such as health  
21 and mental health services, shelter and housing as-  
22 sistance for adult and youth victims and their chil-  
23 dren, legal assistance and advocacy for adult and  
24 youth victims, assistance for parents to help their  
25 children cope with the impact of exposure to domes-

1 tic violence or dating violence and child maltreat-  
2 ment, appropriate intervention and treatment for  
3 adult perpetrators of domestic violence or dating vio-  
4 lence whose children are the subjects of child protec-  
5 tion cases, programs providing support and assist-  
6 ance to racial and ethnic populations, and other nec-  
7 essary supportive services.

8 “(i) GRANTEE REQUIREMENTS.—

9 “(1) APPLICATIONS.—Under this section, an  
10 entity shall prepare and submit to the Secretary an  
11 application at such time, in such manner, and con-  
12 taining such information as the Secretary may re-  
13 quire, consistent with the requirements described  
14 herein. The application shall—

15 “(A) ensure that communities impacted by  
16 these systems or organizations are adequately  
17 represented in the development of the applica-  
18 tion, the programs and activities to be under-  
19 taken, and that they have a significant role in  
20 evaluating the success of the project;

21 “(B) describe how the training and col-  
22 laboration activities will enhance or ensure the  
23 safety and economic security of families where  
24 both child maltreatment and domestic violence  
25 or dating violence occurs by providing appro-

1            appropriate resources, protection, and support to the  
2            victimized parents of such children and to the  
3            children themselves; and

4            “(C) outline methods and means partici-  
5            pating entities will use to ensure that all serv-  
6            ices are provided in a developmentally, linguis-  
7            tically and culturally competent manner and  
8            will utilize community-based supports and re-  
9            sources.

10           “(2) ELIGIBLE ENTITIES.—To be eligible for a  
11           grant under this section, an entity shall be a collabo-  
12           ration that—

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

15           “(B) shall include a domestic violence or  
16           dating violence victim service provider;

17           “(C) shall include a law enforcement agen-  
18           cy or Bureau of Indian Affairs providing tribal  
19           law enforcement;

20           “(D) may include a court; and

21           “(E) may include any other such agencies  
22           or private nonprofit organizations and faith-  
23           based organizations, including community-based  
24           organizations, with the capacity to provide ef-

1           fective help to the child and adult victims  
2           served by the collaboration.”.

3 **SEC. 304. GRANTS TO REDUCE VIOLENCE AGAINST WOMEN**  
4                                   **ON CAMPUS.**

5           Section 826 of the Higher Education Amendments of  
6 1998 (20 U.S.C. 1152) is amended—

7           (1) in subsection (a)(2), by adding at the end  
8           the following: “The Attorney General, through the  
9           Director of the Office on Violence Against Women,  
10          shall award the grants in amounts of not more than  
11          \$500,000 for individual institutions of higher edu-  
12          cation and not more than \$1,000,000 for consortia  
13          of such institutions.”;

14          (2) in subsection (b)—

15                  (A) in paragraph (2)—

16                          (i) by inserting “develop and imple-  
17                          ment campus policies, protocols, and serv-  
18                          ices that” after “boards to”; and

19                          (ii) by adding at the end the fol-  
20                          lowing: “Within 90 days after the date of  
21                          enactment of the Violence Against Women  
22                          Act of 2005, the Attorney General shall  
23                          issue and make available minimum stand-  
24                          ards of training relating to violent crimes  
25                          against women on campus, for all campus

1 security personnel and personnel serving  
2 on campus disciplinary or judicial  
3 boards.”;

4 (B) in paragraph (4), by striking all that  
5 follows “strengthen” and inserting: “victim  
6 services programs on the campuses of the insti-  
7 tutions involved, including programs providing  
8 legal, medical, or psychological counseling, for  
9 victims of domestic violence, dating violence, or  
10 sexual assault, and to improve delivery of victim  
11 assistance on campus. To the extent prac-  
12 ticable, such an institution shall collaborate  
13 with any entities carrying out nonprofit and  
14 other victim services programs, including sexual  
15 assault, domestic violence, and dating violence  
16 victim services programs in the community in  
17 which the institution is located. If appropriate  
18 victim services programs are not available in  
19 the community or are not accessible to stu-  
20 dents, the institution shall, to the extent prac-  
21 ticable, provide a victim services program on  
22 campus or create a victim services program in  
23 collaboration with a community-based organiza-  
24 tion. The institution shall use not less than 20  
25 percent of the funds made available through the

1 grant for a victim services program provided in  
2 accordance with this paragraph.”;

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

4 (D) by redesignating paragraphs (7), (9),  
5 and (10) as paragraphs (6), (7), and (8), re-  
6 spectively;

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

9 “(B) include proof that the institution of  
10 higher education collaborated with any non-  
11 profit, nongovernmental entities carrying out  
12 other victim services programs, including sexual  
13 assault, domestic violence, and dating violence  
14 victim services programs in the community in  
15 which the institution is located;”;

16 (4) in subsection (d)—

17 (A) by striking paragraph (4);

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

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

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

24 “(A) IN GENERAL.—In order to ensure the  
25 safety of adult, youth, and child victims of do-

1 domestic violence, dating violence, sexual assault,  
2 or stalking, and their families, grantee and sub-  
3 grantees under this title shall protect the con-  
4 fidentiality and privacy of persons receiving  
5 services.

6 “(B) NONDISCLOSURE.—Subject to sub-  
7 paragraph (C), grantees and subgrantees shall  
8 not—

9 “(i) disclose any personally identifying  
10 information or individual information col-  
11 lected in connection with services re-  
12 quested, utilized, or denied through grant-  
13 ees’ and subgrantees’ programs; or

14 “(ii) reveal individual client informa-  
15 tion without the informed, written, reason-  
16 ably time-limited consent of the person (or  
17 in the case of an unemancipated minor, the  
18 minor and the parent or guardian or in the  
19 case of persons with disabilities, the guard-  
20 ian) about whom information is sought,  
21 whether for this program or any other  
22 Federal, State, tribal, or territorial grant  
23 program.

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

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

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

12           “(D) INFORMATION SHARING.—Grantees  
13 and subgrantees may share—

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

21           “(ii) court-generated information and  
22 law-enforcement generated information  
23 contained in secure, governmental reg-  
24 istries for protection order enforcement  
25 purposes; and

1           “(iii) law-enforcement and prosecu-  
2           tion-generated information for law enforce-  
3           ment and prosecution purposes.

4           “(E) PERSONALLY IDENTIFYING INFORMA-  
5           TION OR PERSONAL INFORMATION.—The term  
6           ‘personally identifying information’ or ‘personal  
7           information’ means individually identifying in-  
8           formation for or about an individual including  
9           information likely to disclose the location of a  
10          victim of domestic violence, dating violence, sex-  
11          ual assault, or stalking, including—

12                 “(i) a first and last name;

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

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

17                 “(iv) a social security number; and

18                 “(v) any other information, including, date  
19                 of birth, racial or ethnic background, or reli-  
20                 gious affiliation, that, in combination with any  
21                 of clauses (i) through (iv), would serve to iden-  
22                 tify any individual.”; and

23                 (5) in subsection (g), by—

24                         (A) striking “\$10,000,000” and inserting  
25                         “\$15,000,000”;

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

2 and

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

4 **SEC. 305. JUVENILE JUSTICE.**

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

8 (1) in paragraph (7)(B)—

9 (A) by redesignating clauses (i), (ii) and  
10 (iii), as clauses (ii), (iii), and (iv), respectively;

11 and

12 (B) by inserting before clause (ii) the fol-  
13 lowing:

14 “(i) an analysis of gender-specific services  
15 for the prevention and treatment of juvenile de-  
16 linquency, including the types of such services  
17 available and the need for such services for fe-  
18 males;”.

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

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

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

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

2 “(T) developing and adopting policies to  
3 prohibit disparate treatment of female juveniles  
4 in placement and treatment, and establishing  
5 gender-specific services to ensure that female  
6 juveniles have access to the full range of health  
7 and mental health services, treatment for phys-  
8 ical or sexual assault and abuse, education in  
9 parenting, education in general, and other  
10 training and vocational services.”.

11 **SEC. 306. SAFE HAVENS.**

12 Section 1301 of the Victims of Trafficking and Vio-  
13 lence Protection Act of 2000 (42 U.S.C. 10420) is amend-  
14 ed—

15 (1) by striking the section heading and insert-  
16 ing the following:

17 **“SEC. 10402. SAFE HAVENS FOR CHILDREN.”;**

18 (2) in subsection (a)—

19 (A) by inserting “, through the Director of  
20 the Office on Violence Against Women,” after  
21 “Attorney General”;

22 (B) by inserting “dating violence,” after  
23 “domestic violence,”;

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

1 “(1) to provide”;

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

4 (E) by adding at the end the following:

5 “(2) to protect children from the trauma of wit-  
6 nessing domestic or dating violence or experiencing  
7 abduction, injury, or death during parent and child  
8 visitation exchanges;

9 “(3) to protect parents or caretakers who are  
10 victims of domestic and dating violence from experi-  
11 encing further violence, abuse, and threats during  
12 child visitation exchanges; and

13 “(4) to protect children from the trauma of ex-  
14periencing sexual assault or other forms of physical  
15 assault or abuse during parent and child visitation  
16 and visitation exchanges.”; and

17 (3) by striking subsection (e) and inserting the  
18 following:

19 “(e) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

7                   “(B) use not more than 3 percent for eval-  
8                   uation, monitoring, site visits, grantee con-  
9                   ferences, and other administrative costs associ-  
10                  ated with conducting activities under this sec-  
11                  tion; and

12                  “(C) set aside not more than 8 percent for  
13                  technical assistance and training to be provided  
14                  by organizations having nationally recognized  
15                  expertise in the design of safe and secure super-  
16                  vised visitation programs and visitation ex-  
17                  change of children in situations involving do-  
18                  mestic violence, dating violence, sexual assault,  
19                  or stalking.”.

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

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

6 The Violence Against Women Act of 1994 (108 Stat.  
7 1902 et seq.) is amended by adding at the end the fol-  
8 lowing:

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

13 **“SEC. 41301. FINDINGS.**

14 “Congress finds that—

15 “(1) the former United States Advisory Board  
16 on Child Abuse suggests that domestic violence may  
17 be the single major precursor to child abuse and ne-  
18 glect fatalities in this country;

19 “(2) studies suggest that as many as  
20 10,000,000 children witness domestic violence every  
21 year;

22 “(3) studies suggest that among children and  
23 teenagers, recent exposure to violence in the home  
24 was a significant factor in predicting a child’s violent  
25 behavior;

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

7           “(5) a child’s exposure to domestic violence  
8 seems to pose the greatest independent risk for  
9 being the victim of any act of partner violence as an  
10 adult;

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

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

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

22 **“SEC. 41302. PURPOSE.**

23           “The purpose of this subtitle is to—

24           “(1) prevent crimes involving violence against  
25 women, children, and youth;

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

4           “(3) reduce the impact of exposure to violence  
5           in the lives of children and youth so that the  
6           intergenerational cycle of violence is interrupted;

7           “(4) develop and implement education and serv-  
8           ices programs to prevent children in vulnerable fami-  
9           lies from becoming victims or perpetrators of domes-  
10          tic violence, dating violence, sexual assault, or stalk-  
11          ing;

12          “(5) promote programs to ensure that children  
13          and youth receive the assistance they need to end  
14          the cycle of violence and develop mutually respectful,  
15          nonviolent relationships; and

16          “(6) encourage collaboration among community-  
17          based organizations and governmental agencies serv-  
18          ing children and youth, providers of health and men-  
19          tal health services and providers of domestic vio-  
20          lence, dating violence, sexual assault, and stalking  
21          victim services to prevent violence against women  
22          and children.

23       **“SEC. 41303. GRANTS TO ASSIST CHILDREN AND YOUTH EX-**  
24       **POSED TO VIOLENCE.**

25       “(a) GRANTS AUTHORIZED.—

1           “(1) IN GENERAL.—The Attorney General, act-  
2           ing through the Director of the Office on Violence  
3           Against Women, and in collaboration with the Ad-  
4           ministration for Children, Youth, and Families of  
5           the Department of Health and Human Services, is  
6           authorized to award grants on a competitive basis to  
7           eligible entities for the purpose of mitigating the ef-  
8           fects of domestic violence, dating violence, sexual as-  
9           sault, and stalking on children exposed to such vio-  
10          lence, and reducing the risk of future victimization  
11          or perpetration of domestic violence, dating violence,  
12          sexual assault, and stalking.

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

15           “(3) AWARD BASIS.—The Director shall award  
16          grants—

17                   “(A) considering the needs of underserved  
18                   populations;

19                   “(B) awarding not less than 7 percent of  
20                   such amounts for the funding of tribal projects  
21                   from the amounts made available under this  
22                   section for a fiscal year;

23                   “(C) awarding up to 8 percent for the  
24                   funding of technical assistance programs from

1 the amounts made available under this section  
2 for a fiscal year; and

3 “(D) awarding not less than 66 percent to  
4 programs described in subsection (c)(1) from  
5 the amounts made available under this section  
6 for a fiscal year.

7 “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
8 is authorized to be appropriated to carry out this section  
9 \$20,000,000 for each of fiscal years 2006 through 2010.

10 “(c) USE OF FUNDS.—The funds appropriated under  
11 this section shall be used for—

12 “(1) programs that provide services for children  
13 exposed to domestic violence, dating violence, sexual  
14 assault, or stalking, which may include direct coun-  
15 seling, advocacy, or mentoring, and must include  
16 support for the nonabusing parent or the child’s  
17 caretaker; or

18 “(2) training, coordination, and advocacy for  
19 programs that serve children and youth (such as  
20 Head Start, child care, and after-school programs)  
21 on how to safely and confidentially identify children  
22 and families experiencing domestic violence and  
23 properly refer them to programs that can provide di-  
24 rect services to the family and children, and coordi-  
25 nation with other domestic violence or other pro-

1       grams serving children exposed to domestic violence,  
2       dating violence, sexual assault, or stalking that can  
3       provide the training and direct services referenced in  
4       this subsection.

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

7               “(1) a victim service provider, tribal nonprofit  
8       organization or community-based organization that  
9       has a documented history of effective work con-  
10      cerning children or youth exposed to domestic vio-  
11      lence, dating violence, sexual assault, or stalking, in-  
12      cluding programs that provide culturally specific  
13      services, Head Start, childcare, faith-based organiza-  
14      tions, after school programs, and health and mental  
15      health providers; or

16              “(2) a State, territorial, or tribal, or local unit  
17      of government agency that is partnered with an or-  
18      ganization described in paragraph (1).

19       “(e) GRANTEE REQUIREMENTS.—Under this section,  
20 an entity shall—

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

1           “(2) at a minimum, describe in the application  
2 the policies and procedures that the entity has or  
3 will adopt to—

4           “(A) enhance or ensure the safety and se-  
5 curity of children who have been or are being  
6 exposed to violence and their nonabusing par-  
7 ent, enhance or ensure the safety and security  
8 of children and their nonabusing parent in  
9 homes already experiencing domestic violence,  
10 dating violence, sexual assault, or stalking; and

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

14 **“SEC. 41304. DEVELOPMENT OF CURRICULA AND PILOT**  
15 **PROGRAMS FOR HOME VISITATION**  
16 **PROJECTS.**

17           “(a) GRANTS AUTHORIZED.—

18           “(1) IN GENERAL.—The Attorney General, act-  
19 ing through the Director of the Office on Violence  
20 Against Women, and in collaboration with the Ad-  
21 ministration for Children, Youth, and Families of  
22 the Department of Health and Human Services,  
23 shall award grants on a competitive basis to home  
24 visitation programs, in collaboration with victim  
25 service providers, for the purposes of developing and

1 implementing model policies and procedures to train  
2 home visitation service providers on addressing do-  
3 mestic violence, dating violence, sexual assault, and  
4 stalking in families experiencing violence, or at risk  
5 of violence, to reduce the impact of that violence on  
6 children, maintain safety, improve parenting skills,  
7 and break intergenerational cycles of violence.

8 “(2) TERM.—The Director shall make the  
9 grants under this section for a period of 2 fiscal  
10 years.

11 “(3) AWARD BASIS.—The Director shall—

12 “(A) consider the needs of underserved  
13 populations;

14 “(B) award not less than 7 percent of such  
15 amounts for the funding of tribal projects from  
16 the amounts made available under this section  
17 for a fiscal year; and

18 “(C) award up to 8 percent for the funding  
19 of technical assistance programs from the  
20 amounts made available under this section for  
21 a fiscal year.

22 “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
23 is authorized to be appropriated to carry out this section  
24 \$7,000,000 for each of fiscal years 2006 through 2010.

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

4           “(1) home visitation program that provides  
5 services to pregnant women and to young children  
6 and their parent or primary caregiver that are pro-  
7 vided in the permanent or temporary residence or in  
8 other familiar surroundings of the individual or fam-  
9 ily receiving such services; or

10          “(2) victim services organization or agency in  
11 collaboration with an organization or organizations  
12 listed in paragraph (1).

13       “(d) GRANTEE REQUIREMENTS.—Under this section,  
14 an entity shall—

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

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

21           “(A) enhance or ensure the safety and se-  
22 curity of children and their nonabusing parent  
23 in homes already experiencing domestic vio-  
24 lence, dating violence, sexual assault, or stalk-  
25 ing;

1           “(B) ensure linguistically, culturally, and  
2 community relevant services for racial ethnic  
3 and other underserved communities;

4           “(C) ensure the adequate training by do-  
5 mestic violence, dating violence, sexual assault  
6 or stalking victim service providers of home visi-  
7 tation grantee program staff to—

8                   “(i) safely screen for and/or recognize  
9 domestic violence, dating violence, sexual  
10 assault, and stalking;

11                   “(ii) understand the impact of domes-  
12 tic violence or sexual assault on children  
13 and protective actions taken by a non-  
14 abusing parent or caretaker in response to  
15 violence against anyone in the household;  
16 and

17                   “(iii) link new parents with existing  
18 community resources in communities where  
19 resources exist; and

20           “(D) ensure that relevant State and local  
21 domestic violence, dating violence, sexual as-  
22 sault, and stalking victim service providers and  
23 coalitions are aware of the efforts of organiza-  
24 tions receiving grants under this section, and

1           are included as training partners, where pos-  
2           sible.

3 **“SEC. 41305. ENGAGING MEN AND YOUTH IN PREVENTING**  
4                   **DOMESTIC VIOLENCE, DATING VIOLENCE,**  
5                   **SEXUAL ASSAULT, AND STALKING.**

6           “(a) GRANTS AUTHORIZED.—

7                   “(1) IN GENERAL.—The Attorney General, act-  
8           ing through the Director of the Office on Violence  
9           Against Women, and in collaboration with the Ad-  
10          ministration for Children, Youth, and Families of  
11          the Department of Health and Human Services,  
12          shall award grants on a competitive basis to eligible  
13          entities for the purpose of developing or enhancing  
14          programs related to engaging men and youth in pre-  
15          venting domestic violence, dating violence, sexual as-  
16          sault, and stalking by helping them to develop mutu-  
17          ally respectful, nonviolent relationships.

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

20                   “(3) AWARD BASIS.—The Director shall award  
21          grants—

22                           “(A) considering the needs of underserved  
23                   populations;

24                           “(B) awarding not less than 7 percent of  
25                   such amounts for the funding of tribal projects

1 from the amounts made available under this  
2 section for a fiscal year; and

3 “(C) awarding up to 8 percent for the  
4 funding of technical assistance for grantees and  
5 non-grantees working in this area from the  
6 amounts made available under this section for  
7 a fiscal year.

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

11 “(c) USE OF FUNDS.—

12 “(1) PROGRAMS.—The funds appropriated  
13 under this section shall be used by eligible entities  
14 for—

15 “(A) to develop or enhance community-  
16 based programs, including gender-specific pro-  
17 grams in accordance with applicable laws  
18 that—

19 “(i) encourage children and youth to  
20 pursue nonviolent relationships and reduce  
21 their risk of becoming victims or perpetra-  
22 tors of domestic violence, dating violence,  
23 sexual assault, or stalking; and

24 “(ii) that include at a minimum—

1                   “(I) information on domestic vio-  
2                   lence, dating violence, sexual assault,  
3                   stalking, or child sexual abuse and  
4                   how they affect children and youth;  
5                   and

6                   “(II) strategies to help partici-  
7                   pants be as safe as possible; or

8                   “(B) create public education campaigns  
9                   and community organizing to encourage men  
10                  and boys to work as allies with women and girls  
11                  to prevent violence against women and girls  
12                  conducted by entities that have experience in  
13                  conducting public education campaigns that ad-  
14                  dress domestic violence, dating violence, sexual  
15                  assault, or stalking.

16                  “(2) MEDIA LIMITS.—No more than 40 percent  
17                  of funds received by a grantee under this section  
18                  may be used to create and distribute media mate-  
19                  rials.

20                  “(d) ELIGIBLE ENTITIES.—

21                  “(1) RELATIONSHIPS.—Eligible entities under  
22                  subsection (c)(1)(A) are—

23                  “(A) nonprofit, nongovernmental domestic  
24                  violence, dating violence, sexual assault, or  
25                  stalking victim service providers or coalitions;

1           “(B) community-based child or youth serv-  
2           ices organizations with demonstrated experience  
3           and expertise in addressing the needs and con-  
4           cerns of young people;

5           “(C) a State, territorial, tribal, or unit of  
6           local governmental entity that is partnered with  
7           an organization described in subparagraph (A)  
8           or (B); or

9           “(D) a program that provides culturally  
10          specific services.

11          “(2) AWARENESS CAMPAIGN.—Eligible entities  
12          under subsection (c)(1)(B) are—

13               “(A) nonprofit, nongovernmental organiza-  
14               tions or coalitions that have a documented his-  
15               tory of creating and administering effective  
16               public education campaigns addressing the pre-  
17               vention of domestic violence, dating violence,  
18               sexual assault or stalking; or

19               “(B) a State, territorial, tribal, or unit of  
20               local governmental entity that is partnered with  
21               an organization described in subparagraph (A).

22          “(e) GRANTEE REQUIREMENTS.—Under this section,  
23          an entity shall—

24               “(1) prepare and submit to the Director an ap-  
25               plication at such time, in such manner, and con-

1 taining such information as the Director may re-  
 2 quire; and

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

5 “(A) enhance or ensure the safety and se-  
 6 curity of children and youth already experi-  
 7 encing domestic violence, dating violence, sexual  
 8 assault, or stalking in their lives;

9 “(B) ensure linguistically, culturally, and  
 10 community relevant services for racial, ethnic,  
 11 and other underserved communities;

12 “(C) inform participants about laws, serv-  
 13 ices, and resources in the community, and make  
 14 referrals as appropriate; and

15 “(D) ensure that State and local domestic  
 16 violence, dating violence, sexual assault, and  
 17 stalking victim service providers and coalitions  
 18 are aware of the efforts of organizations receiv-  
 19 ing grants under this section.”.

20 **SEC. 402. STUDY CONDUCTED BY THE CENTERS FOR DIS-**  
 21 **EASE CONTROL AND PREVENTION.**

22 (a) PURPOSES.—The Secretary of Health and  
 23 Human Services acting through the National Center for  
 24 Injury Prevention and Control at the Centers for Disease  
 25 Control Prevention shall make grants to entities, including

1 sexual assault coalitions and programs, research organiza-  
2 tions, tribal organizations, and academic institutions to  
3 support research to examine prevention and intervention  
4 programs to further the understanding of sexual and do-  
5 mestic violence by and against adults, youth, and children.

6 (b) USE OF FUNDS.—The research conducted under  
7 this section shall include the following areas:

8 (1) Evaluation and study of best practices for  
9 reducing and preventing violence against women and  
10 children addressed by the strategies included in this  
11 title, including strategies addressing racial, ethnic,  
12 and other underserved communities.

13 (2) An evaluation of the efficacy and effective-  
14 ness of interventions and policies targeting offenders  
15 and potential offenders to prevent perpetration of  
16 sexual and domestic violence.

17 (3) An examination of the social norms and  
18 family structure that support sexual and domestic  
19 violence and to evaluate strategies to change them.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
21 shall be authorized to be appropriated to carry out this  
22 title \$2,000,000 for each of the fiscal years 2006 through  
23 2010.

1 **TITLE V—STRENGTHENING THE**  
2 **HEALTHCARE SYSTEM’S RE-**  
3 **SPONSE TO DOMESTIC VIO-**  
4 **LENCE, DATING VIOLENCE,**  
5 **SEXUAL ASSAULT, AND**  
6 **STALKING**

7 **SEC. 501. FINDINGS.**

8 Congress makes the following findings:

9 (1) The health-related costs of intimate partner  
10 violence in the United States exceed \$5,800,000,000  
11 annually.

12 (2) Thirty-seven percent of all women who  
13 sought care in hospital emergency rooms for vio-  
14 lence-related injuries were injured by a current or  
15 former spouse, boyfriend, or girlfriend.

16 (3) In addition to injuries sustained during vio-  
17 lent episodes, physical and psychological abuse is  
18 linked to a number of adverse physical and mental  
19 health effects. Women who have been abused are  
20 much more likely to suffer from chronic pain, diabe-  
21 tes, depression, unintended pregnancies, substance  
22 abuse and sexually transmitted infections, including  
23 HIV/AIDS.

1           (4) Health plans spend an average of \$1,775  
2 more a year on abused women than on general en-  
3 rollees.

4           (5) Each year about 324,000 pregnant women  
5 in the United States are battered by the men in  
6 their lives. This battering leads to complications of  
7 pregnancy, including low weight gain, anemia, infec-  
8 tions, and first and second trimester bleeding.

9           (6) Pregnant and recently pregnant women are  
10 more likely to be victims of homicide than to die of  
11 any other pregnancy-related cause, and evidence ex-  
12 ists that a significant proportion of all female homi-  
13 cide victims are killed by their intimate partners.

14           (7) Children who witness domestic violence are  
15 more likely to exhibit behavioral and physical health  
16 problems including depression, anxiety, and violence  
17 towards peers. They are also more likely to attempt  
18 suicide, abuse drugs and alcohol, run away from  
19 home, engage in teenage prostitution, and commit  
20 sexual assault crimes.

21           (8) Recent research suggests that women experi-  
22 encing domestic violence significantly increase their  
23 safety-promoting behaviors over the short- and long-  
24 term when health care providers screen for, identify,

1 and provide followup care and information to ad-  
2 dress the violence.

3 (9) Currently, only about 10 percent of primary  
4 care physicians routinely screen for intimate partner  
5 abuse during new patient visits and 9 percent rou-  
6 tinely screen for intimate partner abuse during peri-  
7 odic checkups.

8 (10) Recent clinical studies have proven the ef-  
9 fectiveness of a 2-minute screening for early detec-  
10 tion of abuse of pregnant women. Additional longitu-  
11 dinal studies have tested a 10-minute intervention  
12 that was proven highly effective in increasing the  
13 safety of pregnant abused women. Comparable re-  
14 search does not yet exist to support the effectiveness  
15 of screening men.

16 (11) Seventy to 81 percent of the patients stud-  
17 ied reported that they would like their healthcare  
18 providers to ask them privately about intimate part-  
19 ner violence.

20 **SEC. 502. PURPOSE.**

21 It is the purpose of this title to improve the health  
22 care system's response to domestic violence, dating vio-  
23 lence, sexual assault, and stalking through the training  
24 and education of health care providers, developing com-  
25 prehensive public health responses to violence against

1 women and children, increasing the number of women  
 2 properly screened, identified, and treated for lifetime expo-  
 3 sure to violence, and expanding research on effective inter-  
 4 ventions in the health care setting.

5 **SEC. 503. TRAINING AND EDUCATION OF HEALTH PROFES-**  
 6 **SIONALS IN DOMESTIC AND SEXUAL VIO-**  
 7 **LENCE.**

8 Part D of title VII of the Public Health Service Act  
 9 (42 U.S.C. 294 et seq.) is amended by adding at the end  
 10 the following:

11 **“SEC. 758. INTERDISCIPLINARY TRAINING AND EDUCATION**  
 12 **ON DOMESTIC VIOLENCE AND OTHER TYPES**  
 13 **OF VIOLENCE AND ABUSE.**

14 “(a) GRANTS.—The Secretary, acting through the  
 15 Director of the Health Resources and Services Adminis-  
 16 tration, shall award grants under this section to develop  
 17 interdisciplinary training and education programs that  
 18 provide undergraduate, graduate, post-graduate medical,  
 19 nursing (including advanced practice nursing students),  
 20 and other health professions students with an under-  
 21 standing of, and clinical skills pertinent to, domestic vio-  
 22 lence, sexual assault, stalking, and dating violence.

23 “(b) ELIGIBILITY.—To be eligible to receive a grant  
 24 under this section an entity shall—

1           “(1) be an accredited school of allopathic or os-  
2           teopathic medicine;

3           “(2) prepare and submit to the Secretary an  
4           application at such time, in such manner, and con-  
5           taining such information as the Secretary may re-  
6           quire, including—

7                   “(A) information to demonstrate that the  
8                   applicant includes the meaningful participation  
9                   of a school of nursing and at least one other  
10                  school of health professions or graduate pro-  
11                  gram in public health, dentistry, social work,  
12                  midwifery, or behavioral and mental health;

13                  “(B) strategies for the dissemination and  
14                  sharing of curricula and other educational ma-  
15                  terials developed under the grant to other inter-  
16                  ested medical and nursing schools and national  
17                  resource repositories for materials on domestic  
18                  violence and sexual assault; and

19                  “(C) a plan for consulting with, and com-  
20                  pensating community-based coalitions or indi-  
21                  viduals who have experience and expertise in  
22                  issues related to domestic violence, sexual as-  
23                  sault, dating violence, and stalking for services  
24                  provided under the program carried out under  
25                  the grant.

1 “(c) USE OF FUNDS.—

2 “(1) REQUIRED USES.—Amounts provided  
3 under a grant under this section shall be used to—

4 “(A) fund interdisciplinary training and  
5 education projects that are designed to train  
6 medical, nursing, and other health professions  
7 students and residents to identify and provide  
8 health care services (including mental or behav-  
9 orial health care services and referrals to appro-  
10 priate community services) to individuals who  
11 are or who have experienced domestic violence,  
12 sexual assault, and stalking or dating violence;  
13 and

14 “(B) plan and develop culturally competent  
15 clinical components for integration into ap-  
16 proved residency training programs that ad-  
17 dress health issues related to domestic violence,  
18 sexual assault, dating violence, and stalking,  
19 along with other forms of violence as appro-  
20 priate, and include the primacy of victim safety  
21 and confidentiality.

22 “(2) PERMISSIVE USES.—Amounts provided  
23 under a grant under this section may be used to—

24 “(A) offer community-based training op-  
25 portunities in rural areas for medical, nursing,

1 and other students and residents on domestic  
2 violence, sexual assault, stalking, and dating vi-  
3 olence, and other forms of violence and abuse,  
4 which may include the use of distance learning  
5 networks and other available technologies need-  
6 ed to reach isolated rural areas; or

7 “(B) provide stipends to students from ra-  
8 cial and ethnic population groups who are  
9 underrepresented in the health professions as  
10 necessary to promote and enable their partici-  
11 pation in clerkships, preceptorships, or other  
12 offsite training experiences that are designed to  
13 develop health care clinical skills related to do-  
14 mestic violence, sexual assault, dating violence,  
15 and stalking.

16 “(3) REQUIREMENTS.—

17 “(A) CONFIDENTIALITY AND SAFETY.—  
18 Grantees under this section shall ensure that all  
19 educational programs developed with grant  
20 funds address issues of confidentiality and pa-  
21 tient safety, and that faculty and staff associ-  
22 ated with delivering educational components are  
23 fully trained in procedures that will protect the  
24 immediate and ongoing security of the patients,  
25 patient records, and staff. Advocacy-based coali-

1           tions or other expertise available in the commu-  
2           nity shall be consulted on the development and  
3           adequacy of confidentiality and security proce-  
4           dures, and shall be fairly compensated by  
5           grantees for their services.

6           “(B) RURAL PROGRAMS.—Rural training  
7           programs carried out under paragraph (2)(A)  
8           shall reflect adjustments in protocols and proce-  
9           dures or referrals that may be needed to protect  
10          the confidentiality and safety of patients who  
11          live in small or isolated communities and who  
12          are currently or have previously experienced vio-  
13          lence or abuse.

14          “(4) CHILD AND ELDER ABUSE.—Issues related  
15          to child and elder abuse may be addressed as part  
16          of a comprehensive programmatic approach imple-  
17          mented under a grant under this section.

18          “(d) REQUIREMENTS OF GRANTEES.—

19                 “(1) LIMITATION ON ADMINISTRATIVE EX-  
20                 PENSES.—A grantee shall not use more than 10 per-  
21                 cent of the amounts received under a grant under  
22                 this section for administrative expenses.

23                 “(2) CONTRIBUTION OF FUNDS.—A grantee  
24                 under this section, and any entity receiving assist-  
25                 ance under the grant for training and education,

1 shall contribute non-Federal funds, either directly or  
 2 through in-kind contributions, to the costs of the ac-  
 3 tivities to be funded under the grant in an amount  
 4 that is not less than 25 percent of the total cost of  
 5 such activities.

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
 7 is authorized to be appropriated to carry out this section,  
 8 \$3,000,000 for each of fiscal years 2006 through 2010.  
 9 Amounts appropriated under this subsection shall remain  
 10 available until expended.”.

11 **SEC. 504. GRANTS TO FOSTER PUBLIC HEALTH RESPONSES**  
 12 **TO DOMESTIC VIOLENCE, DATING VIOLENCE,**  
 13 **SEXUAL ASSAULT, AND STALKING GRANTS.**

14 Part P of title III of the Public Health Service Act  
 15 (42 U.S.C. 280g et seq.) is amended by adding at the end  
 16 the following:

17 **“SEC. 399P. GRANTS TO FOSTER PUBLIC HEALTH RE-**  
 18 **SPONSES TO DOMESTIC VIOLENCE, DATING**  
 19 **VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

20 “(a) AUTHORITY TO AWARD GRANTS.—

21 “(1) IN GENERAL.—The Secretary, acting  
 22 through the Director of the Centers for Disease  
 23 Control and Prevention, shall award grants to eligi-  
 24 ble State, tribal, territorial, or local entities to  
 25 strengthen the response of State, tribal, territorial,

1 or local health care systems to domestic violence,  
2 dating violence, sexual assault, and stalking.

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

5 “(A) be—

6 “(i) a State department (or other divi-  
7 sion) of health, a State domestic or sexual  
8 assault coalition or service-based program,  
9 State law enforcement task force, or any  
10 other nonprofit, nongovernmental, tribal,  
11 territorial, or State entity with a history of  
12 effective work in the fields of domestic vio-  
13 lence, dating violence, sexual assault or  
14 stalking, and health care; or

15 “(ii) a local, nonprofit domestic vio-  
16 lence, dating violence, sexual assault, or  
17 stalking service-based program, a local de-  
18 partment (or other division) of health, a  
19 local health clinic, hospital, or health sys-  
20 tem, or any other nonprofit, tribal, or local  
21 entity with a history of effective work in  
22 the field of domestic or sexual violence and  
23 health;

24 “(B) prepare and submit to the Secretary  
25 an application at such time, in such manner,

1 and containing such agreements, assurances,  
2 and information as the Secretary determines to  
3 be necessary to carry out the purposes for  
4 which the grant is to be made; and

5 “(C) demonstrate that the entity is rep-  
6 resenting a team of organizations and agencies  
7 working collaboratively to strengthen the re-  
8 sponse of the health care system involved to do-  
9 mestic violence, dating violence, sexual assault,  
10 or stalking and that such team includes domes-  
11 tic violence, dating violence, sexual assault or  
12 stalking and health care organizations.

13 “(3) DURATION.—A program conducted under  
14 a grant awarded under this section shall not exceed  
15 2 years.

16 “(b) USE OF FUNDS.—

17 “(1) IN GENERAL.—An entity shall use  
18 amounts received under a grant under this section to  
19 design and implement comprehensive strategies to  
20 improve the response of the health care system in-  
21 volved to domestic or sexual violence in clinical and  
22 public health settings, hospitals, clinics, managed  
23 care settings (including behavioral and mental  
24 health), and other health settings.

1           “(2) MANDATORY STRATEGIES.—Strategies im-  
2           plemented under paragraph (1) shall include the fol-  
3           lowing:

4                   “(A) The implementation, dissemination,  
5                   and evaluation of policies and procedures to  
6                   guide health care professionals and behavioral  
7                   and public health staff in responding to domes-  
8                   tic violence, dating violence, sexual assault, and  
9                   stalking, including strategies to ensure that  
10                  health information is maintained in a manner  
11                  that protects the patient’s privacy and safety  
12                  and prohibits insurance discrimination.

13                  “(B) The development of on-site access to  
14                  services to address the safety, medical, mental  
15                  health, and economic needs of patients either by  
16                  increasing the capacity of existing health care  
17                  professionals and behavioral and public health  
18                  staff to address domestic violence, dating vio-  
19                  lence, sexual assault, and stalking, by con-  
20                  tracting with or hiring domestic or sexual as-  
21                  sault advocates to provide the services, or to  
22                  model other services appropriate to the geo-  
23                  graphic and cultural needs of a site.

24                  “(C) The evaluation of practice and the in-  
25                  stitutionalization of identification, intervention,

1 and documentation including quality improve-  
2 ment measurements.

3 “(D) The provision of training and fol-  
4 lowup technical assistance to health care profes-  
5 sionals, behavioral and public health staff, and  
6 allied health professionals to identify, assess,  
7 treat, and refer clients who are victims of do-  
8 mestic violence, dating violence, sexual violence,  
9 or stalking.

10 “(3) PERMISSIVE STRATEGIES.—Strategies im-  
11 plemented under paragraph (1) may include the fol-  
12 lowing:

13 “(A) Where appropriate, the development  
14 of training modules and policies that address  
15 the overlap of child abuse, domestic violence,  
16 dating violence, sexual assault, and stalking and  
17 elder abuse as well as childhood exposure to do-  
18 mestic violence.

19 “(B) The creation, adaptation, and imple-  
20 mentation of public education campaigns for  
21 patients concerning domestic violence, dating vi-  
22 olence, sexual assault, and stalking prevention.

23 “(C) The development, adaptation, and  
24 dissemination of domestic violence, dating vio-  
25 lence, sexual assault, and stalking education

1 materials to patients and health care profes-  
2 sionals and behavioral and public health staff.

3 “(D) The promotion of the inclusion of do-  
4 mestic violence, dating violence, sexual assault,  
5 and stalking into health professional training  
6 schools, including medical, dental, nursing  
7 school, social work, and mental health cur-  
8 riculum.

9 “(E) The integration of domestic violence,  
10 dating violence, sexual assault, and stalking  
11 into health care accreditation and professional  
12 licensing examinations, such as medical, dental,  
13 social work, and nursing boards.

14 “(c) ALLOCATION OF FUNDS.—Funds appropriated  
15 under this section shall be distributed equally between  
16 State and local programs.

17 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
18 is authorized to be appropriated to award grants under  
19 this section, \$5,000,000 for each of fiscal years 2006  
20 through 2010.”.

21 **SEC. 505. RESEARCH ON EFFECTIVE INTERVENTIONS IN**  
22 **THE HEALTHCARE SETTING.**

23 Subtitle B of the Violence Against Women Act of  
24 1994 (Public Law 103–322; 108 Stat. 1902 et seq.), as  
25 amended by the Violence Against Women Act of 2000

1 (114 Stat. 1491 et seq.), and as amended by this Act,  
2 is further amended by adding at the end the following:

3 **“CHAPTER 11—RESEARCH ON EFFECTIVE**  
4 **INTERVENTIONS TO ADDRESS VIO-**  
5 **LENCE AGAINST WOMEN**

6 **“SEC. 40297. RESEARCH ON EFFECTIVE INTERVENTIONS IN**  
7 **THE HEALTH CARE SETTING.**

8 “(a) PURPOSE.—The Secretary, acting through the  
9 Director of the Centers for Disease Control and Preven-  
10 tion and the Director of the Agency for Healthcare Re-  
11 search and Quality, shall award grants and contracts to  
12 fund research on effective interventions in the health care  
13 setting that prevent domestic violence, dating violence, and  
14 sexual assault across the lifespan and that prevent the  
15 health effects of such violence and improve the safety and  
16 health of individuals who are currently being victimized.

17 “(b) USE OF FUNDS.—Research conducted with  
18 amounts received under a grant or contract under this sec-  
19 tion shall include the following:

20 “(1) With respect to the authority of the Cen-  
21 ters for Disease Control and Prevention—

22 “(A) research on the effects of domestic vi-  
23 olence, dating violence, sexual assault, and  
24 childhood exposure to domestic, dating, or sex-  
25 ual violence, on health behaviors, health condi-

1 tions, and the health status of individuals, fami-  
2 lies, and populations; and

3 “(B) research and testing of best messages  
4 and strategies to mobilize public and health  
5 care provider action concerning the prevention  
6 of domestic, dating, or sexual violence; and

7 “(2) With respect to the authority of the Agen-  
8 cy for Healthcare Research and Quality—

9 “(A) research on the impact on the health  
10 care system, health care utilization, health care  
11 costs, and health status of domestic and dating  
12 violence and childhood exposure to domestic  
13 and dating violence; and

14 “(B) research on effective interventions  
15 within primary care and emergency health care  
16 settings and with health care settings that in-  
17 clude clinical partnerships within community  
18 domestic violence providers for adults and chil-  
19 dren exposed to domestic or dating violence.

20 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
21 is authorized to be appropriated to carry out this section,  
22 \$5,000,000 for each of fiscal years 2006 through 2010.”.

1 **TITLE VI—HOUSING OPPORTU-**  
2 **NITIES AND SAFETY FOR BAT-**  
3 **TERED WOMEN AND CHIL-**  
4 **DREN**

5 **SEC. 601. ADDRESSING THE HOUSING NEEDS OF VICTIMS**  
6 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**  
7 **SEXUAL ASSAULT, AND STALKING.**

8 The Violence Against Women Act of 1994 (42 U.S.C.  
9 13701 et seq.) is amended by adding at the end the fol-  
10 lowing:

11 **“Subtitle N—Addressing the Hous-**  
12 **ing Needs of Victims of Domes-**  
13 **tic Violence, Dating Violence,**  
14 **Sexual Assault, and Stalking**

15 **“SEC. 41401. FINDINGS.**

16 “Congress finds that:

17 “(1) There is a strong link between domestic vi-  
18 olence and homelessness. Among cities surveyed, 44  
19 percent identified domestic violence as a primary  
20 cause of homelessness.

21 “(2) 92 percent of homeless women have experi-  
22 enced severe physical or sexual abuse at some point  
23 in their lives. Of all homeless women and children,  
24 60 percent had been abused by age 12, and 63 per-

1 cent have been victims of intimate partner violence  
2 as adults.

3 “(3) Women and families across the country  
4 are being discriminated against, denied access to,  
5 and even evicted from public and subsidized housing  
6 because of their status as victims of domestic vio-  
7 lence.

8 “(4) A recent survey of legal service providers  
9 around the country found that these providers have  
10 responded to almost 150 documented eviction cases  
11 in the last year alone where the tenant was evicted  
12 because of the domestic violence crimes committed  
13 against her. In addition, nearly 100 clients were de-  
14 nied housing because of their status as victims of  
15 domestic violence.

16 “(5) Women who leave their abusers frequently  
17 lack adequate emergency shelter options. The lack of  
18 adequate emergency options for victims presents a  
19 serious threat to their safety and the safety of their  
20 children. Requests for emergency shelter by home-  
21 less women with children increased by 78 percent of  
22 United States cities surveyed in 2004. In the same  
23 year, 32 percent of the requests for shelter by home-  
24 less families went unmet due to the lack of available  
25 emergency shelter beds.

1           “(6) The average stay at an emergency shelter  
2 is 60 days, while the average length of time it takes  
3 a homeless family to secure housing is 6 to 10  
4 months.

5           “(7) Victims of domestic violence often return  
6 to abusive partners because they cannot find long-  
7 term housing.

8           “(8) There are not enough Federal housing  
9 rent vouchers available to accommodate the number  
10 of people in need of long-term housing. Some people  
11 remain on the waiting list for Federal housing rent  
12 vouchers for years, while some lists are closed.

13           “(9) Transitional housing resources and serv-  
14 ices provide an essential continuum between emer-  
15 gency shelter provision and independent living. A  
16 majority of women in transitional housing programs  
17 stated that had these programs not existed, they  
18 would have likely gone back to abusive partners.

19           “(10) Because abusers frequently manipulate fi-  
20 nances in an effort to control their partners, victims  
21 often lack steady income, credit history, landlord ref-  
22 erences, and a current address, all of which are nec-  
23 essary to obtain long-term permanent housing.

24           “(11) Victims of domestic violence in rural  
25 areas face additional barriers, challenges, and

1 unique circumstances, such as geographical isolation,  
2 poverty, lack of public transportation systems, short-  
3 ages of health care providers, under-insurance or  
4 lack of health insurance, difficulty ensuring con-  
5 fidentiality in small communities, and decreased ac-  
6 cess to many resources (such as advanced education,  
7 job opportunities, and adequate childcare).

8 “(12) Congress and the Secretary of Housing  
9 and Urban Development have recognized in recent  
10 years that families experiencing domestic violence  
11 have unique needs that should be addressed by those  
12 administering the Federal housing programs.

13 **“SEC. 41402. PURPOSE.**

14 “The purpose of this subtitle is to reduce domestic  
15 violence, dating violence, sexual assault, and stalking, and  
16 to prevent homelessness by—

17 “(1) protecting the safety of victims of domestic  
18 violence, dating violence, sexual assault, and stalking  
19 who reside in homeless shelters, public housing, as-  
20 sisted housing, Indian housing, or other emergency,  
21 transitional, permanent, or affordable housing, and  
22 ensuring that such victims have meaningful access to  
23 the criminal justice system without jeopardizing such  
24 housing;

1           “(2) creating long-term housing solutions that  
2           develop communities and provide sustainable living  
3           solutions for victims of domestic violence, dating vio-  
4           lence, sexual assault, and stalking;

5           “(3) building collaborations between victim  
6           service providers, homeless service providers, housing  
7           providers, and housing agencies to provide appro-  
8           priate services, interventions, and training to ad-  
9           dress the housing needs of victims of domestic vio-  
10          lence, dating violence, sexual assault, and stalking;  
11          and

12          “(4) enabling public and assisted housing agen-  
13          cies, Indian housing authorities, private landlords,  
14          property management companies, and other housing  
15          providers and agencies to respond appropriately to  
16          domestic violence, dating violence, sexual assault,  
17          and stalking, while maintaining a safe environment  
18          for all housing residents.

19      **“SEC. 41403. DEFINITIONS.**

20          “For purposes of this subtitle—

21                  “(1) the term ‘assisted housing’ means housing  
22                  assisted—

23                          “(A) under section 221(d)(3), section  
24                          221(d)(4), or section 236 of the National Hous-

1           ing Act (12 U.S.C. 1715l(d)(3), (d)(4), or  
2           1715z-1);

3           “(B) under section 101 of the Housing  
4           and Urban Development Act of 1965 (12  
5           U.S.C. 1701s); or

6           “(C) under section 8 of the United States  
7           Housing Act of 1937 (42 U.S.C. 1437f);

8           “(2) the term ‘continuum of care’ means a com-  
9           munity plan developed to organize and deliver hous-  
10          ing and services to meet the specific needs of people  
11          who are homeless as they move to stable housing  
12          and achieve maximum self-sufficiency;

13          “(3) the term ‘Indian housing’ means housing  
14          assistance described in the Native American Hous-  
15          ing Assistance and Self-Determination Act of 1996  
16          (25 U.S.C. 4101 et seq.);

17          “(4) the term ‘low-income housing assistance  
18          voucher’ means housing assistance described in sec-  
19          tion 8 of the United States Housing Act of 1937 (42  
20          U.S.C. 1437f);

21          “(5) the term ‘public housing’ means housing  
22          described in section 3(b)(1) of the United States  
23          Housing Act of 1937 (42 U.S.C. 1437a(b)(1));

24          “(6) the term ‘public housing agency’ means an  
25          agency described in section 3(b)(6) of the United

1 States Housing Act of 1937 (42 U.S.C.  
2 1437a(b)(6));

3 “(7) the terms ‘homeless’, ‘homeless individual’,  
4 and ‘homeless person’—

5 “(A) mean an individual who lacks a fixed,  
6 regular, and adequate nighttime residence; and

7 “(B) includes—

8 “(i) an individual who—

9 “(I) is sharing the housing of  
10 other persons due to loss of housing,  
11 economic hardship, or a similar rea-  
12 son;

13 “(II) is living in a motel, hotel,  
14 trailer park, or campground due to  
15 the lack of alternative adequate ac-  
16 commodations;

17 “(III) is living in an emergency  
18 or transitional shelter;

19 “(IV) is abandoned in a hospital;  
20 or

21 “(V) is awaiting foster care  
22 placement;

23 “(ii) an individual who has a primary  
24 nighttime residence that is a public or pri-  
25 vate place not designed for or ordinarily

1 used as a regular sleeping accommodation  
2 for human beings; or

3 “(iii) migratory children (as defined in  
4 section 1309 of the Elementary and Sec-  
5 ondary Education Act of 1965; 20 U.S.C.  
6 6399) who qualify as homeless under this  
7 section because the children are living in  
8 circumstances described in this paragraph;  
9 and

10 “(8) the term ‘homeless service provider’ means  
11 a nonprofit, nongovernmental homeless service pro-  
12 vider, such as a homeless shelter, a homeless service  
13 or advocacy program, a tribal organization serving  
14 homeless individuals, or coalition or other nonprofit,  
15 nongovernmental organization carrying out a com-  
16 munity-based homeless or housing program that has  
17 a documented history of effective work concerning  
18 homelessness.

19 **“SEC. 41404. COLLABORATIVE GRANTS TO DEVELOP LONG-**  
20 **TERM HOUSING FOR VICTIMS.**

21 “(a) GRANTS AUTHORIZED.—

22 “(1) IN GENERAL.—The Secretary of Health  
23 and Human Services, acting through the Adminis-  
24 tration on Children, Youth and Families (‘ACYF’),  
25 and in consultation with the Secretary of Housing

1 and Urban Development, shall award grants and  
2 contracts for a period of not less than 2 years to eli-  
3 gible entities to develop long-term housing options  
4 for adult and youth victims of domestic violence,  
5 dating violence, sexual assault, and stalking who are  
6 currently homeless or at risk for becoming homeless.

7 “(2) AMOUNT.—The Secretary of Health and  
8 Human Services shall award—

9 “(A) grants for projects that do not in-  
10 clude the cost of construction in amounts—

11 “(i) not less than \$25,000 per year;

12 and

13 “(ii) not more than \$350,000 per  
14 year; and

15 “(B) grants for projects that do include  
16 the cost of construction in amounts—

17 “(i) not less than \$75,000 per year;

18 and

19 “(ii) not more than \$1,000,000 per  
20 year.

21 “(b) ELIGIBLE ENTITIES.—To be eligible to receive  
22 a grant under this section, an entity shall demonstrate  
23 that it is a coalition or partnership, applying jointly,  
24 that—

1           “(1) shall include a domestic violence victim  
2 service provider;

3           “(2) shall include—

4                 “(A) a homeless service provider;

5                 “(B) a nonprofit, nongovernmental com-  
6 munity housing development organization or a  
7 Department of Agriculture rural housing service  
8 program; or

9                 “(C) in the absence of a homeless service  
10 provider on tribal lands or nonprofit, non-  
11 governmental community housing development  
12 organization on tribal lands, an Indian housing  
13 authority or tribal housing consortium;

14           “(3) may include a dating violence, sexual as-  
15 sault, or stalking victim service provider;

16           “(4) may include housing developers, housing  
17 corporations, State housing finance agencies, other  
18 housing agencies, and associations representing  
19 landlords;

20           “(5) may include a public housing agency or In-  
21 dian housing authority;

22           “(6) may include tenant organizations in public  
23 or Indian housing, as well as nonprofit, nongovern-  
24 mental tenant organizations;

1           “(7) may include other nonprofit, nongovern-  
2           mental organizations participating in the Depart-  
3           ment of Housing and Urban Development’s Con-  
4           tinuum of Care process;

5           “(8) may include a State, tribal, territorial, or  
6           local government or government agency; and

7           “(9) may include any other such agencies or  
8           nonprofit, nongovernmental organizations with the  
9           capacity to provide effective help to adult and youth  
10          victims of domestic violence, dating violence, sexual  
11          assault, or stalking.

12          “(c) APPLICATION.—

13           “(1) IN GENERAL.—Each eligible entity seeking  
14           a grant under this section shall submit an applica-  
15           tion to the Secretary of Health and Human Services  
16           at such time, in such manner, and containing such  
17           information as the Secretary of Health and Human  
18           Services may require.

19           “(2) CONTENTS.—Each application shall be  
20           submitted to the Secretary at such time, in such  
21           manner, and containing such information as the Sec-  
22           retary may require.

23          “(d) USE OF FUNDS.—Grants and contracts awarded  
24          to eligible entities pursuant to subsection (a) shall be used  
25          to design or replicate and implement new activities, serv-

1 ices, and programs to develop long-term housing options  
2 for adult and youth victims of domestic violence, dating  
3 violence, sexual assault, or stalking, and their dependents,  
4 who are currently homeless or at risk of becoming home-  
5 less. Such activities, services, or programs—

6 “(1) shall participate in the Department of  
7 Housing and Urban Development’s Continuum of  
8 Care process, unless such a process does not exist in  
9 the community to be served;

10 “(2) shall develop sustainable long-term housing  
11 in the community by—

12 “(A) coordinating efforts and resources  
13 among the various groups and organizations  
14 comprised in the entity to access existing pri-  
15 vate and public funding;

16 “(B) placing individuals and families in  
17 long-term housing; and

18 “(C) providing services to help individuals  
19 or families find and maintain long-term hous-  
20 ing, including financial and support assistance;

21 “(3) may provide capital costs for the purchase,  
22 preconstruction, construction, renovation, repair, or  
23 conversion of affordable housing units;

1           “(4) may use funds for the continuing oper-  
2           ation, upkeep, maintenance, and use of housing de-  
3           scribed in paragraph (3); and

4           “(5) may provide to the community information  
5           about housing and housing programs, and the proc-  
6           ess to locate and obtain long-term housing.

7           “(e) UNDERSERVED POPULATIONS AND PRIOR-  
8           ITIES.—In awarding grants under this section, the Sec-  
9           retary of Health and Human Services, acting through the  
10          ACYF, shall—

11           “(1) give priority to linguistically and culturally  
12           specific services;

13           “(2) give priority to applications from entities  
14           that include a sexual assault service provider as de-  
15           scribed in subsection (b)(3);

16           “(3) award a minimum of 15 percent of the  
17           funds appropriated under this section in any fiscal  
18           year to tribal organizations; and

19           “(4) ensure that at least 2 of the grants award-  
20           ed must fund projects that include construction con-  
21           sistent with the purposes in subsection (a)(i).

22          “(f) DEFINITIONS.—For purposes of this section—

23           “(1) the term ‘long-term housing’ means hous-  
24           ing that is sustainable, accessible, affordable, and  
25           safe for the foreseeable future and is—

1           “(A) rented or owned by the individual;

2           “(B) subsidized by a voucher or other pro-  
3           gram which is not time-limited and is available  
4           for as long as the individual meets the eligibility  
5           requirements for the voucher or program; or

6           “(C) provided directly by a program, agen-  
7           cy, or organization and is not time-limited and  
8           is available for as long as the individual meets  
9           the eligibility requirements for the program,  
10          agency, or organization; and

11          “(2) the term ‘affordable housing’ means hous-  
12          ing that complies with the conditions set forth in  
13          section 215 of the Cranston-Gonzalez National Af-  
14          fordable Housing Act (42 U.S.C. 12745).

15          “(g) EVALUATION, MONITORING, ADMINISTRATION,  
16          AND TECHNICAL ASSISTANCE.—For purposes of this sec-  
17          tion—

18                 “(1) up to 3 percent of the funds appropriated  
19                 under subsection (h) for each fiscal year may be  
20                 used by the Secretary of Health and Human Serv-  
21                 ices for evaluation, monitoring, and administration  
22                 costs under this section; and

23                 “(2) up to 8 percent of the funds appropriated  
24                 under subsection (h) for each fiscal year may be

1 used to provide technical assistance to grantees  
2 under this section.

3 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
4 are authorized to be appropriated \$10,000,000 for each  
5 of fiscal years 2006 through 2010 to carry out the provi-  
6 sions of this section.

7 **“SEC. 41405. GRANTS TO COMBAT VIOLENCE AGAINST**  
8 **WOMEN IN PUBLIC AND ASSISTED HOUSING.**

9 “(a) PURPOSE.—It is the purpose of this section to  
10 assist eligible grantees in responding appropriately to do-  
11 mestic violence, dating violence, sexual assault, and stalk-  
12 ing so that the status of being a victim of such a crime  
13 is not a reason for the denial or loss of housing. Such  
14 assistance shall be accomplished through—

15 “(1) education and training of eligible entities;

16 “(2) development and implementation of appro-  
17 priate housing policies and practices;

18 “(3) enhancement of collaboration with victim  
19 service providers and tenant organizations; and

20 “(4) reduction of the number of victims of such  
21 crimes who are evicted or denied housing because of  
22 crimes and lease violations committed or directly  
23 caused by the perpetrators of such crimes.

24 “(b) GRANTS AUTHORIZED.—

1           “(1) IN GENERAL.—The Attorney General, act-  
2           ing through the Director of the Violence Against  
3           Women Office of the Department of Justice (‘Direc-  
4           tor’), and in consultation with the Secretary of  
5           Housing and Urban Development (‘Secretary’), and  
6           the Secretary of Health and Human Services, acting  
7           through the Administration for Children, Youth and  
8           Families (‘ACYF’), shall award grants and contracts  
9           for not less than 2 years to eligible grantees to pro-  
10          mote the full and equal access to and use of housing  
11          by adult and youth victims of domestic violence, dat-  
12          ing violence, sexual assault, and stalking.

13           “(2) AMOUNTS.—Not less than 15 percent of  
14          the funds appropriated to carry out this section shall  
15          be available for grants to Indian housing authorities.

16           “(3) AWARD BASIS.—The Attorney General  
17          shall award grants and contracts under this section  
18          on a competitive basis.

19           “(4) LIMITATION.—Appropriated funds may  
20          only be used for the purposes described in sub-  
21          sections (f) and (i).

22          “(c) ELIGIBLE GRANTEEES.—

23           “(1) IN GENERAL.—Eligible grantees are—

24                   “(A) public housing agencies;

1           “(B) principally managed public housing  
2 resident management corporations, as deter-  
3 mined by the Secretary;

4           “(C) public housing projects owned by  
5 public housing agencies;

6           “(D) agencies and authorities receiving as-  
7 sistance under the Native American Housing  
8 Assistance and Self-Determination Act of 1996  
9 (25 U.S.C. 4101 et seq.); and

10           “(E) private, for-profit, and nonprofit own-  
11 ers or managers of assisted housing.

12           “(2) SUBMISSION REQUIRED FOR ALL GRANT-  
13 EES.—To receive assistance under this section, an  
14 eligible grantee shall certify that—

15           “(A) its policies and practices do not pro-  
16 hibit or limit a resident’s right to summon po-  
17 lice or other emergency assistance in response  
18 to domestic violence, dating violence, sexual as-  
19 sault, or stalking;

20           “(B) programs and services are developed  
21 that give a preference in admission to adult and  
22 youth victims of such violence, consistent with  
23 local housing needs, and applicable law and the  
24 Secretary’s instructions;

1           “(C) it does not discriminate against any  
2 person—

3           “(i) because that person is or is per-  
4 ceived to be, or has a family or household  
5 member who is or is perceived to be, a vic-  
6 tim of such violence; or

7           “(ii) because of the actions or threat-  
8 ened actions of the individual who the vic-  
9 tim, as certified in subsection (e), states  
10 has committed or threatened to commit  
11 acts of such violence against the victim, or  
12 against the victim’s family or household  
13 member;

14           “(D) plans are developed that establish  
15 meaningful consultation and coordination with  
16 local victim service providers, tenant organiza-  
17 tions, linguistically and culturally specific serv-  
18 ice providers, State domestic violence and sex-  
19 ual assault coalitions, and, where they exist,  
20 tribal domestic violence and sexual assault coa-  
21 litions; and

22           “(E) its policies and practices will be in  
23 compliance with those described in this para-  
24 graph within the later of 1 year or a period se-

1           lected by the Attorney General in consultation  
2           with the Secretary and ACYF.

3           “(d) APPLICATION.—Each eligible entity seeking a  
4 grant under this section shall submit an application to the  
5 Attorney General at such a time, in such a manner, and  
6 containing such information as the Attorney General may  
7 require.

8           “(e) CERTIFICATION.—

9           “(1) IN GENERAL.—A public housing agency,  
10 Indian housing authority, or assisted housing pro-  
11 vider receiving funds under this section may request  
12 that an individual claiming relief under this section  
13 certify that the individual is a victim of domestic vio-  
14 lence, dating violence, sexual assault, or stalking.  
15 The individual shall provide a copy of such certifi-  
16 cation to the public housing agency, Indian housing  
17 authority, or assisted housing provider within a rea-  
18 sonable period of time after the agency or authority  
19 requests such certification.

20           “(2) CONTENTS.—An individual may satisfy the  
21 certification requirement of paragraph (1) by—

22           “(A) providing the public housing agency,  
23 Indian housing authority, or assisted housing  
24 provider with documentation, signed by an em-  
25 ployee, agent, or volunteer of a victim service

1 provider, an attorney, a member of the clergy,  
2 a medical professional, or any other professional  
3 from whom the victim has sought assistance in  
4 addressing domestic violence, dating violence,  
5 sexual assault, or stalking, or the effects of  
6 abuse; or

7 “(B) producing a Federal, State, tribal,  
8 territorial, or local police or court record.

9 “(3) LIMITATION.—Nothing in this subsection  
10 shall be construed to require any housing agency, as-  
11 sisted housing provider, Indian housing authority,  
12 owner, or manager to demand that an individual  
13 produce official documentation or physical proof of  
14 the individual’s status as a victim of domestic vio-  
15 lence, dating violence, sexual assault, or stalking, in  
16 order to receive any of the benefits provided in this  
17 section. A housing authority may provide benefits to  
18 an individual based solely on the individual’s state-  
19 ment or other corroborating evidence.

20 “(4) CONFIDENTIALITY.—

21 “(A) IN GENERAL.—All information pro-  
22 vided to any housing agency, assisted housing  
23 provider, Indian housing authority, owner, or  
24 manager pursuant to paragraph (1), including  
25 the fact that an individual is a victim of domes-

1           tic violence, dating violence, sexual assault, or  
2           stalking, shall be retained in the strictest con-  
3           fidence by such housing authority, and shall  
4           neither be entered into any shared database,  
5           nor provided to any related housing agency, as-  
6           sisted housing provider, Indian housing author-  
7           ity, owner, or manager, except to the extent  
8           that disclosure is—

9                   “(i) requested or consented to by the  
10                   individual in writing; or

11                   “(ii) otherwise required by applicable  
12                   law.

13           “(B) NOTIFICATION.—An individual shall  
14           be notified of the limits of such confidentiality  
15           and informed in advance about circumstances  
16           in which the housing agency, assisted housing  
17           provider, Indian housing authority, owner, or  
18           manager will be compelled to disclose the indi-  
19           vidual’s information.

20           “(f) USE OF FUNDS.—Grants and contracts awarded  
21           pursuant to subsection (a) shall provide to eligible entities  
22           personnel, training, and technical assistance to develop  
23           and implement policies, practices, and procedures, making  
24           physical improvements or changes, and developing or en-  
25           hancing collaborations for the purposes of—

1           “(1) enabling victims of domestic violence, dat-  
2           ing violence, sexual assault, and stalking with other-  
3           wise disqualifying rental, credit, or criminal histories  
4           to be eligible to obtain housing or housing assist-  
5           ance, if such victims would otherwise qualify for  
6           housing or housing assistance and can provide docu-  
7           mented evidence that demonstrates the causal con-  
8           nection between such violence or abuse and the vic-  
9           tims’ negative histories;

10           “(2) permitting applicants for housing or hous-  
11           ing assistance to provide incomplete rental and em-  
12           ployment histories, otherwise required as a condition  
13           of admission or assistance, if the victim believes that  
14           providing such rental and employment history would  
15           endanger the victim’s or the victim children’s safety;

16           “(3) protecting victims’ confidentiality, includ-  
17           ing protection of victims’ personally identifying in-  
18           formation, address, or rental history;

19           “(4) assisting victims who need to leave a pub-  
20           lic housing, Indian housing, or assisted housing unit  
21           quickly to protect their safety, including those who  
22           are seeking transfer to a new public housing unit,  
23           Indian housing unit, or assisted housing unit, wheth-  
24           er in the same or a different neighborhood or juris-  
25           diction;

1           “(5) enabling the public housing agency, Indian  
2           housing authority, or assisted housing provider, or  
3           the victim, to remove, consistent with applicable  
4           State law, the perpetrator of domestic violence, dat-  
5           ing violence, sexual assault, or stalking without  
6           evicting, removing, or otherwise penalizing the vic-  
7           tim;

8           “(6) enabling the public housing agency, Indian  
9           housing authority, or assisted housing provider to  
10          comply with court orders, including civil protection  
11          orders issued to protect the victim, when notified  
12          and issued to address the distribution or possession  
13          of property among the household members in cases  
14          where a family breaks up;

15          “(7) developing and implementing more effec-  
16          tive security policies, protocols, and services;

17          “(8) allotting not more than 15 percent of  
18          funds awarded under the grant to make physical im-  
19          provements;

20          “(9) training all personnel to more effectively  
21          identify and respond to victims of domestic violence,  
22          dating violence, sexual assault, and stalking; and

23          “(10) effectively providing notice to applicants  
24          and residents of the above housing policies, prac-  
25          tices, and procedures.

1       “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
 2 are authorized to be appropriated \$10,000,000 for each  
 3 of fiscal years 2006 through 2010 to carry out the provi-  
 4 sions of this section.

5       “(h) TECHNICAL ASSISTANCE.—Up to 12 percent of  
 6 the amount appropriated under subsection (g) for each fis-  
 7 cal year shall be used by the Attorney General for tech-  
 8 nical assistance costs under this section.”.

9       **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**  
 10                               **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**  
 11                               **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**  
 12                               **ING.**

13       (a) IN GENERAL.—Section 40299 of the Violence  
 14 Against Women Act of 1994 (42 U.S.C. 13975) is amend-  
 15 ed—

16               (1) in subsection (a)—

17                       (A) by inserting “the Department of Hous-  
 18 ing and Urban Development, and the Depart-  
 19 ment of Health and Human Services,” after  
 20 “Department of Justice,”;

21                       (B) by inserting “, including domestic vio-  
 22 lence victim service providers, domestic violence  
 23 coalitions, other nonprofit, nongovernmental or-  
 24 ganizations, or community-based and culturally  
 25 specific organizations, that have a documented

1 history of effective work concerning domestic vi-  
2 olence, dating violence, sexual assault, or stalk-  
3 ing” after “other organizations”; and

4 (C) in paragraph (1), by inserting “, dat-  
5 ing violence, sexual assault, or stalking” after  
6 “domestic violence”;

7 (2) in subsection (b)—

8 (A) by redesignating paragraphs (1) and  
9 (2) as paragraphs (2) and (3), respectively;

10 (B) in paragraph (3), as redesignated, by  
11 inserting “, dating violence, sexual assault, or  
12 stalking” after “violence”;

13 (C) by inserting before paragraph (2), as  
14 redesignated, the following:

15 “(1) transitional housing, or acquire land or  
16 buildings, or rehabilitate or construct buildings for  
17 the purpose of providing transitional housing to per-  
18 sons described in subsection (a), including funding  
19 for—

20 “(A) the predevelopment cost and capital  
21 expenses involved in the development of transi-  
22 tional housing; and

23 “(B) the operating expenses of newly de-  
24 veloped or existing transitional housing.”; and

1 (D) in paragraph (3)(B) as redesignated,  
2 by inserting “Participation in the support serv-  
3 ices shall be voluntary. Receipt of the benefits  
4 of the housing assistance described in para-  
5 graph (2) shall not be conditioned upon the  
6 participation of the youth, adults, or their de-  
7 pendents in any or all of the support services  
8 offered them.” after “assistance.”;

9 (3) in paragraph (1) of subsection (c), by strik-  
10 ing “18 months” and inserting “24 months”;

11 (4) in subsection (d)(2)—

12 (A) by striking “and” at the end of sub-  
13 paragraph (A);

14 (B) by redesignating subparagraph (B) as  
15 subparagraph (C); and

16 (C) by inserting after subparagraph (A)  
17 the following:

18 “(B) provide assurances that any sup-  
19 portive services offered to participants in pro-  
20 grams developed under subsection (b)(3) are  
21 voluntary and that refusal to receive such serv-  
22 ices shall not be grounds for termination from  
23 the program or eviction from the victim’s hous-  
24 ing; and”;

25 (5) in subsection (e)(2)—

1 (A) in subparagraph (A), by inserting  
2 “purpose and” before “amount”;

3 (B) in clause (ii) of subparagraph (C), by  
4 striking “and”;

5 (C) in subparagraph (D), by striking the  
6 period and inserting “; and”; and

7 (D) by adding at the end the following new  
8 subparagraph:

9 “(E) the client population served and the  
10 number of individuals requesting services that  
11 the transitional housing program is unable to  
12 serve as a result of a lack of resources.”; and  
13 (6) in subsection (g)—

14 (A) in paragraph (1), by striking  
15 “\$30,000,000” and inserting “\$40,000,000”;

16 (B) in paragraph (1), by striking “2004”  
17 and inserting “2006”;

18 (C) in paragraph (1), by striking “2008.”  
19 and inserting “2010”;

20 (D) in paragraph (2), by striking “not  
21 more than 3 percent” and inserting “up to 5  
22 percent”;

23 (E) in paragraph (2), by inserting “evalua-  
24 tion, monitoring, technical assistance,” before  
25 “salaries”; and

1 (F) in paragraph (3), by adding at the end  
 2 the following new subparagraphs:

3 “(C) UNDERSERVED POPULATIONS.—

4 “(i) A minimum of 7 percent of the  
 5 total amount appropriated in any fiscal  
 6 year shall be allocated to tribal organiza-  
 7 tions serving adult and youth victims of  
 8 domestic violence, dating violence, sexual  
 9 assault, or stalking, and their dependents.

10 “(ii) Priority shall be given to projects  
 11 developed under subsection (b) that pri-  
 12 marily serve racial, ethnic, or other under-  
 13 served populations.”.

14 **SEC. 603. PUBLIC AND INDIAN HOUSING AUTHORITY PLANS**  
 15 **REPORTING REQUIREMENT.**

16 Section 5A of the United States Housing Act of 1937  
 17 (42 U.S.C. 1437c–1) is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1), by striking “para-  
 20 graph (2)” and inserting “paragraph (3)”;

21 (B) by redesignating paragraph (2) as  
 22 paragraph (3); and

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

1           “(2) STATEMENT OF GOALS.—The 5-year plan  
2 shall include a statement by any public housing  
3 agency or Indian housing authority of the goals, ob-  
4 jectives, policies, or programs that will enable the  
5 housing authority to serve the needs of child and  
6 adult victims of domestic violence, dating violence,  
7 sexual assault, or stalking.”;

8           (2) in subsection (d), by redesignating para-  
9 graphs (13), (14), (15), (16), (17), and (18), as  
10 paragraphs (14), (15), (16), (17), (18), and (19), re-  
11 spectively; and

12           (3) by inserting after paragraph (12) the fol-  
13 lowing:

14           “(13) DOMESTIC VIOLENCE, DATING VIOLENCE,  
15 SEXUAL ASSAULT, OR STALKING PROGRAMS.—A de-  
16 scription of—

17           “(A) any activities, services, or programs  
18 provided or offered by an agency, either directly  
19 or in partnership with other service providers,  
20 to child or adult victims of domestic violence,  
21 dating violence, sexual assault, or stalking;

22           “(B) any activities, services, or programs  
23 provided or offered by a public housing agency  
24 or Indian housing authority that helps child  
25 and adult victims of domestic violence, dating

1 violence, sexual assault, or stalking, to obtain or  
2 maintain housing; and

3 “(C) any activities, services, or programs  
4 provided or offered by a public housing agency  
5 or Indian housing authority to prevent domestic  
6 violence, dating violence, sexual assault, and  
7 stalking, or to enhance victim safety in assisted  
8 families.”.

9 **SEC. 604. HOUSING STRATEGIES.**

10 Section 105(b)(1) of the Cranston-Gonzalez National  
11 Affordable Housing Act (42 U.S.C. 12705(b)(1)) is  
12 amended by inserting after “immunodeficiency syn-  
13 drome,” the following: “victims of domestic violence, dat-  
14 ing violence, sexual assault, and stalking”.

15 **SEC. 605. AMENDMENT TO THE MCKINNEY-VENTO HOME-  
16 LESS ASSISTANCE ACT.**

17 Section 423 of the Stewart B. McKinney Homeless  
18 Assistance Act (42 U.S.C. 11383) is amended—

19 (1) by adding at the end of subsection (a) the  
20 following:

21 “(8) CONFIDENTIALITY.—

22 “(A) IN GENERAL.—In the course of  
23 awarding grants or implementing programs  
24 under this subsection, the Secretary shall in-  
25 struct any recipient or subgrantee not to dis-

1 close to any person, agency, or entity any per-  
2 sonally identifying information about any client  
3 where the Secretary, recipient, or subgrantee  
4 believes based upon reasonable evidence that  
5 the client is either a child or an adult victim of  
6 domestic violence, dating violence, sexual as-  
7 sault, or stalking, or is the parent or guardian  
8 of a child victim of domestic violence, dating vi-  
9 olence, sexual assault, or stalking. The Sec-  
10 retary shall not require or ask a recipient or  
11 subgrantee of any other Federal or State pro-  
12 gram to disclose personally identifying informa-  
13 tion about any clients where the persons, agen-  
14 cies, or entities implementing those programs  
15 believe, based upon reasonable evidence, that  
16 those clients either are child or adult victims of  
17 domestic violence, dating violence, sexual as-  
18 sault, or stalking or are the parents or guard-  
19 ians of child victims of domestic violence, dating  
20 violence, sexual assault, or stalking. The Sec-  
21 retary shall instruct any recipient or subgrantee  
22 under this subsection or any recipient or sub-  
23 grantee of any other Federal or State program  
24 participating in the Homeless Management In-  
25 formation System that personally identifying in-

1           formation about any client may only be dis-  
2           closed if the program seeking to disclose such  
3           information has obtained informed, reasonably  
4           time-limited, written consent from the client to  
5           whom the information relates. The Secretary  
6           may require or ask any recipient or subgrantee  
7           to share nonpersonally identifying data in the  
8           aggregate regarding services to clients and non-  
9           personally identifying demographic information  
10          in order to comply with the data collection re-  
11          quirements of the Homeless Management Infor-  
12          mation System.

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

21                           “(i) a first and last name;

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

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

1                   “(iv) a social security number; and  
2                   “(v) any other information, including  
3                   date of birth, racial or ethnic background,  
4                   or religious affiliation, that, in combination  
5                   with any of clauses (i) through (iv), would  
6                   serve to identify any individual.”.

7   **SEC. 606. AMENDMENTS TO THE LOW-INCOME HOUSING AS-**  
8                   **SISTANCE VOUCHER PROGRAM.**

9           Section 8 of the United States Housing Act of 1937  
10 (42 U.S.C. 1437f) is amended—

11                   (1) in subsection (d)—

12                           (A) in paragraph (1)(B)(ii), by inserting  
13                           after “other good cause” the following: “, and  
14                           that an incident or incidents of actual or  
15                           threatened domestic violence, dating violence, or  
16                           stalking will not be construed as a serious or  
17                           repeated violation of the lease by the victim or  
18                           threatened victim of that violence and will not  
19                           be good cause for terminating a lease held by  
20                           the victim of such violence”; and

21                           (B) in paragraph (1)(B)(iii), by inserting  
22                           after “termination of tenancy” the following: “,  
23                           except that (I) criminal activity directly relating  
24                           to domestic violence, dating violence, or stalk-  
25                           ing, engaged in by a member of a tenant’s

1 household or any guest or other person under  
2 the tenant's control, shall not be cause for ter-  
3 mination of the tenancy, if the tenant or imme-  
4 diate member of the tenant's family is a victim  
5 of domestic violence, dating violence, or stalking  
6 and, as a result, could not control or prevent  
7 the criminal activity; (II) nothing in subclause  
8 (I) may be construed to limit the authority of  
9 an owner or manager consistent with applicable  
10 State law to evict or the public housing agency  
11 or assisted housing provider to terminate vouch-  
12 er assistance to individuals who engage in  
13 criminal acts of physical violence against family  
14 members or others; and (III) nothing in sub-  
15 clause (I) may be construed to limit the author-  
16 ity of an owner or manager to evict, or the pub-  
17 lic housing agency or assisted housing provider  
18 to terminate, voucher assistance to any tenant  
19 if the owner, manager, public housing agency,  
20 or assisted housing provider can demonstrate  
21 an actual and imminent threat to the larger  
22 community if that tenant is not evicted or ter-  
23 minated from assistance.”;

24 (2) in subsection (f)—

25 (A) in paragraph (6), by striking “and”;

1 (B) in paragraph (7), by striking the pe-  
2 riod at the end and inserting a semicolon; and

3 (C) by adding at the end the following new  
4 paragraphs:

5 “(8) the term ‘domestic violence’ has the same  
6 meaning given the term in section 2003 of title I of  
7 the Omnibus Crime Control and Safe Streets Act of  
8 1968 (42 U.S.C. 3796gg-2);

9 “(9) the term ‘dating violence’ has the same  
10 meaning given the term in section 2003 of title I of  
11 the Omnibus Crime Control and Safe Streets Act of  
12 1968 (42 U.S.C. 3796gg-2); and

13 “(10) the term ‘stalking’ means engaging in a  
14 course of conduct directed at a specific person that  
15 would cause a reasonable person to—

16 “(A) fear for his or her safety or the safety  
17 of others; or

18 “(B) suffer significant emotional or phys-  
19 ical distress; and

20 “(11) the term ‘sexual assault’ has the same  
21 meaning given the term in section 2003 of title I of  
22 the Omnibus Crime Control and Safe Streets Act of  
23 1968 (42 U.S.C. 3796gg-2).”;

24 (3) in subsection (o)—

1 (A) by inserting at the end of paragraph  
2 (6)(B) the following new sentence: “That an  
3 applicant is or is perceived to be, or has been  
4 or has been perceived to be, a victim of domes-  
5 tic violence, dating violence, or stalking is not  
6 an appropriate basis for denial of program as-  
7 sistance by a public housing authority.”;

8 (B) in paragraph (7)(C), by inserting after  
9 “other good cause” the following: “, and that  
10 an incident or incidents of actual or threatened  
11 domestic violence, dating violence, or stalking  
12 shall not be construed as a serious or repeated  
13 violation of the lease by the victim or threat-  
14 ened victim of that violence and shall not be  
15 good cause for terminating a lease held by the  
16 victim of such violence”; and

17 (C) in paragraph (7)(D), by inserting after  
18 “termination of tenancy” the following: “; ex-  
19 cept that (i) criminal activity relating directly  
20 to domestic violence, dating violence, or stalk-  
21 ing, engaged in by a member of a tenant’s  
22 household or any guest or other person under  
23 the tenant’s control shall not be cause for ter-  
24 mination of the tenancy, if the tenant or imme-  
25 diate member of the tenant’s family is a victim

1 of domestic violence, dating violence, or stalking  
2 and, as a result, could not control or prevent  
3 the criminal activity; (ii) nothing in clause (i)  
4 may be construed to limit the authority of an  
5 owner or manager consistent with applicable  
6 State law to evict or the public housing agency  
7 or assisted housing provider to terminate vouch-  
8 er assistance to individuals who engage in  
9 criminal acts of physical violence against family  
10 members or others; and (iii) nothing in clause  
11 (i) may be construed to limit the authority of  
12 an owner or manager to evict, or the public  
13 housing agency or assisted housing provider to  
14 terminate, voucher assistance to any tenant if  
15 the owner, manager, public housing agency, or  
16 assisted housing provider can demonstrate an  
17 actual and imminent threat to the larger com-  
18 munity if that tenant is not evicted or termi-  
19 nated from assistance.”;

20 (4) in subsection (r)(5), by inserting after “vio-  
21 lation of a lease” the following: “, except that a fam-  
22 ily may receive a voucher from a public housing  
23 agency and move to another jurisdiction under the  
24 tenant-based assistance program if the family has  
25 moved out of the assisted dwelling unit in order to

1 protect the health or safety of an individual who is  
 2 or has been the victim of domestic violence, dating  
 3 violence, or stalking and who reasonably believed he  
 4 or she was imminently threatened by harm from fur-  
 5 ther violence if he or she remained in the assisted  
 6 dwelling unit”; and

7 (5) by adding at the end the following new sub-  
 8 section:

9 “(ee) CERTIFICATION AND CONFIDENTIALITY.—

10 “(1) CERTIFICATION.—

11 “(A) IN GENERAL.—An owner, manager,  
 12 public housing agency, or assisted housing pro-  
 13 vider responding to subsections (d)(1)(B)(ii),  
 14 (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), and (r)(5)  
 15 may request that an individual certify that the  
 16 individual is a victim of domestic violence, dat-  
 17 ing violence, or stalking, and that the incident  
 18 or incidents in question are bona fide incidents  
 19 of such actual or threatened abuse and meet  
 20 the requirements set forth in the aforemen-  
 21 tioned paragraphs. The individual shall provide  
 22 a copy of such certification within a reasonable  
 23 period of time after the owner, manager, public  
 24 housing agency, or assisted housing provider re-  
 25 quests such certification.

1           “(B) CONTENTS.—An individual may sat-  
2 isfy the certification requirement of subpara-  
3 graph (A) by—

4           “(i) providing the requesting owner,  
5 manager, public housing agency, or as-  
6 sisted housing provider with documentation  
7 signed by an employee, agent, or volunteer  
8 of a victim service provider, an attorney, a  
9 member of the clergy, a medical profes-  
10 sional, or any other professional, from  
11 whom the victim has sought assistance in  
12 addressing domestic violence, dating vio-  
13 lence, sexual assault, or stalking, or the ef-  
14 fects of the abuse; or

15           “(ii) producing a Federal, State, trib-  
16 al, territorial, or local police or court  
17 record.

18           “(C) LIMITATION.—Nothing in this sub-  
19 section shall be construed to require an owner,  
20 manager, public housing agency, or assisted  
21 housing provider to demand that an individual  
22 produce official documentation or physical proof  
23 of the individual’s status as a victim of domes-  
24 tic violence, dating violence, sexual assault, or  
25 stalking in order to receive any of the benefits

1 provided in this section. At their discretion, the  
2 owner, manager, public housing agency, or as-  
3 sisted housing provider may provide benefits to  
4 an individual based solely on the individual's  
5 statement or other corroborating evidence.

6 “(2) CONFIDENTIALITY.—

7 “(A) IN GENERAL.—All information pro-  
8 vided to an owner, manager, public housing  
9 agency, or assisted housing provider pursuant  
10 to paragraph (1), including the fact that an in-  
11 dividual is a victim of domestic violence, dating  
12 violence, sexual assault, or stalking, shall be re-  
13 tained in the strictest confidence by an owner,  
14 manager, public housing agency, or assisted  
15 housing provider, and shall neither be entered  
16 into any shared database nor provided to any  
17 related entity, except to the extent that disclo-  
18 sure is—

19 “(i) requested or consented to by the  
20 individual in writing; or

21 “(ii) otherwise required by applicable  
22 law.

23 “(B) NOTIFICATION.—An individual must  
24 be notified of the limits of such confidentiality  
25 and informed in advance about circumstances

1           in which the person or entity will be compelled  
2           to disclose the individual’s information.”.

3 **SEC. 607. AMENDMENTS TO THE PUBLIC HOUSING PRO-**  
4                                   **GRAM.**

5           Section 6 of the United States Housing Act of 1937  
6 (42 U.S.C. 1437d) is amended—

7           (1) in subsection (c), by redesignating para-  
8           graph (3) and (4), as paragraphs (4) and (5), re-  
9           spectively;

10           (2) by inserting after paragraph (2) the fol-  
11           lowing:

12           “(3) the public housing agency shall not deny  
13           admission to the project to any applicant on the  
14           basis that the applicant is or is perceived to be, or  
15           has been or has been perceived to be, a victim of do-  
16           mestic violence, dating violence, or stalking”;

17           (3) in subsection (1)(5), by inserting after  
18           “other good cause” the following: “, and that an in-  
19           cident or incidents of actual or threatened domestic  
20           violence, dating violence, or stalking will not be con-  
21           strued as a serious or repeated violation of the lease  
22           by the victim or threatened victim of that violence  
23           and will not be good cause for terminating a lease  
24           held by the victim of such violence”;

1           (4) in subsection (l)(6), by inserting after “ter-  
2           mination of tenancy” the following: “; except that  
3           (A) criminal activity directly relating to domestic vi-  
4           olence, dating violence, or stalking, engaged in by a  
5           member of a tenant’s household or any guest or  
6           other person under the tenant’s control, shall not be  
7           cause for termination of the tenancy, if the tenant  
8           or immediate member of the tenant’s family is a vic-  
9           tim of domestic violence, dating violence, or stalking  
10          and, as a result, could not control or prevent the  
11          criminal activity; (B) nothing in subparagraph (A)  
12          may be construed to limit the authority of a public  
13          housing agency consistent with applicable State law  
14          to evict, or the public housing agency or assisted  
15          housing provider to terminate, voucher assistance to  
16          individuals who engage in criminal acts of physical  
17          violence against family members or others; and (C)  
18          nothing in subparagraph (A) may be construed to  
19          limit the authority of a public housing agency to ter-  
20          minate the tenancy of any tenant if the public hous-  
21          ing agency can demonstrate an actual and imminent  
22          threat to the larger community if that tenant’s ten-  
23          ancy is not terminated.”; and

24           (5) by inserting at the end of subsection (t) the  
25          following new subsection:

1 “(u) CERTIFICATION AND CONFIDENTIALITY.—

2 “(1) CERTIFICATION.—

3 “(A) IN GENERAL.—A public housing  
4 agency responding to subsection (l) (5) and (6)  
5 may request that an individual certify that the  
6 individual is a victim of domestic violence, dat-  
7 ing violence, or stalking, and that the incident  
8 or incidents in question are bona fide incidents  
9 of such actual or threatened abuse and meet  
10 the requirements set forth in the aforemen-  
11 tioned paragraphs. The individual shall provide  
12 a copy of such certification within a reasonable  
13 period of time after the public housing agency  
14 requests such certification.

15 “(B) CONTENTS.—An individual may sat-  
16 isfy the certification requirement of subpara-  
17 graph (A) by—

18 “(i) providing the requesting public  
19 housing agency with documentation signed  
20 by an employee, agent, or volunteer of a  
21 victim service provider, an attorney, a  
22 member of the clergy, a medical profes-  
23 sional, or any other professional from  
24 whom the victim has sought assistance in  
25 addressing domestic violence, dating vio-

1           lence, or stalking, or the effects of the  
2           abuse; or

3           “(ii) producing a Federal, State, trib-  
4           al, territorial, or local police or court  
5           record.

6           “(C) LIMITATION.—Nothing in this sub-  
7           section shall be construed to require any public  
8           housing agency to demand that an individual  
9           produce official documentation or physical proof  
10          of the individual’s status as a victim of domes-  
11          tic violence, dating violence, or stalking in order  
12          to receive any of the benefits provided in this  
13          section. At the public housing agency’s discre-  
14          tion, a public housing agency may provide bene-  
15          fits to an individual based solely on the individ-  
16          ual’s statement or other corroborating evidence.

17          “(2) CONFIDENTIALITY.—

18                 “(A) IN GENERAL.—All information pro-  
19                 vided to any public housing agency pursuant to  
20                 paragraph (1), including the fact that an indi-  
21                 vidual is a victim of domestic violence, dating  
22                 violence, or stalking, shall be retained in the  
23                 strictest confidence by such public housing  
24                 agency, and shall neither be entered into any

1 shared database nor provided to any related en-  
2 tity, except to the extent that disclosure is—

3 “(i) requested or consented to by the  
4 individual in writing; or

5 “(ii) otherwise required by applicable  
6 law.

7 “(B) NOTIFICATION.—An individual must  
8 be notified of the limits of such confidentiality  
9 and informed in advance about circumstances  
10 in which the person or entity will be compelled  
11 to disclose the individual’s information.

12 “(3) DEFINITIONS.—For purposes of this sub-  
13 section and subsection (1) (5) and (6)—

14 “(A) the term ‘domestic violence’ has the  
15 same meaning given the term in section 2003  
16 of title I of the Omnibus Crime Control and  
17 Safe Streets Act of 1968 (42 U.S.C. 3796gg–  
18 2);

19 “(B) the term ‘dating violence’ has the  
20 same meaning given the term in section 2003  
21 of title I of the Omnibus Crime Control and  
22 Safe Streets Act of 1968 (42 U.S.C. 3796gg–  
23 2); and

1           “(C) the term ‘stalking’ means engaging in  
2           a course of conduct directed at a specific person  
3           that would cause a reasonable person to—

4                   “(i) fear for his or her safety or the  
5                   safety of others; or

6                   “(ii) suffer significant emotional dis-  
7                   tress.”.

8   **TITLE VII—PROVIDING ECO-**  
9   **NOMIC SECURITY FOR VIC-**  
10 **TIMS OF VIOLENCE**

11 **SEC. 701. EMERGENCY LEAVE.**

12       (a) IN GENERAL.—The Violence Against Women Act  
13 of 1994 (Public Law 103–322; 108 Stat. 1902) is amend-  
14 ed by adding after subtitle N the following:

15 **“Subtitle O—Assistance for Individ-**  
16 **uals Experiencing Domestic or**  
17 **Sexual Violence**

18       **“CHAPTER 1—EMERGENCY LEAVE**

19 **“SEC. 41501. FINDINGS.**

20       “Congress makes the following findings:

21           “(1) Violence against women is a leading cause  
22 of physical injury to women. Such violence has a  
23 devastating impact on women’s physical and emo-  
24 tional health, financial security, and ability to main-

1       tain their jobs, and thus impacts interstate com-  
2       merce.

3               “(2) Studies indicate that one of the best pre-  
4       dictors of whether a victim of such violence will be  
5       able to stay away from her abuser is her degree of  
6       economic independence. However, domestic violence,  
7       dating violence, sexual assault, and stalking (re-  
8       ferred to in this subtitle as ‘domestic or sexual vio-  
9       lence’) often negatively impact victims’ ability to  
10      maintain employment.

11              “(3) The Bureau of National Affairs has esti-  
12      mated that domestic violence costs United States  
13      employers       between       \$3,000,000,000       and  
14      \$5,000,000,000 annually in lost time and produc-  
15      tivity. Other reports have estimated that domestic  
16      violence costs United States employers between  
17      \$5,800,000,000 and \$13,000,000,000 annually.

18              “(4) Ninety-four percent of corporate security  
19      and safety directors at companies nationwide rank  
20      domestic violence as a high security concern.

21              “(5) Abusers frequently seek to exert financial  
22      control over their partners by actively interfering  
23      with the ability of their partners to work, including  
24      preventing their partners from going to work,  
25      harassing their partners at work, limiting the access

1 of their partners to cash or transportation, and sab-  
2 otaging the child care arrangements of their part-  
3 ners.

4 “(6) Studies indicate that between 35 and 56  
5 percent of employed battered women surveyed were  
6 harassed at work by their abusers.

7 “(7) Victims of domestic violence also fre-  
8 quently miss work due to injuries, court proceedings,  
9 and safety concerns requiring legal protections. Vic-  
10 tims of intimate partner violence lose 8,000,000  
11 days of paid work each year—the equivalent of over  
12 32,000 full-time jobs and 5,600,000 days of house-  
13 hold productivity.

14 “(8) According to a 1998 report of the Govern-  
15 ment Accountability Office, between 25 percent and  
16 50 percent of victims of domestic violence surveyed  
17 reported that the victims lost a job due, at least in  
18 part, to domestic violence.

19 “(9) Women who have experienced domestic vi-  
20 olence or dating violence are more likely than other  
21 women to be unemployed, to suffer from health  
22 problems that can affect employability and job per-  
23 formance, to report lower personal income, and to  
24 rely on welfare.

1           “(10) Domestic violence also affects abusers’  
2           ability to work. A recent study found that 48 per-  
3           cent of abusers reported having difficulty concen-  
4           trating at work and 42 percent reported being late  
5           to work. 78 percent reported using their own com-  
6           pany’s resources in connection with the abusive rela-  
7           tionship.

8           “(11) About 36,500 individuals, 80 percent of  
9           whom are women, were raped or sexually assaulted  
10          in the workplace each year from 1993 through 1999.  
11          Half of all female victims of violent workplace crimes  
12          know their abusers. Nearly 1 out of 10 violent work-  
13          place incidents are committed by spouses or other  
14          partners.

15          “(12) Sexual assault, whether occurring in or  
16          out of the workplace, can impair an employee’s work  
17          performance, require time away from work, and un-  
18          dermine the employee’s ability to maintain a job. Al-  
19          most 50 percent of sexual assault victims lose their  
20          jobs or are forced to quit in the aftermath of the as-  
21          saults.

22          “(13) More than 35 percent of stalking victims  
23          report losing time from work due to the stalking and  
24          7 percent never return to work.

1           “(14) Five States provide victims of domestic or  
2           sexual violence with leave from work to attend court  
3           proceedings, to go to the doctor, or to take other  
4           steps to address the violence in their lives, and sev-  
5           eral other States provide time off to victims of  
6           crimes, which can include victims of domestic or sex-  
7           ual violence, to attend court proceedings.

8   **“SEC. 41502. PURPOSES.**

9           “The purposes of this chapter are, pursuant to the  
10          affirmative power of Congress to enact legislation under  
11          the portions of section 8 of article I of the Constitution  
12          relating to providing for the general welfare and to regula-  
13          tion of commerce among the several States, and under sec-  
14          tion 5 of the 14th amendment to the Constitution—

15                 “(1) to promote the national interest in reduc-  
16          ing domestic or sexual violence by enabling victims  
17          of domestic or sexual violence to maintain the finan-  
18          cial independence necessary to leave abusive situa-  
19          tions, achieve safety, and minimize the physical and  
20          emotional injuries from domestic or sexual violence,  
21          and to reduce the devastating economic con-  
22          sequences of domestic or sexual violence to employ-  
23          ers and employees;

24                 “(2) to promote the national interest in ensur-  
25          ing that victims of domestic or sexual violence can

1 recover from and cope with the effects of such vio-  
2 lence, and participate in criminal and civil justice  
3 processes, without fear of adverse economic con-  
4 sequences;

5 “(3) to reduce the negative impact on interstate  
6 commerce produced by dislocations of employees and  
7 harmful effects on productivity, employment, health  
8 care costs, and employer costs, caused by domestic  
9 or sexual violence, including related intentional ef-  
10 forts to frustrate women’s ability to participate in  
11 employment and interstate commerce; and

12 “(4) to enforce the 14th amendment’s guar-  
13 antee of equal protection of the laws by—

14 “(A) preventing and remedying sex-based  
15 discrimination and discrimination against vic-  
16 tims of domestic and sexual violence in employ-  
17 ment leave by addressing the failure of existing  
18 laws to protect the employment rights of women  
19 and such victims; and

20 “(B) thus furthering the equal opportunity  
21 of women for economic self-sufficiency and em-  
22 ployment free from discrimination.

23 **“SEC. 41503. DEFINITIONS.**

24 “In this title, except as otherwise expressly provided:

1           “(1) COMMERCE.—The terms ‘commerce’ and  
2           ‘industry or activity affecting commerce’ have the  
3           meanings given the terms in section 101 of the  
4           Family and Medical Leave Act of 1993 (29 U.S.C.  
5           2611).

6           “(2) ELECTRONIC COMMUNICATIONS.—The  
7           term ‘electronic communications’ includes commu-  
8           nications via telephone (including mobile phone),  
9           computer, e-mail, video recorder, fax machine, telex,  
10          or pager.

11          “(3) EMPLOY; STATE.—The terms ‘employ’ and  
12          ‘State’ have the meanings given the terms in section  
13          3 of the Fair Labor Standards Act of 1938 (29  
14          U.S.C. 203).

15          “(4) EMPLOYEE.—

16                 “(A) IN GENERAL.—The term ‘employee’  
17                 means any person employed by an employer. In  
18                 the case of an individual employed by a public  
19                 agency, such term means an individual em-  
20                 ployed as described in section 3(e)(2) of the  
21                 Fair Labor Standards Act of 1938 (29 U.S.C.  
22                 203(e)(2)).

23                 “(B) BASIS.—The term includes a person  
24                 employed as described in subparagraph (A)—

25                         “(i) on a full- or part-time basis; or

1           “(ii) as a participant in a work as-  
2           signment as a condition of receipt of Fed-  
3           eral or State income-based public assist-  
4           ance.

5           “(5) EMPLOYER.—The term ‘employer’—

6           “(A) means any person engaged in com-  
7           merce or in any industry or activity affecting  
8           commerce who employs 50 or more individuals  
9           for each working day during each of the 20 or  
10          more calendar weeks in the current or pre-  
11          ceding calendar year; and

12          “(B) includes any person acting directly or  
13          indirectly in the interest of an employer in rela-  
14          tion to an employee, and includes a public agen-  
15          cy that employs individuals as described in sec-  
16          tion 3(e)(2) of the Fair Labor Standards Act of  
17          1938, but does not include any labor organiza-  
18          tion (other than when acting as an employer) or  
19          anyone acting in the capacity of officer or agent  
20          of such labor organization.

21          “(6) EMPLOYMENT BENEFITS.—The term ‘em-  
22          ployment benefits’ means all benefits provided or  
23          made available to employees by an employer (includ-  
24          ing group life insurance, health insurance, disability  
25          insurance, sick leave, annual leave, educational bene-

1 fits, and pensions), regardless of whether such bene-  
2 fits are provided or made available by a practice or  
3 written policy of an employer or through an ‘em-  
4 ployee benefit plan’, as defined in section 3(3) of the  
5 Employee Retirement Income Security Act of 1974  
6 (29 U.S.C. 1002(3)).

7 “(7) FAMILY OR HOUSEHOLD MEMBER.—The  
8 term ‘family or household member’, used with re-  
9 spect to an individual, means a nonabusive spouse,  
10 former spouse, parent, son or daughter, or person  
11 residing or formerly residing in the same dwelling  
12 unit as the individual.

13 “(8) PARENT; SON OR DAUGHTER.—The terms  
14 ‘parent’ and ‘son or daughter’ have the meanings  
15 given the terms in section 101 of the Family and  
16 Medical Leave Act of 1993 (29 U.S.C. 2611).

17 “(9) PERSON.—The term ‘person’ has the  
18 meaning given the term in section 3 of the Fair  
19 Labor Standards Act of 1938 (29 U.S.C. 203).

20 “(10) PUBLIC AGENCY.—The term ‘public  
21 agency’ has the meaning given the term in section  
22 3 of the Fair Labor Standards Act of 1938 (29  
23 U.S.C. 203).

24 “(11) PUBLIC ASSISTANCE.—The term ‘public  
25 assistance’ includes cash, food stamps, medical as-

1       sistance, housing assistance, and other benefits pro-  
2       vided on the basis of income by a public agency.

3               “(12) REDUCED LEAVE SCHEDULE.—The term  
4       ‘reduced leave schedule’ means a leave schedule that  
5       reduces the usual number of hours per workweek, or  
6       hours per workday, of an employee.

7               “(13) SECRETARY.—The term ‘Secretary’  
8       means the Secretary of Labor.

9       **“SEC. 41504. ENTITLEMENT TO EMERGENCY LEAVE FOR AD-  
10                                DRESSING DOMESTIC OR SEXUAL VIOLENCE.**

11       “(a) LEAVE REQUIREMENT.—

12               “(1) BASIS.—An employee who is a victim of  
13       domestic or sexual violence may take leave from  
14       work to address domestic or sexual violence, by—

15                       “(A) seeking medical attention for, or re-  
16                       covering from, physical or psychological injuries  
17                       caused by domestic or sexual violence to the  
18                       employee or the employee’s family or household  
19                       member;

20                       “(B) obtaining emergency housing, tem-  
21                       porary or permanent, or taking other actions to  
22                       increase the safety of the employee or the em-  
23                       ployee’s family or household member; or

24                       “(C) seeking legal or law enforcement as-  
25                       sistance or remedies to ensure the health and

1 safety of the employee or the employee’s family  
2 or household member, including preparing for  
3 or participating in any civil or criminal legal  
4 proceeding related to or derived from domestic  
5 or sexual violence.

6 “(2) PERIOD.—An employee may take not more  
7 than 10 days of leave, as described in paragraph (1),  
8 in any 12-month period.

9 “(3) SCHEDULE.—Leave described in para-  
10 graph (1) may be taken intermittently or on a re-  
11 duced leave schedule.

12 “(b) NOTICE.—The employee shall provide the em-  
13 ployer with reasonable notice of the employee’s intention  
14 to take the leave, unless providing such notice is not prac-  
15 ticable.

16 “(c) CERTIFICATION.—

17 “(1) IN GENERAL.—The employer may require  
18 the employee to provide certification to the employer,  
19 within a reasonable period after the employer re-  
20 quires the certification, that—

21 “(A) the employee or the employee’s family  
22 or household member is a victim of domestic or  
23 sexual violence; and

24 “(B) the leave is for 1 of the purposes de-  
25 scribed in subsection (a)(1).

1           “(2) CONTENTS.—An employee may satisfy the  
2 certification requirement of paragraph (1) by pro-  
3 viding to the employer—

4           “(A) documentation from an employee,  
5 agent, or volunteer of a victim service provider,  
6 an attorney, a member of the clergy, or a med-  
7 ical or other professional, from whom the em-  
8 ployee or the employee’s family or household  
9 member has sought assistance in addressing do-  
10 mestic or sexual violence and the effects of the  
11 violence;

12           “(B) a police or court record; or

13           “(C) other corroborating evidence.

14           “(d) CONFIDENTIALITY.—All information provided to  
15 the employer pursuant to subsection (b) or (c), and the  
16 fact that the employee has requested or obtained leave  
17 pursuant to this section, shall be retained in the strictest  
18 confidence by the employer, except to the extent that dis-  
19 closure is—

20           “(1) requested or consented to by the employee  
21 in writing; or

22           “(2) otherwise required by applicable Federal or  
23 State law.

24           “(e) EMPLOYMENT AND BENEFITS.—

25           “(1) RESTORATION TO POSITION.—

1           “(A) IN GENERAL.—Except as provided in  
2 paragraph (2), any employee who takes leave  
3 under this section for the intended purpose of  
4 the leave shall be entitled, on return from such  
5 leave—

6                   “(i) to be restored by the employer to  
7 the position of employment held by the em-  
8 ployee when the leave commenced; or

9                   “(ii) to be restored to an equivalent  
10 position with equivalent employment bene-  
11 fits, pay, and other terms and conditions of  
12 employment.

13           “(B) LOSS OF BENEFITS.—The taking of  
14 leave under this section shall not result in the  
15 loss of any employment benefit accrued prior to  
16 the date on which the leave commenced.

17           “(C) LIMITATIONS.—Nothing in this sub-  
18 section shall be construed to entitle any re-  
19 stored employee to—

20                   “(i) the accrual of any seniority or  
21 employment benefits during any period of  
22 leave; or

23                   “(ii) any right, benefit, or position of  
24 employment other than any right, benefit,  
25 or position to which the employee would

1           have been entitled had the employee not  
2           taken the leave.

3           “(D) CONSTRUCTION.—Nothing in this  
4           paragraph shall be construed to prohibit an em-  
5           ployer from requiring an employee on leave  
6           under this section to report periodically to the  
7           employer on the status and intention of the em-  
8           ployee to return to work.

9           “(2) EXEMPTION CONCERNING CERTAIN HIGH-  
10          LY COMPENSATED EMPLOYEES.—

11           “(A) DENIAL OF RESTORATION.—An em-  
12           ployer may deny restoration under paragraph  
13           (1) to any employee described in subparagraph  
14           (B) if—

15                   “(i) such denial is necessary to pre-  
16                   vent substantial and grievous economic in-  
17                   jury to the operations of the employer;

18                   “(ii) the employer notifies the em-  
19                   ployee of the intent of the employer to  
20                   deny restoration on such basis at the time  
21                   the employer determines that such injury  
22                   would occur; and

23                   “(iii) in any case in which the leave  
24                   has commenced, the employee elects not to

1           return to employment after receiving such  
2           notice.

3           “(B) AFFECTED EMPLOYEES.—An em-  
4           ployee referred to in subparagraph (A) is a sal-  
5           aried employee who is among the highest paid  
6           25 percent of the employees employed by the  
7           employer within 75 miles of the facility at  
8           which the employee is employed.

9           “(3) MAINTENANCE OF HEALTH BENEFITS.—

10           “(A) COVERAGE.—Except as provided in  
11           subparagraph (B), during any period that an  
12           employee takes leave under this section, the em-  
13           ployer shall maintain coverage under any group  
14           health plan (as defined in section 5000(b)(1) of  
15           the Internal Revenue Code of 1986) for the du-  
16           ration of such leave at the level and under the  
17           conditions coverage would have been provided if  
18           the employee had continued in employment con-  
19           tinuously for the duration of such leave.

20           “(B) FAILURE TO RETURN FROM  
21           LEAVE.—The employer may recover the pre-  
22           mium that the employer paid for maintaining  
23           coverage for the employee under such group  
24           health plan during any period of leave under  
25           this section if—

1           “(i) the employee fails to return from  
2           leave under this section after the period of  
3           leave to which the employee is entitled for  
4           the domestic or sexual violence involved  
5           has expired; and

6           “(ii) the employee fails to return to  
7           work for a reason other than the continu-  
8           ation or recurrence of domestic or sexual  
9           violence, that entitles the employee to leave  
10          pursuant to this section.

11          “(C) CERTIFICATION.—An employer may  
12          require an employee who claims that the em-  
13          ployee is unable to return to work because of a  
14          reason described in subparagraph (B)(ii) to  
15          provide, within a reasonable period after mak-  
16          ing the claim, certification to the employer that  
17          the employee is unable to return to work be-  
18          cause of that reason.

19          “(D) CONFIDENTIALITY.—All information  
20          provided to the employer pursuant to subpara-  
21          graph (C), and the fact that the employee is not  
22          returning to work because of a reason described  
23          in subparagraph (B)(ii), shall be retained in the  
24          strictest confidence by the employer, except to  
25          the extent that disclosure is—

1                   “(i) requested or consented to by the  
2                   employee in writing; or

3                   “(ii) otherwise required by applicable  
4                   Federal or State law.

5           “(f) PROHIBITED ACTS.—

6                   “(1) INTERFERENCE WITH RIGHTS.—

7                           “(A) EXERCISE OF RIGHTS.—It shall be  
8                   unlawful for any employer to interfere with, re-  
9                   strain, or deny the exercise of or the attempt to  
10                  exercise, any right provided under this section.

11                           “(B) EMPLOYER DISCRIMINATION.—It  
12                  shall be unlawful for any employer to discharge  
13                  or harass any individual, or otherwise discrimi-  
14                  nate against any individual with respect to com-  
15                  pensation, terms, conditions, or privileges of  
16                  employment of the individual (including retali-  
17                  ation in any form or manner) because the indi-  
18                  vidual—

19                           “(i) exercised any right provided  
20                  under this section; or

21                           “(ii) opposed any practice made un-  
22                  lawful by this section.

23                   “(2) INTERFERENCE WITH PROCEEDINGS OR  
24                  INQUIRIES.—It shall be unlawful for any person to  
25                  discharge or in any other manner discriminate (as

1 described in paragraph (1)(B)) against any indi-  
 2 vidual because such individual—

3 “(A) has filed any charge, or has instituted  
 4 or caused to be instituted any proceeding,  
 5 under or related to this section;

6 “(B) has given, or is about to give, any in-  
 7 formation in connection with any inquiry or  
 8 proceeding relating to any right provided under  
 9 this section; or

10 “(C) has testified, or is about to testify, in  
 11 any inquiry or proceeding relating to any right  
 12 provided under this section.

13 “(g) ENFORCEMENT.—

14 “(1) CIVIL ACTION BY AFFECTED INDIVID-  
 15 UALS.—

16 “(A) LIABILITY.—Any employer that vio-  
 17 lates subsection (f) shall be liable to any indi-  
 18 vidual affected—

19 “(i) for damages equal to—

20 “(I) the amount of—

21 “(aa) any wages, salary, em-  
 22 ployment benefits, public assist-  
 23 ance, or other compensation de-  
 24 nied or lost to such individual by  
 25 reason of the violation; or

1                   “(bb) in a case in which  
2                   wages, salary, employment bene-  
3                   fits, public assistance, or other  
4                   compensation has not been de-  
5                   nied or lost to the individual, any  
6                   actual monetary losses sustained  
7                   by the individual as a direct re-  
8                   sult of the violation;

9                   “(II) the interest on the amount  
10                  described in subclause (I) calculated  
11                  at the prevailing rate; and

12                  “(III) an additional amount as  
13                  liquidated damages equal to the sum  
14                  of the amount described in subclause  
15                  (I) and the interest described in sub-  
16                  clause (II), except that if an employer  
17                  that has violated subsection (f) proves  
18                  to the satisfaction of the court that  
19                  the act or omission that violated sub-  
20                  section (f) was in good faith and that  
21                  the employer had reasonable grounds  
22                  for believing that the act or omission  
23                  was not a violation of subsection (f),  
24                  such court may, in the discretion of  
25                  the court, reduce the amount of the li-

1 ability to the amount and interest de-  
2 termined under subclauses (I) and  
3 (II), respectively; and

4 “(ii) for such equitable relief as may  
5 be appropriate, including employment, re-  
6 instatement, and promotion.

7 “(B) RIGHT OF ACTION.—An action to re-  
8 cover the damages or equitable relief prescribed  
9 in subparagraph (A) may be maintained against  
10 any employer in any Federal or State court of  
11 competent jurisdiction by any 1 or more af-  
12 fected individuals for and on behalf of—

13 “(i) the individuals; or

14 “(ii) the individuals and other individ-  
15 uals similarly situated.

16 “(C) FEES AND COSTS.—The court in such  
17 an action shall, in addition to any judgment  
18 awarded to the plaintiff, allow a reasonable at-  
19 torney’s fee, reasonable expert witness fees, and  
20 other costs of the action to be paid by the de-  
21 fendant.

22 “(D) LIMITATIONS.—The right provided  
23 by subparagraph (B) to bring an action by or  
24 on behalf of any affected individual shall termi-  
25 nate—

1           “(i) on the filing of a complaint by  
2           the Secretary in an action under para-  
3           graph (4) in which restraint is sought of  
4           any further delay in the payment of the  
5           amount described in subparagraph (A)(i)  
6           to such individual by an employer respon-  
7           sible under subparagraph (A) for the pay-  
8           ment; or

9           “(ii) on the filing of a complaint by  
10          the Secretary in an action under para-  
11          graph (2) in which a recovery is sought of  
12          the damages described in subparagraph  
13          (A)(i) owing to an affected individual by  
14          an employer liable under subparagraph  
15          (A),

16          unless the action described in clause (i) or (ii)  
17          is dismissed without prejudice on motion of the  
18          Secretary.

19          “(2) ACTION BY THE SECRETARY.—

20                 “(A) ADMINISTRATIVE ACTION.—The Sec-  
21                 retary shall receive, investigate, and attempt to  
22                 resolve complaints of violations of subsection (f)  
23                 in the same manner as the Secretary receives,  
24                 investigates, and attempts to resolve complaints  
25                 of violations of sections 6 and 7 of the Fair

1 Labor Standards Act of 1938 (29 U.S.C. 206  
2 and 207).

3 “(B) CIVIL ACTION.—The Secretary may  
4 bring an action in any court of competent juris-  
5 diction to recover the damages described in  
6 paragraph (1)(A)(i).

7 “(C) SUMS RECOVERED.—Any sums recov-  
8 ered by the Secretary pursuant to subparagraph  
9 (B) shall be held in a special deposit account  
10 and shall be paid, on order of the Secretary, di-  
11 rectly to each individual affected. Any such  
12 sums not paid to such an individual because of  
13 inability to do so within a period of 3 years  
14 shall be deposited into the Treasury of the  
15 United States as miscellaneous receipts.

16 “(3) LIMITATION.—

17 “(A) IN GENERAL.—Except as provided in  
18 subparagraph (B), an action may be brought  
19 under this subsection not later than 2 years  
20 after the date of the last event constituting the  
21 alleged violation for which the action is brought.

22 “(B) WILLFUL VIOLATION.—In the case of  
23 such action brought for a willful violation of  
24 subsection (f), such action may be brought  
25 within 3 years after the date of the last event

1           constituting the alleged violation for which such  
2           action is brought.

3           “(C) COMMENCEMENT.—In determining  
4           when an action is commenced by the Secretary  
5           under this subsection for the purposes of this  
6           paragraph, it shall be considered to be com-  
7           menced on the date when the complaint is filed.

8           “(4) ACTION FOR INJUNCTION BY SEC-  
9           RETARY.—The district courts of the United States  
10          shall have jurisdiction, for cause shown, in an action  
11          brought by the Secretary—

12                 “(A) to restrain violations of subsection  
13                 (f), including the restraint of any withholding of  
14                 payment of wages, salary, employment benefits,  
15                 public assistance, or other compensation, plus  
16                 interest, found by the court to be due to af-  
17                 fected individuals; or

18                 “(B) to award such other equitable relief  
19                 as may be appropriate, including employment,  
20                 reinstatement, and promotion.

21           “(5) SOLICITOR OF LABOR.—The Solicitor of  
22          Labor may appear for and represent the Secretary  
23          on any litigation brought under this subsection.

24           “(6) EMPLOYER LIABILITY UNDER OTHER  
25          LAWS.—Nothing in this section shall be construed to

1 limit the liability of an employer to an individual, for  
2 harm suffered relating to the individual's experience  
3 of domestic or sexual violence, pursuant to any other  
4 Federal or State law, including a law providing for  
5 a legal remedy.

6 “(7) LIBRARY OF CONGRESS.—Notwithstanding  
7 any other provision of this subsection, in the case of  
8 the Library of Congress, the authority of the Sec-  
9 retary under this subsection shall be exercised by the  
10 Librarian of Congress.

11 “(8) CERTAIN PUBLIC AGENCIES.—

12 “(A) AGENCIES.—Notwithstanding any  
13 other provision of this subsection, in the case of  
14 a public agency that employs individuals as de-  
15 scribed in subparagraph (A) or (B) of section  
16 3(e)(2) of the Fair Labor Standards Act of  
17 1938 (29 U.S.C. 203(e)(2)) (other than an en-  
18 tity of the legislative branch of the Federal  
19 Government), subparagraph (B) shall apply.

20 “(B) AUTHORITY.—In the case described  
21 in subparagraph (A), the powers, remedies, and  
22 procedures provided in title 5, United States  
23 Code, to an employing agency, provided in  
24 chapter 12 of that title to the Merit Systems  
25 Protection Board, or provided in that title to

1           any person, alleging a violation of chapter 63 of  
2           that title, shall be the powers, remedies, and  
3           procedures this chapter provides to that agency,  
4           that Board, or any person, respectively, alleging  
5           a violation of subsection (f) against an employee  
6           who is such an individual.

7   **“SEC. 41505. EXISTING LEAVE USABLE FOR ADDRESSING**  
8                           **DOMESTIC OR SEXUAL VIOLENCE.**

9           “An employee who is entitled to take paid or unpaid  
10          leave (including family, medical, sick, annual, personal, or  
11          similar leave) from employment, pursuant to Federal,  
12          State, or local law, a collective bargaining agreement, or  
13          an employment benefits program or plan, may elect to  
14          substitute any period of such leave for an equivalent pe-  
15          riod of leave provided under section 41504.

16   **“SEC. 41506. EMERGENCY BENEFITS.**

17          “(a) IN GENERAL.—A State may use funds provided  
18          to the State under part A of title IV of the Social Security  
19          Act (42 U.S.C. 601 et seq.) to provide nonrecurrent short-  
20          term emergency benefits to an individual for any period  
21          of leave the individual takes pursuant to section 41504.

22          “(b) ELIGIBILITY.—In calculating the eligibility of an  
23          individual for such emergency benefits, the State shall  
24          count only the cash available or accessible to the indi-  
25          vidual.

1 “(c) TIMING.—

2 “(1) APPLICATIONS.—An individual seeking  
3 emergency benefits under subsection (a) from a  
4 State shall submit an application to the State.

5 “(2) BENEFITS.—The State shall provide bene-  
6 fits to an eligible applicant under paragraph (1) on  
7 an expedited basis, and not later than 7 days after  
8 the applicant submits an application under para-  
9 graph (1).

10 **“SEC. 41507. EFFECT ON OTHER LAWS AND EMPLOYMENT**  
11 **BENEFITS.**

12 “(a) MORE PROTECTIVE LAWS, AGREEMENTS, PRO-  
13 GRAMS, AND PLANS.—Nothing in this chapter shall be  
14 construed to supersede any provision of any Federal,  
15 State, or local law, collective bargaining agreement, or em-  
16 ployment benefits program or plan that provides—

17 “(1) greater leave benefits for victims of domes-  
18 tic or sexual violence than the rights established  
19 under this chapter; or

20 “(2) leave benefits for a larger population of  
21 victims of domestic or sexual violence (as defined in  
22 such law, agreement, program, or plan) than the vic-  
23 tims of domestic or sexual violence covered under  
24 this chapter.

1       “(b) LESS PROTECTIVE LAWS, AGREEMENTS, PRO-  
2 GRAMS, AND PLANS.—The rights established for victims  
3 of domestic or sexual violence under this chapter shall not  
4 be diminished by any State or local law, collective bar-  
5 gaining agreement, or employment benefits program or  
6 plan.

7       **“SEC. 41508. REGULATIONS AND NOTIFICATION.**

8       “(a) IN GENERAL.—Except as provided in sub-  
9 sections (b) and (c), the Secretary shall issue regulations  
10 to carry out this chapter. The regulations shall include  
11 regulations requiring every employer to post and keep  
12 posted, in conspicuous places on the premises of the em-  
13 ployer where notices to employees are customarily posted,  
14 a notice, to be prepared or approved by the Secretary,  
15 summarizing the provisions of this chapter and providing  
16 information on procedures for filing complaints of viola-  
17 tions. The Secretary shall develop such a notice and pro-  
18 vide copies of such notice to employers upon request with-  
19 out charge.

20       “(b) LIBRARY OF CONGRESS.—The Librarian of  
21 Congress shall prescribe the regulations described in sub-  
22 section (a) with respect to employees of the Library of  
23 Congress.

24       “(c) CERTAIN PUBLIC AGENCIES.—The head of a  
25 public agency that employs individuals as described in sub-

1 paragraph (A) or (B) of section 3(e)(2) of the Fair Labor  
2 Standards Act of 1938 (29 U.S.C. 203(e)(2)) (other than  
3 an entity of the legislative branch of the Federal Govern-  
4 ment) shall prescribe the regulations described in sub-  
5 section (a) with respect to those individuals.”.

6 (b) CONFORMING AMENDMENTS.—

7 (1) SOCIAL SECURITY ACT.—Section 404 of the  
8 Social Security Act (42 U.S.C. 604) is amended by  
9 adding at the end the following:

10 “(l) AUTHORITY TO PROVIDE EMERGENCY BENE-  
11 FITS.—A State that receives a grant under section 403  
12 may use the grant to provide nonrecurrent short-term  
13 emergency benefits, in accordance with section 41506 of  
14 the Violence Against Women Act of 1994, to individuals  
15 who take leave pursuant to section 40404 of that Act,  
16 without regard to whether the individuals receive assist-  
17 ance under the State program funded under this part.”.

18 (2) REHABILITATION ACT AMENDMENTS OF  
19 1986.—Section 1003(a)(1) of the Rehabilitation Act  
20 Amendments of 1986 (42 U.S.C. 2000d–7(a)(1)) is  
21 amended by inserting “chapter 1 of subtitle O of the  
22 Violence Against Women Act of 1994,” before “or  
23 the provisions”.

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this section take effect 180 days after the date of enact-  
3 ment of this Act.

4 **SEC. 702. GRANT FOR NATIONAL CLEARINGHOUSE AND RE-**  
5 **SOURCE CENTER ON WORKPLACE RE-**  
6 **SPONSES TO ASSIST VICTIMS OF DOMESTIC**  
7 **AND SEXUAL VIOLENCE.**

8 Subtitle O of the Violence Against Women Act of  
9 1994 (as added by section 701) is amended by adding at  
10 the end the following:

11 **“CHAPTER 2—NATIONAL CLEARINGHOUSE**  
12 **AND RESOURCE CENTER**

13 **“SEC. 41511. GRANT FOR NATIONAL CLEARINGHOUSE AND**  
14 **RESOURCE CENTER ON WORKPLACE RE-**  
15 **SPONSES TO ASSIST VICTIMS OF DOMESTIC**  
16 **AND SEXUAL VIOLENCE.**

17 “(a) AUTHORITY.—The Attorney General, acting  
18 through the Director of the Violence Against Women Of-  
19 fice, may award a grant to an eligible nonprofit non-  
20 governmental entity or tribal organization, in order to pro-  
21 vide for the establishment and operation of a national  
22 clearinghouse and resource center on workplace responses  
23 to assist victims of domestic and sexual violence. The  
24 clearinghouse and resource center shall provide informa-  
25 tion and assistance to employers, labor organizations, and

1 advocates on behalf of victims of domestic or sexual vio-  
2 lence, to aid in their efforts to develop and implement ap-  
3 propriate responses to such violence in order to assist  
4 those victims.

5 “(b) APPLICATIONS.—To be eligible to receive a  
6 grant under this section, an entity or organization shall  
7 submit an application to the Attorney General at such  
8 time, in such manner, and containing such information as  
9 the Attorney General may require, including—

10 “(1) information that demonstrates that the en-  
11 tity or organization has nationally recognized exper-  
12 tise in the area of domestic or sexual violence, and  
13 a record of commitment to reducing domestic or sex-  
14 ual violence;

15 “(2) a plan to maximize, to the extent prac-  
16 ticable, outreach to employers (including private  
17 companies and public entities such as public institu-  
18 tions of higher education and State and local govern-  
19 ments), labor organizations, and advocates described  
20 in subsection (a) concerning developing and imple-  
21 menting appropriate workplace responses to assist  
22 victims of domestic or sexual violence; and

23 “(3) a plan for developing materials and train-  
24 ing for materials for employers that address the  
25 needs of employees in cases of domestic violence,

1 dating violence, sexual assault, and stalking impact-  
2 ing the workplace, including the needs of racial and  
3 ethnic and other underserved communities.

4 “(c) USE OF GRANT AMOUNT.—

5 “(1) IN GENERAL.—An entity or organization  
6 that receives a grant under this section may use the  
7 funds made available through the grant for staff sal-  
8 aries, travel expenses, equipment, printing, and  
9 other reasonable expenses necessary to develop,  
10 maintain, and disseminate to employers, labor orga-  
11 nizations, and advocates described in subsection (a),  
12 information and assistance concerning appropriate  
13 workplace responses to assist victims of domestic or  
14 sexual violence.

15 “(2) RESPONSES.—Responses referred to in  
16 paragraph (1) may include—

17 “(A) providing training to promote a bet-  
18 ter understanding of appropriate workplace as-  
19 sistance to victims of domestic or sexual vio-  
20 lence;

21 “(B) providing conferences and other edu-  
22 cational opportunities;

23 “(C) developing protocols and model work-  
24 place policies;

1           “(D) providing employer-sponsored and  
2           labor organization-sponsored victim assistance  
3           and outreach counseling; and

4           “(E) conducting assessments of the work-  
5           place costs of domestic or sexual violence.

6           “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
7           is authorized to be appropriated to carry out this section  
8           \$1,000,000 for each of fiscal years 2006 through 2010.

9           “(e) AVAILABILITY OF GRANT FUNDS.—Funds ap-  
10          propriated under this section shall remain available until  
11          expended.”.

12       **TITLE VIII—PROTECTION OF**  
13       **BATTERED AND TRAFFICKED**  
14       **IMMIGRANT WOMEN**

15       **Subtitle A—Victims of Crime**

16       **SEC. 801. TREATMENT OF SPOUSE AND CHILDREN OF VIC-**  
17       **TIMS.**

18       (a) TREATMENT OF SPOUSE AND CHILDREN OF VIC-  
19       TIMS OF TRAFFICKING.—Section 101(a)(15)(T) of the  
20       Immigration and Nationality Act (8 U.S.C.  
21       1101(a)(15)(T)) is amended—

22               (1) in clause (i)—

23                       (A) in the matter preceding subclause (I),  
24                       by striking “Attorney General” and inserting  
25                       “Secretary of Homeland Security”; and

1 (B) by amending subclause (III) to read as  
2 follows:

3 “(III)(aa) complied with any reason-  
4 able request for assistance in the Federal,  
5 State, or local investigation or prosecution  
6 of acts of trafficking or crimes related to  
7 trafficking; or

8 “(bb) has provided credible evidence  
9 (as defined in section 204(a)(1)(J)) that  
10 physical or psychological abuse, injury, or  
11 trauma prohibits such alien from meeting  
12 the requirements of item (aa); or

13 “(cc) has not attained 18 years of  
14 age; and”; and

15 (2) by amending clause (ii) to read as follows:

16 “(ii) if accompanying, or following to join, the  
17 alien described in clause (i)—

18 “(I) in the case of an alien described in  
19 clause (i) who is under 21 years of age, the  
20 spouse, children, unmarried siblings under 18  
21 years of age on the date on which such alien  
22 applied for status under such clause, and par-  
23 ents of such alien; and

1           “(II) in the case of an alien described in  
2           clause (i) who is 21 years of age or older, the  
3           spouse and children of such alien;”.

4           (b) TREATMENT OF SPOUSES AND CHILDREN OF  
5 VICTIMS OF ABUSE.—Section 101(a)(15)(U) of the Immi-  
6 gration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) is  
7 amended—

8           (1) in clause (i)—

9                (A) in the matter preceding subclause (I),  
10           by striking “Attorney General” and inserting  
11           “Secretary of Homeland Security”; and

12               (B) in subclause (I), by inserting “or in-  
13           jury” after “physical or mental abuse”;

14           (2) by amending clause (ii) to read as follows:

15               “(ii) if accompanying, or following to join, the  
16           alien described in clause (i)—

17                “(I) in the case of an alien described in  
18           clause (i) who is under 21 years of age, the  
19           spouse, children, unmarried siblings under 18  
20           years of age on the date on which such alien  
21           applied for status under such clause, and par-  
22           ents of such alien; and

23                “(II) in the case of an alien described in  
24           clause (i) who is 21 years of age or older, the  
25           spouse and children of such alien; and”;

1           (3) in clause (iii), by inserting “child abuse;  
2           stalking (including physical or electronic stalking);”  
3           after “false imprisonment;”.

4           (c) DEFINITION OF AGGRAVATED FELONY.—Section  
5           101(a)(43) of the Immigration and Nationality Act (8  
6           U.S.C. 1101(a)(43)) is amended—

7                   (A) in subparagraphs (F) and (G), by  
8                   striking “at least one year” each place it ap-  
9                   pears and inserting “is more than 1 year”;

10                   (B) in subparagraph (J), by striking “one  
11                   year imprisonment or more” and inserting  
12                   “more than 1 year imprisonment”;

13                   (C) in subparagraph (P)(ii), by striking  
14                   “at least 12 months” and inserting “more than  
15                   1 year”; and

16                   (D) in subparagraphs (R) and (S), by  
17                   striking “at least one year” each place it ap-  
18                   pears and inserting “more than 1 year”.

19           (d) TECHNICAL AMENDMENTS.—Section 101(i) of  
20           the Immigration and Nationality Act (8 U.S.C. 1101(i))  
21           is amended—

22                   (1) in paragraph (1), by striking “Attorney  
23                   General” and inserting “Secretary of Homeland Se-  
24                   curity, the Attorney General,”; and

1           (2) in paragraph (2), by striking “Attorney  
2           General” and inserting “Secretary of Homeland Se-  
3           curity”.

4 **SEC. 802. PRESENCE OF VICTIMS OF A SEVERE FORM OF**  
5 **TRAFFICKING IN PERSONS.**

6           (a) IN GENERAL.—Section 212(a)(9)(B)(iii) of the  
7 Immigration and Nationality Act (8 U.S.C.  
8 1182(a)(9)(B)(iii)) is amended by adding at the end the  
9 following:

10                   “(V) VICTIMS OF A SEVERE FORM OF  
11                   TRAFFICKING IN PERSONS.—Clause (i) shall not  
12                   apply to an alien who demonstrates that there  
13                   was a connection between the alien being a vic-  
14                   tim of a severe form of trafficking (as that term  
15                   is defined in section 103 of the Trafficking Vic-  
16                   tims Protection Act of 2000 (22 U.S.C. 7102))  
17                   and the alien’s unlawful presence in the United  
18                   States.”.

19           (b) TECHNICAL AMENDMENT.—Paragraphs (13) and  
20 (14) of section 212(d) of the Immigration and Nationality  
21 Act (8 U.S.C. 1182(d)) are amended by striking “Attor-  
22 ney General” each place it appears and inserting “Sec-  
23 retary of Homeland Security”.

1 **SEC. 803. ADJUSTMENT OF STATUS FOR VICTIMS OF TRAF-**  
2 **FICKING.**

3 Section 245(l) of the Immigration and Nationality  
4 Act (8 U.S.C. 1255(l)) is amended—

5 (1) in paragraph (1)—

6 (A) by striking “Attorney General” each  
7 place it appears and inserting “Secretary of  
8 Homeland Security”; and

9 (B) in subparagraph (A), by striking “for  
10 a continuous period of at least 3 years”;

11 (2) in paragraph (2), by striking “Attorney  
12 General” each place it appears and inserting “Sec-  
13 retary of Homeland Security”; and

14 (3) in paragraph (5), by striking “Attorney  
15 General” and inserting “Secretary of Homeland Se-  
16 curity”.

17 **SEC. 804. PROTECTION AND ASSISTANCE FOR VICTIMS OF**  
18 **TRAFFICKING.**

19 (a) CERTIFICATION PROCESS.—Section 107(b)(1)(E)  
20 of the Trafficking Victims Protection Act of 2000 (22  
21 U.S.C. 7105(b)(1)(E)) is amended—

22 (1) in clause (i)—

23 (A) in the matter preceding subclause (I),  
24 by striking “Attorney General, that the person  
25 referred to in subparagraph (C)(ii)(II)—” and  
26 inserting “Attorney General or the Secretary of

1 Homeland Security, as appropriate, that the  
2 person referred to in subparagraph (C)(ii)(II)  
3 has not attained 18 years of age or—”;

4 (B) in subclause (I), by striking “investigation and prosecution” and inserting “investigation or prosecution, by the United States or  
5 a State or local government,”; and  
6

7  
8 (C) in subclause (II)(bb), by inserting “or  
9 the Secretary of Homeland Security” after “Attorney General”;  
10

11 (2) in clause (ii), by striking “Attorney General” and inserting “Secretary of Homeland Security”;  
12

13  
14 (3) in clause (iii)—

15 (A) in subclause (II), by striking “and” at  
16 the end;

17 (B) in subclause (III), by striking the period at the end and inserting “; or”; and  
18

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

20 “(IV) responding to and cooperating with requests for evidence and  
21 information.; and  
22

23 (4) by striking “investigation and prosecution”  
24 each place it appears and inserting “investigation or  
25 prosecution”.

1 (b) TRAFFICKING VICTIM REGULATIONS.—Section  
2 107(e) of the Trafficking Victims Protection Act of 2000  
3 (22 U.S.C. 7105(e)) is amended—

4 (1) in the matter preceding paragraph (1), by  
5 inserting “, the Secretary of Homeland Security,”  
6 after “Attorney General”; and

7 (2) in paragraph (3)—

8 (A) by striking “Federal law enforcement  
9 officials” and inserting “The Department of  
10 Homeland Security”; and

11 (B) by adding at the end the following:  
12 “State or local law enforcement officials may  
13 petition the Department of Homeland Security  
14 for the continued presence for trafficking vic-  
15 tims. If such a petition contains a certification  
16 that a trafficking victim is a victim of a severe  
17 form of trafficking, the presence of the traf-  
18 ficking victim may be permitted in accordance  
19 with this paragraph.”.

20 (c) PROTECTION FROM REMOVAL FOR CERTAIN  
21 CRIME VICTIMS.—Section 107(e)(5) of the Trafficking  
22 Victims Protection Act of 2000 (22 U.S.C. 7105(e)(5))  
23 is amended by striking “Attorney General” each place it  
24 occurs and inserting “Secretary of Homeland Security”.

1 (d) ANNUAL REPORT.—Section 107(g) of the Traf-  
 2 ficking Victims Protection Act of 2000 (22 U.S.C.  
 3 7105(g)) is amended by inserting “or the Secretary of  
 4 Homeland Security” after “Attorney General”.

5 **SEC. 805. PROTECTING VICTIMS OF CHILD ABUSE.**

6 (a) AGING OUT CHILDREN.—Section 204(a)(1)(D) of  
 7 the Immigration and Nationality Act (8 U.S.C.  
 8 1154(a)(1)(D)) is amended—

9 (1) in clause (i)—

10 (A) in subclause (I), by inserting “or sec-  
 11 tion 204(a)(1)(B)(iii)” after “204(a)(1)(A)”  
 12 each place it appears; and

13 (B) in subclause (III), by striking “a peti-  
 14 tioner for preference status under paragraph  
 15 (1), (2), or (3) of section 203(a), whichever  
 16 paragraph is applicable,” and inserting “a  
 17 VAWA self-petitioner”; and

18 (2) by adding at the end the following:

19 “(iv) Any alien who benefits from this subparagraph  
 20 may adjust status in accordance with subsections (a) and  
 21 (c) of section 245 as an alien having an approved petition  
 22 for classification under subparagraph (A)(iii), (A)(iv),  
 23 (B)(ii), or (B)(iii).”.

24 (b) APPLICATION OF CSPA PROTECTIONS.—

1           (1) IMMEDIATE RELATIVE RULES.—Section  
2           201(f) of the Immigration and Nationality Act (8  
3           U.S.C. 1151(f)) is amended by adding at the end  
4           the following:

5           “(4) APPLICATION TO SELF-PETITIONS.—Para-  
6           graphs (1) through (3) shall apply to self-petitioners  
7           and derivatives of self-petitioners.”.

8           (2) CHILDREN RULES.—Section 203(h) of the  
9           Immigration and Nationality Act (8 U.S.C. 1153(h))  
10          is amended by adding at the end the following:

11          “(4) APPLICATION TO SELF-PETITIONS.—Para-  
12          graphs (1) through (3) shall apply to self-petitioners  
13          and derivatives of self-petitioners.”.

14          (c) LATE PETITION PERMITTED FOR IMMIGRANT  
15          SONS AND DAUGHTERS BATTERED AS CHILDREN.—

16          (1) IN GENERAL.—Section 204(a)(1)(D) of the  
17          Immigration and Nationality Act (8 U.S.C.  
18          1154(a)(1)(D)), as amended by subsection (a), is  
19          further amended by adding at the end the following:

20          “(v) For purposes of this paragraph, an individual  
21          who is not less than 21 years of age, who qualified to file  
22          a petition under subparagraph (A)(iv) as of the day before  
23          the date on which the individual attained 21 years of age,  
24          and who did not file such a petition before such day, shall  
25          be treated as having filed a petition under such subpara-

1 graph as of such day if a petition is filed for the status  
 2 described in such subparagraph before the individual at-  
 3 tains 25 years of age. Clauses (i) through (iv) of this sub-  
 4 paragraph shall apply to an individual described in this  
 5 clause in the same manner as an individual filing a peti-  
 6 tion under subparagraph (A)(iv).”.

7 (d) REMOVING A 2-YEAR CUSTODY AND RESIDENCY  
 8 REQUIREMENT FOR BATTERED ADOPTED CHILDREN.—  
 9 Section 101(b)(1)(E)(i) of the Immigration and Nation-  
 10 ality Act (8 U.S.C. 1101(b)(1)(E)(i)) is amended by in-  
 11 serting before the colon the following: “or if the child has  
 12 been battered or subject to extreme cruelty by the adopt-  
 13 ing parent or by a family member of the adopting parent  
 14 residing in the same household”.

## 15 **Subtitle B—VAWA Self-Petitioners**

### 16 **SEC. 811. DEFINITION OF VAWA SELF-PETITIONER.**

17 Section 101(a) of the Immigration and Nationality  
 18 Act (8 U.S.C. 1101(a)) is amended by adding at the end  
 19 the following:

20 “(51) The term ‘VAWA self-petitioner’ means  
 21 an alien, or a child of the alien, who qualifies for re-  
 22 lief under—

23 “(A) clause (iii), (iv), or (vii) of section  
 24 204(a)(1)(A);

1 “(B) clause (ii) or (iii) of section  
2 204(a)(1)(B);

3 “(C) the first section of Public Law 89–  
4 732 (8 U.S.C. 1255 note) (commonly known as  
5 the Cuban Adjustment Act) as a child or spouse  
6 who has been battered or subjected to extreme  
7 cruelty;

8 “(D) section 902(d)(1)(B) of the Haitian  
9 Refugee Immigration Fairness Act of 1998 (8  
10 U.S.C. 1255 note);

11 “(E) section 202(d)(1) of the Nicaraguan  
12 Adjustment and Central American Relief Act;  
13 or

14 “(F) section 309 of the Illegal Immigration  
15 Reform and Immigrant Responsibility Act of  
16 1996 (division C of Public Law 104–208).”.

17 **SEC. 812. APPLICATION TO FIANCEES WHO DO NOT MARRY**  
18 **WITHIN 90 DAY PERIOD.**

19 (a) IN GENERAL.—Section 214(d) of the Immigra-  
20 tion and Nationality Act (8 U.S.C. 1184(d)) is amended  
21 by inserting before the period at the end the following:  
22 “, unless the alien is eligible for status as a VAWA self-  
23 petitioner, for relief under section 240A(b)(2), or for relief  
24 under section 244(a)(3) (as in effect prior to March 31,

1 1997), and the alien married the United States citizen  
2 who filed the petition under section 101(a)(15)(K)(i)”.

3 (b) EXEMPTION FOR BATTERED IMMIGRANT WOMEN  
4 WHO ENTERED THE UNITED STATES ON FINANCE VISAS  
5 FROM CONDITIONAL RESIDENCY STATUS REQUIRE-  
6 MENT.—Section 245(d) of the Immigration and Nation-  
7 ality Act (8 U.S.C. 1255(d)) is amended—

8 (1) by inserting “(1)” after “(d)”; and

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

10 “(2) The failure of a nonimmigrant described in sec-  
11 tion 101(a)(15)(K) to marry within 3 months of being ad-  
12 mitted in such status does not restrict the Secretary of  
13 Homeland Security’s or the Attorney General’s authority  
14 to adjust the status of the nonimmigrant, or grant relief  
15 under section 240A(b)(2), or under section 244(a)(3) (as  
16 in effect prior to March 31, 1997), provided that—

17 “(A) the alien married the United States citizen  
18 who filed the petition under section  
19 101(a)(15)(K)(i); and

20 “(B) the United States citizen petitioner sub-  
21 jected a VAWA self-petitioner to battery or extreme  
22 cruelty.”.

1 **SEC. 813. APPLICATION IN CASE OF VOLUNTARY DEPART-**  
2 **TURE.**

3 Section 240B(d) of the Immigration and Nationality  
4 Act (8 U.S.C. 1229c(d)) is amended to read as follows:

5 “(d) CIVIL PENALTY FOR FAILURE TO DEPART.—

6 “(1) IN GENERAL.—Subject to paragraph (2),  
7 if an alien is permitted to depart voluntarily under  
8 this section and voluntarily fails to depart the  
9 United States within the time period specified, the  
10 alien—

11 “(A) shall be subject to a civil penalty of  
12 not less than \$1,000 and not more than  
13 \$5,000; and

14 “(B) shall be ineligible, for a period of 10  
15 years, to receive any further relief under this  
16 section and sections 240A, 245, 248, and 249.

17 “(2) APPLICATION OF VAWA PROTECTIONS.—

18 The restrictions on relief under paragraph (1) shall  
19 not apply to relief under section 240A or 245 on the  
20 basis of a petition filed by a VAWA self-petitioner,  
21 or a petition filed under section 240A(b)(2), or  
22 under section 244(a)(3) (as in effect prior to March  
23 31, 1997), if the extreme cruelty or battering oc-  
24 curred before the alien overstayed the grant of vol-  
25 untary departure.

1           “(3) NOTICE OF PENALTIES.—The order per-  
2           mitting an alien to depart voluntarily shall inform  
3           the alien of the penalties under this subsection.”.

4 **SEC. 814. REMOVAL PROCEEDINGS.**

5           (a) EXCEPTIONAL CIRCUMSTANCES.—

6           (1) IN GENERAL.—Section 240(e)(1) of the Im-  
7           migration and Nationality Act (8 U.S.C.  
8           1229a(e)(1)) is amended by striking “serious illness  
9           of the alien” and inserting “battery or extreme cru-  
10          elty to the alien or any child or parent of the alien,  
11          serious illness of the alien,”.

12          (2) EFFECTIVE DATE.—The amendment made  
13          by paragraph (1) shall apply to a failure to appear  
14          that occurs before, on, or after the date of the enact-  
15          ment of this Act.

16          (b) NONAPPLICATION OF REINSTATEMENT OF RE-  
17          MOVAL.—

18          (1) IN GENERAL.—Section 241(a)(5) of the Im-  
19          migration and Nationality Act (8 U.S.C. 1231(a)(5))  
20          is amended—

21                  (A) by striking “If the Attorney General”  
22                  and inserting the following:

23                          “(A) IN GENERAL.—If the Secretary of  
24                          Homeland Security”; and

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

1           “(B) EXEMPTION.—The provisions of sub-  
2           paragraph (A) shall not apply to an alien who  
3           has been battered or subjected to extreme cru-  
4           elty or who is a crime victim whom the Attor-  
5           ney General or Secretary of Homeland Security  
6           determines may be statutorily eligible for classi-  
7           fication under subparagraph (T) or (U) of sec-  
8           tion 101(a)(15), for classification under sub-  
9           paragraph (A)(1)(iii), (A)(1)(iv), (B)(ii),  
10          (B)(iii), or (B)(iv) of section 204(a)(1), for  
11          classification as a VAWA self-petitioner, or for  
12          relief under section 240A(b)(2) or section  
13          244(a)(3) (as in effect prior to March 31,  
14          1997).”.

15          (2) EFFECTIVE DATE.—The amendments made  
16          by paragraph (1) and the exemption in paragraph  
17          (2) shall apply to those eligible relief before, on, or  
18          after the date of enactment of this Act.

19          (c) RESTRICTION ON REMOVAL WHILE VAWA PETI-  
20          TION PENDING.—

21                 (1) IN GENERAL.—Section 240 of the Immigra-  
22                 tion and Nationality Act (8 U.S.C. 1229a) is amend-  
23                 ed by adding at the end the following:

24                 “(f) RESTRICTION ON REMOVAL WHILE PETITION  
25                 PENDING.—An alien who is a VAWA self-petitioner, the

1 beneficiary under subparagraph (T) or (U) of section  
2 101(a)(15) who meets the requirement of section  
3 240A(b)(2) or subparagraphs (A) through (C) of section  
4 216(c)(4), or who qualifies for relief under section  
5 244(a)(3) (as in effect on March 31, 1997)—

6 “(1) shall not be removed or deported unless  
7 the petition is denied and all opportunities for ap-  
8 peal of the denial have been exhausted; and

9 “(2) shall not be detained while in removal pro-  
10 ceedings, unless mandatory detention is required  
11 under section 236A or 236(c).”.

12 (2) WAIVERS AND EXCEPTIONS.—Section  
13 236(c)(2) of the Immigration and Nationality Act (8  
14 U.S.C. 1226) is amended—

15 (A) in paragraph (2) by inserting “(A)”  
16 before “The Attorney General may release an  
17 alien described in paragraph (1) only”; and

18 (B) adding at the end the following:

19 “(B) The Secretary of Homeland Security  
20 or the Attorney General may release on their  
21 own recognizance an alien described in para-  
22 graph (1) if the Secretary or the Attorney Gen-  
23 eral determines that the alien may qualify for—

1                   “(i) a waiver under section  
2                   212(d)(13), 212(d)(14), 212(h),  
3                   237(a)(2)(A)(v), or 237(a)(7); or

4                   “(ii) an exception under section  
5                   204(a)(1)(C); or

6                   “(iii) relief under section 240A(a).”.

7           (d) CLARIFYING APPLICATION OF DOMESTIC VIO-  
8 LENCE WAIVER AUTHORITY IN CANCELLATION OF RE-  
9 MOVAL.—

10           (1) IN GENERAL.—Section 240A(b) of the Im-  
11 migration and Nationality Act (8 U.S.C. 1229b(b))  
12 is amended—

13           (A) in paragraph (1)(C), by striking “(ex-  
14 cept in a case described in section 237(a)(7)  
15 where the Attorney General exercises discretion  
16 to grant a waiver)” and inserting “, subject to  
17 paragraph (5)”;

18           (B) in paragraph (2)(A)(iv), by striking  
19 “(except in a case described in section  
20 237(a)(7) where the Attorney General exercises  
21 discretion to grant a waiver)” and inserting “,  
22 subject to paragraph (5)”;

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

24           “(5) APPLICATION OF DOMESTIC VIOLENCE  
25 WAIVER AUTHORITY.—The authority provided under

1 section 237(a)(7) shall apply under paragraphs  
2 (1)(B), (1)(C), and (2)(A)(iv) in a cancellation of re-  
3 moval and adjustment of status proceeding.”.

4 **SEC. 815. ELIMINATING ABUSERS’ CONTROL OVER APPLI-**  
5 **CATIONS FOR ADJUSTMENTS OF STATUS.**

6 (a) APPLICATION OF VAWA DEPORTATION PROTEC-  
7 TIONS TO ALIENS ELIGIBLE FOR RELIEF UNDER CUBAN  
8 ADJUSTMENT AND HAITIAN REFUGEE IMMIGRATION  
9 FAIRNESS ACT.—Section 1506(c)(2) of the Violence  
10 Against Women Act of 2000 (8 U.S.C. 1229a note; divi-  
11 sion B of Public Law 106–386) is amended—

12 (1) in subparagraph (A)—

13 (A) by amending clause (i) to read as fol-  
14 lows:

15 “(i) if the basis of the motion is to  
16 apply for relief under—

17 “(I) clause (iii) or (iv) of section  
18 204(a)(1)(A) of the Immigration and  
19 Nationality Act (8 U.S.C.  
20 1154(a)(1)(A));

21 “(II) clause (ii) or (iii) of section  
22 204(a)(1)(B) of such Act (8 U.S.C.  
23 1154(a)(1)(B));

24 “(III) section 244(a)(3) of such  
25 Act (8 U.S.C. 8 U.S.C. 1254(a)(3));

1                   “(IV) the first section of Public  
2                   Law 89–732 (8 U.S.C. 1255 note)  
3                   (commonly known as the Cuban Ad-  
4                   justment Act) as a child or spouse  
5                   who has been battered or subjected to  
6                   extreme cruelty; or

7                   “(V) section 902(d)(1)(B) of the  
8                   Haitian Refugee Immigration Fair-  
9                   ness Act of 1998 (8 U.S.C. 1255  
10                  note); and”;

11                  (B) in clause (ii), by inserting “or adjust-  
12                  ment of status” after “suspension of deporta-  
13                  tion”; and

14                  (2) in subparagraph (B)(ii), by striking “for re-  
15                  lief” and all that follows through “1101 note))” and  
16                  inserting “for relief described in subparagraph  
17                  (A)(i)”.

18                  (b) EMPLOYMENT AUTHORIZATION FOR VAWA  
19                  SELF-PETITIONERS.—Section 204(a)(1) of the Immigra-  
20                  tion and Nationality Act (8 U.S.C. 1154(a)(1)) is amend-  
21                  ed by adding at the end the following:

22                  “(1) An alien who is in the United States and has  
23                  a petition, pending or approved as a VAWA self-petitioner,  
24                  that sets forth a prima facie case for status or classifica-

1 tion under such clause shall be eligible for employment au-  
2 thorization.”.

3 **SEC. 816. APPLICATION FOR VAWA-RELATED RELIEF.**

4 (a) **IN GENERAL.**—Section 202(d)(1) of the Nica-  
5 ragan Adjustment and Central American Relief Act (8  
6 U.S.C. 1255 note; Public Law 105–100) is amended—

7 (1) in subparagraph (B)(ii), by inserting “, or  
8 was eligible for adjustment,” after “whose status is  
9 adjusted”; and

10 (2) in subparagraph (E), by inserting “, or, in  
11 the case of an alien who qualifies under subpara-  
12 graph (B)(ii), applies for such adjustment during  
13 the 18-month period beginning on the date of enact-  
14 ment of the Violence Against Women Act of 2005”  
15 after “April 1, 2000”.

16 (b) **TECHNICAL AMENDMENT.**—Section 202(d)(3) of  
17 such Act (8 U.S.C. 1255 note; Public Law 105–100) is  
18 amended by striking “204(a)(1)(H)” and inserting  
19 “204(a)(1)(J)”.

20 (c) **EFFECTIVE DATE.**—The amendment made by  
21 subsection (b) shall take effect as if included in the enact-  
22 ment of the Violence Against Women Act of 2000 (division  
23 B of Public Law 106–386; 114 Stat. 1491).

1 **SEC. 817. SELF-PETITIONING PARENTS.**

2 Section 204(a)(1)(A) of the Immigration and Nation-  
3 ality Act (8 U.S.C. 1154(a)(1)(A)) is amended by adding  
4 at the end the following:

5 “(vii) An alien may file a petition with the Secretary  
6 of Homeland Security under this subparagraph for classi-  
7 fication of the alien under section 201(b)(2)(A)(i) if the  
8 alien—

9 “(I) is the parent of a citizen of the United  
10 States or was a parent of a citizen of the United  
11 States who, within the past 2 years, lost or re-  
12 nounced citizenship status related to an incident of  
13 domestic violence or died;

14 “(II) is a person of good moral character;

15 “(III) is eligible to be classified as an imme-  
16 diate relative under section 201(b)(2)(A)(i);

17 “(IV) resides, or has resided, with the citizen  
18 daughter or son; and

19 “(V) demonstrates that the alien has been bat-  
20 tered or subject to extreme cruelty by the citizen  
21 daughter or son.”.

22 **SEC. 818. VAWA CONFIDENTIALITY NON-DISCLOSURE.**

23 Section 384 of the Illegal Immigration Reform and  
24 Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a))  
25 is amended—

26 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),  
2 by striking “(including any bureau or agency of  
3 such Department)” and inserting “, the Sec-  
4 retary of Homeland Security, the Secretary of  
5 State, or any other official or employee of the  
6 Department of Homeland Security or Depart-  
7 ment of State (including any bureau or agency  
8 of either of such Departments)”; and

9 (B) in paragraph (1)—

10 (i) in subparagraph (D), by striking  
11 “or” at the end;

12 (ii) in subparagraph (E), by adding  
13 “or” at the end; and

14 (iii) by inserting after subparagraph  
15 (E) the following:

16 “(F) in the case of an alien applying for  
17 status under section 101(a)(15)(T) of the Im-  
18 migration and Nationality Act (8 U.S.C.  
19 1101(a)(15)(T)), under section  
20 107(b)(1)(E)(i)(II)(bb) of the Trafficking Vic-  
21 tims Protection Act of 2000 (22 U.S.C. 7105),  
22 under section 244(a)(3) of the Immigration and  
23 Nationality Act (8 U.S.C. 1254a(a)(3)), as in  
24 effect prior to March 31, 1999, or as a VAWA  
25 self-petitioner (as defined in section 101(a)(51)

1 of the Immigration and Nationality Act (8  
2 U.S.C. 1101(a)(51)), the trafficker or perpe-  
3 trator,”.

4 (2) in subsection (b)(2), by inserting “or his  
5 other designee” after “the discretion of the Attorney  
6 General.”.

## 7 **Subtitle C—Miscellaneous** 8 **Amendments**

### 9 **SEC. 821. DURATION OF T AND U VISAS.**

10 (a) T VISAS.—Section 214(o) of the Immigration and  
11 Nationality Act (8 U.S.C. 1184(o)) is amended by adding  
12 at the end the following:

13 “(7)(A) Except as provided in subparagraph (B), an  
14 alien who is issued a visa or otherwise provided non-  
15 immigrant status under section 101(a)(15)(T) may be  
16 granted such status for a period of not more than 4 years.

17 “(B) An alien who is issued a visa or otherwise pro-  
18 vided nonimmigrant status under section 101(a)(15)(T)  
19 may extend the period of such status beyond the period  
20 described in subparagraph (A) if a Federal, State, or local  
21 law enforcement official, prosecutor, judge, or other au-  
22 thority investigating or prosecuting activity relating to  
23 human trafficking or certifies that the presence of the  
24 alien in the United States is necessary to assist in the  
25 investigation or prosecution of such activity.”.

1 (b) U VISAS.—Section 214(p) of the Immigration  
2 and Nationality Act (8 U.S.C. 1184(p)) is amended by  
3 adding at the end the following:

4 “(6) DURATION OF STATUS.—The authorized  
5 period of status of an alien as a nonimmigrant  
6 under section 101(a)(15)(U) shall be 4 years, but  
7 shall be extended upon certification from a Federal,  
8 State, or local law enforcement official, prosecutor,  
9 judge, or other Federal, State, or local authority in-  
10 vestigating or prosecuting criminal activity described  
11 in section 101(a)(15)(U)(iii) that the alien’s contin-  
12 ued presence in the United States is required to as-  
13 sist in the investigation or prosecution of such crimi-  
14 nal activity.”.

15 (c) PERMITTING CHANGE OF NONIMMIGRANT STA-  
16 TUS TO T AND U NONIMMIGRANT STATUS.—

17 (1) IN GENERAL.—Section 248 of the Immigra-  
18 tion and Nationality Act (8 U.S.C. 1258) is amend-  
19 ed—

20 (A) by striking “The Attorney General”  
21 and inserting “(a) The Secretary of Homeland  
22 Security”;

23 (B) by inserting “(subject to subsection  
24 (b))” after “except”; and

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

1 “(b) The exceptions specified in paragraphs (1)  
2 through (4) of subsection (a) shall not apply to a change  
3 of nonimmigrant classification to that of a nonimmigrant  
4 under subparagraph (T) or (U) of section 101(a)(15).”.

5 (2) CONFORMING AMENDMENT.—Section  
6 214(l)(2)(A) of the Immigration and Nationality Act  
7 (8 U.S.C. 1184(l)(2)(A)) is amended by striking  
8 “248(2)” and inserting “248(a)(2)”.

9 **SEC. 822. TECHNICAL CORRECTION TO REFERENCES IN AP-**  
10 **PLICATION OF SPECIAL PHYSICAL PRESENCE**  
11 **AND GOOD MORAL CHARACTER RULES.**

12 (a) PHYSICAL PRESENCE RULES.—Section  
13 240A(b)(2)(B) of the Immigration and Nationality Act (8  
14 U.S.C. 1229b(b)(2)(B)) is amended—

15 (1) in the first sentence, by striking  
16 “(A)(i)(II)” and inserting “(A)(ii)”; and

17 (2) in the fourth sentence, by striking “sub-  
18 section (b)(2)(B) of this section” and inserting “this  
19 subparagraph, subparagraph (A)(ii),”.

20 (b) MORAL CHARACTER RULES.—Section  
21 240A(b)(2)(C) of the Immigration and Nationality Act (8  
22 U.S.C. 1229b(b)(2)(C)) is amended by striking  
23 “(A)(i)(III)” and inserting “(A)(iii)”.

24 (c) CORRECTION OF CROSS-REFERENCE ERROR IN  
25 APPLYING GOOD MORAL CHARACTER.—

1           (1) IN GENERAL.—Section 101(f)(3) of the Im-  
2 migration and Nationality Act (8 U.S.C. 1101(f)(3))  
3 is amended by striking “(9)(A)” and inserting  
4 “(10)(A)”.

5           (2) EFFECTIVE DATE.—The amendment made  
6 by paragraph (1) shall be effective as if included in  
7 section 603(a)(1) of the Immigration Act of 1990  
8 (Public Law 101–649; 104 Stat. 5082).

9 **SEC. 823. PETITIONING RIGHTS OF CERTAIN FORMER**  
10 **SPOUSES UNDER CUBAN ADJUSTMENT.**

11           (a) IN GENERAL.—The first section of Public Law  
12 89–732 (8 U.S.C. 1255 note) (commonly known as the  
13 Cuban Adjustment Act) is amended—

14           (1) in the last sentence, by striking  
15 “204(a)(1)(H)” and inserting “204(a)(1)(J)”; and

16           (2) by adding at the end the following: “An  
17 alien who was the spouse of any Cuban alien de-  
18 scribed in this section and has resided with such  
19 spouse shall continue to be treated as such a spouse  
20 for 2 years after the date on which the Cuban alien  
21 dies (or, if later, 2 years after the date of enactment  
22 of Violence Against Women Act of 2005), or for 2  
23 years after the date of termination of the marriage  
24 (or, if later, 2 years after the date of enactment of  
25 Violence Against Women Act of 2005) if there is

1 demonstrated a connection between the termination  
2 of the marriage and the battering or extreme cruelty  
3 by the Cuban alien.”.

4 (b) EFFECTIVE DATE.—The amendment made by  
5 subsection (a)(1) shall take effect as if included in the en-  
6 actment of the Violence Against Women Act of 2000 (divi-  
7 sion B of Public Law 106–386; 114 Stat. 1491).

8 **SEC. 824. SELF-PETITIONING RIGHTS OF HRIFA APPLI-**  
9 **CANTS.**

10 (a) IN GENERAL.—Section 902(d)(1)(B) of the Hai-  
11 tian Refugee Immigration Fairness Act of 1998 (8 U.S.C.  
12 1255 note) is amended—

13 (1) in clause (i), by striking “whose status is  
14 adjusted to that of an alien lawfully admitted for  
15 permanent residence” and inserting “who is or was  
16 eligible for classification”;

17 (2) in clause (ii), by striking “whose status is  
18 adjusted to that of an alien lawfully admitted for  
19 permanent residence” and inserting “who is or was  
20 eligible for classification”; and

21 (3) in clause (iii), by striking “204(a)(1)(H)”  
22 and inserting “204(a)(1)(J)”.

23 (b) EFFECTIVE DATE.—The amendment made by  
24 subsection (a)(3) shall take effect as if included in the en-

1 actment of the Violence Against Women Act of 2000 (divi-  
2 sion B of Public Law 106–386; 114 Stat. 1491).

3 **SEC. 825. DEPORTATION PROCEEDINGS.**

4 (a) DEPORTATION OR REMOVAL PROCEEDINGS.—

5 (1) IN GENERAL.—Section 240(c)(6)(C) of the  
6 Immigration and Nationality Act (8 U.S.C.  
7 1229a(c)(6)(C)) is amended—

8 (A) in clause (iv), by striking “The dead-  
9 line specified in subsection (b)(5)(C) for filing  
10 a motion to reopen does not apply—” and in-  
11 sserting “No limitation on number of motions or  
12 on deadlines for filing motions under other pro-  
13 visions of this section shall apply—”; and

14 (B) by adding at the end the following:

15 “(v) STAY OF REMOVAL.—The filing  
16 of the motion described in clause (iv) shall  
17 stay the removal of the alien pending a  
18 final disposition of the motion, including  
19 the exhaustion of all appeals. Only 1 spe-  
20 cial motion under clause (iv) is per-  
21 mitted.”.

22 (2) EFFECTIVE DATE.—The amendments made  
23 by paragraph (1) shall take effect as if included in  
24 the enactment of section 442(a) of the Antiterrorism

1 and Effective Death Penalty Act of 1996 (Public  
2 Law 104–132; 110 Stat. 1279).

3 (b) MOTIONS TO REOPEN DEPORTATION PRO-  
4 CEEDINGS.—Section 1506(c)(2)(A) of the Violence  
5 Against Women Act of 2000 (division B of Public Law  
6 106–386; 8 U.S.C. 1229a note) is amended—

7 (1) by inserting “on number of motions or  
8 deadlines for filing motions” after “Notwithstanding  
9 any limitation”;

10 (2) by inserting “, deadline, or limit on number  
11 of motions” after “there is no time limit”; and

12 (3) by striking “, and the” and inserting “. The  
13 filing of a motion described in clauses (i) and (ii)  
14 shall stay the removal of the aliens pending a final  
15 disposition of the motion, including the exhaustion  
16 of all appeals. Only 1 motion under clauses (i) and  
17 (ii) is permitted. The”.

18 (c) CONFORMING AMENDMENTS.—Section 212(a) of  
19 the Immigration and Nationality Act (8 U.S.C. 1182(a))  
20 is amended—

21 (1) in paragraph (6)(A)(ii)(III), by striking  
22 “substantial”; and

23 (2) in paragraph (9)(B)(iii)(IV), by striking  
24 “who would be described in paragraph (6)(A)(ii)”  
25 and inserting “who demonstrates that the alien is

1 described in subclauses (I) and (II) of paragraph  
2 (b)(A)(ii)”.

3 **SEC. 826. LIMITATIONS ON ENFORCEMENT.**

4 Section 287 of the Immigration and Nationality Act  
5 (8 U.S.C. 1357) is amended by adding at the end the fol-  
6 lowing:

7 “(h) Immigration officers and employees shall not un-  
8 dertake any civil immigration enforcement action—

9 “(1) at a domestic violence shelter, a victims  
10 services organization or program, a rape crisis cen-  
11 ter, a family justice center, or a supervised visitation  
12 center; or

13 “(2) at, or in connection with the appearance  
14 at, a courthouse of an alien who is appearing in con-  
15 nection with a protection order case, child custody  
16 case, or other civil or criminal case relating to do-  
17 mestic violence, sexual assault, trafficking, or stalk-  
18 ing in which the alien has been battered or subject  
19 to extreme cruelty or who is described in subpara-  
20 graph (T) or (U) of section 101(a)(15).”.

21 **SEC. 827. PROTECTING ABUSED JUVENILES.**

22 Section 287 of the Immigration and Nationality Act  
23 (8 U.S.C. 1357), as amended by section 726, is further  
24 amended by adding at the end the following—



1 1,000 among Hispanic women, and 1 per 1,000  
2 among Asian women;

3 (3) Indian women experience the violent crime  
4 of battering at a rate of 23.2 per 1,000, compared  
5 with 8 per 1,000 among Caucasian women;

6 (4) during the period 1979 through 1992,  
7 homicide was the third leading cause of death of In-  
8 dian females aged 15 to 34, and 75 percent were  
9 killed by family members or acquaintances;

10 (5) Indian tribes require additional criminal  
11 justice and victim services resources to respond to  
12 violent assaults against women; and

13 (6) the unique legal relationship of the United  
14 States to Indian tribes creates a Federal trust re-  
15 sponsibility to assist tribal governments in safe-  
16 guarding the lives of Indian women.

17 **SEC. 902. PURPOSES.**

18 The purposes of this title are—

19 (1) to decrease the incidence of violent crimes  
20 against Indian women;

21 (2) to strengthen the capacity of Indian tribes  
22 to exercise their sovereign authority to respond to  
23 violent crimes committed against Indian women; and

1           (3) to ensure that perpetrators of violent crimes  
2           committed against Indian women are held account-  
3           able for their criminal behavior.

4 **SEC. 903. CONSULTATION.**

5           (a) IN GENERAL.—The Attorney General shall con-  
6           duct annual consultations with Indian tribal governments  
7           concerning the Federal administration of tribal funds and  
8           programs established under this Act, the Violence Against  
9           Women Act of 1994 (title IV of Public Law 103–322; 108  
10          Stat. 1902) and the Violence Against Women Act of 2000  
11          (division B of Public Law 106–386; 114 Stat. 1491).

12          (b) RECOMMENDATIONS.—During consultations  
13          under subsection (a), the Secretary and the Attorney Gen-  
14          eral shall solicit recommendations from Indian tribes con-  
15          cerning—

16                (1) administering tribal funds and programs;

17                (2) enhancing the safety of Indian women from  
18                domestic violence, dating violence, sexual assault,  
19                and stalking; and

20                (3) strengthening the Federal response to such  
21                violent crimes.

22 **SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**  
23 **INDIAN WOMEN.**

24           (a) NATIONAL BASELINE STUDY.—

1           (1) IN GENERAL.—The National Institute of  
2 Justice, in consultation with the Office on Violence  
3 Against Women, shall conduct a national baseline  
4 study to examine violence against Indian women in  
5 Indian country.

6           (2) SCOPE.—

7           (A) IN GENERAL.—The study shall exam-  
8 ine violence committed against Indian women,  
9 including—

10                   (i) domestic violence;

11                   (ii) dating violence;

12                   (iii) sexual assault;

13                   (iv) stalking; and

14                   (v) murder.

15           (B) EVALUATION.—The study shall evalu-  
16 ate the effectiveness of Federal, State, tribal,  
17 and local responses to the violations described  
18 in subparagraph (A) committed against Indian  
19 women.

20           (C) RECOMMENDATIONS.—The study shall  
21 propose recommendations to improve the effec-  
22 tiveness of Federal, State, tribal, and local re-  
23 sponses to the violation described in subpara-  
24 graph (A) committed against Indian women.

25           (3) TASK FORCE.—

1 (A) IN GENERAL.—The Attorney General,  
2 acting through the Director of the Office on Vi-  
3 olence Against Women, shall establish a task  
4 force to assist in the development and imple-  
5 mentation of the study under paragraph (1)  
6 and guide implementation of the recommenda-  
7 tion in paragraph (2)(C).

8 (B) MEMBERS.—The Director shall ap-  
9 point to the task force representatives from—

10 (i) national tribal domestic violence  
11 and sexual assault nonprofit organizations;

12 (ii) tribal governments; and

13 (iii) representatives from the national  
14 tribal organizations.

15 (4) REPORT.—Not later than 2 years after the  
16 date of enactment of this Act, the Attorney General  
17 shall submit to the Committee on Indian Affairs of  
18 the Senate, the Committee on the Judiciary of the  
19 Senate, and the Committee on the Judiciary of the  
20 House of Representatives a report that describes the  
21 study.

22 (5) AUTHORIZATION OF APPROPRIATIONS.—  
23 There is authorized to be appropriated to carry out  
24 this section \$1,000,000 for each of fiscal years 2006  
25 and 2007, to remain available until expended.

1 (b) INJURY STUDY.—

2 (1) IN GENERAL.—The Secretary of Health and  
3 Human Services, acting through the Indian Health  
4 Service and the Injury Control Division of the Cen-  
5 ters for Disease Control and Prevention, shall con-  
6 duct a study to obtain a national projection of—

7 (A) the incidence of injuries and homicides  
8 resulting from domestic violence, dating vio-  
9 lence, sexual assault, or stalking committed  
10 against American Indian and Alaska Native  
11 women; and

12 (B) the cost of providing health care for  
13 the injuries described in subparagraph (A).

14 (2) REPORT.—Not later than 2 years after the  
15 date of enactment of this Act, the Secretary of  
16 Health and Human Services shall submit to the  
17 Committee on Indian Affairs of the Senate, the  
18 Committee on the Judiciary of the Senate, and the  
19 Committee on the Judiciary of the House of Rep-  
20 resentatives a report that describes the findings  
21 made in the study and recommends for health care  
22 strategies for reducing the incidence and cost of the  
23 injuries described in paragraph (1).

24 (3) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to carry out

1       this section \$500,000 for each of fiscal years 2006  
2       and 2007, to remain available until expended.

3 **SEC. 905. TRACKING OF VIOLENCE AGAINST INDIAN**  
4                                   **WOMEN.**

5       (a) ACCESS TO FEDERAL CRIMINAL INFORMATION  
6 DATABASES.—Section 534 of title 28, United States Code,  
7 is amended—

8               (1) by redesignating subsection (d) as sub-  
9       section (e); and

10              (2) by inserting after subsection (c) the fol-  
11       lowing:

12       “(d) INDIAN LAW ENFORCEMENT AGENCIES.—The  
13 Attorney General shall permit Indian law enforcement  
14 agencies, in cases of domestic violence, dating violence,  
15 sexual assault, and stalking, to enter information into  
16 Federal criminal information databases and to obtain in-  
17 formation from the databases.”.

18       (b) TRIBAL REGISTRY.—

19              (1) ESTABLISHMENT.—The Attorney General  
20 shall contract with any interested Indian tribe, tribal  
21 organization, or tribal nonprofit organization to de-  
22 velop and maintain—

23                      (A) a national tribal sex offender registry;

24                      and

1 (B) a tribal protection order registry con-  
2 taining civil and criminal orders of protection  
3 issued by Indian tribes and participating juris-  
4 dictions.

5 (2) AUTHORIZATION OF APPROPRIATIONS.—

6 There is authorized to be appropriated to carry out  
7 this section \$1,000,000 for each of fiscal years 2006  
8 through 2010, to remain available until expended.

9 **SEC. 906. TRIBAL DEPUTY IN THE OFFICE ON VIOLENCE**  
10 **AGAINST WOMEN.**

11 Part T of title I of the Omnibus Crime Control and  
12 Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is  
13 amended by adding at the end the following:

14 **“SEC. 2007. TRIBAL DEPUTY.**

15 “(a) ESTABLISHMENT.—There is established in the  
16 Office on Violence Against Women a Deputy Director for  
17 Tribal Affairs.

18 “(b) DUTIES.—

19 “(1) IN GENERAL.—The Deputy Director shall  
20 under the guidance and authority of the Director of  
21 the Office on Violence Against Women—

22 “(A) oversee and manage the administra-  
23 tion of grants to and contracts with Indian  
24 tribes, tribal courts, tribal organizations, or  
25 tribal nonprofit organizations;

1           “(B) ensure that, if a grant under this Act  
2 or a contract pursuant to such a grant is made  
3 to an organization to perform services that ben-  
4 efit more than 1 Indian tribe, the approval of  
5 each Indian tribe to be benefited shall be a pre-  
6 requisite to the making of the grant or letting  
7 of the contract;

8           “(C) coordinate development of Federal  
9 policy, protocols, and guidelines on matters re-  
10 lating to violence against Indian women;

11           “(D) advise the Director of the Office on  
12 Violence Against Women concerning policies,  
13 legislation, implementation of laws, and other  
14 issues relating to violence against Indian  
15 women;

16           “(E) represent the Office on Violence  
17 Against Women in the annual consultations  
18 under section 903;

19           “(F) provide technical assistance, coordina-  
20 tion, and support to other offices and bureaus  
21 in the Department of Justice to develop policy  
22 and to enforce Federal laws relating to violence  
23 against Indian women, including through litiga-  
24 tion of civil and criminal actions relating to  
25 those laws;

1           “(G) maintain a liaison with the judicial  
2           branches of Federal, State, and tribal govern-  
3           ments on matters relating to violence against  
4           Indian women;

5           “(H) support enforcement of tribal protec-  
6           tion orders and implementation of full faith and  
7           credit educational projects and comity agree-  
8           ments between Indian tribes and States; and

9           “(I) ensure that adequate tribal technical  
10          assistance is made available to Indian tribes,  
11          tribal courts, tribal organizations, and tribal  
12          nonprofit organizations for all programs relat-  
13          ing to violence against Indian women.

14          “(c) AUTHORITY.—

15               “(1) IN GENERAL.—The Deputy Director shall  
16          ensure that a portion of the tribal set-aside funds  
17          from any grant awarded under this Act, the Violence  
18          Against Women Act of 1994 (title IV of Public Law  
19          103–322; 108 Stat. 1902), or the Violence Against  
20          Women Act of 2000 (division B of Public Law 106–  
21          386; 114 Stat. 1491) is used to enhance the capac-  
22          ity of Indian tribes to address the safety of Indian  
23          women.

24               “(2) ACCOUNTABILITY.—The Deputy Director  
25          shall ensure that some portion of the tribal set-aside

1 funds from any grant made under this part is used  
2 to hold offenders accountable through—

3 “(A) enhancement to the response of In-  
4 dian tribes to crimes of domestic violence, dat-  
5 ing violence, sexual assault, and stalking  
6 against Indian women, including legal services  
7 for victims and Indian-specific offender pro-  
8 grams;

9 “(B) development and maintenance of trib-  
10 al domestic violence shelters or programs for  
11 battered Indian women, including sexual assault  
12 services, that are based upon the unique cir-  
13 cumstances of the Indian women to be served;

14 “(C) development of tribal educational  
15 awareness programs and materials;

16 “(D) support for customary tribal activities  
17 to strengthen the intolerance of an Indian tribe  
18 to violence against Indian women; and

19 “(E) development, implementation, and  
20 maintenance of tribal electronic databases for  
21 tribal protection order registries.”.

22 **SEC. 907. ENHANCED CRIMINAL LAW RESOURCES.**

23 (a) FIREARMS POSSESSION PROHIBITIONS.—Section  
24 921(33)(A)(i) of title 18, United States Code, is amended

1 to read: “(i) is a misdemeanor under Federal, State, or  
2 Tribal law; and”.

3 (b) LAW ENFORCEMENT AUTHORITY.—Section 4(3)  
4 of the Indian Law Enforcement Reform Act (25 U.S.C.  
5 2803(3) is amended—

6 (1) in subparagraph (A), by striking “or”;

7 (2) in subparagraph (B), by striking the semi-  
8 colon and inserting “, or”; and

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

10 “(C) the offense is a misdemeanor crime of  
11 domestic violence and has, as an element, the  
12 use or attempted use of physical force, or the  
13 threatened use of a deadly weapon, committed  
14 by a current or former spouse, parent, or  
15 guardian of the victim, by a person with whom  
16 the victim shares a child in common, by a per-  
17 son who is cohabitating with or has cohabited  
18 with the victim as a spouse, parent, or guard-  
19 ian, or by a person similarly situated to a  
20 spouse, parent or guardian of the victim, and  
21 the employee has reasonable grounds to believe  
22 that the person to be arrested has committed,  
23 or is committing the crime;”.

1 **SEC. 908. DOMESTIC ASSAULT BY AN HABITUAL OFFENDER.**

2 Chapter 7 of title 18, United States Code, is amended  
3 by adding at the end the following:

4 **“§ 117. DOMESTIC ASSAULT BY AN HABITUAL OF-**  
5 **FENDER.**

6 “Any person who commits a domestic assault within  
7 the special maritime and territorial jurisdiction of the  
8 United States or Indian country and who has a final con-  
9 viction on at least 2 separate prior occasions in Federal,  
10 State, or Indian tribal court proceedings for offenses that  
11 would be, if subject to Federal jurisdiction—

12 “(1) any assault, sexual abuse, or serious vio-  
13 lent felony against a spouse or intimate partner; or

14 “(2) an offense under chapter 110A,  
15 shall be fined under this title, imprisoned for a term of  
16 not more than 5 years, or both, except that if substantial  
17 bodily injury results from violation under this section, the  
18 offender shall be imprisoned for a term of not more than  
19 10 years.”.

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