

In the Senate of the United States,

December 16, 2005.

Resolved, That the bill from the House of Representatives (H.R. 3402) entitled “An Act to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Violence Against Women*

3 *and Department of Justice Reauthorization Act of 2005”.*

1 SEC. 2. TABLE OF CONTENTS.

2 *The table of contents for this Act is as follows:*

- Sec. 1. Short title.*
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.
Sec. 118. Updating protection order definition.
Sec. 119. GAO study and report.
Sec. 120. Grants for outreach to underserved populations.
*Sec. 121. Enhancing culturally and linguistically specific services for victims of
 domestic violence, dating violence, sexual assault, and stalking.*

*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 Enforce-
 ment 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 combat violent crimes on campuses.
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. 403. Public Awareness Campaign.
Sec. 402. Study conducted by the Centers for Disease Control and

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 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. Grant for National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.*

TITLE VIII—PROTECTION OF BATTERED AND TRAFFICKED IMMIGRANTS

Subtitle A—Victims of Crime

- Sec. 801. Treatment of spouse and children of victims.*
Sec. 802. Presence of victims of a severe form of trafficking in persons.
Sec. 803. Adjustment of status.
Sec. 804. Protection and assistance for victims of trafficking.
Sec. 805. Protecting victims of child abuse.

Subtitle B—VAWA Self-Petitioners

- Sec. 811. Definition of VAWA self-petitioner.*
Sec. 812. Application in case of voluntary departure.
Sec. 813. Removal proceedings.
Sec. 814. Eliminating abusers’ control over applications and limitation on petitioning for abusers.
Sec. 815. Application for VAWA-related relief.
Sec. 816. Self-petitioning parents.

Sec. 817. VAWA confidentiality nondisclosure.

Subtitle C—Miscellaneous Amendments

Sec. 821. Duration of T and U visas.

Sec. 822. Technical correction to references in application of special physical presence and good moral character rules.

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

Sec. 824. Self-petitioning rights of HRIFA applicants.

Sec. 825. Motions to reopen.

Sec. 826. Protecting abused juveniles.

Sec. 827. Protection of domestic violence and crime victims from certain disclosures of information.

Sec. 828. Rulemaking.

Subtitle D—International Marriage Broker Regulation

Sec. 831. Short title.

Sec. 832. Access to VAWA protection regardless of manner of entry.

Sec. 833. Domestic violence information and resources for immigrants and regulation of international marriage brokers.

Sec. 834. Sharing of certain information.

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. Grants to Indian tribal governments.

Sec. 907. Tribal deputy in the Office on Violence Against Women.

Sec. 908. Enhanced criminal law resources.

Sec. 909. Domestic assault by an habitual offender.

TITLE X—DNA FINGERPRINTING

Sec. 1001. Short title.

Sec. 1002. Use of opt-out procedure to remove samples from national DNA index.

Sec. 1003. Expanded use of CODIS grants.

Sec. 1004. Authorization to conduct DNA sample collection from persons arrested or detained under Federal authority.

Sec. 1005. Tolling of statute of limitations for sexual-abuse offenses.

TITLE XI—DEPARTMENT OF JUSTICE REAUTHORIZATION

Subtitle A—AUTHORIZATION OF APPROPRIATIONS

Sec. 1101. Authorization of appropriations for fiscal year 2006.

Sec. 1102. Authorization of appropriations for fiscal year 2007.

Sec. 1103. Authorization of appropriations for fiscal year 2008.

Sec. 1104. Authorization of appropriations for fiscal year 2009.

Sec. 1105. Organized retail theft.

Sec. 1106. United States-Mexico Border Violence Task Force.

Sec. 1107. National Gang Intelligence Center.

Subtitle B—IMPROVING THE DEPARTMENT OF JUSTICE'S GRANT PROGRAMS

CHAPTER 1—ASSISTING LAW ENFORCEMENT AND CRIMINAL JUSTICE AGENCIES

- Sec. 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program.*
- Sec. 1112. Clarification of number of recipients who may be selected in a given year to receive Public Safety Officer Medal of Valor.*
- Sec. 1113. Clarification of official to be consulted by Attorney General in considering application for emergency Federal law enforcement assistance.*
- Sec. 1114. Clarification of uses for regional information sharing system grants.*
- Sec. 1115. Integrity and enhancement of national criminal record databases.*
- Sec. 1116. Extension of matching grant program for law enforcement armor vests.*

CHAPTER 2—BUILDING COMMUNITY CAPACITY TO PREVENT, REDUCE, AND CONTROL CRIME

- Sec. 1121. Office of Weed and Seed Strategies.*

CHAPTER 3—ASSISTING VICTIMS OF CRIME

- Sec. 1131. Grants to local nonprofit organizations to improve outreach services to victims of crime.*
- Sec. 1132. Clarification and enhancement of certain authorities relating to crime victims fund.*
- Sec. 1133. Amounts received under crime victim grants may be used by State for training purposes.*
- Sec. 1134. Clarification of authorities relating to Violence Against Women formula and discretionary grant programs.*
- Sec. 1135. Change of certain reports from annual to biennial.*
- Sec. 1136. Grants for young witness assistance.*

CHAPTER 4—PREVENTING CRIME

- Sec. 1141. Clarification of definition of violent offender for purposes of juvenile drug courts.*
- Sec. 1142. Changes to distribution and allocation of grants for drug courts.*
- Sec. 1143. Eligibility for grants under drug court grants program extended to courts that supervise non-offenders with substance abuse problems.*
- Sec. 1144. Term of Residential Substance Abuse Treatment program for local facilities.*
- Sec. 1145. Enhanced residential substance abuse treatment program for State prisoners.*
- Sec. 1146. Residential Substance Abuse Treatment Program for Federal facilities.*

CHAPTER 5—OTHER MATTERS

- Sec. 1151. Changes to certain financial authorities.*
- Sec. 1152. Coordination duties of Assistant Attorney General.*
- Sec. 1153. Simplification of compliance deadlines under sex-offender registration laws.*
- Sec. 1154. Repeal of certain programs.*
- Sec. 1155. Elimination of certain notice and hearing requirements.*

- Sec. 1156. Amended definitions for purposes of Omnibus Crime Control and Safe Streets Act of 1968.*
- Sec. 1157. Clarification of authority to pay subsistence payments to prisoners for health care items and services.*
- Sec. 1158. Office of Audit, Assessment, and Management.*
- Sec. 1159. Community Capacity Development Office.*
- Sec. 1160. Office of Applied Law Enforcement Technology.*
- Sec. 1161. Availability of funds for grants.*
- Sec. 1162. Consolidation of financial management systems of Office of Justice Programs.*
- Sec. 1163. Authorization and change of COPS program to single grant program.*
- Sec. 1164. Clarification of persons eligible for benefits under public safety officers' death benefits programs.*
- Sec. 1165. Pre-release and post-release programs for juvenile offenders.*
- Sec. 1166. Reauthorization of juvenile accountability block grants.*
- Sec. 1167. Sex offender management.*
- Sec. 1168. Evidence-based approaches.*
- Sec. 1169. Reauthorization of matching grant program for school security.*
- Sec. 1170. Technical amendments to Aimee's Law.*

Subtitle C—MISCELLANEOUS PROVISIONS

- Sec. 1171. Technical amendments relating to Public Law 107–56.*
- Sec. 1172. Miscellaneous technical amendments.*
- Sec. 1173. Use of Federal training facilities.*
- Sec. 1174. Privacy officer.*
- Sec. 1175. Bankruptcy crimes.*
- Sec. 1176. Report to Congress on status of United States persons or residents detained on suspicion of terrorism.*
- Sec. 1177. Increased penalties and expanded jurisdiction for sexual abuse offenses in correctional facilities.*
- Sec. 1178. Expanded jurisdiction for contraband offenses in correctional facilities.*
- Sec. 1179. Magistrate judge's authority to continue preliminary hearing.*
- Sec. 1180. Technical corrections relating to steroids.*
- Sec. 1181. Prison Rape Commission extension.*
- Sec. 1182. Longer statute of limitation for human trafficking-related offenses.*
- Sec. 1183. Use of Center for Criminal Justice Technology.*
- Sec. 1184. SEARCH Grants.*
- Sec. 1185. Reauthorization of Law Enforcement Tribute Act.*
- Sec. 1186. Amendment regarding bullying and gangs.*
- Sec. 1187. Transfer of provisions relating to the Bureau of Alcohol, Tobacco, Firearms, and Explosives.*
- Sec. 1188. Reauthorize the Gang Resistance Education and Training Projects Program.*
- Sec. 1189. National Training Center.*
- Sec. 1190. Sense of Congress relating to "good time" release.*
- Sec. 1191. Public employee uniforms.*
- Sec. 1192. Officially approved postage.*
- Sec. 1193. Authorization of additional appropriations.*
- Sec. 1194. Assistance to courts.*
- Sec. 1195. Study and report on correlation between substance abuse and domestic violence at domestic violence shelters.*
- Sec. 1196. Reauthorization of State Criminal Alien Assistance Program.*
- Sec. 1197. Extension of Child Safety Pilot Program.*

Sec. 1198. Transportation and subsistence for special sessions of District Courts.
Sec. 1199. Youth Violence Reduction Demonstration Projects.

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 after*
 4 *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, sex-*
 11 *ual assault or stalking, including immigration, fam-*
 12 *ily, juvenile, and dependency courts, and the judicial*
 13 *officers serving in those courts, including judges, mag-*
 14 *istrate judges, commissioners, justices of the peace, or*
 15 *any other person with decisionmaking authority.*

16 “(2) *CHILD ABUSE AND NEGLECT.*—*The term*
 17 *‘child abuse and neglect’ means any recent act or fail-*
 18 *ure to act on the part of a parent or caregiver with*
 19 *intent to cause death, serious physical or emotional*
 20 *harm, sexual abuse, or exploitation, or an act or fail-*
 21 *ure to act which presents an imminent risk of serious*
 22 *harm. This definition shall not be construed to mean*
 23 *that failure to leave an abusive relationship, in the*

1 *absence of other action constituting abuse or neglect,*
2 *is itself abuse or neglect.*

3 “(3) *COMMUNITY-BASED ORGANIZATION.*—*The*
4 *term ‘community-based organization’ means an orga-*
5 *nization that—*

6 “(A) *focuses primarily on domestic violence,*
7 *dating violence, sexual assault, or stalking;*

8 “(B) *has established a specialized culturally*
9 *specific program that addresses domestic vio-*
10 *lence, dating violence, sexual assault, or stalking;*

11 “(C) *has a primary focus on underserved*
12 *populations (and includes representatives of*
13 *these populations) and domestic violence, dating*
14 *violence, sexual assault, or stalking; or*

15 “(D) *obtains expertise, or shows dem-*
16 *onstrated capacity to work effectively, on domes-*
17 *tic violence, dating violence, sexual assault, and*
18 *stalking through collaboration.*

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

23 “(5) *COURT-BASED AND COURT-RELATED PER-*
24 *SONNEL.*—*The term ‘court-based’ and ‘court-related*

1 *personnel’ mean persons working in the court, wheth-*
2 *er paid or volunteer, including—*

3 *“(A) clerks, special masters, domestic rela-*
4 *tions officers, administrators, mediators, custody*
5 *evaluators, guardians ad litem, lawyers, nego-*
6 *tiators, probation, parole, interpreters, victim as-*
7 *stants, victim advocates, and judicial, adminis-*
8 *trative, or any other professionals or personnel*
9 *similarly involved in the legal process;*

10 *“(B) court security personnel;*

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

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

19 *“(6) DOMESTIC VIOLENCE.—The term ‘domestic*
20 *violence’ includes felony or misdemeanor crimes of vi-*
21 *olence committed by a current or former spouse of the*
22 *victim, by a person with whom the victim shares a*
23 *child in common, by a person who is cohabitating*
24 *with or has cohabitated with the victim as a spouse,*
25 *by a person similarly situated to a spouse of the vic-*

1 *tim under the domestic or family violence laws of the*
 2 *jurisdiction receiving grant monies, or by any other*
 3 *person against an adult or youth victim who is pro-*
 4 *ected from that person’s acts under the domestic or*
 5 *family violence laws of the jurisdiction.*

6 “(7) *DATING PARTNER.*—*The term ‘dating part-*
 7 *ner’ refers to a person who is or has been in a social*
 8 *relationship of a romantic or intimate nature with*
 9 *the abuser, and where the existence of such a relation-*
 10 *ship shall be determined based on a consideration*
 11 *of—*

12 “(A) *the length of the relationship;*

13 “(B) *the type of relationship; and*

14 “(C) *the frequency of interaction between*
 15 *the persons involved in the relationship.*

16 “(8) *DATING VIOLENCE.*—*The term ‘dating vio-*
 17 *lence’ means violence committed by a person—*

18 “(A) *who is or has been in a social relation-*
 19 *ship of a romantic or intimate nature with the*
 20 *victim; and*

21 “(B) *where the existence of such a relation-*
 22 *ship shall be determined based on a consider-*
 23 *ation of the following factors:*

24 “(i) *The length of the relationship.*

25 “(ii) *The type of relationship.*

1 “(iii) *The frequency of interaction be-*
2 *tween the persons involved in the relation-*
3 *ship.*

4 “(9) *ELDER ABUSE.—The term ‘elder abuse’*
5 *means any action against a person who is 50 years*
6 *of age or older that constitutes the willful—*

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

11 “(B) *deprivation by a person, including a*
12 *caregiver, of goods or services with intent to*
13 *cause physical harm, mental anguish, or mental*
14 *illness.*

15 “(10) *INDIAN.—The term ‘Indian’ means a*
16 *member of an Indian tribe.*

17 “(11) *INDIAN COUNTRY.—The term ‘Indian*
18 *country’ has the same meaning given such term in*
19 *section 1151 of title 18, United States Code.*

20 “(12) *INDIAN HOUSING.—The term ‘Indian hous-*
21 *ing’ means housing assistance described in the Native*
22 *American Housing Assistance and Self-Determination*
23 *Act of 1996 (25 U.S.C. 4101 et seq., as amended).*

24 “(13) *INDIAN TRIBE.—The term ‘Indian tribe’*
25 *means a tribe, band, pueblo, nation, or other orga-*

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

8 “(14) *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 “(15) *LAW ENFORCEMENT.*—The term ‘law en-
13 forcement’ means a public agency charged with polic-
14 ing functions, including any of its component bureaus
15 (such as governmental victim services programs), in-
16 cluding those referred to in section 3 of the Indian
17 Enforcement Reform Act (25 U.S.C. 2802).

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

22 “(A) family, tribal, territorial, immigra-
23 tion, employment, administrative agency, hous-
24 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 *“(17) LINGUISTICALLY AND CULTURALLY SPE-*
8 *CIFIC SERVICES.—The term ‘linguistically and cul-*
9 *turally specific services’ means community-based serv-*
10 *ices that offer full linguistic access and culturally spe-*
11 *cific services and resources, including outreach, col-*
12 *laboration, and support mechanisms primarily di-*
13 *rected toward underserved communities.*

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

22 *“(A) a first and last name;*

23 *“(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 religious
7 affiliation, that, in combination with any of sub-
8 paragraphs (A) through (D), would serve to
9 identify any individual.

10 “(19) 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 “(20) 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 in*
2 *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 issued*
8 *as part of a protection order, restraining order,*
9 *or stay away injunction pursuant to State, trib-*
10 *al, territorial, or local law authorizing the*
11 *issuance of protection orders, restraining orders,*
12 *or injunctions for the protection of victims of do-*
13 *mestic violence, dating violence, sexual assault,*
14 *or stalking.*

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

9 “(23) *SEXUAL ASSAULT.*—*The term ‘sexual as-*
10 *sault’ means any conduct prescribed by chapter 109A*
11 *of title 18, United States Code, whether or not the*
12 *conduct occurs in the special maritime and territorial*
13 *jurisdiction of the United States or in a Federal pris-*
14 *on and includes both assaults committed by offenders*
15 *who are strangers to the victim and assaults com-*
16 *mitted by offenders who are known or related by blood*
17 *or marriage to the victim.*

18 “(24) *STALKING.*—*The term ‘stalking’ means en-*
19 *gaging in a course of conduct directed at a specific*
20 *person that would cause a reasonable person to—*

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

23 “(B) *suffer substantial emotional distress.*

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

1 *except as otherwise provided, the Commonwealth of*
2 *Puerto Rico, Guam, American Samoa, the Virgin Is-*
3 *lands, and the Northern Mariana Islands.*

4 “(26) *STATE DOMESTIC VIOLENCE COALITION.*—
5 *The term ‘State domestic violence coalition’ means a*
6 *program determined by the Administration for Chil-*
7 *dren and Families under the Family Violence Preven-*
8 *tion and Services Act (42 U.S.C. 10410(b)).*

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

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

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

23 “(B) *a nongovernmental organization with*
24 *a demonstrated history of addressing domestic*
25 *violence or sexual assault within the territory*

1 *that proposes to incorporate as a nonprofit, non-*
2 *governmental territorial coalition.*

3 “(29) *TRIBAL COALITION.*—*The term ‘tribal coa-*
4 *lition’ means—*

5 “(A) *an established nonprofit, nongovern-*
6 *mental tribal coalition addressing domestic vio-*
7 *lence and sexual assault against American In-*
8 *Indian or Alaskan Native women; or*

9 “(B) *individuals or organizations that pro-*
10 *pose to incorporate as nonprofit, nongovern-*
11 *mental tribal coalitions to address domestic vio-*
12 *lence and sexual assault against American In-*
13 *Indian or Alaska Native women.*

14 “(30) *TRIBAL GOVERNMENT.*—*The term ‘tribal*
15 *government’ means—*

16 “(A) *the governing body of an Indian tribe;*
17 *or*

18 “(B) *a tribe, band, pueblo, nation, or other*
19 *organized group or community of Indians, in-*
20 *cluding any Alaska Native village or regional or*
21 *village corporation (as defined in, or established*
22 *pursuant to, the Alaska Native Claims Settle-*
23 *ment Act (43 U.S.C. 1601 et seq.)), that is recog-*
24 *nized as eligible for the special programs and*

1 *services provided by the United States to Indians*
2 *because of their status as Indians.*

3 “(31) *TRIBAL ORGANIZATION.*—*The term ‘tribal*
4 *organization’ means—*

5 “(A) *the governing body of any Indian*
6 *tribe;*

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

15 “(C) *any tribal nonprofit organization.*

16 “(32) *UNDERSERVED POPULATIONS.*—*The term*
17 *‘underserved populations’ includes populations under-*
18 *served because of geographic location, underserved ra-*
19 *cial and ethnic populations, populations underserved*
20 *because of special needs (such as language barriers,*
21 *disabilities, alienage status, or age), and any other*
22 *population determined to be underserved by the Attor-*
23 *ney General or by the Secretary of Health and*
24 *Human Services, as appropriate.*

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

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

13 “(35) *VICTIM SERVICES OR VICTIM SERVICE PRO-*
14 *VIDER*.—The term ‘victim services’ or ‘victim service
15 *provider*’ means a nonprofit, nongovernmental orga-
16 *nization that assists domestic violence, dating vio-*
17 *lence, sexual assault, or stalking victims, including*
18 *rape crisis centers, domestic violence shelters, faith-*
19 *based organizations, and other organizations, with a*
20 *documented history of effective work concerning do-*
21 *mestic violence, dating violence, sexual assault, or*
22 *stalking.*

23 “(36) *YOUTH*.—The term ‘youth’ means teen and
24 *young adult victims of domestic violence, dating vio-*
25 *lence, 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 tribe, territory, victim service provider, or*
5 *any entity that the Attorney General determines has*
6 *adequately demonstrated financial need.*

7 “(2) *NONDISCLOSURE OF CONFIDENTIAL OR PRI-*
8 *VATE INFORMATION.*—

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

16 “(B) *NONDISCLOSURE.*—*Subject to subpara-*
17 *graphs (C) and (D), grantees and subgrantees*
18 *shall not—*

19 “(i) *disclose any personally identifying*
20 *information or individual information col-*
21 *lected in connection with services requested,*
22 *utilized, or denied through grantees’ and*
23 *subgrantees’ programs; or*

24 “(ii) *reveal individual client informa-*
25 *tion without the informed, written, reason-*

1 ably time-limited consent of the person (or
2 in the case of an unemancipated minor, the
3 minor and the parent or guardian or in the
4 case of persons with disabilities, the guard-
5 ian) about whom information is sought,
6 whether for this program or any other Fed-
7 eral, State, tribal, or territorial grant pro-
8 gram, except that consent for release may
9 not be given by the abuser of the minor,
10 person with disabilities, or the abuser of the
11 other parent of the minor.

12 “(C) *RELEASE.*—If release of information
13 described in subparagraph (B) is compelled by
14 statutory or court mandate—

15 “(i) grantees and subgrantees shall
16 make reasonable attempts to provide notice
17 to victims affected by the disclosure of infor-
18 mation; and

19 “(ii) grantees and subgrantees shall
20 take steps necessary to protect the privacy
21 and safety of the persons affected by the re-
22 lease of the information.

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

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

8 “(ii) court-generated information and
9 law-enforcement generated information con-
10 tained in secure, governmental registries for
11 protection order enforcement purposes; and

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

15 “(E) OVERSIGHT.—Nothing in this para-
16 graph shall prevent the Attorney General from
17 disclosing grant activities authorized in this Act
18 to the chairman and ranking members of the
19 Committee on the Judiciary of the House of Rep-
20 resentatives and the Committee on the Judiciary
21 of the Senate exercising Congressional oversight
22 authority. All disclosures shall protect confiden-
23 tiality and omit personally identifying informa-
24 tion, including location information about indi-
25 viduals.

1 “(3) *APPROVED ACTIVITIES.*—*In carrying out*
2 *the activities under this title, grantees and sub-*
3 *grantees may collaborate with and provide informa-*
4 *tion to Federal, State, local, tribal, and territorial*
5 *public officials and agencies to develop and imple-*
6 *ment policies to reduce or eliminate domestic violence,*
7 *dating violence, sexual assault, and stalking.*

8 “(4) *NON-SUPPLANTATION.*—*Any Federal funds*
9 *received under this title shall be used to supplement,*
10 *not supplant, non-Federal funds that would otherwise*
11 *be available for activities under this title.*

12 “(5) *USE OF FUNDS.*—*Funds authorized and ap-*
13 *propriated under this title may be used only for the*
14 *specific purposes described in this title and shall re-*
15 *main available until expended.*

16 “(6) *REPORTS.*—*An entity receiving a grant*
17 *under this title shall submit to the disbursing agency*
18 *a report detailing the activities undertaken with the*
19 *grant funds, including and providing additional in-*
20 *formation as the agency shall require.*

21 “(7) *EVALUATION.*—*Federal agencies disbursing*
22 *funds under this title shall set aside up to 3 percent*
23 *of such funds in order to conduct—*

1 “(A) evaluations of specific programs or
2 projects funded by the disbursing agency under
3 this title or related research; or

4 “(B) evaluations of promising practices or
5 problems emerging in the field or related re-
6 search, in order to inform the agency or agencies
7 as to which programs or projects are likely to be
8 effective or responsive to needs in the field.

9 “(8) *NONEXCLUSIVITY*.—Nothing in this title
10 shall be construed to prohibit male victims of domes-
11 tic violence, dating violence, sexual assault, and stalk-
12 ing from receiving benefits and services under this
13 title.

14 “(9) *PROHIBITION ON TORT LITIGATION*.—Funds
15 appropriated for the grant program under this title
16 may not be used to fund civil representation in a
17 lawsuit based on a tort claim. This paragraph should
18 not be construed as a prohibition on providing assist-
19 ance to obtain restitution in a protection order or
20 criminal case.

21 “(10) *PROHIBITION ON LOBBYING*.—Any funds
22 appropriated for the grant program shall be subject to
23 the prohibition in section 1913 of title 18, United
24 States Code, relating to lobbying with appropriated
25 moneys.

1 “(11) *TECHNICAL ASSISTANCE.*—*If there is a*
2 *demonstrated history that the Office on Violence*
3 *Against Women has previously set aside amounts*
4 *greater than 8 percent for technical assistance and*
5 *training relating to grant programs authorized under*
6 *this title, the Office has the authority to continue set-*
7 *ting aside amounts greater than 8 percent.”.*

8 **(b) CHANGE OF CERTAIN REPORTS FROM ANNUAL TO**
9 **BIENNIAL.**—

10 **(1) STALKING AND DOMESTIC VIOLENCE.**—*Sec-*
11 *tion 40610 of the Violence Against Women Act of*
12 *1994 (42 U.S.C. 14039) is amended by striking “The*
13 *Attorney General shall submit to the Congress an an-*
14 *nual report, beginning 1 year after the date of the en-*
15 *actment of this Act, that provides” and inserting*
16 *“Each even-numbered fiscal year, the Attorney Gen-*
17 *eral shall submit to the Congress a biennial report*
18 *that provides”.*

19 **(2) SAFE HAVENS FOR CHILDREN.**—*Section*
20 *1301(d)(l) of the Victims of Trafficking and Violence*
21 *Protection Act of 2000 (42 U.S.C. 10420(d)(1)) is*
22 *amended in the matter preceding subparagraph (A)*
23 *by striking “Not later than 1 year after the last day*
24 *of the first fiscal year commencing on or after the*
25 *date of enactment of this Act, and not later than 180*

1 *days after the last day of each fiscal year thereafter,”*
2 *and inserting “Not later than 1 month after the end*
3 *of each even-numbered fiscal year,”.*

4 (3) *STOP VIOLENCE AGAINST WOMEN FORMULA*
5 *GRANTS.—Section 2009(b) of the Omnibus Crime*
6 *Control and Safe Streets Act of 1968 (42 U.S.C.*
7 *3796gg–3) is amended by striking “Not later than”*
8 *and all that follows through “the Attorney General*
9 *shall submit” and inserting the following: “Not later*
10 *than 1 month after the end of each even-numbered fis-*
11 *cal year, the Attorney General shall submit”.*

12 (4) *TRANSITIONAL HOUSING ASSISTANCE GRANTS*
13 *FOR CHILD VICTIMS OF DOMESTIC VIOLENCE, STALK-*
14 *ING, OR SEXUAL ASSAULT.—Section 40299(f) of the*
15 *Violence Against Women Act of 1994 (42 U.S.C.*
16 *13975(f)) is amended by striking “shall annually pre-*
17 *pare and submit to the Committee on the Judiciary*
18 *of the House of Representatives and the Committee on*
19 *the Judiciary of the Senate a report that contains a*
20 *compilation of the information contained in the re-*
21 *port submitted under subsection (e) of this section.”*
22 *and inserting “shall prepare and submit to the Com-*
23 *mittee on the Judiciary of the House of Representa-*
24 *tives and the Committee on the Judiciary of the Sen-*
25 *ate a report that contains a compilation of the infor-*

1 *mation contained in the report submitted under sub-*
2 *section (e) of this section not later than 1 month after*
3 *the end of each even-numbered fiscal year.”.*

4 *(c) DEFINITIONS AND GRANT CONDITIONS IN CRIME*
5 *CONTROL ACT.—*

6 *(1) PART T.—Part T of title I of the Omnibus*
7 *Crime Control and Safe Streets Act of 1968 (42*
8 *U.S.C. 3796gg et seq.) is amended by striking section*
9 *2008 and inserting the following:*

10 **“SEC. 2008. DEFINITIONS AND GRANT CONDITIONS.**

11 *“In this part the definitions and grant conditions in*
12 *section 40002 of the Violence Against Women Act of 1994*
13 *shall apply.”.*

14 *(2) PART U.—Section 2105 of the Omnibus*
15 *Crime Control and Safe Streets Act of 1968 is amend-*
16 *ed to read as follows:*

17 **“SEC. 2105. DEFINITIONS AND GRANT CONDITIONS.**

18 *“In this part the definitions and grant conditions in*
19 *section 40002 of the Violence Against Women Act of 1994*
20 *shall apply.”.*

21 *(d) DEFINITIONS AND GRANT CONDITIONS IN 2000*
22 *ACT.—Section 1002 of the Violence Against Women Act of*
23 *2000 (42 U.S.C. 3796gg–2 note) is amended to read as fol-*
24 *lows:*

1 **“SEC. 1002. DEFINITIONS AND GRANT CONDITIONS.**

2 *“In this division the definitions and grant conditions*
 3 *in section 40002 of the Violence Against Women Act of 1994*
 4 *shall apply.”.*

5 **TITLE I—ENHANCING JUDICIAL**
 6 **AND LAW ENFORCEMENT**
 7 **TOOLS TO COMBAT VIOLENCE**
 8 **AGAINST WOMEN**

9 **SEC. 101. STOP GRANTS IMPROVEMENTS.**

10 (a) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 11 *1001(a)(18) of title I of the Omnibus Crime Control and*
 12 *Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)) is amend-*
 13 *ed by striking “\$185,000,000 for each of fiscal years 2001*
 14 *through 2005” and inserting “\$225,000,000 for each of fis-*
 15 *cal years 2007 through 2011”.*

16 (b) *PURPOSE AREA ENHANCEMENTS.—Section*
 17 *2001(b) of title I of the Omnibus Crime Control and Safe*
 18 *Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended—*

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

21 (2) *in paragraph (11), by striking the period*
 22 *and inserting a semicolon; and*

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

24 *“(12) maintaining core victim services and*
 25 *criminal justice initiatives, while supporting com-*

1 *plementary new initiatives and emergency services for*
2 *victims and their families;*

3 *“(13) supporting the placement of special victim*
4 *assistants (to be known as ‘Jessica Gonzales Victim*
5 *Assistants’) in local law enforcement agencies to serve*
6 *as liaisons between victims of domestic violence, dat-*
7 *ing violence, sexual assault, and stalking and per-*
8 *sonnel in local law enforcement agencies in order to*
9 *improve the enforcement of protection orders. Jessica*
10 *Gonzales Victim Assistants shall have expertise in do-*
11 *mestic violence, dating violence, sexual assault, or*
12 *stalking and may undertake the following activities—*

13 *“(A) developing, in collaboration with pros-*
14 *ecutors, courts, and victim service providers,*
15 *standardized response policies for local law en-*
16 *forcement agencies, including triage protocols to*
17 *ensure that dangerous or potentially lethal cases*
18 *are identified and prioritized;*

19 *“(B) notifying persons seeking enforcement*
20 *of protection orders as to what responses will be*
21 *provided by the relevant law enforcement agency;*

22 *“(C) referring persons seeking enforcement*
23 *of protection orders to supplementary services*
24 *(such as emergency shelter programs, hotlines, or*
25 *legal assistance services); and*

1 “(D) taking other appropriate action to as-
2 sist or secure the safety of the person seeking en-
3 forcement of a protection order; and

4 “(14) to provide funding to law enforcement
5 agencies, nonprofit nongovernmental victim services
6 providers, and State, tribal, territorial, and local gov-
7 ernments, (which funding stream shall be known as
8 the Crystal Judson Domestic Violence Protocol Pro-
9 gram) to promote—

10 “(A) the development and implementation
11 of training for local victim domestic violence
12 service providers, and to fund victim services
13 personnel, to be known as ‘Crystal Judson Vic-
14 tim Advocates,’ to provide supportive services
15 and advocacy for victims of domestic violence
16 committed by law enforcement personnel;

17 “(B) the implementation of protocols within
18 law enforcement agencies to ensure consistent
19 and effective responses to the commission of do-
20 mestic violence by personnel within such agencies
21 (such as the model policy promulgated by the
22 International Association of Chiefs of Police
23 (‘Domestic Violence by Police Officers: A Policy
24 of the IACP, Police Response to Violence Against
25 Women Project’ July 2003));

1 “(C) the development of such protocols in
2 collaboration with State, tribal, territorial and
3 local victim service providers and domestic vio-
4 lence coalitions.

5 Any law enforcement, State, tribal, territorial, or
6 local government agency receiving funding under the
7 Crystal Judson Domestic Violence Protocol Program
8 under paragraph (14) shall on an annual basis, re-
9 ceive additional training on the topic of incidents of
10 domestic violence committed by law enforcement per-
11 sonnel from domestic violence and sexual assault non-
12 profit organizations and, after a period of 2 years,
13 provide a report of the adopted protocol to the De-
14 partment of Justice, including a summary of progress
15 in implementing such protocol.”.

16 (c) *CLARIFICATION OF ACTIVITIES REGARDING UN-*
17 *DERSERVED POPULATIONS.*—Section 2007 of the Omnibus
18 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
19 *3796gg–1) is amended—*

20 (1) in subsection (c)(2), by inserting before the
21 semicolon the following: “and describe how the State
22 will address the needs of underserved populations”;
23 and

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

1 “(D) recognize and meaningfully respond to
2 the needs of underserved populations and ensure
3 that monies set aside to fund linguistically and
4 culturally specific services and activities for un-
5 derserved populations are distributed equitably
6 among those populations.”.

7 (d) *TRIBAL AND TERRITORIAL SETASIDES.*—Section
8 2007 of the Omnibus Crime Control and Safe Streets Act
9 of 1968 (42 U.S.C. 3796gg–1) is amended—

10 (1) in subsection (b)—

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

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

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

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

1 (2) *in subsection (c)(3)(B), by inserting after*
 2 *“victim services” the following: “, of which at least 10*
 3 *percent shall be distributed to culturally specific com-*
 4 *munity-based organization”;* and

5 (3) *in subsection (d)—*

6 (A) *in paragraph (3), by striking the period*
 7 *and inserting “; and”;* and

8 (B) *by adding at the end the following:*

9 “(4) *documentation showing that tribal, terri-*
 10 *torial, State or local prosecution, law enforcement,*
 11 *and courts have consulted with tribal, territorial,*
 12 *State, or local victim service programs during the*
 13 *course of developing their grant applications in order*
 14 *to ensure that proposed services, activities and equip-*
 15 *ment acquisitions are designed to promote the safety,*
 16 *confidentiality, and economic independence of victims*
 17 *of domestic violence, sexual assault, stalking, and dat-*
 18 *ing violence.”.*

19 (e) *TRAINING, TECHNICAL ASSISTANCE, AND DATA*
 20 *COLLECTION.—Section 2007 of the Omnibus Crime Control*
 21 *and Safe Streets Act of 1968 (42 U.S.C. 3796gg–1) is*
 22 *amended by adding at the end the following:*

23 “(i) *TRAINING, TECHNICAL ASSISTANCE, AND DATA*
 24 *COLLECTION.—*

1 “(1) *IN GENERAL.*—Of the total amounts appro-
2 priated under this part, not less than 3 percent and
3 up to 8 percent shall be available for providing train-
4 ing and technical assistance relating to the purpose
5 areas of this part to improve the capacity of grantees,
6 subgrantees and other entities.

7 “(2) *INDIAN TRAINING.*—The Director of the Of-
8 fice on Violence Against Women shall ensure that
9 training or technical assistance regarding violence
10 against Indian women will be developed and provided
11 by entities having expertise in tribal law, customary
12 practices, and Federal Indian law.”.

13 (f) *AVAILABILITY OF FORENSIC MEDICAL EXAMS.*—
14 Section 2010 of the Omnibus Crime Control and Safe
15 Streets Act of 1968 (42 U.S.C. 3796gg-4) is amended by
16 adding at the end the following:

17 “(c) *USE OF FUNDS.*—A State or Indian tribal gov-
18 ernment may use Federal grant funds under this part to
19 pay for forensic medical exams performed by trained exam-
20 iners for victims of sexual assault, except that such funds
21 may not be used to pay for forensic medical exams by any
22 State, Indian tribal government, or territorial government
23 that requires victims of sexual assault to seek reimburse-
24 ment for such exams from their insurance carriers.

1 “(d) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*
 2 *tion shall be construed to permit a State, Indian tribal gov-*
 3 *ernment, or territorial government to require a victim of*
 4 *sexual assault to participate in the criminal justice system*
 5 *or cooperate with law enforcement in order to be provided*
 6 *with a forensic medical exam, reimbursement for charges*
 7 *incurred on account of such an exam, or both.*

8 “(e) *JUDICIAL NOTIFICATION.*—

9 “(1) *IN GENERAL.*—*A State or unit of local gov-*
 10 *ernment shall not be entitled to funds under this part*
 11 *unless the State or unit of local government—*

12 “(A) *certifies that its judicial administra-*
 13 *tive policies and practices include notification to*
 14 *domestic violence offenders of the requirements*
 15 *delineated in section 922(g)(8) and (g)(9) of title*
 16 *18, United States Code, and any applicable re-*
 17 *lated Federal, State, or local laws; or*

18 “(B) *gives the Attorney General assurances*
 19 *that its judicial administrative policies and*
 20 *practices will be in compliance with the require-*
 21 *ments of subparagraph (A) within the later of—*

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

25 “(ii) *2 years.*

1 “(2) *REDISTRIBUTION.*—*Funds withheld from a*
2 *State or unit of local government under subsection (a)*
3 *shall be distributed to other States and units of local*
4 *government, pro rata.*”.

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

9 **“SEC. 2013. POLYGRAPH TESTING PROHIBITION.**

10 “(a) *IN GENERAL.*—*In order to be eligible for grants*
11 *under this part, a State, Indian tribal government, terri-*
12 *torial government, or unit of local government shall certify*
13 *that, not later than 3 years after the date of enactment of*
14 *this section, their laws, policies, or practices will ensure*
15 *that no law enforcement officer, prosecuting officer or other*
16 *government official shall ask or require an adult, youth, or*
17 *child victim of an alleged sex offense as defined under Fed-*
18 *eral, tribal, State, territorial, or local law to submit to a*
19 *polygraph examination or other truth telling device as a*
20 *condition for proceeding with the investigation of such an*
21 *offense.*

22 “(b) *PROSECUTION.*—*The refusal of a victim to submit*
23 *to an examination described in subsection (a) shall not pre-*
24 *vent the investigation, charging, or prosecution of the of-*
25 *fense.*”.

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 amend-
 6 ed by striking “\$65,000,000 for each of fiscal years 2001
 7 through 2005” and inserting “\$75,000,000 for each of fiscal
 8 years 2007 through 2011. Funds appropriated under this
 9 paragraph shall remain available until expended.”.

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

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

17 (2) in subsection (b)—

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

21 (B) in paragraph (1), by—

22 (i) striking “mandatory arrest or”;
 23 and

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

26 (C) in paragraph (2), by—

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

4 (ii) striking “domestic violence and
5 dating violence” and inserting “domestic vi-
6 olence, dating violence, sexual assault, and
7 stalking. Policies, educational programs,
8 protection order registries, and training de-
9 scribed in this paragraph shall incorporate
10 confidentiality, and privacy protections for
11 victims of domestic violence, dating vio-
12 lence, sexual assault, and stalking”;

13 (D) in paragraph (3), by—

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

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

20 (E) in paragraph (5), by striking “domestic
21 violence and dating violence” and inserting “do-
22 mestic violence, dating violence, sexual assault,
23 and stalking”;

24 (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, tribal, territorial, or local
8 policies, procedures, and protocols for preventing dual
9 arrests and prosecutions in cases of domestic violence,
10 dating violence, sexual assault, and stalking, and to
11 develop effective methods for identifying the pattern
12 and history of abuse that indicates which party is the
13 actual perpetrator of abuse.

14 “(10) To plan, develop and establish comprehen-
15 sive victim service and support centers, such as fam-
16 ily justice centers, designed to bring together victim
17 advocates from non-profit, non-governmental victim
18 services organizations, law enforcement officers, pros-
19 ecutors, probation officers, governmental victim as-
20 sistants, forensic medical professionals, civil legal at-
21 torneys, chaplains, legal advocates, representatives
22 from community-based organizations and other rel-
23 evant public or private agencies or organizations into
24 one centralized location, in order to improve safety,
25 access to services, and confidentiality for victims and

1 *families. Although funds may be used to support the*
2 *colocation of project partners under this paragraph,*
3 *funds may not support construction or major renova-*
4 *tion expenses or activities that fall outside of the*
5 *scope of the other statutory purpose areas.*

6 *“(11) To develop and implement policies and*
7 *training for police, prosecutors, probation and parole*
8 *officers, and the judiciary in recognizing, inves-*
9 *tigating, and prosecuting instances of sexual assault,*
10 *with an emphasis on recognizing the threat to the*
11 *community for repeat crime perpetration by such in-*
12 *dividuals.*

13 *“(12) To develop, enhance, and maintain protec-*
14 *tion order registries.*

15 *“(13) To develop human immunodeficiency virus*
16 *(HIV) testing programs for sexual assault perpetra-*
17 *tors and notification and counseling protocols.”;—*

18 *(3) in subsection (c)—*

19 *(A) in paragraph (3), by striking “and”*
20 *after the semicolon;*

21 *(B) in paragraph (4), by striking the period*
22 *and inserting “; and”; and*

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

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

4 “(A) no law enforcement officer, prosecuting
5 officer or other government official shall ask or
6 require an adult, youth, or child victim of a sex
7 offense as defined under Federal, tribal, State,
8 territorial, or local law to submit to a polygraph
9 examination or other truth telling device as a
10 condition for proceeding with the investigation of
11 such an offense; and

12 “(B) the refusal of a victim to submit to an
13 examination described in subparagraph (A) shall
14 not prevent the investigation of the offense.”; and

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

17 “(d) *SPEEDY NOTICE TO VICTIMS*.—A State or unit
18 of local government shall not be entitled to 5 percent of the
19 funds allocated under this part unless the State or unit of
20 local government—

21 “(1) certifies that it has a law or regulation that
22 requires—

23 “(A) the State or unit of local government
24 at the request of a victim to administer to a de-
25 fendant, against whom an information or indict-

1 *ment is presented for a crime in which by force*
2 *or threat of force the perpetrator compels the vic-*
3 *tim to engage in sexual activity, testing for the*
4 *immunodeficiency virus (HIV) not later than 48*
5 *hours after the date on which the information or*
6 *indictment is presented;*

7 *“(B) as soon as practicable notification to*
8 *the victim, or parent and guardian of the victim,*
9 *and defendant of the testing results; and*

10 *“(C) follow-up tests for HIV as may be*
11 *medically appropriate, and that as soon as prac-*
12 *ticable after each such test the results be made*
13 *available in accordance with subparagraph (B);*
14 *or*

15 *“(2) gives the Attorney General assurances that*
16 *it laws and regulations will be in compliance with re-*
17 *quirements of paragraph (1) within the later of—*

18 *“(A) the period ending on the date on which*
19 *the next session of the State legislature ends; or*

20 *“(B) 2 years.*

21 *“(e) ALLOTMENT FOR INDIAN TRIBES.—Not less than*
22 *10 percent of the total amount made available for grants*
23 *under this section for each fiscal year shall be available for*
24 *grants to Indian tribal governments.”.*

1 (c) *APPLICATIONS.*—Section 2102(b) of the Omnibus
 2 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
 3 *3796hh–1(b)) is amended in each of paragraphs (1) and*
 4 *(2) by inserting after “involving domestic violence” the fol-*
 5 *lowing: “, dating violence, sexual assault, or stalking”.*

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

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

11 *“Of the total amounts appropriated under this part,*
 12 *not less than 5 percent and up to 8 percent shall be avail-*
 13 *able for providing training and technical assistance relat-*
 14 *ing to the purpose areas of this part to improve the capacity*
 15 *of grantees and other entities.”.*

16 **SEC. 103. LEGAL ASSISTANCE FOR VICTIMS IMPROVE-**
 17 **MENTS.**

18 Section 1201 of the Violence Against Women Act of
 19 2000 (42 U.S.C. 3796gg–6) is amended—

20 (1) in subsection (a), by—

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

23 (B) inserting after “effective aid to” the fol-
 24 lowing: “adult and youth”; and

1 (C) *inserting at the end the following:*

2 “*Criminal legal assistance provided for under*
3 *this section shall be limited to criminal matters*
4 *relating to domestic violence, sexual assault, dat-*
5 *ing violence, and stalking.*”;

6 (2) *by striking subsection (b) and inserting the*
7 *following:*

8 “(b) *DEFINITIONS.—In this section, the definitions*
9 *provided in section 40002 of the Violence Against Women*
10 *Act of 1994 shall apply.*”;

11 (3) *in subsection (c), by inserting “and tribal or-*
12 *ganizations, territorial organizations” after “Indian*
13 *tribal governments”;*

14 (4) *in subsection (d) by striking paragraph (2)*
15 *and inserting the following:*

16 “(2) *any training program conducted in satis-*
17 *faction of the requirement of paragraph (1) has been*
18 *or will be developed with input from and in collabo-*
19 *ration with a tribal, State, territorial, or local domes-*
20 *tic violence, dating violence, sexual assault or stalking*
21 *organization or coalition, as well as appropriate trib-*
22 *al, State, territorial, and local law enforcement offi-*
23 *cials;*”.

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

1 (6) in subsection (f)—

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

4 “(1) *IN GENERAL.*—There is authorized to be ap-
5 propriated to carry out this section \$65,000,000 for
6 each of fiscal years 2007 through 2011.”; and

7 (B) in paragraph (2)(A), by—

8 (i) striking “5 percent” and inserting
9 “10 percent”; and

10 (ii) inserting “adult and youth” after
11 “that assist”.

12 **SEC. 104. ENSURING CRIME VICTIM ACCESS TO LEGAL**
13 **SERVICES.**

14 (a) *IN GENERAL.*—Section 502 of the Department of
15 Commerce, Justice, and State, the Judiciary, and Related
16 Agencies Appropriations Act, 1998 (Public Law 105–119;
17 111 Stat. 2510) is amended—

18 (1) in subsection (a)(2)(C)—

19 (A) in the matter preceding clause (i), by
20 striking “using funds derived from a source other
21 than the Corporation to provide” and inserting
22 “providing”;

23 (B) in clause (i), by striking “in the United
24 States” and all that follows and inserting “or a
25 victim of sexual assault or trafficking in the

1 *United States, or qualifies for immigration relief*
2 *under section 101(a)(15)(U) of the Immigration*
3 *and Nationality Act (8 U.S.C. 1101(a)(15)(U));*
4 *or”;* and

5 *(C) in clause (ii), by striking “has been bat-*
6 *tered” and all that follows and inserting “, with-*
7 *out the active participation of the alien, has been*
8 *battered or subjected to extreme cruelty or a vic-*
9 *tim of sexual assault or trafficking in the United*
10 *States, or qualifies for immigration relief under*
11 *section 101(a)(15)(U) of the Immigration and*
12 *Nationality Act (8 U.S.C. 1101(a)(15)(U)).”;*
13 *and*

14 *(2) in subsection (b)(2), by striking “described in*
15 *such subsection” and inserting “, sexual assault or*
16 *trafficking, or the crimes listed in section*
17 *101(a)(15)(U)(iii) of the Immigration and Nation-*
18 *ality Act (8 U.S.C. 1101(a)(15)(U)(iii))”.*

19 **(b) SAVINGS PROVISION.**—*Nothing in this Act, or the*
20 *amendments made by this Act, shall be construed to restrict*
21 *the legal assistance provided to victims of trafficking and*
22 *certain family members authorized under section 107(b)(1)*
23 *of the Trafficking Victims Protection Act of 2000 (22 U.S.C.*
24 *7105(b)(1)).*

1 **SEC. 105. THE VIOLENCE AGAINST WOMEN ACT COURT**
 2 **TRAINING AND IMPROVEMENTS.**

3 (a) *VIOLENCE AGAINST WOMEN ACT COURT TRAINING*
 4 *AND IMPROVEMENTS.*—*The Violence Against Women Act of*
 5 *1994 (108 Stat. 1902 et seq.) is amended by adding at the*
 6 *end the following:*

7 **“Subtitle J—Violence Against**
 8 **Women Act Court Training and**
 9 **Improvements**

10 **“SEC. 41001. SHORT TITLE.**

11 *“This subtitle may be cited as the ‘Violence Against*
 12 *Women Act Court Training and Improvements Act of*
 13 *2005’.*

14 **“SEC. 41002. PURPOSE.**

15 *“The purpose of this subtitle is to enable the Attorney*
 16 *General, through the Director of the Office on Violence*
 17 *Against Women, to award grants to improve court responses*
 18 *to adult and youth domestic violence, dating violence, sex-*
 19 *ual assault, and stalking to be used for—*

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

22 *“(2) education for court-based and court-related*
 23 *personnel on issues relating to victims’ needs, includ-*
 24 *ing safety, security, privacy, confidentiality, and eco-*
 25 *nom ic independence, as well as information about*

1 *perpetrator behavior and best practices for holding*
2 *perpetrators accountable;*

3 *“(3) collaboration and training with Federal,*
4 *State, tribal, territorial, and local public agencies*
5 *and officials and nonprofit, nongovernmental organi-*
6 *zations to improve implementation and enforcement*
7 *of relevant Federal, State, tribal, territorial, and local*
8 *law;*

9 *“(4) enabling courts or court-based or court-re-*
10 *lated programs to develop new or enhance current—*

11 *“(A) court infrastructure (such as special-*
12 *ized courts, dockets, intake centers, or interpreter*
13 *services);*

14 *“(B) community-based initiatives within*
15 *the court system (such as court watch programs,*
16 *victim assistants, or community-based supple-*
17 *mentary services);*

18 *“(C) offender management, monitoring, and*
19 *accountability programs;*

20 *“(D) safe and confidential information-stor-*
21 *age and -sharing databases within and between*
22 *court systems;*

23 *“(E) education and outreach programs to*
24 *improve community access, including enhanced*
25 *access for underserved populations; and*

1 “(F) other projects likely to improve court
2 responses to domestic violence, dating violence,
3 sexual assault, and stalking; and

4 “(5) providing technical assistance to Federal,
5 State, tribal, territorial, or local courts wishing to
6 improve their practices and procedures or to develop
7 new programs.

8 **“SEC. 41003. GRANT REQUIREMENTS.**

9 “Grants awarded under this subtitle shall be subject
10 to the following conditions:

11 “(1) *ELIGIBLE GRANTEES.*—Eligible grantees
12 may include—

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

15 “(B) national, State, tribal, territorial, or
16 local private, nonprofit organizations with dem-
17 onstrated expertise in developing and providing
18 judicial education about domestic violence, dat-
19 ing violence, sexual assault, or stalking.

20 “(2) *CONDITIONS OF ELIGIBILITY.*—To be eligible
21 for a grant under this section, applicants shall certify
22 in writing that—

23 “(A) any courts or court-based personnel
24 working directly with or making decisions about
25 adult or youth parties experiencing domestic vio-

1 *lence, dating violence, sexual assault, and stalk-*
2 *ing have completed or will complete education*
3 *about domestic violence, dating violence, sexual*
4 *assault, and stalking;*

5 *“(B) any education program developed*
6 *under section 41002 has been or will be devel-*
7 *oped with significant input from and in collabo-*
8 *ration with a national, tribal, State, territorial,*
9 *or local victim services provider or coalition; and*

10 *“(C) the grantee’s internal organizational*
11 *policies, procedures, or rules do not require me-*
12 *diation or counseling between offenders and vic-*
13 *tims physically together in cases where domestic*
14 *violence, dating violence, sexual assault, or stalk-*
15 *ing is an issue.*

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

17 *“(a) IN GENERAL.—The Attorney General, through the*
18 *Director of the Office on Violence Against Women, shall*
19 *fund efforts to develop a national education curriculum for*
20 *use by State and national judicial educators to ensure that*
21 *all courts and court personnel have access to information*
22 *about relevant Federal, State, territorial, or local law,*
23 *promising practices, procedures, and policies regarding*
24 *court responses to adult and youth domestic violence, dating*
25 *violence, sexual assault, and stalking.*

1 “(b) *ELIGIBLE ENTITIES.*—Any curricula developed
2 under this section—

3 “(1) shall be developed by an entity or entities
4 having demonstrated expertise in developing judicial
5 education curricula on issues relating to domestic vio-
6 lence, dating violence, sexual assault, and stalking; or

7 “(2) if the primary grantee does not have dem-
8 onstrated expertise with such issues, shall be developed
9 by the primary grantee in partnership with an orga-
10 nization having such expertise.

11 **“SEC. 41005. TRIBAL CURRICULA.**

12 “(a) *IN GENERAL.*—The Attorney General, through the
13 Office on Violence Against Women, shall fund efforts to de-
14 velop education curricula for tribal court judges to ensure
15 that all tribal courts have relevant information about prom-
16 ising practices, procedures, policies, and law regarding trib-
17 al court responses to adult and youth domestic violence, dat-
18 ing violence, sexual assault, and stalking.

19 “(b) *ELIGIBLE ENTITIES.*—Any curricula developed
20 under this section—

21 “(1) shall be developed by a tribal organization
22 having demonstrated expertise in developing judicial
23 education curricula on issues relating to domestic vio-
24 lence, dating violence, sexual assault, and stalking; or

1 “(2) if the primary grantee does not have such
2 expertise, the curricula shall be developed by the pri-
3 mary grantee through partnership with organizations
4 having such expertise.

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

6 “(a) *IN GENERAL.*—There is authorized to be appro-
7 priated to carry out this subtitle \$5,000,000 for each of fis-
8 cal years 2007 to 2011.

9 “(b) *AVAILABILITY.*—Funds appropriated under this
10 section shall remain available until expended and may only
11 be used for the specific programs and activities described
12 in this subtitle.

13 “(c) *SET ASIDE.*—Of the amounts made available
14 under this subsection in each fiscal year, not less than 10
15 percent shall be used for grants for tribal courts, tribal
16 court-related programs, and tribal nonprofits.”.

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

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

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

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

1 (b) *CLARIFICATION OF ENTITIES HAVING ENFORCE-*
2 *MENT AUTHORITY AND RESPONSIBILITIES.*—Section
3 *2265(a) of title 18, United States Code, is amended by strik-*
4 *ing “and enforced as if it were” and inserting “and en-*
5 *forced by the court and law enforcement personnel of the*
6 *other State, Indian tribal government or Territory as if it*
7 *were”.*

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

12 “(3) *LIMITS ON INTERNET PUBLICATION OF REG-*
13 *ISTRATION INFORMATION.*—A State, Indian tribe, or
14 *territory shall not make available publicly on the*
15 *Internet any information regarding the registration*
16 *or filing of a protection order, restraining order, or*
17 *injunction in either the issuing or enforcing State,*
18 *tribal or territorial jurisdiction, if such publication*
19 *would be likely to publicly reveal the identity or loca-*
20 *tion of the party protected under such order. A State,*
21 *Indian tribe, or territory may share court-generated*
22 *and law enforcement-generated information contained*
23 *in secure, governmental registries for protection order*
24 *enforcement purposes.”.*

1 (d) *DEFINITIONS.*—Section 2266 of title 18, United
2 *States Code, is amended—*

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

5 “(5) *PROTECTION ORDER.*—*The term ‘protection*
6 *order’ includes—*

7 “(A) *any injunction, restraining order, or*
8 *any other order issued by a civil or criminal*
9 *court for the purpose of preventing violent or*
10 *threatening acts or harassment against, sexual*
11 *violence, or contact or communication with or*
12 *physical proximity to, another person, including*
13 *any temporary or final order issued by a civil*
14 *or criminal court whether obtained by filing an*
15 *independent action or as a pendente lite order in*
16 *another proceeding so long as any civil or crimi-*
17 *nal order was issued in response to a complaint,*
18 *petition, or motion filed by or on behalf of a per-*
19 *son seeking protection; and*

20 “(B) *any support, child custody or visita-*
21 *tion provisions, orders, remedies or relief issued*
22 *as part of a protection order, restraining order,*
23 *or injunction pursuant to State, tribal, terri-*
24 *torial, or local law authorizing the issuance of*
25 *protection orders, restraining orders, or injunc-*

1 *tions for the protection of victims of domestic vi-*
2 *olence, sexual assault, dating violence, or stalk-*
3 *ing.”; and*

4 *(2) in clauses (i) and (ii) of paragraph (7)(A),*
5 *by striking “2261A, a spouse or former spouse of the*
6 *abuser, a person who shares a child in common with*
7 *the abuser, and a person who cohabits or has*
8 *cohabited as a spouse with the abuser” and inserting*
9 *“2261A—*

10 *“(I) a spouse or former spouse of*
11 *the abuser, a person who shares a child*
12 *in common with the abuser, and a per-*
13 *son who cohabits or has cohabited as a*
14 *spouse with the abuser; or*

15 *“(II) a person who is or has been*
16 *in a social relationship of a romantic*
17 *or intimate nature with the abuser, as*
18 *determined by the length of the rela-*
19 *tionship, the type of relationship, and*
20 *the frequency of interaction between the*
21 *persons involved in the relationship”.*

1 **SEC. 107. PRIVACY PROTECTIONS FOR VICTIMS OF DOMES-**
 2 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**
 3 **VIOLENCE, AND STALKING.**

4 *The Violence Against Women Act of 1994 (108 Stat.*
 5 *1902 et seq.) is amended by adding at the end the following:*

6 **“Subtitle K—Privacy Protections for**
 7 **Victims of Domestic Violence,**
 8 **Dating Violence, Sexual Vio-**
 9 **lence, and Stalking**

10 **“SEC. 41101. GRANTS TO PROTECT THE PRIVACY AND CON-**
 11 **FIDENTIALITY OF VICTIMS OF DOMESTIC VIO-**
 12 **LENCE, DATING VIOLENCE, SEXUAL ASSAULT,**
 13 **AND STALKING.**

14 *“The Attorney General, through the Director of the Of-*
 15 *fice on Violence Against Women, may award grants under*
 16 *this subtitle to States, Indian tribes, territories, or local*
 17 *agencies or nonprofit, nongovernmental organizations to en-*
 18 *sure that personally identifying information of adult,*
 19 *youth, and child victims of domestic violence, sexual vio-*
 20 *lence, stalking, and dating violence shall not be released or*
 21 *disclosed to the detriment of such victimized persons.*

22 **“SEC. 41102. PURPOSE AREAS.**

23 *“Grants made under this subtitle may be used—*

24 *“(1) to develop or improve protocols, procedures,*
 25 *and policies for the purpose of preventing the release*

1 *of personally identifying information of victims (such*
2 *as developing alternative identifiers);*

3 *“(2) to defray the costs of modifying or improv-*
4 *ing existing databases, registries, and victim notifica-*
5 *tion systems to ensure that personally identifying in-*
6 *formation of victims is protected from release, unau-*
7 *thorized information sharing and disclosure;*

8 *“(3) to develop confidential opt out systems that*
9 *will enable victims of violence to make a single re-*
10 *quest to keep personally identifying information out*
11 *of multiple databases, victim notification systems,*
12 *and registries; or*

13 *“(4) to develop safe uses of technology (such as*
14 *notice requirements regarding electronic surveillance*
15 *by government entities), to protect against abuses of*
16 *technology (such as electronic or GPS stalking), or*
17 *providing training for law enforcement on high tech*
18 *electronic crimes of domestic violence, dating violence,*
19 *sexual assault, and stalking.*

20 **“SEC. 41103. ELIGIBLE ENTITIES.**

21 *“Entities eligible for grants under this subtitle*
22 *include—*

23 *“(1) jurisdictions or agencies within jurisdic-*
24 *tions having authority or responsibility for developing*

1 or maintaining public databases, registries or victim
2 notification systems;

3 “(2) nonprofit nongovernmental victim advocacy
4 organizations having expertise regarding confiden-
5 tiality, privacy, and information technology and how
6 these issues are likely to impact the safety of victims;

7 “(3) States or State agencies;

8 “(4) local governments or agencies;

9 “(5) Indian tribal governments or tribal organi-
10 zations;

11 “(6) territorial governments, agencies, or organi-
12 zations; or

13 “(7) nonprofit nongovernmental victim advocacy
14 organizations, including statewide domestic violence
15 and sexual assault coalitions.

16 **“SEC. 41104. GRANT CONDITIONS.**

17 “Applicants described in paragraph (1) and para-
18 graphs (3) through (6) shall demonstrate that they have en-
19 tered into a significant partnership with a State, tribal,
20 territorial, or local victim service or advocacy organization
21 or condition in order to develop safe, confidential, and effec-
22 tive protocols, procedures, policies, and systems for pro-
23 tecting personally identifying information of victims.

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

2 “(a) *IN GENERAL.*—*There is authorized to be appro-*
3 *priated to carry out this subtitle \$5,000,000 for each of fis-*
4 *cal years 2007 through 2011.*

5 “(b) *TRIBAL ALLOCATION.*—*Of the amount made*
6 *available under this section in each fiscal year, 10 percent*
7 *shall be used for grants to Indian tribes for programs that*
8 *assist victims of domestic violence, dating violence, stalking,*
9 *and sexual assault.*

10 “(c) *TECHNICAL ASSISTANCE AND TRAINING.*—*Of the*
11 *amount made available under this section in each fiscal*
12 *year, not less than 5 percent shall be used for grants to*
13 *organizations that have expertise in confidentiality, pri-*
14 *vacy, and technology issues impacting victims of domestic*
15 *violence, dating violence, sexual assault, and stalking to*
16 *provide technical assistance and training to grantees and*
17 *non-grantees on how to improve safety, privacy, confiden-*
18 *tiality, and technology to protect victimized persons.”.*

19 **SEC. 108. SEX OFFENDER MANAGEMENT.**

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

23 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
24 *authorized to be appropriated to carry out this section*
25 *\$3,000,000 for each of fiscal years 2007 through 2011.”.*

1 **SEC. 109. STALKER DATABASE.**

2 *Section 40603 of the Violence Against Women Act of*
3 *1994 (42 U.S.C. 14032) is amended—*

4 *(1) by striking “2001” and inserting “2007”;*

5 *and*

6 *(2) by striking “2006” and inserting “2011”.*

7 **SEC. 110. FEDERAL VICTIM ASSISTANTS REAUTHORIZA-**
8 **TION.**

9 *Section 40114 of the Violence Against Women Act of*
10 *1994 (Public Law 103–322) is amended to read as follows:*

11 **“SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM ASSIST-**
12 **ANTS.**

13 *“There are authorized to be appropriated for the*
14 *United States attorneys for the purpose of appointing vic-*
15 *tim assistants for the prosecution of sex crimes and domes-*
16 *tic violence crimes where applicable (such as the District*
17 *of Columbia), \$1,000,000 for each of fiscal years 2007*
18 *through 2011.”.*

19 **SEC. 111. GRANTS FOR LAW ENFORCEMENT TRAINING PRO-**
20 **GRAMS.**

21 *(a) DEFINITIONS.—In this section:*

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

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

3 (3) *STATE.*—The term “State” means any State
4 of the United States, the District of Columbia, the
5 Commonwealth of Puerto Rico, Guam, the United
6 States Virgin Islands, the Commonwealth of the
7 Northern Mariana Islands, American Samoa, and
8 any other territory or possession of the United States.

9 (4) *VICTIM OF TRAFFICKING.*—The term “victim
10 of trafficking” means a person subjected to an act of
11 trafficking.

12 (b) *GRANTS AUTHORIZED.*—The Attorney General
13 may award grants to eligible entities to provide training
14 to State and local law enforcement personnel to identify
15 and protect victims of trafficking.

16 (c) *USE OF FUNDS.*—A grant awarded under this sec-
17 tion shall be used to—

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

22 (2) train law enforcement or State or local pros-
23 ecutors to identify, investigate, or prosecute acts of
24 trafficking; or

1 (3) *train law enforcement or State or local pros-*
2 *ecutors to utilize laws that prohibit acts of trafficking*
3 *and to assist in the development of State and local*
4 *laws to prohibit acts of trafficking.*

5 (d) *RESTRICTIONS.*—

6 (1) *ADMINISTRATIVE EXPENSES.*—*An eligible en-*
7 *tity that receives a grant under this section may use*
8 *not more than 5 percent of the total amount of such*
9 *grant for administrative expenses.*

10 (2) *NONEXCLUSIVITY.*—*Nothing in this section*
11 *may be construed to restrict the ability of an eligible*
12 *entity to apply for or obtain funding from any other*
13 *source to carry out the training described in sub-*
14 *section (c).*

15 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
16 *authorized to be appropriated \$10,000,000 for each of the*
17 *fiscal years 2007 through 2011 to carry out the provisions*
18 *of this section.*

19 **SEC. 112. REAUTHORIZATION OF THE COURT-APPOINTED**
20 **SPECIAL ADVOCATE PROGRAM.**

21 (a) *FINDINGS.*—*Section 215 of the Victims of Child*
22 *Abuse Act of 1990 (42 U.S.C. 13011) is amended by striking*
23 *paragraphs (1) and (2) and inserting the following:*

24 “(1) *Court Appointed Special Advocates, who*
25 *may serve as guardians ad litem, are trained volun-*

1 *teers appointed by courts to advocate for the best in-*
2 *terests of children who are involved in the juvenile*
3 *and family court system due to abuse or neglect; and*

4 *“(2) in 2003, Court Appointed Special Advocate*
5 *volunteers represented 288,000 children, more than 50*
6 *percent of the estimated 540,000 children in foster*
7 *care because of substantiated cases of child abuse or*
8 *neglect.”.*

9 *(b) IMPLEMENTATION DATE.—Section 216 of the Vic-*
10 *tims of Child Abuse Act of 1990 (42 U.S.C. 13012) is*
11 *amended by striking “January 1, 1995” and inserting*
12 *“January 1, 2010”.*

13 *(c) CLARIFICATION OF PROGRAM GOALS.—Section 217*
14 *of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13013)*
15 *is amended—*

16 *(1) in subsection (a), by striking “to expand”*
17 *and inserting “to initiate, sustain, and expand”;*

18 *(2) subsection (b)—*

19 *(A) in paragraph (1)—*

20 *(i) by striking “subsection (a) shall be”*
21 *and inserting the following: “subsection*
22 *(a)—*

23 *“(A) shall be”;*

24 *(ii) by striking “(2) may be” and in-*
25 *serting the following:*

1 “(B) may be”; and

2 (iii) in subparagraph (B) (as redesignig-
3 nated), by striking “to initiate or expand”
4 and inserting “to initiate, sustain, and ex-
5 pand”; and

6 (B) in the first sentence of paragraph (2)—

7 (i) by striking “(1)(a)” and inserting
8 “(1)(A)”; and

9 (ii) striking “to initiate and to ex-
10 pand” and inserting “to initiate, sustain,
11 and expand”; and

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

13 “(d) *BACKGROUND CHECKS.*—State and local Court
14 Appointed Special Advocate programs are authorized to re-
15 quest fingerprint-based criminal background checks from
16 the Federal Bureau of Investigation’s criminal history
17 database for prospective volunteers. The requesting program
18 is responsible for the reasonable costs associated with the
19 Federal records check.”.

20 (d) *REPORT.*—Subtitle B of title II of the Victims of
21 Child Abuse Act of 1990 (42 U.S.C. 13011 et seq.) is
22 amended—

23 (1) by redesignating section 218 as section 219;
24 and

1 (2) *by inserting after section 217 the following*
2 *new section:*

3 **“SEC. 218. REPORT.**

4 “(a) *REPORT REQUIRED.—Not later than December*
5 31, 2006, the Inspector General of the Department of Justice
6 *shall submit to Congress a report on the types of activities*
7 *funded by the National Court-Appointed Special Advocate*
8 *Association and a comparison of outcomes in cases where*
9 *court-appointed special advocates are involved and cases*
10 *where court-appointed special advocates are not involved.*

11 “(b) *ELEMENTS OF REPORT.—The report submitted*
12 *under subsection (a) shall include information on the fol-*
13 *lowing:*

14 “(1) *The types of activities the National Court-*
15 *Appointed Special Advocate Association has funded*
16 *since 1993.*

17 “(2) *The outcomes in cases where court-ap-*
18 *pointed special advocates are involved as compared to*
19 *cases where court-appointed special advocates are not*
20 *involved, including—*

21 “(A) *the length of time a child spends in*
22 *foster care;*

23 “(B) *the extent to which there is an in-*
24 *creased provision of services;*

1 “(C) the percentage of cases permanently
2 closed; and

3 “(D) achievement of the permanent plan for
4 reunification or adoption.”.

5 (e) *AUTHORIZATION OF APPROPRIATIONS.*—

6 (1) *AUTHORIZATION.*—Section 219 of the Vic-
7 tims of Child Abuse Act of 1990, as redesignated by
8 subsection (d), is amended by striking subsection (a)
9 and inserting the following:

10 “(a) *AUTHORIZATION.*—There is authorized to be ap-
11 propriated to carry out this subtitle \$12,000,000 for each
12 of fiscal years 2007 through 2011.”.

13 (2) *PROHIBITION ON LOBBYING.*—Section 219 of
14 the Victims of Child Abuse Act of 1990, as redesign-
15 ated by subsection (d) and amended by paragraphs
16 (1) and (2), is further amended by adding at the end
17 the following new subsection:

18 “(c) *PROHIBITION ON LOBBYING.*—No funds author-
19 ized under this subtitle may be used for lobbying activities
20 in contravention of OMB Circular No. A-122.”.

21 **SEC. 113. PREVENTING CYBERSTALKING.**

22 (a) *IN GENERAL.*—Paragraph (1) of section 223(h) of
23 the Communications Act of 1934 (47 U.S.C. 223(h)(1)) is
24 amended—

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

3 (2) *in subparagraph (B), by striking the period*
4 *at the end and inserting “; and”; and*

5 (3) *by adding at the end the following new sub-*
6 *paragraph:*

7 *“(C) in the case of subparagraph (C) of sub-*
8 *section (a)(1), includes any device or software*
9 *that can be used to originate telecommunications*
10 *or other types of communications that are trans-*
11 *mitted, in whole or in part, by the Internet (as*
12 *such term is defined in section 1104 of the Inter-*
13 *net Tax Freedom Act (47 U.S.C. 151 note)).”.*

14 (b) *RULE OF CONSTRUCTION.—This section and the*
15 *amendment made by this section may not be construed to*
16 *affect the meaning given the term “telecommunications de-*
17 *vice” in section 223(h)(1) of the Communications Act of*
18 *1934, as in effect before the date of the enactment of this*
19 *section.*

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

21 (a) *INTERSTATE STALKING.—Section 2261A of title*
22 *18, United States Code, is amended to read as follows:*

23 **“§ 2261A. Stalking**

24 “Whoever—

1 “(1) travels in interstate or foreign commerce or
2 within the special maritime and territorial jurisdic-
3 tion of the United States, or enters or leaves Indian
4 country, with the intent to kill, injure, harass, or
5 place under surveillance with intent to kill, injure,
6 harass, or intimidate another person, and in the
7 course of, or as a result of, such travel places that per-
8 son in reasonable fear of the death of, or serious bod-
9 ily injury to, or causes substantial emotional distress
10 to that person, a member of the immediate family (as
11 defined in section 115) of that person, or the spouse
12 or intimate partner of that person; or

13 “(2) with the intent—

14 “(A) to kill, injure, harass, or place under
15 surveillance with intent to kill, injure, harass, or
16 intimidate, or cause substantial emotional dis-
17 tress to a person in another State or tribal jurisdic-
18 tion or within the special maritime and terri-
19 torial jurisdiction of the United States; or

20 “(B) to place a person in another State or
21 tribal jurisdiction, or within the special mari-
22 time and territorial jurisdiction of the United
23 States, in reasonable fear of the death of, or seri-
24 ous bodily injury to—

25 “(i) that person;

1 “(ii) a member of the immediate fam-
2 ily (as defined in section 115 of that person;
3 or

4 “(iii) a spouse or intimate partner of
5 that person;
6 uses the mail, any interactive computer service,
7 or any facility of interstate or foreign commerce
8 to engage in a course of conduct that causes sub-
9 stantial emotional distress to that person or
10 places that person in reasonable fear of the death
11 of, or serious bodily injury to, any of the persons
12 described in clauses (i) through (iii) of subpara-
13 graph (B);

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

16 (b) *ENHANCED PENALTIES FOR STALKING*.—Section
17 2261(b) of title 18, United States Code, is amended by add-
18 ing at the end the following:

19 “(6) Whoever commits the crime of stalking in
20 violation of a temporary or permanent civil or crimi-
21 nal injunction, restraining order, no-contact order, or
22 other order described in section 2266 of title 18,
23 United States Code, shall be punished by imprison-
24 ment for not less than 1 year.”.

1 **SEC. 115. REPEAT OFFENDER PROVISION.**

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

4 **“§ 2265A. Repeat offenders**

5 “(a) *MAXIMUM TERM OF IMPRISONMENT.*—The max-
6 imum term of imprisonment for a violation of this chapter
7 after a prior domestic violence or stalking offense shall be
8 twice the term otherwise provided under this chapter.

9 “(b) *DEFINITION.*—For purposes of this section—

10 “(1) the term ‘prior domestic violence or stalking
11 offense’ means a conviction for an offense—

12 “(A) under section 2261, 2261A, or 2262 of
13 this chapter; or

14 “(B) under State law for an offense con-
15 sisting of conduct that would have been an of-
16 fense under a section referred to in subparagraph
17 (A) if the conduct had occurred within the spe-
18 cial maritime and territorial jurisdiction of the
19 United States, or in interstate or foreign com-
20 merce; and

21 “(2) the term ‘State’ means a State of the United
22 States, the District of Columbia, or any common-
23 wealth, territory, or possession of the United States.”.

24 **SEC. 116. PROHIBITING DATING VIOLENCE.**

25 (a) *IN GENERAL.*—Section 2261(a) of title 18, United
26 States Code, is amended—

1 (1) in paragraph (1), striking “or intimate part-
2 ner” and inserting “, intimate partner, or dating
3 partner”; and

4 (2) in paragraph (2), striking “or intimate part-
5 ner” and inserting “, intimate partner, or dating
6 partner”.

7 (b) *DEFINITION.*—Section 2266 of title 18, United
8 States Code, is amended by adding at the end the following:

9 “(10) *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 the existence of such a relation-
13 ship based on a consideration of—

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

15 “(B) the type of relationship; and

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

18 **SEC. 117. PROHIBITING VIOLENCE IN SPECIAL MARITIME**
19 **AND TERRITORIAL JURISDICTION.**

20 (a) *DOMESTIC VIOLENCE.*—Section 2261(a)(1) of title
21 18, United States Code, is amended by inserting after “In-
22 dian country” the following: “or within the special mari-
23 time and territorial jurisdiction of the United States”.

24 (b) *PROTECTION ORDER.*—Section 2262(a)(1) of title
25 18, United States Code, is amended by inserting after “In-

1 *dian country” the following: “or within the special mari-*
2 *time and territorial jurisdiction of the United States”.*

3 **SEC. 118. UPDATING PROTECTION ORDER DEFINITION.**

4 *Section 534 of title 28, United States Code, is amended*
5 *by striking subsection (e)(3)(B) and inserting the following:*

6 *“(B) the term ‘protection order’ includes—*

7 *“(i) any injunction, restraining order,*
8 *or any other order issued by a civil or*
9 *criminal court for the purpose of preventing*
10 *violent or threatening acts or harassment*
11 *against, sexual violence or contact or com-*
12 *munication with or physical proximity to,*
13 *another person, including any temporary or*
14 *final orders issued by civil or criminal*
15 *courts whether obtained by filing an inde-*
16 *pendent action or as a pendente lite order*
17 *in another proceeding so long as any civil*
18 *order was issued in response to a com-*
19 *plaint, petition, or motion filed by or on be-*
20 *half of a person seeking protection; and*

21 *“(ii) any support, child custody or vis-*
22 *itation provisions, orders, remedies, or relief*
23 *issued as part of a protection order, re-*
24 *straining order, or stay away injunction*
25 *pursuant to State, tribal, territorial, or*

1 local law authorizing the issuance of protec-
2 tion orders, restraining orders, or injunc-
3 tions for the protection of victims of domes-
4 tic violence, dating violence, sexual assault,
5 or stalking.”.

6 **SEC. 119. GAO STUDY AND REPORT.**

7 (a) *STUDY REQUIRED.*—The Comptroller General
8 shall conduct a study to establish the extent to which men,
9 women, youth, and children are victims of domestic vio-
10 lence, dating violence, sexual assault, and stalking and the
11 availability to all victims of shelter, counseling, legal rep-
12 resentation, and other services commonly provided to vic-
13 tims of domestic violence.

14 (b) *ACTIVITIES UNDER STUDY.*—In conducting the
15 study, the following shall apply:

16 (1) *CRIME STATISTICS.*—The Comptroller Gen-
17 eral shall not rely only on crime statistics, but may
18 also use existing research available, including public
19 health studies and academic studies.

20 (2) *SURVEY.*—The Comptroller General shall
21 survey the Department of Justice, as well as any re-
22 cipients of Federal funding for any purpose or an ap-
23 propriate sampling of recipients, to determine—

1 (A) *what services are provided to victims of*
2 *domestic violence, dating violence, sexual assault,*
3 *and stalking;*

4 (B) *whether those services are made avail-*
5 *able to youth, child, female, and male victims;*
6 *and*

7 (C) *the number, age, and gender of victims*
8 *receiving each available service.*

9 (c) *REPORT.*—*Not later than 1 year after the date of*
10 *the enactment of this Act, the Comptroller General shall*
11 *submit to Congress a report on the activities carried out*
12 *under this section.*

13 **SEC. 120. GRANTS FOR OUTREACH TO UNDERSERVED POP-**
14 **ULATIONS.**

15 (a) *GRANTS AUTHORIZED.*—

16 (1) *IN GENERAL.*—*From amounts made avail-*
17 *able to carry out this section, the Attorney General,*
18 *acting through the Director of the Office on Violence*
19 *Against Women, shall award grants to eligible entities*
20 *described in subsection (b) to carry out local, re-*
21 *gional, or national public information campaigns fo-*
22 *cused on addressing adult, youth, or minor domestic*
23 *violence, dating violence, sexual assault, stalking, or*
24 *trafficking within tribal and underserved populations*
25 *and immigrant communities, including information*

1 *on services available to victims and ways to prevent*
2 *or reduce domestic violence, dating violence, sexual*
3 *assault, and stalking.*

4 (2) *TERM.—The Attorney General shall award*
5 *grants under this section for a period of 1 fiscal year.*

6 (b) *ELIGIBLE ENTITIES.—Eligible entities under this*
7 *section are—*

8 (1) *nonprofit, nongovernmental organizations or*
9 *coalitions that represent the targeted tribal and un-*
10 *derserved populations or immigrant community*
11 *that—*

12 (A) *have a documented history of creating*
13 *and administering effective public awareness*
14 *campaigns addressing domestic violence, dating*
15 *violence, sexual assault, and stalking; or*

16 (B) *work in partnership with an organiza-*
17 *tion that has a documented history of creating*
18 *and administering effective public awareness*
19 *campaigns addressing domestic violence, dating*
20 *violence, sexual assault, and stalking; or*

21 (2) *a governmental entity that demonstrates a*
22 *partnership with organizations described in para-*
23 *graph (1).*

24 (c) *ALLOCATION OF FUNDS.—Of the amounts appro-*
25 *priated for grants under this section—*

1 (1) *not more than 20 percent shall be used for*
2 *national model campaign materials targeted to spe-*
3 *cific tribal and underserved populations or immi-*
4 *grant community, including American Indian tribes*
5 *and Alaskan native villages for the purposes of re-*
6 *search, testing, message development, and preparation*
7 *of materials; and*

8 (2) *the balance shall be used for not less than 10*
9 *State, regional, territorial, tribal, or local campaigns*
10 *targeting specific communities with information and*
11 *materials developed through the national campaign*
12 *or, if appropriate, new materials to reach an under-*
13 *served population or a particularly isolated commu-*
14 *nity.*

15 (d) *USE OF FUNDS.—Funds appropriated under this*
16 *section shall be used to conduct a public information cam-*
17 *paign and build the capacity and develop leadership of ra-*
18 *cial, ethnic populations, or immigrant community members*
19 *to address domestic violence, dating violence, sexual assault,*
20 *and stalking.*

21 (e) *APPLICATION.—An eligible entity desiring a grant*
22 *under this section shall submit an application to the Direc-*
23 *tor of the Office on Violence Against Women at such time,*
24 *in such form, and in such manner as the Director may pre-*
25 *scribe.*

1 (f) *CRITERIA.*—*In awarding grants under this section,*
2 *the Attorney General shall ensure—*

3 (1) *reasonable distribution among eligible grant-*
4 *ees representing various underserved and immigrant*
5 *communities;*

6 (2) *reasonable distribution among State, re-*
7 *gional, territorial, tribal, and local campaigns;*

8 (3) *that not more than 8 percent of the total*
9 *amount appropriated under this section for each fis-*
10 *cal year is set aside for training, technical assistance,*
11 *and data collection.*

12 (g) *REPORTS.*—*Each eligible entity receiving a grant*
13 *under this section shall submit to the Director of the Office*
14 *of Violence Against Women, every 18 months, a report that*
15 *describes the activities carried out with grant funds.*

16 (h) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
17 *authorized to be appropriated to carry out this section*
18 *\$2,000,000 for each of fiscal years 2007 through 2011.*

19 **SEC. 121. ENHANCING CULTURALLY AND LINGUISTICALLY**
20 **SPECIFIC SERVICES FOR VICTIMS OF DOMES-**
21 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**
22 **ASSAULT, AND STALKING.**

23 (a) *ESTABLISHMENT.*—

24 (1) *IN GENERAL.*—*Of the amounts appropriated*
25 *under certain grant programs identified in para-*

1 *graph (a)(2) of this Section, the Attorney General,*
2 *through the Director of the Violence Against Women*
3 *Office (referred to in this section as the “Director”),*
4 *shall take 5 percent of such appropriated amounts*
5 *and combine them to establish a new grant program*
6 *to enhance culturally and linguistically specific serv-*
7 *ices for victims of domestic violence, dating violence,*
8 *sexual assault, and stalking. Grants made under this*
9 *new program shall be administered by the Director.*

10 (2) *PROGRAMS COVERED.—The programs covered*
11 *by paragraph (1) are the programs carried out under*
12 *the following provisions:*

13 (A) *Section 2101 (42 U.S.C. 3796hh),*
14 *Grants to Encourage Arrest Policies.*

15 (B) *Section 1201 of the Violence Against*
16 *Women Act of 2000 (42 U.S.C. 3796gg–6), Legal*
17 *Assistance for Victims.*

18 (C) *Section 40295 of the Violence Against*
19 *Women Act of 1994 (42 U.S.C. 13971), Rural*
20 *Domestic Violence and Child Abuser Enforce-*
21 *ment Assistance.*

22 (D) *Section _____ of the Violence Against*
23 *Women Act of 1994 (42 U.S.C. _____), Older*
24 *Battered Women.*

1 (E) Section _____ of the Violence Against
2 Women Act of 2000 (42 U.S.C. _____), Dis-
3 abled Women Program.

4 (b) *PURPOSE OF PROGRAM AND GRANTS.*—

5 (1) *GENERAL PROGRAM PURPOSE.*—*The purpose*
6 *of the program required by this section is to promote:*

7 (A) *The maintenance and replication of ex-*
8 *isting successful services in domestic violence,*
9 *dating violence, sexual assault, and stalking*
10 *community-based programs providing culturally*
11 *and linguistically specific services and other re-*
12 *sources.*

13 (B) *The development of innovative cul-*
14 *turally and linguistically specific strategies and*
15 *projects to enhance access to services and re-*
16 *sources for victims of domestic violence, dating*
17 *violence, sexual assault, and stalking who face*
18 *obstacles to using more traditional services and*
19 *resources.*

20 (2) *PURPOSES FOR WHICH GRANTS MAY BE*
21 *USED.*—*The Director shall make grants to commu-*
22 *nity-based programs for the purpose of enhancing cul-*
23 *turally and linguistically specific services for victims*
24 *of domestic violence, dating violence, sexual assault,*
25 *and stalking. Grants under the program shall support*

1 *community-based efforts to address distinctive cul-*
2 *tural and linguistic responses to domestic violence,*
3 *dating violence, sexual assault, and stalking.*

4 (3) *TECHNICAL ASSISTANCE AND TRAINING.—*
5 *The Director shall provide technical assistance and*
6 *training to grantees of this and other programs under*
7 *this Act regarding the development and provision of*
8 *effective culturally and linguistically specific commu-*
9 *nity-based services by entering into cooperative agree-*
10 *ments or contracts with an organization or organiza-*
11 *tions having a demonstrated expertise in and whose*
12 *primary purpose is addressing the development and*
13 *provision of culturally and linguistically specific*
14 *community-based services to victims of domestic vio-*
15 *lence, dating violence, sexual assault, and stalking.*

16 (c) *ELIGIBLE ENTITIES.—Eligible entities for grants*
17 *under this Section include—*

18 (1) *community-based programs whose primary*
19 *purpose is providing culturally and linguistically*
20 *specific services to victims of domestic violence, dating*
21 *violence, sexual assault, and stalking; and*

22 (2) *community-based programs whose primary*
23 *purpose is providing culturally and linguistically*
24 *specific services who can partner with a program*
25 *having demonstrated expertise in serving victims of*

1 *domestic violence, dating violence, sexual assault, and*
2 *stalking.*

3 (d) *REPORTING.*—*The Director shall issue a biennial*
4 *report on the distribution of funding under this section, the*
5 *progress made in replicating and supporting increased*
6 *services to victims of domestic violence, dating violence, sex-*
7 *ual assault, and stalking who face obstacles to using more*
8 *traditional services and resources, and the types of cul-*
9 *turally and linguistically accessible programs, strategies,*
10 *technical assistance, and training developed or enhanced*
11 *through this program.*

12 (e) *GRANT PERIOD.*—*The Director shall award grants*
13 *for a 2-year period, with a possible extension of another*
14 *2 years to implement projects under the grant.*

15 (f) *EVALUATION.*—*The Director shall award a contract*
16 *or cooperative agreement to evaluate programs under this*
17 *section to an entity with the demonstrated expertise in and*
18 *primary goal of providing enhanced cultural and linguistic*
19 *access to services and resources for victims of domestic vio-*
20 *lence, dating violence, sexual assault, and stalking who face*
21 *obstacles to using more traditional services and resources.*

22 (g) *NON-EXCLUSIVITY.*—*Nothing in this Section shall*
23 *be interpreted to exclude linguistic and culturally specific*
24 *community-based programs from applying to other grant*
25 *programs authorized under this Act.*

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 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 States*
15 *is estimated to cost \$127,000,000,000 per year,*
16 *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 areas*
24 *is a particular problem because of the high rate of*
25 *nonstranger sexual assault.*

1 (5) *Geographic isolation often compounds 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 re-*
10 *lationships include—*

11 (A) *the inability to support themselves;*

12 (B) *poor health that increases their depend-*
13 *ence on the abuser;*

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

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

18 (8) *Disabled women comprise another vulnerable*
19 *population with unmet needs. Women with disabili-*
20 *ties are more likely to be the victims of abuse and*
21 *violence than women without disabilities because of*
22 *their increased physical, economic, social, or psycho-*
23 *logical 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 immi-*
13 *gration status of their family members, and abusers*
14 *use threats of refusal to file immigration papers and*
15 *threats to deport spouses and children as powerful*
16 *tools to prevent battered immigrant women from seek-*
17 *ing help, trapping battered immigrant women in vio-*
18 *lent homes because of fear of deportation.*

19 *(12) Battered immigrant women who attempt to*
20 *flee abusive relationships may not have access to bi-*
21 *lingual shelters or bilingual professionals, and face re-*
22 *strictions on public or financial assistance. They may*
23 *also lack assistance of a certified interpreter in court,*
24 *when reporting complaints to the police or a 9–1–1*

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

3 (13) More than 500 men and women call the Na-
4 tional Domestic Violence Hotline every day to get im-
5 mediate, informed, and confidential assistance to help
6 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 translators
10 in 150 languages, and a TTY line for the hearing-im-
11 paired.

12 (15) With access to over 5,000 shelters and serv-
13 ice providers across the United States, Puerto Rico,
14 and the United States Virgin Islands, the National
15 Domestic Violence Hotline provides crisis intervention
16 and immediately connects callers with sources of help
17 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 they
21 have not called the police or any other support serv-
22 ices.

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 tech-*
4 *nology will drastically increase the Hotline’s ability*
5 *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. 2014. SEXUAL ASSAULT SERVICES.**

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

13 “(1) *to assist States, Indian tribes, and terri-*
14 *tories in providing intervention, advocacy, accom-*
15 *paniment, support services, and related assistance*
16 *for—*

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

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

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

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

1 “(A) *Federal, State, tribal, territorial and*
2 *local governments, law enforcement agencies, and*
3 *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 Gen-*
12 *eral shall award grants to States and territories to*
13 *support the establishment, maintenance, and expan-*
14 *sion of rape crisis centers and other programs and*
15 *projects to assist 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 a*
19 *State or territory governmental agency under*
20 *this subsection for any fiscal year may be used*
21 *for administrative costs.*

22 “(B) *GRANT FUNDS.—Any funds received*
23 *by a State or territory under this subsection that*
24 *are not used for administrative costs shall be*
25 *used to provide grants to rape crisis centers and*

1 *other nonprofit, nongovernmental organizations*
2 *for programs and activities within such State or*
3 *territory that provide direct intervention and re-*
4 *lated assistance.*

5 “(C) *INTERVENTION AND RELATED ASSIST-*
6 *ANCE.—Intervention and related assistance*
7 *under subparagraph (B) may include—*

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

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

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

19 “(iv) *information and referral to assist*
20 *the sexual assault victim and family or*
21 *household members;*

22 “(v) *community-based, linguistically*
23 *and culturally specific services and support*
24 *mechanisms, including outreach activities*
25 *for underserved communities; and*

1 “(vi) the development and distribution
2 of materials on issues related to the services
3 described in clauses (i) through (v).

4 “(3) APPLICATION.—

5 “(A) IN GENERAL.—Each eligible entity de-
6 siring a grant under this subsection shall submit
7 an application to the Attorney General at such
8 time and in such manner as the Attorney Gen-
9 eral may reasonably require.

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

12 “(i) set forth procedures designed to en-
13 sure meaningful involvement of the State or
14 territorial sexual assault coalition and rep-
15 resentatives from underserved communities
16 in the development of the application and
17 the implementation of the plans;

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

23 “(iii) identify the State or territorial
24 agency that is responsible for the adminis-
25 tration of programs and activities; and

1 “(iv) meet other such requirements as
2 the Attorney General reasonably determines
3 are necessary to carry out the purposes and
4 provisions of this section.

5 “(4) *MINIMUM AMOUNT.*—The Attorney General
6 shall allocate to each State not less than 1.50 percent
7 of the total amount appropriated in a fiscal year for
8 grants under this section, except that the United
9 States Virgin Islands, American Samoa, Guam, the
10 District of Columbia, Puerto Rico, and the Common-
11 wealth of the Northern Mariana Islands shall each be
12 allocated 0.125 percent of the total appropriations.
13 The remaining funds shall be allotted to each State
14 and each territory in an amount that bears the same
15 ratio to such remaining funds as the population of
16 such State and such territory bears to the population
17 of the combined States or the population of the com-
18 bined territories.

19 “(c) *GRANTS FOR CULTURALLY SPECIFIC PROGRAMS*
20 *ADDRESSING SEXUAL ASSAULT.*—

21 “(1) *GRANTS AUTHORIZED.*—The Attorney Gen-
22 eral shall award grants to eligible entities to support
23 the establishment, maintenance, and expansion of cul-
24 turally specific intervention and related assistance for
25 victims of sexual assault.

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

3 “(A) *be a private nonprofit organization*
4 *that focuses primarily on culturally specific com-*
5 *munities;*

6 “(B) *must have documented organizational*
7 *experience in the area of sexual assault interven-*
8 *tion or have entered into a partnership with an*
9 *organization having such expertise;*

10 “(C) *have expertise in the development of*
11 *community-based, linguistically and culturally*
12 *specific outreach and intervention services rel-*
13 *evant for the specific communities to whom as-*
14 *sistance would be provided or have the capacity*
15 *to link to existing services in the community tai-*
16 *lored to the needs of culturally specific popu-*
17 *lations; and*

18 “(D) *have an advisory board or steering*
19 *committee and staffing which is reflective of the*
20 *targeted culturally specific community.*

21 “(3) *AWARD BASIS.*—*The Attorney General shall*
22 *award grants under this section on a competitive*
23 *basis.*

24 “(4) *DISTRIBUTION.*—

1 “(A) *The Attorney General shall not use*
2 *more than 2.5 percent of funds appropriated*
3 *under this subsection in any year for adminis-*
4 *tration, monitoring, and evaluation of grants*
5 *made available under this subsection.*

6 “(B) *Up to 5 percent of funds appropriated*
7 *under this subsection in any year shall be avail-*
8 *able for technical assistance by a national, non-*
9 *profit, nongovernmental organization or organi-*
10 *zations whose primary focus and expertise is in*
11 *addressing sexual assault within underserved*
12 *culturally specific populations.*

13 “(5) *TERM.—The Attorney General shall make*
14 *grants under this section for a period of no less than*
15 *2 fiscal years.*

16 “(6) *REPORTING.—Each entity receiving a grant*
17 *under this subsection shall submit a report to the At-*
18 *torney General that describes the activities carried out*
19 *with such grant funds.*

20 “(d) *GRANTS TO STATE, TERRITORIAL, AND TRIBAL*
21 *SEXUAL ASSAULT COALITIONS.—*

22 “(1) *GRANTS AUTHORIZED.—*

23 “(A) *IN GENERAL.—The Attorney General*
24 *shall award grants to State, territorial, and trib-*
25 *al sexual assault coalitions to assist in sup-*

1 *porting the establishment, maintenance, and ex-*
2 *pansion of such coalitions.*

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

7 “(C) *ELIGIBLE APPLICANTS.*—*Each of the*
8 *State, territorial, and tribal sexual assault coal-*
9 *tions.*

10 “(2) *USE OF FUNDS.*—*Grant funds received*
11 *under this subsection may be used to—*

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

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

19 “(C) *work with courts, child protective serv-*
20 *ices agencies, and children’s advocates to develop*
21 *appropriate responses to child custody and visi-*
22 *tation issues when sexual assault has been deter-*
23 *mined to be a factor;*

24 “(D) *design and conduct public education*
25 *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 de-
6 velop and implement policies to reduce or elimi-
7 nate 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, and
16 the Attorney General shall allocate an amount
17 equal to $\frac{1}{56}$ of the amounts so appropriated to
18 each of those State and territorial coalitions.

19 “(4) APPLICATION.—Each eligible entity desiring
20 a grant under this subsection shall submit an appli-
21 cation to the Attorney General at such time, in such
22 manner, and containing such information as the At-
23 torney General determines to be essential to carry out
24 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 funds
4 are available under this subsection because such enti-
5 ty has not previously applied or received funding
6 under this subsection.

7 “(e) *GRANTS TO TRIBES.*—

8 “(1) *GRANTS AUTHORIZED.*—The Attorney Gen-
9 eral may award grants to Indian tribes, tribal orga-
10 nizations, and nonprofit tribal organizations for the
11 operation of sexual assault programs or projects in
12 Indian country and Alaska Native villages to support
13 the establishment, maintenance, and expansion of
14 programs and projects to assist those victimized by
15 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 an
19 Indian tribe, tribal organization, and nonprofit
20 tribal organization under this subsection for any
21 fiscal year may be used for administrative costs.

22 “(B) *GRANT FUNDS.*—Any funds received
23 under this subsection that are not used for ad-
24 ministrative costs shall be used to provide grants
25 to tribal organizations and nonprofit tribal or-

1 *ganizations for programs and activities within*
2 *Indian country and Alaskan native villages that*
3 *provide direct intervention and related assist-*
4 *ance.*

5 “(f) *AUTHORIZATION OF APPROPRIATIONS.—*

6 “(1) *IN GENERAL.—There are authorized to be*
7 *appropriated \$50,000,000 for each of the fiscal years*
8 *2007 through 2011 to carry out the provisions of this*
9 *section.*

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

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

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

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

23 “(D) *not less than 10 percent shall be used*
24 *for making grants to State, territorial, and trib-*
25 *al sexual assault coalitions under subsection (d);*

1 “(E) not less than 10 percent shall be used
2 for grants to tribes under subsection (e); and

3 “(F) not less than 10 percent shall be used
4 for grants for culturally specific programs ad-
5 dressing sexual assault under subsection (c).”.

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

9 Section 40295 of the Safe Homes for Women Act of
10 1994 (42 U.S.C. 13971) is amended to read as follows:

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

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

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

20 “(A) domestic violence, dating violence, sex-
21 ual assault, and stalking victim service pro-
22 viders;

23 “(B) law enforcement agencies;

24 “(C) prosecutors;

25 “(D) courts;

1 “(E) other criminal justice service pro-
2 viders;

3 “(F) human and community service pro-
4 viders;

5 “(G) educational institutions; and

6 “(H) health care providers;

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

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

13 “(A) dealing directly and immediately with
14 domestic violence, sexual assault, dating violence,
15 and stalking occurring in rural communities;
16 and

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

21 “(b) GRANTS AUTHORIZED.—The Attorney General,
22 acting through the Director of the Office on Violence Against
23 Women (referred to in this section as the ‘Director’), may
24 award grants to States, Indian tribes, local governments,
25 and nonprofit, public or private entities, including tribal

1 *nonprofit organizations, to carry out programs serving*
2 *rural areas or rural communities that address domestic vio-*
3 *lence, dating violence, sexual assault, and stalking by—*

4 “(1) *implementing, expanding, and establishing*
5 *cooperative efforts and projects among law enforce-*
6 *ment officers, prosecutors, victim advocacy groups,*
7 *and other related parties to investigate and prosecute*
8 *incidents of domestic violence, dating violence, sexual*
9 *assault, and stalking;*

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

16 “(3) *working in cooperation with the community*
17 *to develop education and prevention strategies di-*
18 *rected toward such issues.*

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

22 “(d) *ALLOTMENTS AND PRIORITIES.—*

23 “(1) *ALLOTMENT FOR INDIAN TRIBES.—Not less*
24 *than 10 percent of the total amount made available*
25 *for each fiscal year to carry out this section shall be*

1 *allocated for grants to Indian tribes or tribal organi-*
2 *zations.*

3 “(2) *ALLOTMENT FOR SEXUAL ASSAULT.*—

4 “(A) *IN GENERAL.*—*Not less than 25 per-*
5 *cent of the total amount appropriated in a fiscal*
6 *year under this section shall fund services that*
7 *meaningfully address sexual assault in rural*
8 *communities, however at such time as the*
9 *amounts appropriated reach the amount of*
10 *\$45,000,000, the percentage allocated shall rise to*
11 *30 percent of the total amount appropriated, at*
12 *such time as the amounts appropriated reach the*
13 *amount of \$50,000,000, the percentage allocated*
14 *shall rise to 35 percent of the total amount ap-*
15 *propriated, and at such time as the amounts ap-*
16 *propriated reach the amount of \$55,000,000, the*
17 *percentage allocated shall rise to 40 percent of*
18 *the amounts appropriated.*

19 “(B) *MULTIPLE PURPOSE APPLICATIONS.*—

20 *Nothing in this section shall prohibit any appli-*
21 *cant from applying for funding to address sexual*
22 *assault, domestic violence, stalking, or dating vi-*
23 *olence in the same application.*

24 “(3) *ALLOTMENT FOR TECHNICAL ASSISTANCE.*—

25 *Of the amounts appropriated for each fiscal year to*

1 *carry out this section, not more than 8 percent may*
2 *be used by the Director for technical assistance costs.*
3 *Of the amounts appropriated in this subsection, no*
4 *less than 25 percent of such amounts shall be avail-*
5 *able to a nonprofit, nongovernmental organization or*
6 *organizations whose focus and expertise is in address-*
7 *ing sexual assault to provide technical assistance to*
8 *sexual assault grantees.*

9 “(4) *UNDERSERVED POPULATIONS.—In award-*
10 *ing grants under this section, the Director shall give*
11 *priority to the needs of underserved populations.*

12 “(5) *ALLOCATION OF FUNDS FOR RURAL*
13 *STATES.—Not less than 75 percent of the total*
14 *amount made available for each fiscal year to carry*
15 *out this section shall be allocated to eligible entities*
16 *located in rural States.*

17 “(e) *AUTHORIZATION OF APPROPRIATIONS.—*

18 “(1) *IN GENERAL.—There are authorized to be*
19 *appropriated \$55,000,000 for each of the fiscal years*
20 *2007 through 2011 to carry out this section.*

21 “(2) *ADDITIONAL FUNDING.—In addition to*
22 *funds received through a grant under subsection (b),*
23 *a law enforcement agency may use funds received*
24 *through a grant under part Q of title I of the Omni-*
25 *bus Crime Control and Safe Streets Act of 1968 (42*

1 *U.S.C. 3796dd et seq.) to accomplish the objectives of*
 2 *this section.”.*

3 **SEC. 204. TRAINING AND SERVICES TO END VIOLENCE**
 4 **AGAINST WOMEN WITH DISABILITIES.**

5 *(a) IN GENERAL.—Section 1402 of the Violence*
 6 *Against Women Act of 2000 (42 U.S.C. 3796gg–7) is*
 7 *amended to read as follows:*

8 **“SEC. 1402. EDUCATION, TRAINING, AND ENHANCED SERV-**
 9 **ICES TO END VIOLENCE AGAINST AND ABUSE**
 10 **OF WOMEN WITH DISABILITIES.**

11 *“(a) IN GENERAL.—The Attorney General, in con-*
 12 *sultation with the Secretary of Health and Human Serv-*
 13 *ices, may award grants to eligible entities—*

14 *“(1) to provide training, consultation, and infor-*
 15 *mation on domestic violence, dating violence, stalking,*
 16 *and sexual assault against individuals with disabil-*
 17 *ities (as defined in section 3 of the Americans with*
 18 *Disabilities Act of 1990 (42 U.S.C. 12102)); and*

19 *“(2) to enhance direct services to such individ-*
 20 *uals.*

21 *“(b) USE OF FUNDS.—Grants awarded under this sec-*
 22 *tion shall be used—*

23 *“(1) to provide personnel, training, technical as-*
 24 *sistance, advocacy, intervention, risk reduction and*

1 *prevention of domestic violence, dating violence, stalk-*
2 *ing, and sexual assault against disabled individuals;*

3 *“(2) to conduct outreach activities to ensure that*
4 *disabled individuals who are victims of domestic vio-*
5 *lence, dating violence, stalking, or sexual assault re-*
6 *ceive appropriate assistance;*

7 *“(3) to conduct cross-training for victim service*
8 *organizations, governmental agencies, courts, law en-*
9 *forcement, and nonprofit, nongovernmental organiza-*
10 *tions serving individuals with disabilities about risk*
11 *reduction, intervention, prevention and the nature of*
12 *domestic violence, dating violence, stalking, and sex-*
13 *ual assault for disabled individuals;*

14 *“(4) to provide technical assistance to assist with*
15 *modifications to existing policies, protocols, and pro-*
16 *cedures to ensure equal access to the services, pro-*
17 *grams, and activities of victim service organizations*
18 *for disabled individuals;*

19 *“(5) to provide training and technical assistance*
20 *on the requirements of shelters and victim services or-*
21 *ganizations under Federal antidiscrimination laws,*
22 *including—*

23 *“(A) the Americans with Disabilities Act of*
24 *1990; and*

1 “(B) section 504 of the Rehabilitation Act of
2 1973;

3 “(6) to modify facilities, purchase equipment,
4 and provide personnel so that shelters and victim
5 service organizations can accommodate the needs of
6 disabled individuals;

7 “(7) to provide advocacy and intervention serv-
8 ices for disabled individuals who are victims of do-
9 mestic violence, dating violence, stalking, or sexual
10 assault; or

11 “(8) to develop model programs providing advo-
12 cacy and intervention services within organizations
13 serving disabled individuals who are victims of do-
14 mestic violence, dating violence, sexual assault, or
15 stalking.

16 “(c) *ELIGIBLE ENTITIES.*—

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

19 “(A) a State;

20 “(B) a unit of local government;

21 “(C) an Indian tribal government or tribal
22 organization; or

23 “(D) a nonprofit and nongovernmental vic-
24 tim services organization, such as a State domes-
25 tic violence or sexual assault coalition or a non-

1 “(1) training programs to assist law enforce-
2 ment, prosecutors, governmental agencies, victim as-
3 sistants, and relevant officers of Federal, State, tribal,
4 territorial, and local courts in recognizing, address-
5 ing, investigating, and prosecuting instances of elder
6 abuse, neglect, and exploitation, including domestic
7 violence, dating violence, sexual assault, or stalking
8 against victims who are 50 years of age or older;

9 “(2) providing or enhancing services for victims
10 of elder abuse, neglect, and exploitation, including do-
11 mestic violence, dating violence, sexual assault, or
12 stalking, who are 50 years of age or older;

13 “(3) creating or supporting multidisciplinary
14 collaborative community responses to victims of elder
15 abuse, neglect, and exploitation, including domestic
16 violence, dating violence, sexual assault, and stalking,
17 who are 50 years of age or older; and

18 “(4) conducting cross-training for victim service
19 organizations, governmental agencies, courts, law en-
20 forcement, and nonprofit, nongovernmental organiza-
21 tions serving victims of elder abuse, neglect, and ex-
22 ploitation, including domestic violence, dating vio-
23 lence, sexual assault, and stalking, who are 50 years
24 of age or older.

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

3 “(1) a State;

4 “(2) a unit of local government;

5 “(3) an Indian tribal government or tribal orga-
6 nization; or

7 “(4) a nonprofit and nongovernmental victim
8 services organization with demonstrated experience in
9 assisting elderly women or demonstrated experience
10 in addressing domestic violence, dating violence, sex-
11 ual assault, and stalking.

12 “(c) *UNDERSERVED POPULATIONS.*—In awarding
13 grants under this section, the Director shall ensure that
14 services are culturally and linguistically relevant and that
15 the needs of underserved populations are being addressed.”.

16 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
17 40803 of the Violence Against Women Act of 1994 (42
18 U.S.C. 14041b) is amended by striking “\$5,000,000 for each
19 of fiscal years 2001 through 2005” and inserting
20 “\$10,000,000 for each of the fiscal years 2007 through
21 2011”.

22 **SEC. 206. STRENGTHENING THE NATIONAL DOMESTIC VIO-**
23 **LENCE HOTLINE.**

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

1 (1) in subsection (d)(2), by inserting “(including
2 technology training)” after “train;”

3 (2) in subsection (f)(2)(A), by inserting “, in-
4 cluding technology training to ensure that all persons
5 affiliated with the hotline are able to effectively oper-
6 ate any technological systems used by the hotline”
7 after “hotline personnel”; and

8 (3) in subsection (g)(2), by striking “shall” and
9 inserting “may”.

10 **TITLE III—SERVICES, PROTEC-**
11 **TION, AND JUSTICE FOR**
12 **YOUNG VICTIMS OF VIO-**
13 **LENCE**

14 **SEC. 301. FINDINGS.**

15 *Congress finds the following:*

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

19 (2) The Department of Justice consistently finds
20 that young women between the ages of 16 and 24 ex-
21 perience the highest rate of non-fatal intimate partner
22 violence.

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

1 (4) *Young people experience particular obstacles*
2 *to seeking help. They often do not have access to*
3 *money, transportation, or shelter services. They must*
4 *overcome issues such as distrust of adults, lack of*
5 *knowledge about available resources, or pressure from*
6 *peers and parents.*

7 (5) *A needs assessment on teen relationship*
8 *abuse for the State of California, funded by the Cali-*
9 *fornia Department of Health Services, identified a de-*
10 *sire for confidentiality and confusion about the law*
11 *as 2 of the most significant barriers to young victims*
12 *of domestic and dating violence seeking help.*

13 (6) *Only one State specifically allows for minors*
14 *to petition the court for protection orders.*

15 (7) *Many youth are involved in dating relation-*
16 *ships, and these relationships can include the same*
17 *kind of domestic violence and dating violence seen in*
18 *the adult population. In fact, more than 40 percent*
19 *of all incidents of domestic violence involve people*
20 *who are not married.*

21 (8) *40 percent of girls ages 14 to 17 report know-*
22 *ing someone their age who has been hit or beaten by*
23 *a boyfriend, and 13 percent of college women report*
24 *being stalked.*

1 (9) *Of college women who said they had been the*
2 *victims of rape or attempted rape, 12.8 percent of*
3 *completed rapes, 35 percent of attempted rapes, and*
4 *22.9 percent of threatened rapes took place on a date.*
5 *Almost 60 percent of the completed rapes that oc-*
6 *curred on campus took place in the victim’s residence.*

7 (10) *According to a 3-year study of student-ath-*
8 *letes at 10 Division I universities, male athletes made*
9 *up only 3.3 percent of the general male university*
10 *population, but they accounted for 19 percent of the*
11 *students reported for sexual assault and 35 percent of*
12 *domestic violence perpetrators.*

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

14 *Section 393B(c) of part J of title III of the Public*
15 *Health Service Act (42 U.S.C. 280b–1c(c)) is amended to*
16 *read as follows:*

17 “(c) *AUTHORIZATION OF APPROPRIATIONS.—*

18 “(1) *IN GENERAL.—There is authorized to be ap-*
19 *propriated to carry out this section \$80,000,000 for*
20 *each of fiscal years 2007 through 2011.*

21 “(2) *NATIONAL SEXUAL VIOLENCE RESOURCE*
22 *CENTER ALLOTMENT.—Of the total amount made*
23 *available under this subsection in each fiscal year,*
24 *not less than \$1,500,000 shall be available for allot-*
25 *ment under subsection (b).”.*

1 **SEC. 303. SERVICES, EDUCATION, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE.**
 2

3 *The Violence Against Women Act of 1994 (Public Law*
 4 *103–322, Stat. 1902 et seq.) is amended by adding at the*
 5 *end the following:*

6 **“Subtitle L—Services, Education,**
 7 **Protection and Justice for**
 8 **Young Victims of Violence**

9 **“SEC. 41201. SERVICES TO ADVOCATE FOR AND RESPOND**
 10 **TO YOUTH.**

11 *“(a) GRANTS AUTHORIZED.—The Attorney General,*
 12 *in consultation with the Department of Health and Human*
 13 *Services, shall award grants to eligible entities to conduct*
 14 *programs to serve youth victims of domestic violence, dating*
 15 *violence, sexual assault, and stalking. Amounts appro-*
 16 *priated under this section may only be used for programs*
 17 *and activities described under subsection (c).*

18 *“(b) ELIGIBLE GRANTEES.—To be eligible to receive*
 19 *a grant under this section, an entity shall be—*

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

24 *“(2) a community-based organization special-*
 25 *izing in intervention or violence prevention services*
 26 *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 affected*
7 *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 violence,*
13 *dating violence, sexual assault, and stalking interven-*
14 *tion models to respond to the needs of youth who are*
15 *victims of domestic violence, dating violence, sexual*
16 *assault or stalking.*

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

18 “(A) *shall provide direct counseling and ad-*
19 *vocacy for youth and young adults, who have ex-*
20 *perienced domestic violence, dating violence, sex-*
21 *ual assault or stalking;*

22 “(B) *shall include linguistically, culturally,*
23 *and community relevant services for underserved*
24 *populations or linkages to existing services in the*

1 *community tailored to the needs of underserved*
2 *populations;*

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

7 “(D) *may include legal advocacy efforts on*
8 *behalf of youth and young adults with respect to*
9 *domestic violence, dating violence, sexual assault*
10 *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 elimi-*
14 *nate domestic violence, dating violence, sexual*
15 *assault, and stalking against youth and young*
16 *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 than*
24 *7 percent of funds appropriated under this section in*

1 *any year shall be available for grants to Indian*
2 *Tribes or tribal organizations.*

3 “(2) *ADMINISTRATION.*—*The Attorney General*
4 *shall not use more than 2.5 percent of funds appro-*
5 *propriated under this section in any year for adminis-*
6 *tration, monitoring, and evaluation of grants made*
7 *available 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 assist-*
11 *ance for programs funded under this section.*

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

14 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
15 *authorized to be appropriated to carry out this section,*
16 *\$15,000,000 for each of fiscal years 2007 through 2011.*

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

18 “(a) *PURPOSE.*—*It is the purpose of this section to en-*
19 *courage cross training and collaboration between the courts,*
20 *domestic violence and sexual assault service providers,*
21 *youth organizations and service providers, violence preven-*
22 *tion programs, and law enforcement agencies, so that com-*
23 *munities can establish and implement policies, procedures,*
24 *and practices to protect and more comprehensively and ef-*
25 *fectively serve young victims of dating violence, domestic*

1 *violence, sexual assault, and stalking who are between the*
2 *ages of 12 and 24, and to engage, where necessary, other*
3 *entities addressing the safety, health, mental health, social*
4 *service, housing, and economic needs of young victims of*
5 *domestic violence, dating violence, sexual assault, and stalk-*
6 *ing, including community-based supports such as schools,*
7 *local health centers, community action groups, and neigh-*
8 *borhood coalitions.*

9 “(b) *GRANT AUTHORITY.*—

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

15 “(2) *GRANT PERIODS.*—*Grants shall be awarded*
16 *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;*

1 “(B) shall include a court or law enforce-
2 ment agency partner; and

3 “(C) may include—

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

8 “(ii) community-based youth organiza-
9 tions that deal specifically with the concerns
10 and problems faced by youth, including pro-
11 grams that target teen parents and under-
12 served communities;

13 “(iii) schools or school-based programs
14 designed to provide prevention or interven-
15 tion services to youth experiencing prob-
16 lems;

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

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

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

1 “(vii) *Indian Health Service, tribal*
2 *child protective services, the Bureau of In-*
3 *Indian Affairs, or the Federal Bureau of In-*
4 *vestigations; or*

5 “(viii) *law enforcement agencies of the*
6 *Bureau of Indian Affairs providing tribal*
7 *law enforcement.*

8 “(c) *USES OF FUNDS.—An entity that receives a grant*
9 *under this section shall use the funds made available*
10 *through the grant for cross-training and collaborative*
11 *efforts—*

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

19 “(2) *to establish and enhance linkages and col-*
20 *laboration between—*

21 “(A) *domestic violence and sexual assault*
22 *service providers; and*

23 “(B) *where applicable, law enforcement*
24 *agencies, courts, Federal agencies, and other en-*
25 *tities addressing the safety, health, mental*

1 *health, social service, housing, and economic*
2 *needs of young victims of abuse, including com-*
3 *munity-based supports such as schools, local*
4 *health centers, community action groups, and*
5 *neighborhood coalitions—*

6 *“(i) to respond effectively and com-*
7 *prehensively to the varying needs of young*
8 *victims of abuse;*

9 *“(ii) to include linguistically, cul-*
10 *turally, and community relevant services*
11 *for underserved populations or linkages to*
12 *existing services in the community tailored*
13 *to the needs of underserved populations; and*

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

17 *“(3) to educate the staff of courts, domestic vio-*
18 *lence and sexual assault service providers, and, as ap-*
19 *plicable, the staff of law enforcement agencies, Indian*
20 *child welfare agencies, youth organizations, schools,*
21 *healthcare providers, and other community prevention*
22 *and intervention programs to responsibly address*
23 *youth victims and perpetrators of domestic violence,*
24 *dating violence, sexual assault, and stalking;*

1 “(4) to identify, assess, and respond appro-
2 priately to dating violence, domestic violence, sexual
3 assault, or stalking against teens and young adults
4 and meet the needs of young victims of violence; and

5 “(5) to provide appropriate resources in juvenile
6 court matters to respond to dating violence, domestic
7 violence, sexual assault, and stalking and ensure nec-
8 essary services dealing with the health and mental
9 health of victims are available.

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

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

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

1 “(1) not less than 10 percent of funds appro-
2 priated under this section in any year shall be avail-
3 able to Indian tribal governments to establish and
4 maintain collaborations involving the appropriate
5 tribal justice and social services departments or do-
6 mestic violence or sexual assault service providers, the
7 purpose of which is to provide culturally appropriate
8 services to American Indian 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 under
19 this section in any year shall be available to provide
20 technical assistance for programs funded under this
21 section.

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

1 *make widely available, including through electronic means,*
2 *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, sex-*
11 *ual assault, and stalking victim service pro-*
12 *viders; and*

13 “(C) *law enforcement agencies and commu-*
14 *nity 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 2007 through 2011.*

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 sup-*
22 *port efforts by child welfare agencies, domestic violence or*
23 *dating violence victim services providers, courts, law en-*
24 *forcement, and other related professionals and community*
25 *organizations to develop collaborative responses and services*

1 *and provide cross-training to enhance community responses*
2 *to families where there is both child maltreatment and do-*
3 *mestic violence.*

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

11 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
12 *authorized to be appropriated to carry out this section*
13 *\$5,000,000 for each of fiscal years 2007 through 2011.*
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 evaluation,*
18 *monitoring, site visits, grantee conferences, and other*
19 *administrative costs associated with conducting ac-*
20 *tivities under this section;*

21 “(2) *set aside not more than 7 percent for grants*
22 *to Indian tribes to develop programs addressing child*
23 *maltreatment and domestic violence or dating vio-*
24 *lence that are operated by, or in partnership with, a*
25 *tribal organization; 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 collabo-
4 rative community and system responses to families in
5 which there is both child maltreatment and domestic
6 violence or dating violence, which technical assistance
7 and training may be offered to jurisdictions in the
8 process of developing community responses to families
9 in which children are exposed to child maltreatment
10 and domestic violence or dating violence, whether or
11 not they are receiving funds under this section.

12 “(d) *UNDERSERVED POPULATIONS.*—In awarding
13 grants under this section, the Secretary shall consider the
14 needs of underserved populations.

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

18 “(f) *USES OF FUNDS.*—Entities receiving grants
19 under this section shall use amounts provided to develop
20 collaborative responses and services and provide cross-train-
21 ing to enhance community responses to families where there
22 is both child maltreatment and domestic violence or dating
23 violence. Amounts distributed under this section may only
24 be used for programs and activities described in subsection
25 (g).

1 “(g) *PROGRAMS AND ACTIVITIES.*—*The programs and*
2 *activities developed under this section shall—*

3 “(1) *encourage cross training, education, service*
4 *development, and collaboration among child welfare*
5 *agencies, domestic violence victim service providers,*
6 *and courts, law enforcement agencies, community-*
7 *based programs, and other entities, in order to ensure*
8 *that such entities have the capacity to and will iden-*
9 *tify, assess, and respond appropriately to—*

10 “(A) *domestic violence or dating violence in*
11 *homes where children are present and may be ex-*
12 *posed to the violence;*

13 “(B) *domestic violence or dating violence in*
14 *child protection cases; and*

15 “(C) *the needs of both the child and non-*
16 *abusing parent;*

17 “(2) *establish and implement policies, proce-*
18 *dures, programs, and practices for child welfare agen-*
19 *cies, domestic violence victim service providers, courts,*
20 *law enforcement agencies, and other entities, that are*
21 *consistent with the principles of protecting and in-*
22 *creasing the immediate and long-term safety and well*
23 *being of children and non-abusing parents and care-*
24 *takers;*

1 “(3) increase cooperation and enhance linkages
2 between child welfare agencies, domestic violence vic-
3 tim service providers, courts, law enforcement agen-
4 cies, and other entities to provide more comprehensive
5 community-based services (including health, mental
6 health, social service, housing, and neighborhood re-
7 sources) to protect and to serve both child and adult
8 victims;

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

13 “(5) analyze and change policies, procedures,
14 and protocols that contribute to overrepresentation of
15 certain populations in the court and child welfare
16 system; and

17 “(6) provide appropriate referrals to community-
18 based programs and resources, such as health and
19 mental health services, shelter and housing assistance
20 for adult and youth victims and their children, legal
21 assistance and advocacy for adult and youth victims,
22 assistance for parents to help their children cope with
23 the impact of exposure to domestic violence or dating
24 violence and child maltreatment, appropriate inter-
25 vention and treatment for adult perpetrators of do-

1 *mestic violence or dating violence whose children are*
2 *the subjects of child protection cases, programs pro-*
3 *viding support and assistance to underserved popu-*
4 *lations, and other necessary supportive services.*

5 *“(h) GRANTEE REQUIREMENTS.—*

6 *“(1) APPLICATIONS.—Under this section, an en-*
7 *tity shall prepare and submit to the Secretary an ap-*
8 *plication at such time, in such manner, and con-*
9 *taining such information as the Secretary may re-*
10 *quire, consistent with the requirements described here-*
11 *in. The application shall—*

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

18 *“(B) describe how the training and collabo-*
19 *ration activities will enhance or ensure the safety*
20 *and economic security of families where both*
21 *child maltreatment and domestic violence or dat-*
22 *ing violence occurs by providing appropriate re-*
23 *sources, protection, and support to the victimized*
24 *parents of such children and to the children*
25 *themselves; and*

1 “(C) outline methods and means partici-
2 pating entities will use to ensure that all services
3 are provided in a developmentally, linguistically
4 and culturally competent manner and will uti-
5 lize community-based supports and resources.

6 “(2) *ELIGIBLE ENTITIES*.—To be eligible for a
7 grant under this section, an entity shall be a collabo-
8 ration that—

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

11 “(B) shall include a domestic violence or
12 dating violence victim service provider;

13 “(C) shall include a law enforcement agency
14 or Bureau of Indian Affairs providing tribal law
15 enforcement;

16 “(D) may include a court; and

17 “(E) may include any other such agencies
18 or private nonprofit organizations and faith-
19 based organizations, including community-based
20 organizations, with the capacity to provide effec-
21 tive help to the child and adult victims served by
22 the collaboration.

1 **“SEC. 41204. GRANTS TO COMBAT DOMESTIC VIOLENCE,**
2 **DATING VIOLENCE, SEXUAL ASSAULT, AND**
3 **STALKING IN MIDDLE AND HIGH SCHOOLS.**

4 *“(a) SHORT TITLE.—This section may be cited as the*
5 *‘Supporting Teens through Education and Protection Act*
6 *of 2005’ or the ‘STEP Act’.*

7 *“(b) GRANTS AUTHORIZED.—The Attorney General,*
8 *through the Director of the Office on Violence Against*
9 *Women, is authorized to award grants to middle schools*
10 *and high schools that work with domestic violence and sex-*
11 *ual assault experts to enable the schools—*

12 *“(1) to provide training to school administra-*
13 *tors, faculty, counselors, coaches, healthcare providers,*
14 *security personnel, and other staff on the needs and*
15 *concerns of students who experience domestic violence,*
16 *dating violence, sexual assault, or stalking, and the*
17 *impact of such violence on students;*

18 *“(2) to develop and implement policies in middle*
19 *and high schools regarding appropriate, safe responses*
20 *to, and identification and referral procedures for, stu-*
21 *dents who are experiencing or perpetrating domestic*
22 *violence, dating violence, sexual assault, or stalking,*
23 *including procedures for handling the requirements of*
24 *court protective orders issued to or against students*
25 *or school personnel, in a manner that ensures the*

1 *safety of the victim and holds the perpetrator account-*
2 *able;*

3 *“(3) to provide support services for students and*
4 *school personnel, such as a resource person who is ei-*
5 *ther on-site or on-call, and who is an expert described*
6 *in subsections (i)(2) and (i)(3), for the purpose of de-*
7 *veloping and strengthening effective prevention and*
8 *intervention strategies for students and school per-*
9 *sonnel experiencing domestic violence, dating violence,*
10 *sexual assault or stalking;*

11 *“(4) to provide developmentally appropriate edu-*
12 *cational programming to students regarding domestic*
13 *violence, dating violence, sexual assault, and stalking,*
14 *and the impact of experiencing domestic violence, dat-*
15 *ing violence, sexual assault, and stalking on children*
16 *and youth by adapting existing curricula activities to*
17 *the relevant student population;*

18 *“(5) to work with existing mentoring programs*
19 *and develop strong mentoring programs for students,*
20 *including student athletes, to help them understand*
21 *and recognize violence and violent behavior, how to*
22 *prevent it and how to appropriately address their*
23 *feelings; and*

1 “(6) to conduct evaluations to assess the impact
2 of programs and policies assisted under this section
3 in order to enhance the development of the programs.

4 “(c) *AWARD BASIS.*—The Director shall award grants
5 and contracts under this section on a competitive basis.

6 “(d) *POLICY DISSEMINATION.*—The Director shall dis-
7 seminate to middle and high schools any existing Depart-
8 ment of Justice, Department of Health and Human Serv-
9 ices, and Department of Education policy guidance and
10 curricula regarding the prevention of domestic violence,
11 dating violence, sexual assault, and stalking, and the im-
12 pact of the violence on children and youth.

13 “(e) *NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE*
14 *INFORMATION.*—In order to ensure the safety of adult,
15 youth, and minor victims of domestic violence, dating vio-
16 lence, sexual assault, or stalking and their families, grantees
17 and subgrantees shall protect the confidentiality and pri-
18 vacy of persons receiving services. Grantees and subgrantees
19 pursuant to this section shall not disclose any personally
20 identifying information or individual information collected
21 in connection with services requested, utilized, or denied
22 through grantees’ and subgrantees’ programs. Grantees and
23 subgrantees shall not reveal individual client information
24 without the informed, written, reasonably time-limited con-
25 sent of the person (or in the case of unemancipated minor,

1 *the minor and the parent or guardian, except that consent*
2 *for release may not be given by the abuser of the minor*
3 *or of the other parent of the minor) about whom informa-*
4 *tion is sought, whether for this program or any other Trib-*
5 *al, Federal, State or Territorial grant program. If release*
6 *of such information is compelled by statutory or court man-*
7 *date, grantees and subgrantees shall make reasonable at-*
8 *tempts to provide notice to victims affected by the disclosure*
9 *of information. If such personally identifying information*
10 *is or will be revealed, grantees and subgrantees shall take*
11 *steps necessary to protect the privacy and safety of the per-*
12 *sons affected by the release of the information. Grantees*
13 *may share non-personally identifying data in the aggregate*
14 *regarding services to their clients and non-personally iden-*
15 *tifying demographic information in order to comply with*
16 *Tribal, Federal, State or Territorial reporting, evaluation,*
17 *or data collection requirements. Grantees and subgrantees*
18 *may share court-generated information contained in secure,*
19 *governmental registries for protection order enforcement*
20 *purposes.*

21 “(f) *GRANT TERM AND ALLOCATION.*—

22 “(1) *TERM.*—*The Director shall make the grants*
23 *under this section for a period of 3 fiscal years.*

24 “(2) *ALLOCATION.*—*Not more than 15 percent of*
25 *the funds available to a grantee in a given year shall*

1 *be used for the purposes described in subsection*
2 *(b)(4)(D), (b)(5), and (b)(6).*

3 “(g) *DISTRIBUTION.*—

4 “(1) *IN GENERAL.*—*Not less than 5 percent of*
5 *funds appropriated under subsection (l) in any year*
6 *shall be available for grants to tribal schools, schools*
7 *on tribal lands or schools whose student population is*
8 *more than 25 percent Native American.*

9 “(2) *ADMINISTRATION.*—*The Director shall not*
10 *use more than 5 percent of funds appropriated under*
11 *subsection (l) in any year for administration, moni-*
12 *toring and evaluation of grants made available under*
13 *this section.*

14 “(3) *TRAINING, TECHNICAL ASSISTANCE, AND*
15 *DATA COLLECTION.*—*Not less than 5 percent of funds*
16 *appropriated under subsection (l) in any year shall*
17 *be available to provide training, technical assistance,*
18 *and data collection for programs funded under this*
19 *section.*

20 “(h) *APPLICATION.*—*To be eligible to be awarded a*
21 *grant or contract under this section for any fiscal year, a*
22 *middle or secondary school, in consultation with an expert*
23 *as described in subsections (i)(2) and (i)(3), shall submit*
24 *an application to the Director at such time and in such*
25 *manner as the Director shall prescribe.*

1 “(i) *ELIGIBLE ENTITIES.*—*To be eligible to receive a*
2 *grant under this section, an entity shall be a partnership*
3 *that—*

4 “(1) *shall include a public, charter, tribal, or na-*
5 *tionally accredited private middle or high school, a*
6 *school administered by the Department of Defense*
7 *under 10 U.S.C. 2164 or 20 U.S.C. 921, a group of*
8 *schools, or a school district;*

9 “(2) *shall include a domestic violence victim*
10 *service provider that has a history of working on do-*
11 *mestic violence and the impact that domestic violence*
12 *and dating violence have on children and youth;*

13 “(3) *shall include a sexual assault victim service*
14 *provider, such as a rape crisis center, program serv-*
15 *ing tribal victims of sexual assault, or coalition or*
16 *other nonprofit nongovernmental organization car-*
17 *rying out a community-based sexual assault program,*
18 *that has a history of effective work concerning sexual*
19 *assault and the impact that sexual assault has on*
20 *children and youth; and*

21 “(4) *may include a law enforcement agency, the*
22 *State, Tribal, Territorial or local court, nonprofit*
23 *nongovernmental organizations and service providers*
24 *addressing sexual harassment, bullying or gang-re-*
25 *lated violence in schools, and any other such agencies*

1 or nonprofit nongovernmental organizations with the
2 capacity to provide effective assistance to the adult,
3 youth, and minor victims served by the partnership.

4 “(j) *PRIORITY.*—In awarding grants under this sec-
5 tion, the Director shall give priority to entities that have
6 submitted applications in partnership with relevant courts
7 or law enforcement agencies.

8 “(k) *REPORTING AND DISSEMINATION OF INFORMA-*
9 *TION.*—

10 “(1) *REPORTING.*—Each of the entities that are
11 members of the applicant partnership described in
12 subsection (i), that receive a grant under this section
13 shall jointly prepare and submit to the Director every
14 18 months a report detailing the activities that the
15 entities have undertaken under the grant and such
16 additional information as the Director shall require.

17 “(2) *DISSEMINATION OF INFORMATION.*—Within
18 9 months of the completion of the first full grant
19 cycle, the Director shall publicly disseminate, includ-
20 ing through electronic means, model policies and pro-
21 cedures developed and implemented in middle and
22 high schools by the grantees, including information on
23 the impact the policies have had on their respective
24 schools and communities.

25 “(l) *AUTHORIZATION OF APPROPRIATIONS.*—

1 “(1) *IN GENERAL.*—*There is authorized to be ap-*
2 *propriated to carry out this section, \$5,000,000 for*
3 *each of fiscal years 2007 through 2011.*

4 “(2) *AVAILABILITY.*—*Funds appropriated under*
5 *paragraph (1) shall remain available until ex-*
6 *pended.*”.

7 **SEC. 304. GRANTS TO COMBAT VIOLENT CRIMES ON CAM-**
8 **PUSES.**

9 (a) *GRANTS AUTHORIZED.*—

10 (1) *IN GENERAL.*—*The Attorney General is au-*
11 *thorized to make grants to institutions of higher edu-*
12 *cation, for use by such institutions or consortia con-*
13 *sisting of campus personnel, student organizations,*
14 *campus administrators, security personnel, and re-*
15 *gional crisis centers affiliated with the institution, to*
16 *develop and strengthen effective security and inves-*
17 *tigation strategies to combat domestic violence, dating*
18 *violence, sexual assault, and stalking on campuses,*
19 *and to develop and strengthen victim services in cases*
20 *involving such crimes against women on campuses,*
21 *which may include partnerships with local criminal*
22 *justice authorities and community-based victim serv-*
23 *ices agencies.*

24 (2) *AWARD BASIS.*—*The Attorney General shall*
25 *award grants and contracts under this section on a*

1 competitive basis for a period of 3 years. The Attor-
2 ney General, through the Director of the Office on Vi-
3 olence Against Women, shall award the grants in
4 amounts of not more than \$500,000 for individual in-
5 stitutions of higher education and not more than
6 \$1,000,000 for consortia of such institutions.

7 (3) *EQUITABLE PARTICIPATION.*—The Attorney
8 General shall make every effort to ensure—

9 (A) the equitable participation of private
10 and public institutions of higher education in
11 the activities assisted under this section;

12 (B) the equitable geographic distribution of
13 grants under this section among the various re-
14 gions of the United States; and

15 (C) the equitable distribution of grants
16 under this section to tribal colleges and univer-
17 sities and traditionally black colleges and uni-
18 versities.

19 (b) *USE OF GRANT FUNDS.*—Grant funds awarded
20 under this section may be used for the following purposes:

21 (1) To provide personnel, training, technical as-
22 sistance, data collection, and other equipment with re-
23 spect to the increased apprehension, investigation,
24 and adjudication of persons committing domestic vio-

1 *lence, dating violence, sexual assault, and stalking on*
2 *campus.*

3 (2) *To train campus administrators, campus se-*
4 *curity personnel, and personnel serving on campus*
5 *disciplinary or judicial boards to develop and imple-*
6 *ment campus policies, protocols, and services that*
7 *more effectively identify and respond to the crimes of*
8 *domestic violence, dating violence, sexual assault, and*
9 *stalking. Within 90 days after the date of enactment*
10 *of this Act, the Attorney General shall issue and make*
11 *available minimum standards of training relating to*
12 *domestic violence, dating violence, sexual assault, and*
13 *stalking on campus, for all campus security personnel*
14 *and personnel serving on campus disciplinary or ju-*
15 *dicial boards.*

16 (3) *To implement and operate education pro-*
17 *grams for the prevention of domestic violence, dating*
18 *violence, sexual assault, and stalking.*

19 (4) *To develop, enlarge, or strengthen victim*
20 *services programs on the campuses of the institutions*
21 *involved, including programs providing legal, med-*
22 *ical, or psychological counseling, for victims of domes-*
23 *tic violence, dating violence, sexual assault, and stalk-*
24 *ing, and to improve delivery of victim assistance on*
25 *campus. To the extent practicable, such an institution*

1 *shall collaborate with any entities carrying out non-*
2 *profit and other victim services programs, including*
3 *domestic violence, dating violence, sexual assault, and*
4 *stalking victim services programs in the community*
5 *in which the institution is located. If appropriate vic-*
6 *tim services programs are not available in the com-*
7 *munity or are not accessible to students, the institu-*
8 *tion shall, to the extent practicable, provide a victim*
9 *services program on campus or create a victim serv-*
10 *ices program in collaboration with a community-*
11 *based organization. The institution shall use not less*
12 *than 20 percent of the funds made available through*
13 *the grant for a victim services program provided in*
14 *accordance with this paragraph.*

15 (5) *To create, disseminate, or otherwise provide*
16 *assistance and information about victims' options on*
17 *and off campus to bring disciplinary or other legal*
18 *action, including assistance to victims in immigra-*
19 *tion matters.*

20 (6) *To develop, install, or expand data collection*
21 *and communication systems, including computerized*
22 *systems, linking campus security to the local law en-*
23 *forcement for the purpose of identifying and tracking*
24 *arrests, protection orders, violations of protection or-*
25 *ders, prosecutions, and convictions with respect to the*

1 *crimes of domestic violence, dating violence, sexual as-*
2 *sault, and stalking on campus.*

3 *(7) To provide capital improvements (including*
4 *improved lighting and communications facilities but*
5 *not including the construction of buildings) on cam-*
6 *pus to address the crimes of domestic violence, dat-*
7 *ing violence, sexual assault, and stalking.*

8 *(8) To support improved coordination among*
9 *campus administrators, campus security personnel,*
10 *and local law enforcement to reduce domestic violence,*
11 *dating violence, sexual assault, and stalking on cam-*
12 *pus.*

13 *(c) APPLICATIONS.—*

14 *(1) IN GENERAL.—In order to be eligible to be*
15 *awarded a grant under this section for any fiscal*
16 *year, an institution of higher education shall submit*
17 *an application to the Attorney General at such time*
18 *and in such manner as the Attorney General shall*
19 *prescribe.*

20 *(2) CONTENTS.—Each application submitted*
21 *under paragraph (1) shall—*

22 *(A) describe the need for grant funds and*
23 *the plan for implementation for any of the pur-*
24 *poses described in subsection (b);*

1 (B) include proof that the institution of
2 higher education collaborated with any non-prof-
3 it, nongovernmental entities carrying out other
4 victim services programs, including domestic vio-
5 lence, dating violence, sexual assault, and stalk-
6 ing victim services programs in the community
7 in which the institution is located;

8 (C) describe the characteristics of the popu-
9 lation being served, including type of campus,
10 demographics of the population, and number of
11 students;

12 (D) provide measurable goals and expected
13 results from the use of the grant funds;

14 (E) provide assurances that the Federal
15 funds made available under this section shall be
16 used to supplement and, to the extent practical,
17 increase the level of funds that would, in the ab-
18 sence of Federal funds, be made available by the
19 institution for the purposes described in sub-
20 section (b); and

21 (F) include such other information and as-
22 surances as the Attorney General reasonably de-
23 termines to be necessary.

24 (3) COMPLIANCE WITH CAMPUS CRIME REPORT-
25 ING REQUIRED.—No institution of higher education

1 *shall be eligible for a grant under this section unless*
2 *such institution is in compliance with the require-*
3 *ments of section 485(f) of the Higher Education Act*
4 *of 1965 (20 U.S.C. 1092(f)). Up to \$200,000 of the*
5 *total amount of grant funds appropriated under this*
6 *section for fiscal years 2007 through 2011 may be*
7 *used to provide technical assistance in complying*
8 *with the mandatory reporting requirements of section*
9 *485(f) of such Act.*

10 *(d) GENERAL TERMS AND CONDITIONS.—*

11 *(1) NONMONETARY ASSISTANCE.—In addition to*
12 *the assistance provided under this section, the Attor-*
13 *ney General may request any Federal agency to use*
14 *the agency's authorities and the resources granted to*
15 *the agency under Federal law (including personnel,*
16 *equipment, supplies, facilities, and managerial, tech-*
17 *nical, and advisory services) in support of campus se-*
18 *curity, and investigation and victim service efforts.*

19 *(2) GRANTEE REPORTING.—*

20 *(A) ANNUAL REPORT.—Each institution of*
21 *higher education receiving a grant under this*
22 *section shall submit a biennial performance re-*
23 *port to the Attorney General. The Attorney Gen-*
24 *eral shall suspend funding under this section for*

1 *an institution of higher education if the institu-*
2 *tion fails to submit such a report.*

3 (B) *FINAL REPORT.*—*Upon completion of*
4 *the grant period under this section, the institu-*
5 *tion shall file a performance report with the At-*
6 *torney General and the Secretary of Education*
7 *explaining the activities carried out under this*
8 *section together with an assessment of the effec-*
9 *tiveness of those activities in achieving the pur-*
10 *poses described in subsection (b).*

11 (3) *REPORT TO CONGRESS.*—*Not later than 180*
12 *days after the end of the fiscal year for which grants*
13 *are awarded under this section, the Attorney General*
14 *shall submit to Congress a report that includes—*

15 (A) *the number of grants, and the amount*
16 *of funds, distributed under this section;*

17 (B) *a summary of the purposes for which*
18 *the grants were provided and an evaluation of*
19 *the progress made under the grant;*

20 (C) *a statistical summary of the persons*
21 *served, detailing the nature of victimization, and*
22 *providing data on age, sex, race, ethnicity, lan-*
23 *guage, disability, relationship to offender, geo-*
24 *graphic distribution, and type of campus; and*

1 (D) an evaluation of the effectiveness of pro-
2 grams funded under this part.

3 (e) *AUTHORIZATION OF APPROPRIATIONS.*—For the
4 purpose of carrying out this section, there are authorized
5 to be appropriated \$12,000,000 for fiscal year 2007 and
6 \$15,000,000 for each of fiscal years 2008 through 2011.

7 (f) *REPEAL.*—Section 826 of the Higher Education
8 Amendments of 1998 (20 U.S.C. 1152) is repealed.

9 **SEC. 305. JUVENILE JUSTICE.**

10 Section 223(a) of the Juvenile Justice and Delin-
11 quency Prevention Act of 1974 (42 U.S.C. 5633(a)) is
12 amended—

13 (1) in paragraph (7)(B)—

14 (A) by redesignating clauses (i), (ii) and
15 (iii), as clauses (ii), (iii), and (iv), respectively;
16 and

17 (B) by inserting before clause (ii) the fol-
18 lowing:

19 “(i) an analysis of gender-specific services
20 for the prevention and treatment of juvenile de-
21 linquency, including the types of such services
22 available and the need for such services;”.

23 **SEC. 306. SAFE HAVENS.**

24 Section 1301 of the Victims of Trafficking and Violence
25 Protection Act of 2000 (42 U.S.C. 10420) is amended—

1 (1) *by striking the section heading and inserting*
2 *the following:*

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

4 (2) *in subsection (a)—*

5 (A) *by inserting “, through the Director of*
6 *the Office on Violence Against Women,” after*
7 *“Attorney General”;*

8 (B) *by inserting “dating violence,” after*
9 *“domestic violence,”;*

10 (C) *by striking “to provide” and inserting*
11 *the following:*

12 (1) *to provide”;*

13 (D) *by striking the period at the end and*
14 *inserting a semicolon; and*

15 (E) *by adding at the end the following:*

16 (2) *to protect children from the trauma of wit-*
17 *nessing domestic or dating violence or experiencing*
18 *abduction, injury, or death during parent and child*
19 *visitation exchanges;*

20 (3) *to protect parents or caretakers who are vic-*
21 *tims of domestic and dating violence from experi-*
22 *encing further violence, abuse, and threats during*
23 *child visitation exchanges; and*

24 (4) *to protect children from the trauma of expe-*
25 *riencing sexual assault or other forms of physical as-*

1 *sault or abuse during parent and child visitation and*
2 *visitation exchanges.”; and*

3 *(3) by striking subsection (e) and inserting the*
4 *following:*

5 *“(e) AUTHORIZATION OF APPROPRIATIONS.—*

6 *“(1) IN GENERAL.—There is authorized to be ap-*
7 *propriated to carry out this section, \$20,000,000 for*
8 *each of fiscal years 2007 through 2011. Funds appro-*
9 *priated under this section shall remain available*
10 *until expended.*

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

14 *“(A) set aside not less than 7 percent for*
15 *grants to Indian tribal governments or tribal or-*
16 *ganizations;*

17 *“(B) use not more than 3 percent for eval-*
18 *uation, monitoring, site visits, grantee con-*
19 *ferences, and other administrative costs associ-*
20 *ated with conducting activities under this sec-*
21 *tion; and*

22 *“(C) set aside not more than 8 percent for*
23 *technical assistance and training to be provided*
24 *by organizations having nationally recognized*
25 *expertise in the design of safe and secure super-*

1 *vised visitation programs and visitation ex-*
2 *change of children in situations involving domes-*
3 *tic violence, dating violence, sexual assault, or*
4 *stalking.”.*

5 **TITLE IV—STRENGTHENING**
6 **AMERICA’S FAMILIES BY PRE-**
7 **VENTING VIOLENCE**

8 **SEC. 401. PREVENTING VIOLENCE AGAINST WOMEN AND**
9 **CHILDREN.**

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

12 **“Subtitle M—Strengthening Amer-**
13 **ica’s Families by Preventing Vio-**
14 **lence Against Women and Chil-**
15 **dren**

16 **“SEC. 41301. FINDINGS.**

17 *“Congress finds that—*

18 *“(1) the former United States Advisory Board on*
19 *Child Abuse suggests that domestic violence may be*
20 *the single major precursor to child abuse and neglect*
21 *fatalities in this country;*

22 *“(2) studies suggest that as many as 10,000,000*
23 *children witness domestic violence every year;*

24 *“(3) studies suggest that among children and*
25 *teenagers, recent exposure to violence in the home was*

1 *a significant factor in predicting a child’s violent be-*
2 *havior;*

3 *“(4) a study by the Nurse-Family Partnership*
4 *found that children whose parents did not participate*
5 *in home visitation programs that provided coaching*
6 *in parenting skills, advice and support, were almost*
7 *5 times more likely to be abused in their first 2 years*
8 *of life;*

9 *“(5) a child’s exposure to domestic violence seems*
10 *to pose the greatest independent risk for being the vic-*
11 *tim of any act of partner violence as an adult;*

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

16 *“(7) children exposed to abusive parenting, harsh*
17 *or erratic discipline, or domestic violence are at in-*
18 *creased risk for juvenile crime; and*

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

23 **“SEC. 41302. PURPOSE.**

24 *“The purpose of this subtitle is to—*

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

3 “(2) increase the resources and services available
4 to prevent violence against women, children, and
5 youth;

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

9 “(4) develop and implement education and serv-
10 ices programs to prevent children in vulnerable fami-
11 lies from becoming victims or perpetrators of domestic
12 violence, dating violence, sexual assault, or stalking;

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

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

1 **“SEC. 41303. GRANTS TO ASSIST CHILDREN AND YOUTH EX-**
2 **POSED TO VIOLENCE.**

3 “(a) *GRANTS AUTHORIZED.*—

4 “(1) *IN GENERAL.*—*The Attorney General, acting*
5 *through the Director of the Office on Violence Against*
6 *Women, and in collaboration with the Department of*
7 *Health and Human Services, is authorized to award*
8 *grants on a competitive basis to eligible entities for*
9 *the purpose of mitigating the effects of domestic vio-*
10 *lence, dating violence, sexual assault, and stalking on*
11 *children exposed to such violence, and reducing the*
12 *risk of future victimization or perpetration of domes-*
13 *tic violence, dating violence, sexual assault, and stalk-*
14 *ing.*

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

17 “(3) *AWARD BASIS.*—*The Director shall award*
18 *grants—*

19 “(A) *considering the needs of underserved*
20 *populations;*

21 “(B) *awarding not less than 10 percent of*
22 *such amounts to Indian tribes for the funding of*
23 *tribal projects from the amounts made available*
24 *under this section for a fiscal year;*

25 “(C) *awarding up to 8 percent for the fund-*
26 *ing of technical assistance programs from the*

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

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

7 “(b) *AUTHORIZATION OF APPROPRIATIONS.—There is*
8 *authorized to be appropriated to carry out this section*
9 *\$20,000,000 for each of fiscal years 2007 through 2011.*

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 sup-*
16 *port for the nonabusing parent or the child’s care-*
17 *taker; 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) on*
21 *how to safely and confidentially identify children and*
22 *families experiencing domestic violence and properly*
23 *refer them to programs that can provide direct serv-*
24 *ices to the family and children, and coordination*
25 *with other domestic violence or other programs serv-*

1 *ing children exposed to domestic violence, dating vio-*
2 *lence, sexual assault, or stalking that can provide the*
3 *training and direct services referenced in this sub-*
4 *section.*

5 “(d) *ELIGIBLE ENTITIES.*—*To be eligible to receive a*
6 *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 concerning*
10 *children or youth exposed to domestic violence, dating*
11 *violence, sexual assault, or stalking, including pro-*
12 *grams that provide culturally specific services, Head*
13 *Start, childcare, faith-based organizations, after*
14 *school programs, and health and mental health pro-*
15 *viders; or*

16 “(2) *a State, territorial, or tribal, or local unit*
17 *of government agency that is partnered with an orga-*
18 *nization 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 will*
3 *adopt to—*

4 “(A) *enhance or ensure the safety and secu-*
5 *rity of children who have been or are being ex-*
6 *posed to violence and their nonabusing parent,*
7 *enhance or ensure the safety and security of chil-*
8 *dren and their nonabusing parent in homes al-*
9 *ready experiencing domestic violence, dating vio-*
10 *lence, sexual assault, or stalking; and*

11 “(B) *ensure linguistically, culturally, and*
12 *community relevant services for underserved*
13 *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, acting*
19 *through the Director of the Office on Violence Against*
20 *Women, and in collaboration with the Department of*
21 *Health and Human Services, shall award grants on*
22 *a competitive basis to home visitation programs, in*
23 *collaboration with victim service providers, for the*
24 *purposes of developing and implementing model poli-*
25 *cies and procedures to train home visitation service*

1 providers on addressing domestic violence, dating vio-
2 lence, sexual assault, and stalking in families experi-
3 encing violence, or at risk of violence, to reduce the
4 impact of that violence on children, maintain safety,
5 improve parenting skills, and break intergenerational
6 cycles of violence.

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

9 “(3) *AWARD BASIS.*—The Director shall—

10 “(A) consider the needs of underserved pop-
11 ulations;

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

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

20 “(b) *AUTHORIZATION OF APPROPRIATIONS.*—There is
21 authorized to be appropriated to carry out this section
22 \$7,000,000 for each of fiscal years 2007 through 2011.

23 “(c) *ELIGIBLE ENTITIES.*—To be eligible to receive a
24 grant under this section, an entity shall be a national, Fed-
25 eral, State, local, territorial, or tribal—

1 “(1) home visitation program that provides serv-
2 ices to pregnant women and to young children and
3 their parent or primary caregiver that are provided
4 in the permanent or temporary residence or in other
5 familiar surroundings of the individual or family re-
6 ceiving such services; or

7 “(2) victim services organization or agency in
8 collaboration with an organization or organizations
9 listed in paragraph (1).

10 “(d) *GRANTEE REQUIREMENTS*.—Under this section,
11 *an entity shall—*

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

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

18 “(A) enhance or ensure the safety and secu-
19 rity of children and their nonabusing parent in
20 homes already experiencing domestic violence,
21 dating violence, sexual assault, or stalking;

22 “(B) ensure linguistically, culturally, and
23 community relevant services for underserved
24 communities;

1 “(C) ensure the adequate training by do-
2 mestic violence, dating violence, sexual assault or
3 stalking victim service providers of home visita-
4 tion grantee program staff to—

5 “(i) safely screen for and/or recognize
6 domestic violence, dating violence, sexual
7 assault, and stalking;

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

14 “(iii) link new parents with existing
15 community resources in communities where
16 resources exist; and

17 “(D) ensure that relevant State and local
18 domestic violence, dating violence, sexual assault,
19 and stalking victim service providers and coal-
20 itions are aware of the efforts of organizations re-
21 ceiving grants under this section, and are in-
22 cluded as training partners, where possible.

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

4 “(a) *GRANTS AUTHORIZED.*—

5 “(1) *IN GENERAL*—*The Attorney General, acting*
6 *through the Director of the Office on Violence Against*
7 *Women, and in collaboration with the Department of*
8 *Health and Human Services, shall award grants on*
9 *a competitive basis to eligible entities for the purpose*
10 *of developing or enhancing programs related to engag-*
11 *ing men and youth in preventing domestic violence,*
12 *dating violence, sexual assault, and stalking by help-*
13 *ing them to develop mutually respectful, nonviolent*
14 *relationships.*

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

17 “(3) *AWARD BASIS.*—*The Director shall award*
18 *grants—*

19 “(A) *considering the needs of underserved*
20 *populations;*

21 “(B) *awarding not less than 10 percent of*
22 *such amounts for the funding of Indian tribes*
23 *from the amounts made available under this sec-*
24 *tion for a fiscal year; and*

25 “(C) *awarding up to 8 percent for the fund-*
26 *ing of technical assistance for grantees and non-*

1 *grantees working in this area from the amounts*
2 *made available under this section for a fiscal*
3 *year.*

4 “(b) *AUTHORIZATION OF APPROPRIATIONS.—There is*
5 *authorized to be appropriated to carry out this section*
6 *\$10,000,000 for each of fiscal years 2007 through 2011.*

7 “(c) *USE OF FUNDS.—*

8 “(1) *PROGRAMS.—The funds appropriated under*
9 *this section shall be used by eligible entities—*

10 “(A) *to develop or enhance community-*
11 *based programs, including gender-specific pro-*
12 *grams in accordance with applicable laws that—*

13 “(i) *encourage children and youth to*
14 *pursue nonviolent relationships and reduce*
15 *their risk of becoming victims or perpetra-*
16 *tors of domestic violence, dating violence,*
17 *sexual assault, or stalking; and*

18 “(ii) *that include at a minimum—*

19 “(I) *information on domestic vio-*
20 *lence, dating violence, sexual assault,*
21 *stalking, or child sexual abuse and how*
22 *they affect children and youth; and*

23 “(II) *strategies to help partici-*
24 *pants be as safe as possible; or*

1 “(B) to create public education campaigns
2 and community organizing to encourage men
3 and boys to work as allies with women and girls
4 to prevent violence against women and girls con-
5 ducted by entities that have experience in con-
6 ducting public education campaigns that address
7 domestic violence, dating violence, sexual assault,
8 or stalking.

9 “(2) *MEDIA LIMITS.*—No more than 40 percent
10 of funds received by a grantee under this section may
11 be used to create and distribute media materials.

12 “(d) *ELIGIBLE ENTITIES.*—

13 “(1) *RELATIONSHIPS.*—Eligible entities under
14 subsection (c)(1)(A) are—

15 “(A) nonprofit, nongovernmental domestic
16 violence, dating violence, sexual assault, or stalk-
17 ing victim service providers or coalitions;

18 “(B) community-based child or youth serv-
19 ices organizations with demonstrated experience
20 and expertise in addressing the needs and con-
21 cerns of young people;

22 “(C) a State, territorial, tribal, or unit of
23 local governmental entity that is partnered with
24 an organization described in subparagraph (A)
25 or (B); or

1 “(D) a program that provides culturally
2 specific services.

3 “(2) AWARENESS CAMPAIGN.—Eligible entities
4 under subsection (c)(1)(B) are—

5 “(A) nonprofit, nongovernmental organiza-
6 tions or coalitions that have a documented his-
7 tory of creating and administering effective pub-
8 lic education campaigns addressing the preven-
9 tion of domestic violence, dating violence, sexual
10 assault or stalking; or

11 “(B) a State, territorial, tribal, or unit of
12 local governmental entity that is partnered with
13 an organization described in subparagraph (A).

14 “(e) GRANTEE REQUIREMENTS.—Under this section,
15 an entity shall—

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

20 “(2) eligible entities pursuant to subsection
21 (c)(1)(A) shall describe in the application the policies
22 and procedures that the entity has or will adopt to—

23 “(A) enhance or ensure the safety and secu-
24 rity of children and youth already experiencing

1 **(b) USE OF FUNDS.**—*The research conducted under*
2 *this section shall include evaluation and study of best prac-*
3 *tices for reducing and preventing violence against women*
4 *and children addressed by the strategies included in De-*
5 *partment of Health and Human Services-related provisions*
6 *this title, including strategies addressing underserved com-*
7 *munities.*

8 **(c) AUTHORIZATION OF APPROPRIATIONS.**—*There*
9 *shall be authorized to be appropriated to carry out this title*
10 *\$2,000,000 for each of the fiscal years 2007 through 2011.*

11 **SEC. 403. PUBLIC AWARENESS CAMPAIGN.**

12 **(a) IN GENERAL.**—*The Attorney General, acting*
13 *through the Office on Violence Against Women], shall make*
14 *grants to States for carrying out a campaign to increase*
15 *public awareness of issues regarding domestic violence*
16 *against pregnant women.*

17 **(b) AUTHORIZATION OF APPROPRIATIONS.**—*For the*
18 *purpose of carrying out this section, there are authorized*
19 *to be appropriated such sums as may be necessary for each*
20 *of the fiscal years 2006 through 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 violence-*
14 *related injuries were injured by a current or former*
15 *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 much*
20 *more likely to suffer from chronic pain, diabetes, de-*
21 *pression, unintended pregnancies, substance abuse*
22 *and sexually transmitted infections, including HIV/*
23 *AIDS.*

1 (4) *Health plans spend an average of \$1,775*
2 *more a year on abused women than on general enroll-*
3 *ees.*

4 (5) *Each year about 324,000 pregnant women in*
5 *the United States are battered by the men in their*
6 *lives. This battering leads to complications of preg-*
7 *nancy, including low weight gain, anemia, infections,*
8 *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 address*
2 *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 effec-*
9 *tiveness of a 2-minute screening for early detection of*
10 *abuse of pregnant women. Additional longitudinal*
11 *studies have tested a 10-minute intervention that was*
12 *proven highly effective in increasing the safety of*
13 *pregnant abused women. Comparable research does*
14 *not yet exist to support the effectiveness of screening*
15 *men.*

16 (11) *Seventy to 81 percent of the patients studied*
17 *reported that they would like their healthcare pro-*
18 *viders to ask them privately about intimate partner*
19 *violence.*

20 **SEC. 502. PURPOSE.**

21 *It is the purpose of this title to improve the health care*
22 *system's response to domestic violence, dating violence, sex-*
23 *ual assault, and stalking through the training and edu-*
24 *cation of health care providers, developing comprehensive*
25 *public health responses to violence against women and chil-*

1 *dren, increasing the number of women properly screened,*
 2 *identified, and treated for lifetime exposure to violence, and*
 3 *expanding research on effective interventions in the health*
 4 *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 Di-*
 15 *rector of the Health Resources and Services Administration,*
 16 *shall award grants under this section to develop inter-*
 17 *disciplinary training and education programs that provide*
 18 *undergraduate, graduate, post-graduate medical, nursing*
 19 *(including advanced practice nursing students), and other*
 20 *health professions students with an understanding of, and*
 21 *clinical skills pertinent to, domestic violence, sexual assault,*
 22 *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 ap-
4 plication 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 program
11 in public health, dentistry, social work, mid-
12 wifery, or behavioral and mental health;

13 “(B) strategies for the dissemination and
14 sharing of curricula and other educational mate-
15 rials 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 community-
20 based coalitions or individuals who have experi-
21 ence and expertise in issues related to domestic
22 violence, sexual assault, dating violence, and
23 stalking for services provided under the program
24 carried out under the grant.

25 “(c) *USE OF FUNDS.*—

1 “(1) *REQUIRED USES.*—Amounts provided under
2 a grant under this section shall be used to—

3 “(A) *fund interdisciplinary training and*
4 *education projects that are designed to train*
5 *medical, nursing, and other health professions*
6 *students and residents to identify and provide*
7 *health care services (including mental or behav-*
8 *ioral health care services and referrals to appro-*
9 *priate community services) to individuals who*
10 *are or who have experienced domestic violence,*
11 *sexual assault, and stalking or dating violence;*
12 *and*

13 “(B) *plan and develop culturally competent*
14 *clinical components for integration into ap-*
15 *proved residency training programs that address*
16 *health issues related to domestic violence, sexual*
17 *assault, dating violence, and stalking, along with*
18 *other forms of violence as appropriate, and in-*
19 *clude the primacy of victim safety and confiden-*
20 *tiality.*

21 “(2) *PERMISSIVE USES.*—Amounts provided
22 under a grant under this section may be used to—

23 “(A) *offer community-based training oppor-*
24 *tunities in rural areas for medical, nursing, and*
25 *other students and residents on domestic vio-*

1 *lence, sexual assault, stalking, and dating vio-*
2 *lence, and other forms of violence and abuse,*
3 *which may include the use of distance learning*
4 *networks and other available technologies needed*
5 *to reach isolated rural areas; or*

6 “(B) *provide stipends to students who are*
7 *underrepresented in the health professions as nec-*
8 *essary to promote and enable their participation*
9 *in clerkships, preceptorships, or other offsite*
10 *training experiences that are designed to develop*
11 *health care clinical skills related to domestic vio-*
12 *lence, sexual assault, dating violence, and stalk-*
13 *ing.*

14 “(3) *REQUIREMENTS.—*

15 “(A) *CONFIDENTIALITY AND SAFETY.—*
16 *Grantees under this section shall ensure that all*
17 *educational programs developed with grant funds*
18 *address issues of confidentiality and patient safe-*
19 *ty, and that faculty and staff associated with de-*
20 *livering educational components are fully*
21 *trained in procedures that will protect the imme-*
22 *diante and ongoing security of the patients, pa-*
23 *tient records, and staff. Advocacy-based coal-*
24 *tions or other expertise available in the commu-*
25 *nity shall be consulted on the development and*

1 *adequacy of confidentiality and security proce-*
2 *dures, and shall be fairly compensated by grant-*
3 *ees for their services.*

4 “(B) *RURAL PROGRAMS.*—*Rural training*
5 *programs carried out under paragraph (2)(A)*
6 *shall reflect adjustments in protocols and proce-*
7 *dures or referrals that may be needed to protect*
8 *the confidentiality and safety of patients who*
9 *live in small or isolated communities and who*
10 *are currently or have previously experienced vio-*
11 *lence or abuse.*

12 “(4) *CHILD AND ELDER ABUSE.*—*Issues related*
13 *to child and elder abuse may be addressed as part of*
14 *a comprehensive programmatic approach imple-*
15 *mented under a grant under this section.*

16 “(d) *REQUIREMENTS OF GRANTEES.*—

17 “(1) *LIMITATION ON ADMINISTRATIVE EX-*
18 *PENSES.*—*A grantee shall not use more than 10 per-*
19 *cent of the amounts received under a grant under this*
20 *section for administrative expenses.*

21 “(2) *CONTRIBUTION OF FUNDS.*—*A grantee*
22 *under this section, and any entity receiving assist-*
23 *ance under the grant for training and education,*
24 *shall contribute non-Federal funds, either directly or*
25 *through in-kind contributions, to the costs of the ac-*

1 *tivities to be funded under the grant in an amount*
 2 *that is not less than 25 percent of the total cost of*
 3 *such activities.*

4 “(e) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 5 *authorized to be appropriated to carry out this section,*
 6 *\$3,000,000 for each of fiscal years 2007 through 2011.*
 7 *Amounts appropriated under this subsection shall remain*
 8 *available until expended.”.*

9 **SEC. 504. GRANTS TO FOSTER PUBLIC HEALTH RESPONSES**
 10 **TO DOMESTIC VIOLENCE, DATING VIOLENCE,**
 11 **SEXUAL ASSAULT, AND STALKING GRANTS.**

12 *Part P of title III of the Public Health Service Act*
 13 *(42 U.S.C. 280g et seq.) is amended by adding at the end*
 14 *the following:*

15 **“SEC. 3990. GRANTS TO FOSTER PUBLIC HEALTH RE-**
 16 **SPONSES TO DOMESTIC VIOLENCE, DATING**
 17 **VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

18 “(a) *AUTHORITY TO AWARD GRANTS.—*

19 *“(1) IN GENERAL.—The Secretary, acting*
 20 *through the Director of the Centers for Disease Con-*
 21 *trol and Prevention, shall award grants to eligible*
 22 *State, tribal, territorial, or local entities to strengthen*
 23 *the response of State, tribal, territorial, or local health*
 24 *care systems to domestic violence, dating violence, sex-*
 25 *ual assault, and stalking.*

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

3 “(A) *be—*

4 “(i) *a State department (or other divi-*
5 *sion) of health, a State domestic or sexual*
6 *assault coalition or service-based program,*
7 *State law enforcement task force, or any*
8 *other nonprofit, nongovernmental, tribal,*
9 *territorial, or State entity with a history of*
10 *effective work in the fields of domestic vio-*
11 *lence, dating violence, sexual assault or*
12 *stalking, and health care; or*

13 “(ii) *a local, nonprofit domestic vio-*
14 *lence, dating violence, sexual assault, or*
15 *stalking service-based program, a local de-*
16 *partment (or other division) of health, a*
17 *local health clinic, hospital, or health sys-*
18 *tem, or any other nonprofit, tribal, or local*
19 *entity with a history of effective work in the*
20 *field of domestic or sexual violence and*
21 *health;*

22 “(B) *prepare and submit to the Secretary*
23 *an application at such time, in such manner,*
24 *and containing such agreements, assurances, and*
25 *information as the Secretary determines to be*

1 *necessary to carry out the purposes for which the*
2 *grant is to be made; and*

3 “(C) *demonstrate that the entity is rep-*
4 *resenting a team of organizations and agencies*
5 *working collaboratively to strengthen the re-*
6 *sponse of the health care system involved to do-*
7 *mestic violence, dating violence, sexual assault,*
8 *or stalking and that such team includes domestic*
9 *violence, dating violence, sexual assault or stalk-*
10 *ing and health care organizations.*

11 “(3) *DURATION.*—*A program conducted under a*
12 *grant awarded under this section shall not exceed 2*
13 *years.*

14 “(b) *USE OF FUNDS.*—

15 “(1) *IN GENERAL.*—*An entity shall use amounts*
16 *received under a grant under this section to design*
17 *and implement comprehensive strategies to improve*
18 *the response of the health care system involved to do-*
19 *mestic or sexual violence in clinical and public health*
20 *settings, hospitals, clinics, managed care settings (in-*
21 *cluding behavioral and mental health), and other*
22 *health settings.*

23 “(2) *MANDATORY STRATEGIES.*—*Strategies im-*
24 *plemented under paragraph (1) shall include the fol-*
25 *lowing:*

1 “(A) *The implementation, dissemination,*
2 *and evaluation of policies and procedures to*
3 *guide health care professionals and behavioral*
4 *and public health staff in responding to domestic*
5 *violence, dating violence, sexual assault, and*
6 *stalking, including strategies to ensure that*
7 *health information is maintained in a manner*
8 *that protects the patient’s privacy and safety*
9 *and prohibits insurance discrimination.*

10 “(B) *The development of on-site access to*
11 *services to address the safety, medical, mental*
12 *health, and economic needs of patients either by*
13 *increasing the capacity of existing health care*
14 *professionals and behavioral and public health*
15 *staff to address domestic violence, dating vio-*
16 *lence, sexual assault, and stalking, by con-*
17 *tracting with or hiring domestic or sexual as-*
18 *sault advocates to provide the services, or to*
19 *model other services appropriate to the geo-*
20 *graphic and cultural needs of a site.*

21 “(C) *The evaluation of practice and the in-*
22 *stitutionalization of identification, intervention,*
23 *and documentation including quality improve-*
24 *ment measurements.*

1 “(D) *The provision of training and fol-*
2 *lowup technical assistance to health care profes-*
3 *sionals, behavioral and public health staff, and*
4 *allied health professionals to identify, assess,*
5 *treat, and refer clients who are victims of domes-*
6 *tic violence, dating violence, sexual violence, or*
7 *stalking.*

8 “(3) *PERMISSIVE STRATEGIES.—Strategies im-*
9 *plemented under paragraph (1) may include the fol-*
10 *lowing:*

11 “(A) *Where appropriate, the development of*
12 *training modules and policies that address the*
13 *overlap of child abuse, domestic violence, dating*
14 *violence, sexual assault, and stalking and elder*
15 *abuse as well as childhood exposure to domestic*
16 *violence.*

17 “(B) *The creation, adaptation, and imple-*
18 *mentation of public education campaigns for pa-*
19 *tients concerning domestic violence, dating vio-*
20 *lence, sexual assault, and stalking prevention.*

21 “(C) *The development, adaptation, and dis-*
22 *semination of domestic violence, dating violence,*
23 *sexual assault, and stalking education materials*
24 *to patients and health care professionals and be-*
25 *havioral and public health staff.*

1 “(D) *The promotion of the inclusion of do-*
2 *mestic violence, dating violence, sexual assault,*
3 *and stalking into health professional training*
4 *schools, including medical, dental, nursing*
5 *school, social work, and mental health cur-*
6 *riculum.*

7 “(E) *The integration of domestic violence,*
8 *dating violence, sexual assault, and stalking into*
9 *health care accreditation and professional licens-*
10 *ing examinations, such as medical, dental, social*
11 *work, and nursing boards.*

12 “(c) *ALLOCATION OF FUNDS.—Funds appropriated*
13 *under this section shall be distributed equally between State*
14 *and local programs.*

15 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
16 *authorized to be appropriated to award grants under this*
17 *section, \$5,000,000 for each of fiscal years 2007 through*
18 *2011.”.*

19 **SEC. 505. RESEARCH ON EFFECTIVE INTERVENTIONS IN**
20 **THE HEALTHCARE SETTING.**

21 *Subtitle B of the Violence Against Women Act of 1994*
22 *(Public Law 103–322; 108 Stat. 1902 et seq.), as amended*
23 *by the Violence Against Women Act of 2000 (114 Stat. 1491*
24 *et seq.), and as amended by this Act, is further amended*
25 *by adding at the end the following:*

1 **“CHAPTER 11—RESEARCH ON EFFECTIVE**
2 **INTERVENTIONS TO ADDRESS VIO-**
3 **LENCE AGAINST WOMEN**

4 **“SEC. 40297. RESEARCH ON EFFECTIVE INTERVENTIONS IN**
5 **THE HEALTH CARE SETTING.**

6 *“(a) PURPOSE.—The Secretary, acting through the Di-*
7 *rector of the Centers for Disease Control and Prevention*
8 *and the Director of the Agency for Healthcare Research and*
9 *Quality, shall award grants and contracts to fund research*
10 *on effective interventions in the health care setting that pre-*
11 *vent domestic violence, dating violence, and sexual assault*
12 *across the lifespan and that prevent the health effects of such*
13 *violence and improve the safety and health of individuals*
14 *who are currently being victimized.*

15 *“(b) USE OF FUNDS.—Research conducted with*
16 *amounts received under a grant or contract under this sec-*
17 *tion shall include the following:*

18 *“(1) With respect to the authority of the Centers*
19 *for Disease Control and Prevention—*

20 *“(A) research on the effects of domestic vio-*
21 *lence, dating violence, sexual assault, and child-*
22 *hood exposure to domestic, dating, or sexual vio-*
23 *lence, on health behaviors, health conditions, and*
24 *the health status of individuals, families, and*
25 *populations;*

1 “(B) research and testing of best messages
2 and strategies to mobilize public and health care
3 provider action concerning the prevention of do-
4 mestic, dating, or sexual violence; and

5 “(C) measure the comparative effectiveness
6 and outcomes of efforts under this Act to reduce
7 violence and increase women’s safety.

8 “(2) With respect to the authority of the Agency
9 for Healthcare Research and Quality—

10 “(A) research on the impact on the health
11 care system, health care utilization, health care
12 costs, and health status of domestic violence, dat-
13 ing violence, and childhood exposure to domestic
14 and dating violence, sexual violence and stalking
15 and childhood exposure; and

16 “(B) research on effective interventions
17 within primary care and emergency health care
18 settings and with health care settings that in-
19 clude clinical partnerships within community
20 domestic violence providers for adults and chil-
21 dren exposed to domestic or dating violence.

22 “(c) USE OF DATA.—Research funded under this sec-
23 tion shall be utilized by eligible entities under section 3990
24 of the Public Health Service Act.

1 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
2 *authorized to be appropriated to carry out this section,*
3 *\$5,000,000 for each of fiscal years 2007 through 2011.”.*

4 ***TITLE VI—HOUSING OPPORTUNI-***
5 ***TIES AND SAFETY FOR BAT-***
6 ***TERED WOMEN AND CHIL-***
7 ***DREN***

8 ***SEC. 601. ADDRESSING THE HOUSING NEEDS OF VICTIMS***
9 ***OF DOMESTIC VIOLENCE, DATING VIOLENCE,***
10 ***SEXUAL ASSAULT, AND STALKING.***

11 *The Violence Against Women Act of 1994 (42 U.S.C.*
12 *13701 et seq.) is amended by adding at the end the fol-*
13 *lowing:*

14 ***“Subtitle N—Addressing the Hous-***
15 ***ing Needs of Victims of Domestic***
16 ***Violence, Dating Violence, Sex-***
17 ***ual Assault, and Stalking***

18 ***“SEC. 41401. FINDINGS.***

19 *“Congress finds that:*

20 *“(1) There is a strong link between domestic vio-*
21 *lence and homelessness. Among cities surveyed, 44*
22 *percent identified domestic violence as a primary*
23 *cause of homelessness.*

24 *“(2) Ninety-two percent of homeless women have*
25 *experienced severe physical or sexual abuse at some*

1 *point in their lives. Of all homeless women and chil-*
2 *dren, 60 percent had been abused by age 12, and 63*
3 *percent have been victims of intimate partner violence*
4 *as adults.*

5 *“(3) Women and families across the country are*
6 *being discriminated against, denied access to, and*
7 *even evicted from public and subsidized housing be-*
8 *cause of their status as victims of domestic violence.*

9 *“(4) A recent survey of legal service providers*
10 *around the country found that these providers have*
11 *responded to almost 150 documented eviction cases in*
12 *the last year alone where the tenant was evicted be-*
13 *cause of the domestic violence crimes committed*
14 *against her. In addition, nearly 100 clients were de-*
15 *nyied housing because of their status as victims of do-*
16 *mestic violence.*

17 *“(5) Women who leave their abusers frequently*
18 *lack adequate emergency shelter options. The lack of*
19 *adequate emergency options for victims presents a se-*
20 *rious threat to their safety and the safety of their chil-*
21 *dren. Requests for emergency shelter by homeless*
22 *women with children increased by 78 percent of*
23 *United States cities surveyed in 2004. In the same*
24 *year, 32 percent of the requests for shelter by homeless*

1 *families went unmet due to the lack of available emer-*
2 *gency shelter beds.*

3 “(6) *The average stay at an emergency shelter is*
4 *60 days, while the average length of time it takes a*
5 *homeless family to secure housing is 6 to 10 months.*

6 “(7) *Victims of domestic violence often return to*
7 *abusive partners because they cannot find long-term*
8 *housing.*

9 “(8) *There are not enough Federal housing rent*
10 *vouchers available to accommodate the number of peo-*
11 *ple in need of long-term housing. Some people remain*
12 *on the waiting list for Federal housing rent vouchers*
13 *for years, while some lists are closed.*

14 “(9) *Transitional housing resources and services*
15 *provide an essential continuum between emergency*
16 *shelter provision and independent living. A majority*
17 *of women in transitional housing programs stated*
18 *that had these programs not existed, they would have*
19 *likely gone back to abusive partners.*

20 “(10) *Because abusers frequently manipulate fi-*
21 *nances in an effort to control their partners, victims*
22 *often lack steady income, credit history, landlord ref-*
23 *erences, and a current address, all of which are nec-*
24 *essary to obtain long-term permanent housing.*

1 “(11) *Victims of domestic violence in rural areas*
2 *face additional barriers, challenges, and unique cir-*
3 *cumstances, such as geographical isolation, poverty,*
4 *lack of public transportation systems, shortages of*
5 *health care providers, under-insurance or lack of*
6 *health insurance, difficulty ensuring confidentiality*
7 *in small communities, and decreased access to many*
8 *resources (such as advanced education, job opportuni-*
9 *ties, and adequate childcare).*

10 “(12) *Congress and the Secretary of Housing*
11 *and Urban Development have recognized in recent*
12 *years that families experiencing domestic violence*
13 *have unique needs that should be addressed by those*
14 *administering the Federal housing programs.*

15 **“SEC. 41402. PURPOSE.**

16 *“The purpose of this subtitle is to reduce domestic vio-*
17 *lence, dating violence, sexual assault, and stalking, and to*
18 *prevent homelessness by—*

19 “(1) *protecting the safety of victims of domestic*
20 *violence, dating violence, sexual assault, and stalking*
21 *who reside in homeless shelters, public housing, as-*
22 *sisted housing, tribally designated housing, or other*
23 *emergency, transitional, permanent, or affordable*
24 *housing, and ensuring that such victims have mean-*

1 *ingful access to the criminal justice system without*
2 *jeopardizing such housing;*

3 *“(2) creating long-term housing solutions that*
4 *develop communities and provide sustainable living*
5 *solutions for victims of domestic violence, dating vio-*
6 *lence, sexual assault, and stalking;*

7 *“(3) building collaborations among victim serv-*
8 *ice providers, homeless service providers, housing pro-*
9 *viders, and housing agencies to provide appropriate*
10 *services, interventions, and training to address the*
11 *housing needs of victims of domestic violence, dating*
12 *violence, sexual assault, and stalking; and*

13 *“(4) enabling public and assisted housing agen-*
14 *cies, tribally designated housing entities, private*
15 *landlords, property management companies, and*
16 *other housing providers and agencies to respond ap-*
17 *propriately to domestic violence, dating violence, sex-*
18 *ual assault, and stalking, while maintaining a safe*
19 *environment for all housing residents.*

20 **“SEC. 41403. DEFINITIONS.**

21 *“For purposes of this subtitle—*

22 *“(1) the term ‘assisted housing’ means housing*
23 *assisted—*

24 *“(A) under sections 213, 220, 221(d)(3),*
25 *221(d)(4), 223(e), 231, or 236 of the National*

1 *Housing Act (12 U.S.C. 1715l(d)(3), (d)(4), or*
2 *1715z-1);*

3 *“(B) under section 101 of the Housing and*
4 *Urban Development Act of 1965 (12 U.S.C.*
5 *1701s);*

6 *“(C) under section 202 of the Housing Act*
7 *of 1959 (12 U.S.C. 1701q);*

8 *“(D) under section 811 of the Cranston-*
9 *Gonzales National Affordable Housing Act (42*
10 *U.S.C. 8013);*

11 *“(E) under title II of the Cranston-Gonzales*
12 *National Affordable Housing Act (42 U.S.C.*
13 *12701 et seq.);*

14 *“(F) under subtitle D of title VIII of the*
15 *Cranston-Gonzalez National Affordable Housing*
16 *Act (42 U.S.C. 12901 et seq.);*

17 *“(G) under title I of the Housing and Com-*
18 *munity Development Act of 1974 (42 U.S.C.*
19 *5301 et seq.); or*

20 *“(H) under section 8 of the United States*
21 *Housing Act of 1937 (42 U.S.C. 1437f);*

22 *“(2) the term ‘continuum of care’ means a com-*
23 *munity plan developed to organize and deliver hous-*
24 *ing and services to meet the specific needs of people*

1 *who are homeless as they move to stable housing and*
2 *achieve maximum self-sufficiency;*

3 “(3) *the term ‘low-income housing assistance*
4 *voucher’ means housing assistance described in section*
5 *8 of the United States Housing Act of 1937 (42*
6 *U.S.C. 1437f);*

7 “(4) *the term ‘public housing’ means housing de-*
8 *scribed in section 3(b)(1) of the United States Hous-*
9 *ing Act of 1937 (42 U.S.C. 1437a(b)(1));*

10 “(5) *the term ‘public housing agency’ means an*
11 *agency described in section 3(b)(6) of the United*
12 *States Housing Act of 1937 (42 U.S.C. 1437a(b)(6));*

13 “(6) *the terms ‘homeless’, ‘homeless individual’,*
14 *and ‘homeless person’—*

15 “(A) *mean an individual who lacks a fixed,*
16 *regular, and adequate nighttime residence; and*

17 “(B) *includes—*

18 “(i) *an individual who—*

19 “(I) *is sharing the housing of*
20 *other persons due to loss of housing,*
21 *economic hardship, or a similar rea-*
22 *son;*

23 “(II) *is living in a motel, hotel,*
24 *trailer park, or campground due to the*

1 *lack of alternative adequate accom-*
2 *modations;*

3 *“(III) is living in an emergency*
4 *or transitional shelter;*

5 *“(IV) is abandoned in a hospital;*
6 *or*

7 *“(V) is awaiting foster care place-*
8 *ment;*

9 *“(ii) an individual who has a primary*
10 *nighttime residence that is a public or pri-*
11 *vate place not designed for or ordinarily*
12 *used as a regular sleeping accommodation*
13 *for human beings; or*

14 *“(iii) migratory children (as defined*
15 *in section 1309 of the Elementary and Sec-*
16 *ondary Education Act of 1965; 20 U.S.C.*
17 *6399) who qualify as homeless under this*
18 *section because the children are living in*
19 *circumstances described in this paragraph;*

20 *“(7) the term ‘homeless service provider’ means*
21 *a nonprofit, nongovernmental homeless service pro-*
22 *vider, such as a homeless shelter, a homeless service or*
23 *advocacy program, a tribal organization serving*
24 *homeless individuals, or coalition or other nonprofit,*
25 *nongovernmental organization carrying out a com-*

1 *munity-based homeless or housing program that has*
2 *a documented history of effective work concerning*
3 *homelessness;*

4 “(8) the term ‘tribally designated housing’ means
5 *housing assistance described in the Native American*
6 *Housing Assistance and Self-Determination Act of*
7 *1996 (25 U.S.C. 4101 et seq.); and*

8 “(9) the term ‘tribally designated housing entity’
9 *means a housing entity described in the Native Amer-*
10 *ican Housing Assistance and Self-Determination Act*
11 *of 1996 (25 U.S.C. 4103(21));*

12 **“SEC. 41404. COLLABORATIVE GRANTS TO INCREASE THE**
13 **LONG-TERM STABILITY OF VICTIMS.**

14 “(a) *GRANTS AUTHORIZED.*—

15 “(1) *IN GENERAL.*—*The Secretary of Health and*
16 *Human Services, acting through the Administration*
17 *of Children and Families, in partnership with the*
18 *Secretary of Housing and Urban Development, shall*
19 *award grants, contracts, or cooperative agreements for*
20 *a period of not less than 2 years to eligible entities*
21 *to develop long-term sustainability and self-suffi-*
22 *ciency options for adult and youth victims of domes-*
23 *tic violence, dating violence, sexual assault, and stalk-*
24 *ing who are currently homeless or at risk for becom-*
25 *ing homeless.*

1 “(2) *AMOUNT.*—*The Secretary of Health and*
2 *Human Services shall award funds in amounts—*

3 “(A) *not less than \$25,000 per year; and*

4 “(B) *not more than \$1,000,000 per year.*

5 “(b) *ELIGIBLE ENTITIES.*—*To be eligible to receive*
6 *funds under this section, an entity shall demonstrate that*
7 *it is a coalition or partnership, applying jointly, that—*

8 “(1) *shall include a domestic violence victim*
9 *service provider;*

10 “(2) *shall include—*

11 “(A) *a homeless service provider;*

12 “(B) *a nonprofit, nongovernmental commu-*
13 *nity housing development organization or a De-*
14 *partment of Agriculture rural housing service*
15 *program; or*

16 “(C) *in the absence of a homeless service*
17 *provider on tribal lands or nonprofit, nongovern-*
18 *mental community housing development organi-*
19 *zation on tribal lands, a tribally designated*
20 *housing entity or tribal housing consortium;*

21 “(3) *may include a dating violence, sexual as-*
22 *sault, or stalking victim service provider;*

23 “(4) *may include housing developers, housing*
24 *corporations, State housing finance agencies, other*

1 *housing agencies, and associations representing land-*
2 *lords;*

3 “(5) *may include a public housing agency or*
4 *tribally designated housing entity;*

5 “(6) *may include tenant organizations in public*
6 *or tribally designated housing, as well as nonprofit,*
7 *nongovernmental tenant organizations;*

8 “(7) *may include other nonprofit, nongovern-*
9 *mental organizations participating in the Depart-*
10 *ment of Housing and Urban Development’s Con-*
11 *tinuum of Care process;*

12 “(8) *may include a State, tribal, territorial, or*
13 *local government or government agency; and*

14 “(9) *may include any other agencies or non-*
15 *profit, nongovernmental organizations with the ca-*
16 *capacity to provide effective help to adult and youth*
17 *victims of domestic violence, dating violence, sexual*
18 *assault, or stalking.*

19 “(c) *APPLICATION.—Each eligible entity seeking funds*
20 *under this section shall submit an application to the Sec-*
21 *retary of Health and Human Services at such time, in such*
22 *manner, and containing such information as the Secretary*
23 *of Health and Human Services may require.*

24 “(d) *USE OF FUNDS.—*

1 “(1) *IN GENERAL.*—*Funds awarded to eligible*
2 *entities under subsection (a) shall be used to design*
3 *or replicate and implement new activities, services,*
4 *and programs to increase the stability and self-suffi-*
5 *ciency of, and create partnerships to develop long-*
6 *term housing options for adult and youth victims of*
7 *domestic violence, dating violence, sexual assault, or*
8 *stalking, and their dependents, who are currently*
9 *homeless or at risk of becoming homeless.*

10 “(2) *ACTIVITIES, SERVICES, PROGRAMS.*—*Such*
11 *activities, services, or programs described in para-*
12 *graph (1) shall develop sustainable long-term living*
13 *solutions in the community by—*

14 “(A) *coordinating efforts and resources*
15 *among the various groups and organizations*
16 *comprised in the entity to access existing private*
17 *and public funding;*

18 “(B) *assisting with the placement of indi-*
19 *viduals and families in long-term housing; and*

20 “(C) *providing services to help individuals*
21 *or families find and maintain long-term hous-*
22 *ing, including financial assistance and support*
23 *services;*

24 “(3) *may develop partnerships with individuals,*
25 *organizations, corporations, or other entities that pro-*

1 *vide capital costs for the purchase, preconstruction,*
2 *construction, renovation, repair, or conversion of af-*
3 *fordable housing units;*

4 “(4) *may use funds for the administrative ex-*
5 *penses related to the continuing operation, upkeep,*
6 *maintenance, and use of housing described in para-*
7 *graph (3); and*

8 “(5) *may provide to the community information*
9 *about housing and housing programs, and the process*
10 *to locate and obtain long-term housing.*

11 “(e) *LIMITATION.—Funds provided under paragraph*
12 *(a) shall not be used for construction, modernization or ren-*
13 *ovation.*

14 “(f) *UNDERSERVED POPULATIONS AND PRIORITIES.—*
15 *In awarding grants under this section, the Secretary of*
16 *Health and Human Services shall—*

17 “(1) *give priority to linguistically and culturally*
18 *specific services;*

19 “(2) *give priority to applications from entities*
20 *that include a sexual assault service provider as de-*
21 *scribed in subsection (b)(3); and*

22 “(3) *award a minimum of 15 percent of the*
23 *funds appropriated under this section in any fiscal*
24 *year to tribal organizations.*

25 “(g) *DEFINITIONS.—For purposes of this section:*

1 “(1) *AFFORDABLE HOUSING.*—*The term ‘afford-*
2 *able housing’ means housing that complies with the*
3 *conditions set forth in section 215 of the Cranston-*
4 *Gonzalez National Affordable Housing Act (42 U.S.C.*
5 *12745).*

6 “(2) *LONG-TERM HOUSING.*—*The term ‘long-term*
7 *housing’ means housing that is sustainable, accessible,*
8 *affordable, and safe for the foreseeable future and is—*

9 “(A) *rented or owned by the individual;*

10 “(B) *subsidized by a voucher or other pro-*
11 *gram which is not time-limited and is available*
12 *for as long as the individual meets the eligibility*
13 *requirements for the voucher or program; or*

14 “(C) *provided directly by a program, agen-*
15 *cy, or organization and is not time-limited and*
16 *is available for as long as the individual meets*
17 *the eligibility requirements for the program,*
18 *agency, or organization.*

19 “(h) *EVALUATION, MONITORING, ADMINISTRATION,*
20 *AND TECHNICAL ASSISTANCE.*—*For purposes of this*
21 *section—*

22 “(1) *up to 5 percent of the funds appropriated*
23 *under subsection (i) for each fiscal year may be used*
24 *by the Secretary of Health and Human Services for*

1 *evaluation, monitoring, and administration costs*
2 *under this section; and*

3 “(2) *up to 8 percent of the funds appropriated*
4 *under subsection (i) for each fiscal year may be used*
5 *to provide technical assistance to grantees under this*
6 *section.*

7 “(i) *AUTHORIZATION OF APPROPRIATIONS.—There are*
8 *authorized to be appropriated \$10,000,000 for each of fiscal*
9 *years 2007 through 2011 to carry out the provisions of this*
10 *section.*

11 **“SEC. 41405. GRANTS TO COMBAT VIOLENCE AGAINST**
12 **WOMEN IN PUBLIC AND ASSISTED HOUSING.**

13 “(a) *PURPOSE.—It is the purpose of this section to as-*
14 *sist eligible grantees in responding appropriately to domes-*
15 *tic violence, dating violence, sexual assault, and stalking*
16 *so that the status of being a victim of such a crime is not*
17 *a reason for the denial or loss of housing. Such assistance*
18 *shall be accomplished through—*

19 “(1) *education and training of eligible entities;*

20 “(2) *development and implementation of appro-*
21 *priate housing policies and practices;*

22 “(3) *enhancement of collaboration with victim*
23 *service providers and tenant organizations; and*

24 “(4) *reduction of the number of victims of such*
25 *crimes who are evicted or denied housing because of*

1 *crimes and lease violations committed or directly*
2 *caused by the perpetrators of such crimes.*

3 “(b) *GRANTS AUTHORIZED.*—

4 “(1) *IN GENERAL.*—*The Attorney General, acting*
5 *through the Director of the Violence Against Women*
6 *Office of the Department of Justice (‘Director’), and*
7 *in consultation with the Secretary of Housing and*
8 *Urban Development (‘Secretary’), and the Secretary*
9 *of Health and Human Services, acting through the*
10 *Administration for Children, Youth and Families*
11 *(‘ACYF’), shall award grants and contracts for not*
12 *less than 2 years to eligible grantees to promote the*
13 *full and equal access to and use of housing by adult*
14 *and youth victims of domestic violence, dating vio-*
15 *lence, sexual assault, and stalking.*

16 “(2) *AMOUNTS.*—*Not less than 15 percent of the*
17 *funds appropriated to carry out this section shall be*
18 *available for grants to tribally designated housing en-*
19 *tities.*

20 “(3) *AWARD BASIS.*—*The Attorney General shall*
21 *award grants and contracts under this section on a*
22 *competitive basis.*

23 “(4) *LIMITATION.*—*Appropriated funds may*
24 *only be used for the purposes described in subsection*
25 *(f).*

1 “(c) *ELIGIBLE GRANTEEES.*—

2 “(1) *IN GENERAL.*—*Eligible grantees are—*

3 “(A) *public housing agencies;*

4 “(B) *principally managed public housing*
5 *resident management corporations, as deter-*
6 *mined by the Secretary;*

7 “(C) *public housing projects owned by pub-*
8 *lic housing agencies;*

9 “(D) *tribally designated housing entities;*
10 *and*

11 “(E) *private, for-profit, and nonprofit own-*
12 *ers or managers of assisted housing.*

13 “(2) *SUBMISSION REQUIRED FOR ALL GRANT-*
14 *EES.*—*To receive assistance under this section, an eli-*
15 *gible grantee shall certify that—*

16 “(A) *its policies and practices do not pro-*
17 *hibit or limit a resident’s right to summon police*
18 *or other emergency assistance in response to do-*
19 *mestic violence, dating violence, sexual assault,*
20 *or stalking;*

21 “(B) *programs and services are developed*
22 *that give a preference in admission to adult and*
23 *youth victims of such violence, consistent with*
24 *local housing needs, and applicable law and the*
25 *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 has
10 committed or threatened to commit acts of
11 such violence against the victim, or against
12 the victim’s family or household member;

13 “(D) plans are developed that establish
14 meaningful consultation and coordination with
15 local victim service providers, tenant organiza-
16 tions, linguistically and culturally specific serv-
17 ice providers, State domestic violence and sexual
18 assault coalitions, and, where they exist, tribal
19 domestic violence and sexual assault coalitions;
20 and

21 “(E) its policies and practices will be in
22 compliance with those described in this para-
23 graph within the later of 1 year or a period se-
24 lected by the Attorney General in consultation
25 with the Secretary and ACYF.

1 “(d) *APPLICATION.*—Each eligible entity seeking a
2 grant under this section shall submit an application to the
3 Attorney General at such a time, in such a manner, and
4 containing such information as the Attorney General may
5 require.

6 “(e) *CERTIFICATION.*—

7 “(1) *IN GENERAL.*—A public housing agency,
8 tribally designated housing entity, or assisted housing
9 provider receiving funds under this section may re-
10 quest that an individual claiming relief under this
11 section certify that the individual is a victim of do-
12 mestic violence, dating violence, sexual assault, or
13 stalking. The individual shall provide a copy of such
14 certification to the public housing agency, tribally
15 designated housing entity, or assisted housing pro-
16 vider within a reasonable period of time after the
17 agency or authority requests such certification.

18 “(2) *CONTENTS.*—An individual may satisfy the
19 certification requirement of paragraph (1) by—

20 “(A) providing the public housing agency,
21 tribally designated housing entity, or assisted
22 housing provider with documentation, signed by
23 an employee, agent, or volunteer of a victim
24 service provider, an attorney, a member of the
25 clergy, a medical professional, or any other pro-

1 *professional from whom the victim has sought assist-*
2 *ance in addressing domestic violence, dating vio-*
3 *lence, sexual assault, or stalking, or the effects of*
4 *abuse; or*

5 *“(B) producing a Federal, State, tribal, ter-*
6 *ritorial, or local police or court record.*

7 *“(3) LIMITATION.—Nothing in this subsection*
8 *shall be construed to require any housing agency, as-*
9 *sisted housing provider, tribally designated housing*
10 *entity, owner, or manager to demand that an indi-*
11 *vidual produce official documentation or physical*
12 *proof of the individual’s status as a victim of domes-*
13 *tic violence, dating violence, sexual assault, or stalk-*
14 *ing, in order to receive any of the benefits provided*
15 *in this section. A housing agency, assisted housing*
16 *provider, tribally designated housing entity, owner, or*
17 *manager may provide benefits to an individual based*
18 *solely on the individual’s statement or other corrobo-*
19 *rating evidence.*

20 *“(4) CONFIDENTIALITY.—*

21 *“(A) IN GENERAL.—All information pro-*
22 *vided to any housing agency, assisted housing*
23 *provider, tribally designated housing entity,*
24 *owner, or manager pursuant to paragraph (1),*
25 *including the fact that an individual is a victim*

1 *of domestic violence, dating violence, sexual as-*
2 *sault, or stalking, shall be retained in confidence*
3 *by such agency, and shall neither be entered into*
4 *any shared database, nor provided to any related*
5 *housing agency, assisted housing provider, trib-*
6 *ally designated housing entity, owner, or man-*
7 *ager, except to the extent that disclosure is—*

8 *“(i) requested or consented to by the*
9 *individual in writing; or*

10 *“(ii) otherwise required by applicable*
11 *law.*

12 *“(B) NOTIFICATION.—Public housing agen-*
13 *cies must provide notice to tenants of their rights*
14 *under this section, including their right to con-*
15 *fidentiality and the limits thereof, and to owners*
16 *and managers of their rights and obligations*
17 *under this section.*

18 *“(f) USE OF FUNDS.—Grants and contracts awarded*
19 *pursuant to subsection (a) shall provide to eligible entities*
20 *personnel, training, and technical assistance to develop and*
21 *implement policies, practices, and procedures, making*
22 *physical improvements or changes, and developing or en-*
23 *hancing collaborations for the purposes of—*

24 *“(1) enabling victims of domestic violence, dat-*
25 *ing violence, sexual assault, and stalking with other-*

1 *wise disqualifying rental, credit, or criminal histories*
2 *to be eligible to obtain housing or housing assistance,*
3 *if such victims would otherwise qualify for housing or*
4 *housing assistance and can provide documented evi-*
5 *dence that demonstrates the causal connection between*
6 *such violence or abuse and the victims' negative his-*
7 *tories;*

8 *“(2) permitting applicants for housing or hous-*
9 *ing assistance to provide incomplete rental and em-*
10 *ployment histories, otherwise required as a condition*
11 *of admission or assistance, if the victim believes that*
12 *providing such rental and employment history would*
13 *endanger the victim's or the victim children's safety;*

14 *“(3) protecting victims' confidentiality, includ-*
15 *ing protection of victims' personally identifying infor-*
16 *mation, address, or rental history;*

17 *“(4) assisting victims who need to leave a public*
18 *housing, tribally designated housing, or assisted hous-*
19 *ing unit quickly to protect their safety, including*
20 *those who are seeking transfer to a new public hous-*
21 *ing unit, tribally designated housing unit, or assisted*
22 *housing unit, whether in the same or a different*
23 *neighborhood or jurisdiction;*

24 *“(5) enabling the public housing agency, tribally*
25 *designated housing entity, or assisted housing pro-*

1 *vider, or the victim, to remove, consistent with appli-*
2 *cable State law, the perpetrator of domestic violence,*
3 *dating violence, sexual assault, or stalking without*
4 *evicting, removing, or otherwise penalizing the victim;*

5 *“(6) enabling the public housing agency, tribally*
6 *designated housing entity, or assisted housing pro-*
7 *vider, when notified, to honor court orders addressing*
8 *rights of access to or control of the property, includ-*
9 *ing civil protection orders issued to protect the victim*
10 *and issued to address the distribution or possession of*
11 *property among the household members in cases where*
12 *a family breaks up;*

13 *“(7) developing and implementing more effective*
14 *security policies, protocols, and services;*

15 *“(8) allotting not more than 15 percent of funds*
16 *awarded under the grant to make modest physical*
17 *improvements to enhance safety;*

18 *“(9) training personnel to more effectively iden-*
19 *tify and respond to victims of domestic violence, dat-*
20 *ing violence, sexual assault, and stalking; and*

21 *“(10) effectively providing notice to applicants*
22 *and residents of the above housing policies, practices,*
23 *and procedures.*

24 *“(g) AUTHORIZATION OF APPROPRIATIONS.—There*
25 *are authorized to be appropriated \$10,000,000 for each of*

1 *fiscal years 2007 through 2011 to carry out the provisions*
 2 *of this section.*

3 “(h) *TECHNICAL ASSISTANCE.*—Up to 12 percent of
 4 *the amount appropriated under subsection (g) for each fis-*
 5 *cal year shall be used by the Attorney General for technical*
 6 *assistance costs under this section.”.*

7 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
 8 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
 9 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**
 10 **ING.**

11 (a) *IN GENERAL.*—Section 40299 of the Violence
 12 *Against Women Act of 1994 (42 U.S.C. 13975) is*
 13 *amended—*

14 (1) *in subsection (a)—*

15 (A) *by inserting “the Department of Hous-*
 16 *ing and Urban Development, and the Depart-*
 17 *ment of Health and Human Services,” after*
 18 *“Department of Justice,”;*

19 (B) *by inserting “, including domestic vio-*
 20 *lence and sexual assault victim service providers,*
 21 *domestic violence and sexual assault coalitions,*
 22 *other nonprofit, nongovernmental organizations,*
 23 *or community-based and culturally specific orga-*
 24 *nizations, that have a documented history of ef-*
 25 *fective work concerning domestic violence, dating*

1 *violence, sexual assault, or stalking” after “other*
2 *organizations”;* and

3 *(C) in paragraph (1), by inserting “, dat-*
4 *ing violence, sexual assault, or stalking” after*
5 *“domestic violence”;*

6 *(2) in subsection (b)—*

7 *(A) by redesignating paragraphs (1) and*
8 *(2) as paragraphs (2) and (3), respectively;*

9 *(B) in paragraph (3), as redesignated, by*
10 *inserting “, dating violence, sexual assault, or*
11 *stalking” after “violence”;*

12 *(C) by inserting before paragraph (2), as*
13 *redesignated, the following:*

14 *“(1) transitional housing, including funding for*
15 *the operating expenses of newly developed or existing*
16 *transitional housing.”;* and

17 *(D) in paragraph (3)(B) as redesignated,*
18 *by inserting “Participation in the support serv-*
19 *ices shall be voluntary. Receipt of the benefits of*
20 *the housing assistance described in paragraph*
21 *(2) shall not be conditioned upon the participa-*
22 *tion of the youth, adults, or their dependents in*
23 *any or all of the support services offered them.”*
24 *after “assistance.”;*

1 (3) in paragraph (1) of subsection (c), by strik-
2 ing “18 months” and inserting “24 months”;

3 (4) in subsection (d)(2)—

4 (A) by striking “and” at the end of sub-
5 paragraph (A);

6 (B) by redesignating subparagraph (B) as
7 subparagraph (C); and

8 (C) by inserting after subparagraph (A) the
9 following:

10 “(B) provide assurances that any sup-
11 portive services offered to participants in pro-
12 grams developed under subsection (b)(3) are vol-
13 untary and that refusal to receive such services
14 shall not be grounds for termination from the
15 program or eviction from the victim’s housing;
16 and”;

17 (5) in subsection (e)(2)—

18 (A) in subparagraph (A), by inserting
19 “purpose and” before “amount”;

20 (B) in clause (ii) of subparagraph (C), by
21 striking “and”;

22 (C) in subparagraph (D), by striking the
23 period and inserting “; and”; and

24 (D) by adding at the end the following new
25 subparagraph:

1 “(E) the client population served and the
2 number of individuals requesting services that
3 the transitional housing program is unable to
4 serve as a result of a lack of resources.”; and

5 (6) in subsection (g)—

6 (A) in paragraph (1), by striking
7 “\$30,000,000” and inserting “\$40,000,000”;

8 (B) in paragraph (1), by striking “2004”
9 and inserting “2007”;

10 (C) in paragraph (1), by striking “2008”
11 and inserting “2011”;

12 (D) in paragraph (2), by striking “not
13 more than 3 percent” and inserting “up to 5
14 percent”;

15 (E) in paragraph (2), by inserting “evalua-
16 tion, monitoring, technical assistance,” before
17 “salaries”; and

18 (F) in paragraph (3), by adding at the end
19 the following new subparagraphs:

20 “(C) *UNDERSERVED POPULATIONS.*—

21 “(i) A minimum of 7 percent of the
22 total amount appropriated in any fiscal
23 year shall be allocated to tribal organiza-
24 tions serving adult and youth victims of do-

1 *mestic violence, dating violence, sexual as-*
2 *sault, or stalking, and their dependents.*

3 *“(ii) Priority shall be given to projects*
4 *developed under subsection (b) that pri-*
5 *marily serve underserved populations.”.*

6 **SEC. 603. PUBLIC HOUSING AUTHORITY PLANS REPORTING**
7 **REQUIREMENT.**

8 *Section 5A of the United States Housing Act of 1937*
9 *(42 U.S.C. 1437c-1) is amended—*

10 *(1) in subsection (a)—*

11 *(A) in paragraph (1), by striking “para-*
12 *graph (2)” and inserting “paragraph (3)”;*

13 *(B) by redesignating paragraph (2) as*
14 *paragraph (3); and*

15 *(C) by inserting after paragraph (1) the fol-*
16 *lowing:*

17 *“(2) STATEMENT OF GOALS.—The 5-year plan*
18 *shall include a statement by any public housing agen-*
19 *cy of the goals, objectives, policies, or programs that*
20 *will enable the housing authority to serve the needs of*
21 *child and adult victims of domestic violence, dating*
22 *violence, sexual assault, or stalking.”;*

23 *(2) in subsection (d), by redesignating para-*
24 *graphs (13), (14), (15), (16), (17), and (18), as para-*

1 *graphs (14), (15), (16), (17), (18), and (19), respec-*
2 *tively; and*

3 *(3) by inserting after paragraph (12) the fol-*
4 *lowing:*

5 *“(13) DOMESTIC VIOLENCE, DATING VIOLENCE,*
6 *SEXUAL ASSAULT, OR STALKING PROGRAMS.—A de-*
7 *scription of—*

8 *“(A) any activities, services, or programs*
9 *provided or offered by an agency, either directly*
10 *or in partnership with other service providers, to*
11 *child or adult victims of domestic violence, dat-*
12 *ing violence, sexual assault, or stalking;*

13 *“(B) any activities, services, or programs*
14 *provided or offered by a public housing agency*
15 *that helps child and adult victims of domestic vi-*
16 *olence, dating violence, sexual assault, or stalk-*
17 *ing, to obtain or maintain housing; and*

18 *“(C) any activities, services, or programs*
19 *provided or offered by a public housing agency*
20 *to prevent domestic violence, dating violence, sex-*
21 *ual assault, and stalking, or to enhance victim*
22 *safety in assisted families.”.*

23 **SEC. 604. HOUSING STRATEGIES.**

24 *Section 105(b)(1) of the Cranston-Gonzalez National*
25 *Affordable Housing Act (42 U.S.C. 12705(b)(1)) is amended*

1 by inserting after “immunodeficiency syndrome,” the fol-
2 lowing: “victims of domestic violence, dating violence, sex-
3 ual assault, and stalking”.

4 **SEC. 605. AMENDMENT TO THE MCKINNEY-VENTO HOME-**
5 **LESS ASSISTANCE ACT.**

6 Section 423 of the Stewart B. McKinney Homeless As-
7 sistance Act (42 U.S.C. 11383) is amended—

8 (1) by adding at the end of subsection (a) the fol-
9 lowing:

10 “(8) **CONFIDENTIALITY.**—

11 “(A) **VICTIM SERVICE PROVIDERS.**—*In the*
12 *course of awarding grants or implementing pro-*
13 *grams under this subsection, the Secretary shall*
14 *instruct any victim service provider that is a re-*
15 *cipient or subgrantee not to disclose for purposes*
16 *of a Homeless Management Information System*
17 *personally identifying information about any*
18 *client. The Secretary may, after public notice*
19 *and comment, require or ask such recipients and*
20 *subgrantees to disclose for purposes of a Home-*
21 *less Management Information System non-per-*
22 *sonally identifying data that has been de-identi-*
23 *fied, encrypted, or otherwise encoded. Nothing in*
24 *this section shall be construed to supersede any*
25 *provision of any Federal, State, or local law that*

1 *provides greater protection than this paragraph*
2 *for victims of domestic violence, dating violence,*
3 *sexual assault, or stalking.*

4 “(B) **DEFINITIONS**

5 “(i) *PERSONALLY IDENTIFYING INFOR-*
6 *MATION OR PERSONAL INFORMATION.—The*
7 *term ‘personally identifying information’ or*
8 *‘personal information’ means individually*
9 *identifying information for or about an in-*
10 *dividual including information likely to*
11 *disclose the location of a victim of domestic*
12 *violence, dating violence, sexual assault, or*
13 *stalking, including—*

14 “(I) *a first and last name;*

15 “(II) *a home or other physical ad-*
16 *dress;*

17 “(III) *contact information (in-*
18 *cluding a postal, e-mail or Internet*
19 *protocol address, or telephone or fac-*
20 *simile number);*

21 “(IV) *a social security number;*
22 *and*

23 “(V) *any other information, in-*
24 *cluding date of birth, racial or ethnic*
25 *background, or religious affiliation,*

1 that, in combination with any other
2 non-personally identifying information
3 would serve to identify any individual.

4 “(i) *VICTIM SERVICE PROVIDER.*—The
5 term ‘victim service provider’ or ‘victim
6 service providers’ means a nonprofit, non-
7 governmental organization including rape
8 crisis centers, battered women’s shelters, do-
9 mestic violence transitional housing pro-
10 grams, and other programs whose primary
11 mission is to provide services to victims of
12 domestic violence, dating violence, sexual
13 assault, or stalking.”

14 **SEC. 606. AMENDMENTS TO THE LOW-INCOME HOUSING AS-**
15 **SISTANCE VOUCHER PROGRAM.**

16 Section 8 of the United States Housing Act of 1937
17 (42 U.S.C. 1437f) is amended—

18 (1) in subsection (c), by adding at the end the
19 following new paragraph:

20 “(9)(A) That an applicant or participant is or
21 has been a victim of domestic violence, dating vio-
22 lence, or stalking is not an appropriate basis for de-
23 nial of program assistance or for denial of admission,
24 if the applicant otherwise qualifies for assistance or
25 admission.

1 “(B) *An incident or incidents of actual or*
2 *threatened domestic violence, dating violence, or stalk-*
3 *ing will not be construed as a serious or repeated vio-*
4 *lation of the lease by the victim or threatened victim*
5 *of that violence and shall not be good cause for termi-*
6 *nating the assistance, tenancy, or occupancy rights of*
7 *the victim of such violence.*

8 “(C)(i) *Criminal activity directly relating to do-*
9 *mestic violence, dating violence, or stalking, engaged*
10 *in by a member of a tenant’s household or any guest*
11 *or other person under the tenant’s control shall not be*
12 *cause for termination of assistance, tenancy, or occu-*
13 *pancy rights if the tenant or an immediate member*
14 *of the tenant’s family is the victim or threatened vic-*
15 *tim of that domestic violence, dating violence, or*
16 *stalking.*

17 “(ii) *Notwithstanding clause (i), an owner or*
18 *manager may bifurcate a lease under this section, in*
19 *order to evict, remove, or terminate assistance to any*
20 *individual who is a tenant or lawful occupant and*
21 *who engages in criminal acts of physical violence*
22 *against family members or others, without evicting,*
23 *removing, terminating assistance to, or otherwise pe-*
24 *nalizing the victim of such violence who is also a ten-*
25 *ant or lawful occupant.*

1 “(iii) Nothing in clause (i) may be construed to
2 limit the authority of a public housing agency, owner,
3 or manager, when notified, to honor court orders ad-
4 dressing rights of access to or control of the property,
5 including civil protection orders issued to protect the
6 victim and issued to address the distribution or pos-
7 session of property among the household members in
8 cases where a family breaks up.

9 “(iv) Nothing in clause (i) limits any otherwise
10 available authority of an owner or manager to evict
11 or the public housing agency to terminate assistance
12 to a tenant for any violation of a lease not premised
13 on the act or acts of violence in question against the
14 tenant or a member of the tenant’s household, pro-
15 vided that the owner or manager does not subject an
16 individual who is or has been a victim of domestic vi-
17 olence, dating violence, or stalking to a more demand-
18 ing standard than other tenants in determining
19 whether to evict or terminate.

20 “(v) Nothing in clause (i) may be construed to
21 limit the authority of an owner, manager, or public
22 housing agency to evict or terminate from assistance
23 any tenant or lawful occupant if the owner, manager
24 or public housing agency can demonstrate an actual
25 and imminent threat to other tenants or those em-

1 *ployed at or providing service to the property if that*
2 *tenant is not evicted or terminated from assistance.*

3 *“(vi) Nothing in this section shall be construed*
4 *to supersede any provision of any Federal, State, or*
5 *local law that provides greater protection than this*
6 *section for victims of domestic violence, dating vio-*
7 *lence, or stalking.”;*

8 *(2) in subsection (d)—*

9 *(A) in paragraph (1)(A), by inserting after*
10 *“public housing agency” the following: “and that*
11 *an applicant or participant is or has been a vic-*
12 *tim of domestic violence, dating violence, or*
13 *stalking is not an appropriate basis for denial of*
14 *program assistance or for denial of admission if*
15 *the applicant otherwise qualifies for assistance or*
16 *admission”;*

17 *(B) in paragraph (1)(B)(ii), by inserting*
18 *after “other good cause” the following: “, and*
19 *that an incident or incidents of actual or threat-*
20 *ened domestic violence, dating violence, or stalk-*
21 *ing will not be construed as a serious or repeated*
22 *violation of the lease by the victim or threatened*
23 *victim of that violence and will not be good*
24 *cause for terminating the tenancy or occupancy*
25 *rights of the victim of such violence”;* and

1 (C) in paragraph (1)(B)(iii), by inserting
2 after “termination of tenancy” the following: “,
3 except that (I) criminal activity directly relating
4 to domestic violence, dating violence, or stalking,
5 engaged in by a member of a tenant’s household
6 or any guest or other person under the tenant’s
7 control, shall not be cause for termination of the
8 tenancy or occupancy rights or program assist-
9 ance, if the tenant or immediate member of the
10 tenant’s family is a victim of that domestic vio-
11 lence, dating violence, or stalking; (II) notwith-
12 standing subclause (I), a public housing agency
13 may terminate assistance to any individual who
14 is a tenant or lawful occupant and who engages
15 in criminal acts of physical violence against
16 family members or others, or an owner or man-
17 ager under this section may bifurcate a lease, in
18 order to evict, remove, or terminate assistance to
19 any individual who is a tenant or lawful occu-
20 pant and who engages in criminal acts of phys-
21 ical violence against family members or others,
22 without evicting, removing, terminating assist-
23 ance to, or otherwise penalizing the victim of
24 such violence who is also a tenant or lawful oc-
25 cupant; (III) nothing in subclause (I) may be

1 *construed to limit the authority of a public hous-*
2 *ing agency, owner, or manager, when notified, to*
3 *honor court orders addressing rights of access to*
4 *or control of the property, including civil protec-*
5 *tion orders issued to protect the victim and*
6 *issued to address the distribution or possession of*
7 *property among the household members in cases*
8 *where a family breaks up; (IV) nothing in sub-*
9 *clause (I) limits any otherwise available author-*
10 *ity of an owner or manager to evict or the public*
11 *housing agency to terminate assistance to a ten-*
12 *ant for any violation of a lease not premised on*
13 *the act or acts of violence in question against the*
14 *tenant or a member of the tenant's household,*
15 *provided that the owner, manager, or public*
16 *housing agency does not subject an individual*
17 *who is or has been a victim of domestic violence,*
18 *dating violence, or stalking to a more demanding*
19 *standard than other tenants in determining*
20 *whether to evict or terminate; (V) nothing in*
21 *subclause (I) may be construed to limit the au-*
22 *thority of an owner or manager to evict, or the*
23 *public housing agency to terminate assistance, to*
24 *any tenant if the owner, manager, or public*
25 *housing agency can demonstrate an actual and*

1 *imminent threat to other tenants or those em-*
2 *ployed at or providing service to the property if*
3 *that tenant is not evicted or terminated from as-*
4 *sistance; and (VI) nothing in this section shall be*
5 *construed to supersede any provision of any Fed-*
6 *eral, State, or local law that provides greater*
7 *protection than this section for victims of domes-*
8 *tic violence, dating violence, or stalking.”;*

9 *(3) in subsection (f)—*

10 *(A) in paragraph (6), by striking “and”;*

11 *(B) in paragraph (7), by striking the period*
12 *at the end and inserting a semicolon; and*

13 *(C) by adding at the end the following new*
14 *paragraphs:*

15 *“(8) the term ‘domestic violence’ has the same*
16 *meaning given the term in section 40002 of the Vio-*
17 *lence Against Women Act of 1994;*

18 *“(9) the term ‘dating violence’ has the same*
19 *meaning given the term in section 40002 of the Vio-*
20 *lence Against Women Act of 1994; and*

21 *“(10) the term ‘stalking’ means—*

22 *“(A)(i) to follow, pursue, or repeatedly com-*
23 *mit acts with the intent to kill, injure, harass,*
24 *or intimidate another person; and*

1 “(i) to place under surveillance with the
2 intent to kill, injure, harass, or intimidate an-
3 other person; and

4 “(B) in the course of, or as a result of, such
5 following, pursuit, surveillance, or repeatedly
6 committed acts, to place a person in reasonable
7 fear of the death of, or serious bodily injury to,
8 or to cause substantial emotional harm to—

9 “(i) that person;

10 “(ii) a member of the immediate fam-
11 ily of that person; or

12 “(iii) the spouse or intimate partner of
13 that person; and

14 “(11) the term ‘immediate family member’
15 means, with respect to a person—

16 “(A) a spouse, parent, brother or sister, or
17 child of that person, or an individual to whom
18 that person stands in loco parentis; or

19 “(B) any other person living in the house-
20 hold of that person and related to that person by
21 blood and marriage.”;

22 (4) in subsection (o)—

23 (A) by inserting at the end of paragraph
24 (6)(B) the following new sentence: “That an ap-
25 plicant or participant is or has been a victim of

1 *domestic violence, dating violence, or stalking is*
2 *not an appropriate basis for denial of program*
3 *assistance by or for denial of admission if the*
4 *applicant otherwise qualifies for assistance for*
5 *admission, and that nothing in this section shall*
6 *be construed to supersede any provision of any*
7 *Federal, State, or local law that provides greater*
8 *protection than this section for victims of domes-*
9 *tic violence, dating violence, or stalking.”;*

10 *(B) in paragraph (7)(C), by inserting after*
11 *“other good cause” the following: “, and that an*
12 *incident or incidents of actual or threatened do-*
13 *mestic violence, dating violence, or stalking shall*
14 *not be construed as a serious or repeated viola-*
15 *tion of the lease by the victim or threatened vic-*
16 *tim of that violence and shall not be good cause*
17 *for terminating the tenancy or occupancy rights*
18 *of the victim of such violence”;*

19 *(C) in paragraph (7)(D), by inserting after*
20 *“termination of tenancy” the following: “; except*
21 *that (i) criminal activity directly relating to do-*
22 *mestic violence, dating violence, or stalking, en-*
23 *gaged in by a member of a tenant’s household or*
24 *any guest or other person under the tenant’s con-*
25 *trol shall not be cause for termination of the ten-*

1 *ancy or occupancy rights, if the tenant or imme-*
2 *diate member of the tenant's family is a victim*
3 *of that domestic violence, dating violence, or*
4 *stalking; (ii) notwithstanding clause (i), a public*
5 *housing agency may terminate assistance to any*
6 *individual who is a tenant or lawful occupant*
7 *and who engages in criminal acts of physical vi-*
8 *olence against family members or others, or an*
9 *owner or manager may bifurcate a lease under*
10 *this section, in order to evict, remove, or termi-*
11 *nate assistance to any individual who is a ten-*
12 *ant or lawful occupant and who engages in*
13 *criminal acts of physical violence against family*
14 *members or others, without evicting, removing,*
15 *terminating assistance to, or otherwise penal-*
16 *izing the victim of such violence who is also a*
17 *tenant or lawful occupant; (iii) nothing in*
18 *clause (i) may be construed to limit the author-*
19 *ity of a public housing agency, owner, or man-*
20 *ager, when notified, to honor court orders ad-*
21 *dressing rights of access to control of the prop-*
22 *erty, including civil protection orders issued to*
23 *protect the victim and issued to address the dis-*
24 *tribution or possession of property among the*
25 *household members in cases where a family*

1 *breaks up; (iv) nothing in clause (i) limits any*
2 *otherwise available authority of an owner or*
3 *manager to evict or the public housing agency to*
4 *terminate assistance to a tenant for any viola-*
5 *tion of a lease not premised on the act or acts*
6 *of violence in question against the tenant or a*
7 *member of the tenant's household, provided that*
8 *the owner, manager, or public housing agency*
9 *does not subject an individual who is or has been*
10 *a victim of domestic violence, dating violence, or*
11 *stalking to a more demanding standard than*
12 *other tenants in determining whether to evict or*
13 *terminate; (v) nothing in clause (i) may be con-*
14 *strued to limit the authority of an owner or*
15 *manager to evict, or the public housing agency*
16 *to terminate, assistance to any tenant if the*
17 *owner, manager, or public housing agency can*
18 *demonstrate an actual and imminent threat to*
19 *other tenants or those employed at or providing*
20 *service to the property if that tenant is not evict-*
21 *ed or terminated from assistance; and (vi) noth-*
22 *ing in this section shall be construed to supersede*
23 *any provision of any Federal, State, or local law*
24 *that provides greater protection than this section*

1 *for victims of domestic violence, dating violence,*
2 *or stalking.”; and*

3 *(D) by adding at the end the following new*
4 *paragraph:*

5 “(20) *PROHIBITED BASIS FOR TERMINATION OF AS-*
6 *SISTANCE.—*

7 “(A) *IN GENERAL.—A public housing agency*
8 *may not terminate assistance to a participant in the*
9 *voucher program on the basis of an incident or inci-*
10 *dents of actual or threatened domestic violence, dating*
11 *violence, or stalking against that participant.*

12 “(B) *CONSTRUAL OF LEASE PROVISIONS.—*
13 *Criminal activity directly relating to domestic vio-*
14 *lence, dating violence, or stalking shall not be consid-*
15 *ered a serious or repeated violation of the lease by the*
16 *victim or threatened victim of that criminal activity*
17 *justifying termination of assistance to the victim or*
18 *threatened victim.*

19 “(C) *TERMINATION ON THE BASIS OF CRIMINAL*
20 *ACTIVITY.—Criminal activity directly relating to do-*
21 *mestic violence, dating violence, or stalking shall not*
22 *be considered cause for termination of assistance for*
23 *any participant or immediate member of a partici-*
24 *part’s family who is a victim of the domestic vio-*
25 *lence, dating violence, or stalking.*

1 “(D) *EXCEPTIONS.*—

2 “(i) *PUBLIC HOUSING AUTHORITY RIGHT TO*
3 *TERMINATE FOR CRIMINAL ACTS.*—*Nothing in*
4 *subparagraphs (A), (B), or (C) may be construed*
5 *to limit the authority of the public housing agen-*
6 *cy to terminate voucher assistance to individuals*
7 *who engage in criminal acts of physical violence*
8 *against family members or others.*

9 “(ii) *COMPLIANCE WITH COURT ORDERS.*—
10 *Nothing in subparagraphs (A), (B), or (C) may*
11 *be construed to limit the authority of a public*
12 *housing agency, when notified, to honor court or-*
13 *ders addressing rights of access to or control of*
14 *the property, including civil protection orders*
15 *issued to protect the victim and issued to address*
16 *the distribution possession of property among the*
17 *household members in cases where a family*
18 *breaks up.*

19 “(iii) *PUBLIC HOUSING AUTHORITY RIGHT*
20 *TO TERMINATE VOUCHER ASSISTANCE FOR*
21 *LEASE VIOLATIONS.*—*Nothing in subparagraphs*
22 *(A), (B), or (C) limit any otherwise available*
23 *authority of the public housing agency to termi-*
24 *nate voucher assistance to a tenant for any vio-*
25 *lation of a lease not premised on the act or acts*

1 *of violence in question against the tenant or a*
2 *member of the tenant’s household, provided that*
3 *the public housing agency does not subject an in-*
4 *dividual who is or has been a victim of domestic*
5 *violence, dating violence, or stalking to a more*
6 *demanding standard than other tenants in deter-*
7 *mining whether to terminate.*

8 “(iv) *PUBLIC HOUSING AUTHORITY RIGHT*
9 *TO TERMINATE VOUCHER ASSISTANCE FOR IMMI-*
10 *NENT THREAT.—Nothing in subparagraphs (A),*
11 *(B), (C) may be construed to limit the authority*
12 *of the public housing agency to terminate vouch-*
13 *er assistance to a tenant if the public housing*
14 *agency can demonstrate an actual and imminent*
15 *threat to other tenants or those employed at or*
16 *providing service to the property or public hous-*
17 *ing agency if that tenant is not evicted or termi-*
18 *nated from assistance.*

19 “(v) *PREEMPTION.—Nothing in this section*
20 *shall be construed to supersede any provision of*
21 *any Federal, State, or local law that provides*
22 *greater protection than this section for victims of*
23 *domestic violence, dating violence, or stalking.”;*

24 (5) *in subsection (r)(5), by inserting after “vio-*
25 *lation of a lease” the following: “, except that a fam-*

1 *ily may receive a voucher from a public housing*
 2 *agency and move to another jurisdiction under the*
 3 *tenant-based assistance program if the family has*
 4 *complied with all other obligations of the section 8*
 5 *program and has moved out of the assisted dwelling*
 6 *unit in order to protect the health or safety of an in-*
 7 *dividual who is or has been the victim of domestic vi-*
 8 *olence, dating violence, or stalking and who reason-*
 9 *ably believed he or she was imminently threatened by*
 10 *harm from further violence if he or she remained in*
 11 *the assisted dwelling unit”;* and

12 *(6) by adding at the end the following new sub-*
 13 *section:*

14 *“(ee) CERTIFICATION AND CONFIDENTIALITY.—*

15 *“(1) CERTIFICATION.—*

16 *“(A) IN GENERAL.—An owner, manager, or*
 17 *public housing agency responding to subsections*
 18 *(c)(9), (d)(1)(B)(ii), (d)(1)(B)(iii), (o)(7)(C),*
 19 *(o)(7)(D), (o)(20), and (r)(5) may request that*
 20 *an individual certify via a HUD approved cer-*
 21 *tification form that the individual is a victim of*
 22 *domestic violence, dating violence, or stalking,*
 23 *and that the incident or incidents in question*
 24 *are bona fide incidents of such actual or threat-*
 25 *ened abuse and meet the requirements set forth*

1 *in the aforementioned paragraphs. Such certifi-*
2 *cation shall include the name of the perpetrator.*
3 *The individual shall provide such certification*
4 *within 14 business days after the owner, man-*
5 *ager, or public housing agency requests such cer-*
6 *tification.*

7 “(B) *FAILURE TO PROVIDE CERTIFI-*
8 *CATION.—If the individual does not provide the*
9 *certification within 14 business days after the*
10 *owner, manager, public housing agency, or as-*
11 *isted housing provider has requested such cer-*
12 *tification in writing, nothing in this subsection*
13 *or in subsection (c)(9), (d)(1)(B)(ii),*
14 *(d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), (o)(20), or*
15 *(r)(5) may be construed to limit the authority of*
16 *an owner or manager to evict, or the public*
17 *housing agency or assisted housing provider to*
18 *terminate voucher assistance for, any tenant or*
19 *lawful occupant that commits violations of a*
20 *lease. The owner, manager, public housing agen-*
21 *cy, or assisted housing provider may extend the*
22 *14-day deadline at their discretion.*

23 “(C) *CONTENTS.—An individual may sat-*
24 *isfy the certification requirement of subpara-*
25 *graph (A) by—*

1 “(i) providing the requesting owner,
2 manager, or public housing agency with
3 documentation signed by an employee,
4 agent, or volunteer of a victim service pro-
5 vider, an attorney, or a medical profes-
6 sional, from whom the victim has sought as-
7 sistance in addressing domestic violence,
8 dating violence, sexual assault, or stalking,
9 or the effects of the abuse, in which the pro-
10 fessional attests under penalty of perjury
11 (28 U.S.C. 1746) to the professional’s belief
12 that the incident or incidents in question
13 are bona fide incidents of abuse, and the
14 victim of domestic violence, dating violence,
15 or stalking has signed or attested to the doc-
16 umentation; or

17 “(ii) producing a Federal, State, trib-
18 al, territorial, or local police or court
19 record.

20 “(D) *LIMITATION.*—Nothing in this sub-
21 section shall be construed to require an owner,
22 manager, or public housing agency to demand
23 that an individual produce official documenta-
24 tion or physical proof of the individual’s status
25 as a victim of domestic violence, dating violence,

1 *sexual assault, or stalking in order to receive*
2 *any of the benefits provided in this section. At*
3 *their discretion, the owner, manager, or public*
4 *housing agency may provide benefits to an indi-*
5 *vidual based solely on the individual’s statement*
6 *or other corroborating evidence.*

7 “(E) *COMPLIANCE NOT SUFFICIENT TO CON-*
8 *STITUTE EVIDENCE OF UNREASONABLE ACT.—*
9 *Compliance with this statute by an owner, man-*
10 *ager, public housing agency, or assisted housing*
11 *provider based on the certification specified in*
12 *paragraph (1)(A) and (B) of this subsection or*
13 *based solely on the victim’s statement or other*
14 *corroborating evidence, as permitted by para-*
15 *graph (1)(C) of this subsection, shall not alone be*
16 *sufficient to constitute evidence of an unreason-*
17 *able act or omission by an owner, manger, pub-*
18 *lic housing agency, or assisted housing provider,*
19 *or employee thereof. Nothing in this subpara-*
20 *graph shall be construed to limit liability for*
21 *failure to comply with the requirements of sub-*
22 *sections (c)(9), (d)(1)(B)(ii), (d)(1)(B)(iii),*
23 *(o)(7)(C), (o)(7)(D), (o)(20), or (r)(5).*

24 “(F) *PREEMPTION.—Nothing in this section*
25 *shall be construed to supersede any provision of*

1 *any Federal, State, or local law that provides*
2 *greater protection than this section for victims of*
3 *domestic violence, dating violence, or stalking.*

4 “(2) *CONFIDENTIALITY.*—

5 “(A) *IN GENERAL.*—*All information pro-*
6 *vided to an owner, manager, or public housing*
7 *agency pursuant to paragraph (1), including the*
8 *fact that an individual is a victim of domestic*
9 *violence, dating violence, or stalking, shall be re-*
10 *tained in confidence by an owner, manager, or*
11 *public housing agency, and shall neither be en-*
12 *tered into any shared database nor provided to*
13 *any related entity, except to the extent that dis-*
14 *closure is—*

15 “(i) *requested or consented to by the*
16 *individual in writing;*

17 “(ii) *required for use in an eviction*
18 *proceeding under subsections (c)(9),*
19 *(d)(1)(B)(ii), (d)(1)(B)(iii), (o)(7)(C),*
20 *(o)(7)(D), or (o)(20),; or*

21 “(iii) *otherwise required by applicable*
22 *law.*

23 “(B) *NOTIFICATION.*—*Public housing agen-*
24 *cies must provide notice to tenants assisted*
25 *under Section 8 of the United States Housing*

1 *Act of 1937 of their rights under this subsection*
2 *and subsections (c)(9), (d)(1)(B)(ii),*
3 *(d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), (o)(20), and*
4 *(r)(5), including their right to confidentiality*
5 *and the limits thereof, and to owners and man-*
6 *agers of their rights and obligations under this*
7 *subsection and subsections (c)(9), (d)(1)(B)(ii),*
8 *(d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), (o)(20), and*
9 *(r)(5).”.*

10 **SEC. 607. AMENDMENTS TO THE PUBLIC HOUSING PRO-**
11 **GRAM.**

12 *Section 6 of the United States Housing Act of 1937*
13 *(42 U.S.C. 1437d) is amended—*

14 *(1) in subsection (c), by redesignating paragraph*
15 *(3) and (4), as paragraphs (4) and (5), respectively;*
16 *(2) by inserting after paragraph (2) the fol-*
17 *lowing:*

18 *“(3) the public housing agency shall not deny*
19 *admission to the project to any applicant on the basis*
20 *that the applicant is or has been a victim of domestic*
21 *violence, dating violence, or stalking if the applicant*
22 *otherwise qualifies for assistance or admission, and*
23 *that nothing in this section shall be construed to su-*
24 *persede any provision of any Federal, State, or local*
25 *law that provides greater protection than this section*

1 *for victims of domestic violence, dating violence, or*
2 *stalking”;*

3 *(3) in subsection (l)(5), by inserting after “other*
4 *good cause” the following: “, and that an incident or*
5 *incidents of actual or threatened domestic violence,*
6 *dating violence, or stalking will not be construed as*
7 *a serious or repeated violation of the lease by the vic-*
8 *tim or threatened victim of that violence and will not*
9 *be good cause for terminating the tenancy or occu-*
10 *pancy rights of the victim of such violence”;*

11 *(4) in subsection (l)(6), by inserting after “ter-*
12 *mination of tenancy” the following: “; except that (A)*
13 *criminal activity directly relating to domestic vio-*
14 *lence, dating violence, or stalking, engaged in by a*
15 *member of a tenant’s household or any guest or other*
16 *person under the tenant’s control, shall not be cause*
17 *for termination of the tenancy or occupancy rights, if*
18 *the tenant or immediate member of the tenant’s fam-*
19 *ily is a victim of that domestic violence, dating vio-*
20 *lence, or stalking; (B) notwithstanding subparagraph*
21 *(A), a public housing agency under this section may*
22 *bifurcate a lease under this section, in order to evict,*
23 *remove, or terminate assistance to any individual*
24 *who is a tenant or lawful occupant and who engages*
25 *in criminal acts of physical violence against family*

1 *members or others, without evicting, removing, termi-*
2 *nating assistance to, or otherwise penalizing the vic-*
3 *tim of such violence who is also a tenant or lawful*
4 *occupant; (C) nothing in subparagraph (A) may be*
5 *construed to limit the authority of a public housing*
6 *agency, when notified, to honor court orders address-*
7 *ing rights of access to or control of the property, in-*
8 *cluding civil protection orders issued to protect the*
9 *victim and issued to address the distribution or pos-*
10 *session of property among the household members in*
11 *cases where a family breaks up; (D) nothing in sub-*
12 *paragraph (A) limits any otherwise available author-*
13 *ity of a public housing agency to evict a tenant for*
14 *any violation of a lease not premised on the act or*
15 *acts of violence in question against the tenant or a*
16 *member of the tenant's household, provided that the*
17 *public housing agency does not subject an individual*
18 *who is or has been a victim of domestic violence, dat-*
19 *ing violence, or stalking to a more demanding stand-*
20 *ard than other tenants in determining whether to*
21 *evict or terminate; (E) nothing in subparagraph (A)*
22 *may be construed to limit the authority of a public*
23 *housing agency to terminate the tenancy of any ten-*
24 *ant if the public housing agency can demonstrate an*
25 *actual and imminent threat to other tenants or those*

1 employed at or providing service to the property if
2 that tenant's tenancy is not terminated; and (F)
3 nothing in this section shall be construed to supersede
4 any provision of any Federal, State, or local law that
5 provides greater protection than this section for vic-
6 tims of domestic violence, dating violence, or stalk-
7 ing.”; and

8 (5) by inserting at the end of subsection (t) the
9 following new subsection:

10 “(u) *CERTIFICATION AND CONFIDENTIALITY.*—

11 “(1) *CERTIFICATION.*—

12 “(A) *IN GENERAL.*—A public housing agen-
13 cy responding to subsection (l) (5) and (6) may
14 request that an individual certify via a HUD
15 approved certification form that the individual
16 is a victim of domestic violence, dating violence,
17 or stalking, and that the incident or incidents in
18 question are bona fide incidents of such actual or
19 threatened abuse and meet the requirements set
20 forth in the aforementioned paragraphs. Such
21 certification shall include the name of the perpe-
22 trator. The individual shall provide such certifi-
23 cation within 14 business days after the public
24 housing agency requests such certification.

1 “(B) *FAILURE TO PROVIDE CERTIFI-*
2 *CATION.—If the individual does not provide the*
3 *certification within 14 business days after the*
4 *public housing agency has requested such certifi-*
5 *cation in writing, nothing in this subsection, or*
6 *in paragraph (5) or (6) of subsection (l), may be*
7 *construed to limit the authority of the public*
8 *housing agency to evict any tenant or lawful oc-*
9 *cupant that commits violations of a lease. The*
10 *public housing agency may extend the 14-day*
11 *deadline at its discretion.*

12 “(C) *CONTENTS.—An individual may sat-*
13 *isfy the certification requirement of subpara-*
14 *graph (A) by—*

15 “(i) *providing the requesting public*
16 *housing agency with documentation signed*
17 *by an employee, agent, or volunteer of a vic-*
18 *tim service provider, an attorney, or a med-*
19 *ical professional, from whom the victim has*
20 *sought assistance in addressing domestic vi-*
21 *olence, dating violence, or stalking, or the*
22 *effects of the abuse, in which the profes-*
23 *sional attests under penalty of perjury (28*
24 *U.S.C. 1746) to the professional’s belief that*
25 *the incident or incidents in question are*

1 *bona fide incidents of abuse, and the victim*
2 *of domestic violence, dating violence, or*
3 *stalking has signed or attested to the docu-*
4 *mentation; or*

5 “(ii) *producing a Federal, State, trib-*
6 *al, territorial, or local police or court*
7 *record.*

8 “(D) *LIMITATION.—Nothing in this sub-*
9 *section shall be construed to require any public*
10 *housing agency to demand that an individual*
11 *produce official documentation or physical proof*
12 *of the individual’s status as a victim of domestic*
13 *violence, dating violence, or stalking in order to*
14 *receive any of the benefits provided in this sec-*
15 *tion. At the public housing agency’s discretion, a*
16 *public housing agency may provide benefits to*
17 *an individual based solely on the individual’s*
18 *statement or other corroborating evidence.*

19 “(E) *PREEMPTION.—Nothing in this section*
20 *shall be construed to supersede any provision of*
21 *any Federal, State, or local law that provides*
22 *greater protection than this section for victims of*
23 *domestic violence, dating violence, or stalking.*

24 “(F) *COMPLIANCE NOT SUFFICIENT TO CON-*
25 *STITUTE EVIDENCE OF UNREASONABLE ACT.—*

1 *Compliance with this statute by a public housing*
2 *agency, or assisted housing provider based on the*
3 *certification specified in subparagraphs (A) and*
4 *(B) of this subsection or based solely on the vic-*
5 *tim’s statement or other corroborating evidence,*
6 *as permitted by subparagraph (D) of this sub-*
7 *section, shall not alone be sufficient to constitute*
8 *evidence of an unreasonable act or omission by*
9 *a public housing agency or employee thereof.*
10 *Nothing in this subparagraph shall be construed*
11 *to limit liability for failure to comply with the*
12 *requirements of subsection (l)(5) and (6).*

13 “(2) *CONFIDENTIALITY.*—

14 “(A) *IN GENERAL.*—*All information pro-*
15 *vided to any public housing agency pursuant to*
16 *paragraph (1), including the fact that an indi-*
17 *vidual is a victim of domestic violence, dating*
18 *violence, or stalking, shall be retained in con-*
19 *fidence by such public housing agency, and shall*
20 *neither be entered into any shared database nor*
21 *provided to any related entity, except to the ex-*
22 *tent that disclosure is—*

23 “(i) *requested or consented to by the*
24 *individual in writing;*

1 “(ii) required for use in an eviction
2 proceeding under subsections (l)(5) or (6);
3 or

4 “(iii) otherwise required by applicable
5 law.

6 “(B) NOTIFICATION.—Public housing agen-
7 cies must provide notice to tenants assisted
8 under Section 6 of the United States Housing
9 Act of 1937 of their rights under this subsection
10 and subsections (l)(5) and (6), including their
11 right to confidentiality and the limits thereof.

12 “(3) DEFINITIONS.—For purposes of this sub-
13 section, subsection (c)(3), and subsection (l)(5) and
14 (6)—

15 “(A) the term ‘domestic violence’ has the
16 same meaning given the term in section 40002
17 of the Violence Against Women Act of 1994;

18 “(B) the term ‘dating violence’ has the same
19 meaning given the term in

20 “(C) the term ‘stalking’ means—

21 “(i)(I) to follow, pursue, or repeatedly
22 commit acts with the intent to kill, injure,
23 harass, or intimidate; or

1 “(II) to place under surveillance with
2 the intent to kill, injure, harass, or intimi-
3 date another person; and

4 “(ii) in the course of, or as a result of,
5 such following, pursuit, surveillance, or re-
6 peatedly committed acts, to place a person
7 in reasonable fear of the death of, or serious
8 bodily injury to, or to cause substantial
9 emotional harm to—

10 “(I) that person;

11 “(II) a member of the immediate
12 family of that person; or

13 “(III) the spouse or intimate
14 partner of that person; and

15 “(D) the term ‘immediate family member’
16 means, with respect to a person—

17 “(i) a spouse, parent, brother or sister,
18 or child of that person, or an individual to
19 whom that person stands in loco parentis;
20 or

21 “(ii) any other person living in the
22 household of that person and related to that
23 person by blood and marriage.”.

1 **TITLE VII—PROVIDING ECO-**
 2 **NOMIC SECURITY FOR VIC-**
 3 **TIMS OF VIOLENCE**

4 **SEC. 701. GRANT FOR NATIONAL RESOURCE CENTER ON**
 5 **WORKPLACE RESPONSES TO ASSIST VICTIMS**
 6 **OF DOMESTIC AND SEXUAL VIOLENCE.**

7 *Subtitle N of the Violence Against Women Act of 1994*
 8 *(Public Law 103–322; 108 Stat. 1902) is amended by add-*
 9 *ing at the end the following:*

10 **“Subtitle O—National Resource**
 11 **Center**

12 **“SEC. 41501. GRANT FOR NATIONAL RESOURCE CENTER ON**
 13 **WORKPLACE RESPONSES TO ASSIST VICTIMS**
 14 **OF DOMESTIC AND SEXUAL VIOLENCE.**

15 *“(a) AUTHORITY.—The Attorney General, acting*
 16 *through the Director of the Office on Violence Against*
 17 *Women, may award a grant to an eligible nonprofit non-*
 18 *governmental entity or tribal organization, in order to pro-*
 19 *vide for the establishment and operation of a national re-*
 20 *source center on workplace responses to assist victims of do-*
 21 *mestic and sexual violence. The resource center shall provide*
 22 *information and assistance to employers and labor organi-*
 23 *zations to aid in their efforts to develop and implement re-*
 24 *sponses to such violence.*

1 “(b) *APPLICATIONS.*—*To be eligible to receive a grant*
2 *under this section, an entity or organization shall submit*
3 *an application to the Attorney General at such time, in*
4 *such manner, and containing such information as the At-*
5 *torney General may require, including—*

6 “(1) *information that demonstrates that the enti-*
7 *ty or organization has nationally recognized expertise*
8 *in the area of domestic or sexual violence;*

9 “(2) *a plan to maximize, to the extent prac-*
10 *ticable, outreach to employers (including private com-*
11 *panies and public entities such as public institutions*
12 *of higher education and State and local governments)*
13 *and labor organizations described in subsection (a)*
14 *concerning developing and implementing workplace*
15 *responses to assist victims of domestic or sexual vio-*
16 *lence; and*

17 “(3) *a plan for developing materials and train-*
18 *ing for materials for employers that address the needs*
19 *of employees in cases of domestic violence, dating vio-*
20 *lence, sexual assault, and stalking impacting the*
21 *workplace, including the needs of underserved commu-*
22 *nities.*

23 “(c) *USE OF GRANT AMOUNT.*—

24 “(1) *IN GENERAL.*—*An entity or organization*
25 *that receives a grant under this section may use the*

1 *funds made available through the grant for staff sala-*
2 *ries, travel expenses, equipment, printing, and other*
3 *reasonable expenses necessary to develop, maintain,*
4 *and disseminate to employers and labor organizations*
5 *described in subsection (a), information and assist-*
6 *ance concerning workplace responses to assist victims*
7 *of domestic or sexual violence.*

8 *“(2) RESPONSES.—Responses referred to in*
9 *paragraph (1) may include—*

10 *“(A) providing training to promote a better*
11 *understanding of workplace assistance to victims*
12 *of domestic or sexual violence;*

13 *“(B) providing conferences and other edu-*
14 *cational opportunities; and*

15 *“(C) developing protocols and model work-*
16 *place policies.*

17 *“(d) LIABILITY.—The compliance or noncompliance of*
18 *any employer or labor organization with any protocol or*
19 *policy developed by an entity or organization under this*
20 *section shall not serve as a basis for liability in tort, express*
21 *or implied contract, or by any other means. No protocol*
22 *or policy developed by an entity or organization under this*
23 *section shall be referenced or enforced as a workplace safety*
24 *standard by any Federal, State, or other governmental*
25 *agency.*

1 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 2 *authorized to be appropriated to carry out this section*
 3 *\$1,000,000 for each of fiscal years 2007 through 2011.*

4 “(f) *AVAILABILITY OF GRANT FUNDS.*—*Funds appro-*
 5 *priated under this section shall remain available until ex-*
 6 *pended.*”.

7 ***TITLE VIII—PROTECTION OF***
 8 ***BATTERED AND TRAFFICKED***
 9 ***IMMIGRANTS***

10 ***Subtitle A—Victims of Crime***

11 ***SEC. 801. TREATMENT OF SPOUSE AND CHILDREN OF VIC-***

12 ***TIMS.***

13 (a) *TREATMENT OF SPOUSE AND CHILDREN OF VIC-*
 14 *TIMS OF TRAFFICKING.*—*Section 101(a)(15)(T) of the Im-*
 15 *migration and Nationality Act (8 U.S.C. 1101(a)(15)(T))*
 16 *is amended—*

17 (1) *in clause (i)—*

18 (A) *in the matter preceding subclause (I),*
 19 *by striking “Attorney General” and inserting*
 20 *“Secretary of Homeland Security, or in the case*
 21 *of subclause (III)(aa) the Secretary of Homeland*
 22 *Security and the Attorney General jointly;”;*

23 (B) *in subclause (III)(aa)—*

24 (i) *by inserting “Federal, State, or*
 25 *local” before “investigation”; and*

1 (ii) by striking “, or” and inserting
2 “or the investigation of crime where acts of
3 trafficking are at least one central reason
4 for the commission of that crime; or”; and
5 (C) in subclause (IV), by striking “and” at
6 the end;

7 (2) by amending clause (ii) to read as follows:

8 “(ii) if accompanying, or following to join, the
9 alien described in clause (i)—

10 “(I) in the case of an alien described in
11 clause (i) who is under 21 years of age, the
12 spouse, children, unmarried siblings under 18
13 years of age on the date on which such alien ap-
14 plied for status under such clause, and parents
15 of such alien; or

16 “(II) in the case of an alien described in
17 clause (i) who is 21 years of age or older, the
18 spouse and children of such alien; and”;

19 (3) by inserting after clause (ii) the following:

20 “(iii) if the Secretary of Homeland Security, in
21 his or her discretion and with the consultation of the
22 Attorney General, determines that a trafficking vic-
23 tim, due to psychological or physical trauma, is un-
24 able to cooperate with a request for assistance de-

1 scribed in clause (i)(III)(aa), the request is unreason-
2 able.”.

3 (b) *TREATMENT OF SPOUSES AND CHILDREN OF VIC-*
4 *TIMS OF ABUSE.*—Section 101(a)(15)(U) of the *Immigra-*
5 *tion and Nationality Act (8 U.S.C. 1101(a)(15)(U))* is
6 amended—

7 (1) in clause (i), by striking “Attorney General”
8 and inserting “Secretary of Homeland Security”; and

9 (2) by amending clause (ii) to read as follows:

10 “(ii) if accompanying, or following to join, the
11 alien described in clause (i)—

12 “(I) in the case of an alien described in
13 clause (i) who is under 21 years of age, the
14 spouse, children, unmarried siblings under 18
15 years of age on the date on which such alien ap-
16 plied for status under such clause, and parents
17 of such alien; or

18 “(II) in the case of an alien described in
19 clause (i) who is 21 years of age or older, the
20 spouse and children of such alien; and”.

21 (c) *TECHNICAL AMENDMENTS.*—Section 101(i) of the
22 *Immigration and Nationality Act (8 U.S.C. 1101(i))* is
23 amended—

1 (1) in paragraph (1), by striking “Attorney Gen-
2 eral” and inserting “Secretary of Homeland Security,
3 the Attorney General,”; and

4 (2) in paragraph (2), by striking “Attorney Gen-
5 eral” and inserting “Secretary of Homeland Secu-
6 rity”.

7 **SEC. 802. PRESENCE OF VICTIMS OF A SEVERE FORM OF**
8 **TRAFFICKING IN PERSONS.**

9 (a) *IN GENERAL.*—Section 212(a)(9)(B)(iii) of the Im-
10 migration and Nationality Act (8 U.S.C.
11 1182(a)(9)(B)(iii)) is amended by adding at the end the
12 following:

13 “(V) *VICTIMS OF A SEVERE FORM OF TRAF-*
14 *FICKING IN PERSONS.*—Clause (i) shall not
15 apply to an alien who demonstrates that the se-
16 vere form of trafficking (as that term is defined
17 in section 103 of the Trafficking Victims Protec-
18 tion Act of 2000 (22 U.S.C. 7102)) was at least
19 one central reason for the alien’s unlawful pres-
20 ence in the United States.”.

21 (b) *TECHNICAL AMENDMENT.*—Paragraphs (13) and
22 (14) of section 212(d) of the Immigration and Nationality
23 Act (8 U.S.C. 1182(d)) are amended by striking “Attorney
24 General” each place it appears and inserting “Secretary
25 of Homeland Security”.

1 **SEC. 803. ADJUSTMENT OF STATUS.**

2 (a) *VICTIMS OF TRAFFICKING.*—Section 245(l) of the
3 *Immigration and Nationality Act (8 U.S.C. 1255(l))* is
4 amended—

5 (1) in paragraph (1)—

6 (A) by striking “Attorney General” each
7 place it appears and inserting “Secretary of
8 Homeland Security, or in the case of subpara-
9 graph (C)(i), the Attorney General,”; and

10 (B) in subparagraph (A), by inserting at
11 the end “or has been physically present in the
12 United States for a continuous period during the
13 investigation or prosecution of acts of trafficking
14 and that, in the opinion of the Attorney General,
15 the investigation or prosecution is complete,
16 whichever period of time is less;”;

17 (2) in paragraph (2), by striking “Attorney Gen-
18 eral” each place it appears and inserting “Secretary
19 of Homeland Security”; and

20 (3) in paragraph (5), by striking “Attorney Gen-
21 eral” and inserting “Secretary of Homeland Secu-
22 rity”.

23 (b) *VICTIMS OF CRIMES AGAINST WOMEN.*—Section
24 245(m) of the *Immigration and Nationality Act (8 U.S.C.*
25 *12255(m))* is amended—

26 (1) in paragraph (1)—

1 (A) by striking “Attorney General may ad-
2 just” and inserting “Secretary of Homeland Se-
3 curity may adjust”; and

4 (B) in subparagraph (B), by striking “At-
5 torney General” and inserting “Secretary of
6 Homeland Security”;

7 (2) in paragraph (3)—

8 (A) by striking “Attorney General may ad-
9 just” and inserting “Secretary of Homeland Se-
10 curity may adjust”; and

11 (B) by striking “Attorney General con-
12 siders” and inserting “Secretary considers”; and

13 (3) in paragraph (4), by striking “Attorney Gen-
14 eral” and inserting “Secretary of Homeland Secu-
15 rity”.

16 **SEC. 804. PROTECTION AND ASSISTANCE FOR VICTIMS OF**
17 **TRAFFICKING.**

18 (a) *CLARIFICATION OF DEPARTMENT OF JUSTICE AND*
19 *DEPARTMENT OF HOMELAND SECURITY ROLES.—Section*
20 *107 of the Trafficking Victims Protection Act of 2000 (22*
21 *U.S.C. 7105) is amended—*

22 (1) in subsections (b)(1)(E), (e)(5), and (g), by
23 striking “Attorney General” each place it appears
24 and inserting “Secretary of Homeland Security”; and

1 (2) *in subsection (c), by inserting “, the Sec-*
2 *retary of Homeland Security” after “Attorney Gen-*
3 *eral”.*

4 (b) *CERTIFICATION PROCESS.—Section 107(b)(1)(E)*
5 *of the Trafficking Victims Protection Act of 2000 (22 U.S.C.*
6 *7105(b)(1)(E)) is amended—*

7 (1) *in clause (i)—*

8 (A) *in the matter preceding subclause (I),*
9 *by inserting “and the Secretary of Homeland Se-*
10 *curity” after “Attorney General”; and*

11 (B) *in subclause (II)(bb), by inserting “and*
12 *the Secretary of Homeland Security” after “At-*
13 *torney General”.*

14 (2) *in clause (ii), by inserting “Secretary of*
15 *Homeland Security” after “Attorney General”;*

16 (3) *in clause (iii)—*

17 (A) *in subclause (II), by striking “and” at*
18 *the end;*

19 (B) *in subclause (III), by striking the pe-*
20 *riod at the end and inserting “; or”; and*

21 (C) *by adding at the end the following:*

22 *“(IV) responding to and cooper-*
23 *ating with requests for evidence and*
24 *information.”.*

1 (c) *PROTECTION FROM REMOVAL FOR CERTAIN CRIME*
2 *VICTIMS*.—Section 107(e) of the *Trafficking Victims Protec-*
3 *tion Act of 2000 (22 U.S.C. 7105(e))* is amended by striking
4 “Attorney General” each place it occurs and inserting “Sec-
5 retary of Homeland Security”.

6 (d) *ANNUAL REPORT*.—Section 107(g) of the *Traf-*
7 *ficking Victims Protection Act of 2000 (22 U.S.C. 7105(g))*
8 is amended by inserting “or the Secretary of Homeland Se-
9 curity” after “Attorney General”.

10 **SEC. 805. PROTECTING VICTIMS OF CHILD ABUSE.**

11 (a) *AGING OUT CHILDREN*.—Section 204(a)(1)(D) of
12 the *Immigration and Nationality Act (8 U.S.C.*
13 *1154(a)(1)(D))* is amended—

14 (1) in clause (i)—

15 (A) in subclause (I), by inserting “or sec-
16 tion 204(a)(1)(B)(iii)” after “204(a)(1)(A)” each
17 place it appears; and

18 (B) in subclause (III), by striking “a peti-
19 tioner for preference status under paragraph (1),
20 (2), or (3) of section 203(a), whichever para-
21 graph is applicable,” and inserting “a VAWA
22 self-petitioner”; and

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

24 “(iv) Any alien who benefits from this subparagraph
25 may adjust status in accordance with subsections (a) and

1 *(c) of section 245 as an alien having an approved petition*
2 *for classification under subparagraph (A)(iii), (A)(iv),*
3 *(B)(ii), or (B)(iii).”.*

4 *(b) APPLICATION OF CSPA PROTECTIONS.—*

5 *(1) IMMEDIATE RELATIVE RULES.—Section*
6 *201(f) of the Immigration and Nationality Act (8*
7 *U.S.C. 1151(f)) is amended by adding at the end the*
8 *following:*

9 *“(4) APPLICATION TO SELF-PETITIONS.—Para-*
10 *graphs (1) through (3) shall apply to self-petitioners*
11 *and derivatives of self-petitioners.”.*

12 *(2) CHILDREN RULES.—Section 203(h) of the*
13 *Immigration and Nationality Act (8 U.S.C. 1153(h))*
14 *is amended by adding at the end the following:*

15 *“(4) APPLICATION TO SELF-PETITIONS.—Para-*
16 *graphs (1) through (3) shall apply to self-petitioners*
17 *and derivatives of self-petitioners.”.*

18 *(c) LATE PETITION PERMITTED FOR IMMIGRANT SONS*
19 *AND DAUGHTERS BATTERED AS CHILDREN.—*

20 *(1) IN GENERAL.—Section 204(a)(1)(D) of the*
21 *Immigration and Nationality Act (8 U.S.C.*
22 *1154(a)(1)(D)), as amended by subsection (a), is fur-*
23 *ther amended by adding at the end the following:*

24 *“(v) For purposes of this paragraph, an individual*
25 *who is not less than 21 years of age, who qualified to file*

1 a petition under subparagraph (A)(iv) as of the day before
2 the date on which the individual attained 21 years of age,
3 and who did not file such a petition before such day, shall
4 be treated as having filed a petition under such subpara-
5 graph as of such day if a petition is filed for the status
6 described in such subparagraph before the individual at-
7 tains 25 years of age and the individual shows that the
8 abuse was at least one central reason for the filing delay.
9 Clauses (i) through (iv) of this subparagraph shall apply
10 to an individual described in this clause in the same man-
11 ner as an individual filing a petition under subparagraph
12 (A)(iv).”.

13 (d) REMOVING A 2-YEAR CUSTODY AND RESIDENCY
14 REQUIREMENT FOR BATTERED ADOPTED CHILDREN.—Sec-
15 tion 101(b)(1)(E)(i) of the Immigration and Nationality
16 Act (8 U.S.C. 1101(b)(1)(E)(i)) is amended by inserting be-
17 fore the colon the following: “or if the child has been battered
18 or subject to extreme cruelty by the adopting parent or by
19 a family member of the adopting parent residing in the
20 same household”.

21 **Subtitle B—VAWA Self-Petitioners**

22 **SEC. 811. DEFINITION OF VAWA SELF-PETITIONER.**

23 Section 101(a) of the Immigration and Nationality
24 Act (8 U.S.C. 1101(a)) is amended by adding at the end
25 the following:

1 “(51) *The term ‘VAWA self-petitioner’ means an*
 2 *alien, or a child of the alien, who qualifies for relief*
 3 *under—*

4 “(A) *clause (iii), (iv), or (vii) of section*
 5 *204(a)(1)(A);*

6 “(B) *clause (ii) or (iii) of section*
 7 *204(a)(1)(B);*

8 “(C) *section 216(c)(4)(C);*

9 “(D) *the first section of Public Law 89–732*
 10 *(8 U.S.C. 1255 note) (commonly known as the*
 11 *Cuban Adjustment Act) as a child or spouse who*
 12 *has been battered or subjected to extreme cruelty;*

13 “(E) *section 902(d)(1)(B) of the Haitian*
 14 *Refugee Immigration Fairness Act of 1998 (8*
 15 *U.S.C. 1255 note);*

16 “(F) *section 202(d)(1) of the Nicaraguan*
 17 *Adjustment and Central American Relief Act; or*

18 “(G) *section 309 of the Illegal Immigration*
 19 *Reform and Immigrant Responsibility Act of*
 20 *1996 (division C of Public Law 104–208).”.*

21 **SEC. 812. APPLICATION IN CASE OF VOLUNTARY DEPART-**
 22 **TURE.**

23 *Section 240B(d) of the Immigration and Nationality*
 24 *Act (8 U.S.C. 1229c(d)) is amended to read as follows:*

25 “(d) *CIVIL PENALTY FOR FAILURE TO DEPART.—*

1 “(1) *IN GENERAL.*—Subject to paragraph (2), if
2 an alien is permitted to depart voluntarily under this
3 section and voluntarily fails to depart the United
4 States within the time period specified, the alien—

5 “(A) shall be subject to a civil penalty of
6 not less than \$1,000 and not more than \$5,000;
7 and

8 “(B) shall be ineligible, for a period of 10
9 years, to receive any further relief under this sec-
10 tion and sections 240A, 245, 248, and 249.

11 “(2) *APPLICATION OF VAWA PROTECTIONS.*—The
12 restrictions on relief under paragraph (1) shall not
13 apply to relief under section 240A or 245 on the basis
14 of a petition filed by a VAWA self-petitioner, or a pe-
15 tition filed under section 240A(b)(2), or under section
16 244(a)(3) (as in effect prior to March 31, 1997), if the
17 extreme cruelty or battery was at least one central
18 reason for the alien’s overstaying the grant of vol-
19 untary departure.

20 “(3) *NOTICE OF PENALTIES.*—The order permit-
21 ting an alien to depart voluntarily shall inform the
22 alien of the penalties under this subsection.”.

23 **SEC. 813. REMOVAL PROCEEDINGS.**

24 (a) *EXCEPTIONAL CIRCUMSTANCES.*—

1 (1) *IN GENERAL.*—Section 240(e)(1) of the Im-
2 migration and Nationality Act (8 U.S.C.
3 1229a(e)(1)) is amended by striking “serious illness of
4 the alien” and inserting “battery or extreme cruelty
5 to the alien or any child or parent of the alien, seri-
6 ous illness of the alien,”.

7 (2) *EFFECTIVE DATE.*—The amendment made by
8 paragraph (1) shall apply to a failure to appear that
9 occurs before, on, or after the date of the enactment
10 of this Act.

11 (b) *DISCRETION TO CONSENT TO AN ALIEN’S RE-*
12 *APPLICATION FOR ADMISSION.*—

13 (1) *IN GENERAL.*—The Secretary of Homeland
14 Security, the Attorney General, and the Secretary of
15 State shall continue to have discretion to consent to
16 an alien’s reapplication for admission after a pre-
17 vious order of removal, deportation, or exclusion.

18 (2) *SENSE OF CONGRESS.*—It is the sense of
19 Congress that the officials described in paragraph (1)
20 should particularly consider exercising this authority
21 in cases under the Violence Against Women Act of
22 1994, cases involving nonimmigrants described in
23 subparagraph (T) or (U) of section 101(a)(15) of the
24 Immigration and Nationality Act (8 U.S.C.
25 1101(a)(15)), and relief under section 240A(b)(2) or

1 244(a)(3) of such Act (as in effect on March 31, 1997)
2 pursuant to regulations under section 212.2 of title 8,
3 Code of Federal Regulations.

4 (c) *CLARIFYING APPLICATION OF DOMESTIC VIOLENCE*
5 *WAIVER AUTHORITY IN CANCELLATION OF REMOVAL.*—

6 (1) *IN GENERAL.*—Section 240A(b) of the *Immi-*
7 *gration and Nationality Act (8 U.S.C. 1229b(b)) is*
8 *amended—*

9 (A) in paragraph (1)(C), by striking “(ex-

10 cept in a case described in section 237(a)(7)

11 where the Attorney General exercises discretion

12 to grant a waiver)” and inserting “, subject to

13 paragraph (5)”;

14 (B) in paragraph (2)(A)(iv), by striking

15 “(except in a case described in section 237(a)(7)

16 where the Attorney General exercises discretion

17 to grant a waiver)” and inserting “, subject to

18 paragraph (5)”;

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

20 “(5) *APPLICATION OF DOMESTIC VIOLENCE WAIV-*

21 *ER AUTHORITY.*—The authority provided under sec-

22 *tion 237(a)(7) may apply under paragraphs (1)(B),*

23 *(1)(C), and (2)(A)(iv) in a cancellation of removal*

24 *and adjustment of status proceeding.”.*

1 **SEC. 814. ELIMINATING ABUSERS' CONTROL OVER APPLICA-**
2 **TIONS AND LIMITATION ON PETITIONING**
3 **FOR ABUSERS.**

4 (a) *APPLICATION OF VAWA DEPORTATION PROTEC-*
5 *TIONS TO ALIENS ELIGIBLE FOR RELIEF UNDER CUBAN*
6 *ADJUSTMENT AND HAITIAN REFUGEE IMMIGRATION FAIR-*
7 *NESS ACT.*—Section 1506(c)(2) of the Violence Against
8 Women Act of 2000 (8 U.S.C. 1229a note; division B of
9 Public Law 106–386) is amended—

10 (1) in subparagraph (A)—

11 (A) by amending clause (i) to read as fol-
12 lows:

13 “(i) if the basis of the motion is to
14 apply for relief under—

15 “(I) clause (iii) or (iv) of section
16 204(a)(1)(A) of the Immigration and
17 Nationality Act (8 U.S.C.
18 1154(a)(1)(A));

19 “(II) clause (ii) or (iii) of section
20 204(a)(1)(B) of such Act (8 U.S.C.
21 1154(a)(1)(B));

22 “(III) section 244(a)(3) of such
23 Act (8 U.S.C. 8 U.S.C. 1254(a)(3));

24 “(IV) the first section of Public
25 Law 89–732 (8 U.S.C. 1255 note)
26 (commonly known as the Cuban Ad-

1 *justment Act) as a child or spouse who*
2 *has been battered or subjected to ex-*
3 *treme cruelty; or*

4 “(V) *section 902(d)(1)(B) of the*
5 *Haitian Refugee Immigration Fairness*
6 *Act of 1998 (8 U.S.C. 1255 note);*
7 *and”;* and

8 (B) *in clause (ii), by inserting “or adjust-*
9 *ment of status” after “suspension of deporta-*
10 *tion”;* and

11 (2) *in subparagraph (B)(ii), by striking “for re-*
12 *lief” and all that follows through “1101 note))” and*
13 *inserting “for relief described in subparagraph*
14 *(A)(i)”.*

15 (b) *EMPLOYMENT AUTHORIZATION FOR VAWA SELF-*
16 *PETITIONERS.—Section 204(a)(1) of the Immigration and*
17 *Nationality Act (8 U.S.C. 1154(a)(1)) is amended by add-*
18 *ing at the end the following:*

19 “(K) *Upon the approval of a petition as a VAWA self-*
20 *petitioner, the alien—*

21 *“(i) is eligible for work authorization; and*

22 *“(ii) may be provided an ‘employment author-*
23 *ized’ endorsement or appropriate work permit inci-*
24 *dental to such approval.”.*

1 (d) *CLERICAL AMENDMENT.*—*The table of contents of*
2 *such Act is amended by inserting after the item relating*
3 *to section 105 the following new item:*

 “*Sec. 106. Employment authorization for battered spouses of certain non-*
 immigrants.”.

4 (e) *LIMITATION ON PETITIONING FOR ABUSER.*—*Sec-*
5 *tion 204(a)(1) of the Immigration and Nationality Act (8*
6 *U.S.C. 1154(a)(1)) is amended by adding at the end the*
7 *following new subparagraph:*

8 “(L) *Notwithstanding the previous provi-*
9 *sions of this paragraph, an individual who was*
10 *a VAWA petitioner or who had the status of a*
11 *nonimmigrant under subparagraph (T) or (U) of*
12 *section 101(a)(15) may not file a petition for*
13 *classification under this section or section 214 to*
14 *classify any person who committed the battery or*
15 *extreme cruelty or trafficking against the indi-*
16 *vidual (or the individual’s child) which estab-*
17 *lished the individual’s (or individual’s child) eli-*
18 *gibility as a VAWA petitioner or for such non-*
19 *immigrant status.*”.

20 **SEC. 815. APPLICATION FOR VAWA-RELATED RELIEF.**

21 (a) *IN GENERAL.*—*Section 202(d)(1) of the Nica-*
22 *raguan Adjustment and Central American Relief Act (8*
23 *U.S.C. 1255 note; Public Law 105–100) is amended—*

1 (1) *in subparagraph (B)(ii), by inserting “, or*
2 *was eligible for adjustment,” after “whose status is*
3 *adjusted”; and*

4 (2) *in subparagraph (E), by inserting “, or, in*
5 *the case of an alien who qualifies under subparagraph*
6 *(B)(ii), applies for such adjustment during the 18-*
7 *month period beginning on the date of enactment of*
8 *the Violence Against Women and Department of Jus-*
9 *tice Reauthorization Act of 2005” after “April 1,*
10 *2000”.*

11 (b) *TECHNICAL AMENDMENT.—Section 202(d)(3) of*
12 *such Act (8 U.S.C. 1255 note; Public Law 105–100) is*
13 *amended by striking “204(a)(1)(H)” and inserting*
14 *“204(a)(1)(J)”.*

15 (c) *EFFECTIVE DATE.—The amendment made by sub-*
16 *section (b) shall take effect as if included in the enactment*
17 *of the Violence Against Women Act of 2000 (division B of*
18 *Public Law 106–386; 114 Stat. 1491).*

19 **SEC. 816. SELF-PETITIONING PARENTS.**

20 *Section 204(a)(1)(A) of the Immigration and Nation-*
21 *ality Act (8 U.S.C. 1154(a)(1)(A)) is amended by adding*
22 *at the end the following:*

23 *“(vii) An alien may file a petition with the Secretary*
24 *of Homeland Security under this subparagraph for classi-*

1 *fication of the alien under section 201(b)(2)(A)(i) if the*
2 *alien—*

3 “(I) is the parent of a citizen of the United
4 States or was a parent of a citizen of the United
5 States who, within the past 2 years, lost or renounced
6 citizenship status related to an incident of domestic
7 violence or died;

8 “(II) is a person of good moral character;

9 “(III) is eligible to be classified as an immediate
10 relative under section 201(b)(2)(A)(i);

11 “(IV) resides, or has resided, with the citizen
12 daughter or son; and

13 “(V) demonstrates that the alien has been bat-
14 tered or subject to extreme cruelty by the citizen
15 daughter or son.”.

16 **SEC. 817. VAWA CONFIDENTIALITY NONDISCLOSURE.**

17 Section 384 of the Illegal Immigration Reform and
18 Immigrant Responsibility Act of 1996 (8 U.S.C. 1367) is
19 amended—

20 (1) in subsection (a)—

21 (A) in the matter preceding paragraph (1),
22 by striking “(including any bureau or agency of
23 such Department)” and inserting “, the Sec-
24 retary of Homeland Security, the Secretary of
25 State, or any other official or employee of the

1 *Department of Homeland Security or Depart-*
2 *ment of State (including any bureau or agency*
3 *of either of such Departments)”; and*

4 *(B) in paragraph (1)—*

5 *(i) in subparagraph (D), by striking*
6 *“or” at the end; and*

7 *(ii) by inserting after subparagraph*
8 *(E) the following:*

9 *“(F) in the case of an alien applying for*
10 *status under section 101(a)(15)(T) of the Immi-*
11 *gration and Nationality Act (8 U.S.C.*
12 *1101(a)(15)(T)), under section*
13 *107(b)(1)(E)(i)(II)(bb) of the Trafficking Victims*
14 *Protection Act of 2000 (22 U.S.C. 7105), under*
15 *section 244(a)(3) of the Immigration and Na-*
16 *tionality Act (8 U.S.C. 1254a(a)(3)), as in effect*
17 *prior to March 31, 1999, or as a VAWA self-peti-*
18 *tioner (as defined in section 101(a)(51) of the*
19 *Immigration and Nationality Act (8 U.S.C.*
20 *1101(a)(51)), the trafficker or perpetrator;”;*

21 *(2) in subsection (b), by adding at the end the*
22 *following new paragraphs:*

23 *“(6) Subsection (a) may not be construed to pre-*
24 *vent the Attorney General and the Secretary of Home-*
25 *land Security from disclosing to the chairmen and*

1 ranking members of the Committee on the Judiciary
2 of the Senate or the Committee on the Judiciary of
3 the House of Representatives, for the exercise of con-
4 gressional oversight authority, information on closed
5 cases under this section in a manner that protects the
6 confidentiality of such information and that omits
7 personally identifying information (including loca-
8 tional information about individuals).

9 “(7) Government entities adjudicating applica-
10 tions for relief under subsection (a)(2), and govern-
11 ment personnel carrying out mandated duties under
12 section 101(i)(1) of the Immigration and Nationality
13 Act, may, with the prior written consent of the alien
14 involved, communicate with nonprofit, nongovern-
15 mental victims’ service providers for the sole purpose
16 of assisting victims in obtaining victim services from
17 programs with expertise working with immigrant vic-
18 tims. Agencies receiving referrals are bound by the
19 provisions of this section. Nothing in this paragraph
20 shall be construed as affecting the ability of an appli-
21 cant to designate a safe organization through whom
22 governmental agencies may communicate with the ap-
23 plicant.”;

24 (3) in subsection (c), by inserting “or who know-
25 ingly makes a false certification under section 239(e)

1 *of the Immigration and Nationality Act” after “in*
2 *violation of this section”; and*

3 *(4) by adding at the end the following new sub-*
4 *section:*

5 “(d) *GUIDANCE.—The Attorney General and the Sec-*
6 *retary of Homeland Security shall provide guidance to offi-*
7 *cers and employees of the Department of Justice or the De-*
8 *partment of Homeland Security who have access to infor-*
9 *mation covered by this section regarding the provisions of*
10 *this section, including the provisions to protect victims of*
11 *domestic violence from harm that could result from the in-*
12 *appropriate disclosure of covered information.”.*

13 ***Subtitle C—Miscellaneous***
14 ***Amendments***

15 ***SEC. 821. DURATION OF T AND U VISAS.***

16 *(a) T VISAS.—Section 214(o) of the Immigration and*
17 *Nationality Act (8 U.S.C. 1184(o)) is amended by adding*
18 *at the end the following:*

19 “(7)(A) *Except as provided in subparagraph (B), an*
20 *alien who is issued a visa or otherwise provided non-*
21 *immigrant status under section 101(a)(15)(T) may be*
22 *granted such status for a period of not more than 4 years.*

23 “(B) *An alien who is issued a visa or otherwise pro-*
24 *vided nonimmigrant status under section 101(a)(15)(T)*
25 *may extend the period of such status beyond the period de-*

1 *scribed in subparagraph (A) if a Federal, State, or local*
2 *law enforcement official, prosecutor, judge, or other author-*
3 *ity investigating or prosecuting activity relating to human*
4 *trafficking or certifies that the presence of the alien in the*
5 *United States is necessary to assist in the investigation or*
6 *prosecution of such activity.”.*

7 **(b) U VISAS.**—*Section 214(p) of the Immigration and*
8 *Nationality Act (8 U.S.C. 1184(p)) is amended by adding*
9 *at the end the following:*

10 **“(6) DURATION OF STATUS.**—*The authorized pe-*
11 *riod of status of an alien as a nonimmigrant under*
12 *section 101(a)(15)(U) shall be for a period of not*
13 *more than 4 years, but shall be extended upon certifi-*
14 *cation from a Federal, State, or local law enforcement*
15 *official, prosecutor, judge, or other Federal, State, or*
16 *local authority investigating or prosecuting criminal*
17 *activity described in section 101(a)(15)(U)(iii) that*
18 *the alien’s presence in the United States is required*
19 *to assist in the investigation or prosecution of such*
20 *criminal activity.”.*

21 **(c) PERMITTING CHANGE OF NONIMMIGRANT STATUS**
22 **TO T AND U NONIMMIGRANT STATUS.**—

23 **(1) IN GENERAL.**—*Section 248 of the Immigra-*
24 *tion and Nationality Act (8 U.S.C. 1258) is*
25 *amended—*

1 (A) by striking “The Attorney General” and
2 inserting “(a) The Secretary of Homeland Secu-
3 rity”;

4 (B) by inserting “(subject to subsection
5 (b))” after “except”; and

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

7 “(b) The exceptions specified in paragraphs (1)
8 through (4) of subsection (a) shall not apply to a change
9 of nonimmigrant classification to that of a nonimmigrant
10 under subparagraph (T) or (U) of section 101(a)(15).”.

11 (2) CONFORMING AMENDMENT.—Section
12 214(l)(2)(A) of the Immigration and Nationality Act
13 (8 U.S.C. 1184(l)(2)(A)) is amended by striking
14 “248(2)” and inserting “248(a)(2)”.

15 **SEC. 822. TECHNICAL CORRECTION TO REFERENCES IN AP-**
16 **PLICATION OF SPECIAL PHYSICAL PRESENCE**
17 **AND GOOD MORAL CHARACTER RULES.**

18 (a) PHYSICAL PRESENCE RULES.—Section
19 240A(b)(2)(B) of the Immigration and Nationality Act (8
20 U.S.C. 1229b(b)(2)(B)) is amended—

21 (1) in the first sentence, by striking “(A)(i)(II)”
22 and inserting “(A)(ii)”; and

23 (2) in the fourth sentence, by striking “subsection
24 (b)(2)(B) of this section” and inserting “this subpara-
25 graph, subparagraph (A)(ii).”.

1 (b) *MORAL CHARACTER RULES.—Section*
 2 *240A(b)(2)(C) of the Immigration and Nationality Act (8*
 3 *U.S.C. 1229b(b)(2)(C)) is amended by striking*
 4 *“(A)(i)(III)” and inserting “(A)(iii)”.*

5 (c) *CORRECTION OF CROSS-REFERENCE ERROR IN AP-*
 6 *PLYING GOOD MORAL CHARACTER.—*

7 (1) *IN GENERAL.—Section 101(f)(3) of the Immi-*
 8 *gration and Nationality Act (8 U.S.C. 1101(f)(3)) is*
 9 *amended by striking “(9)(A)” and inserting*
 10 *“(10)(A)”.*

11 (2) *EFFECTIVE DATE.—The amendment made by*
 12 *paragraph (1) shall be effective as if included in sec-*
 13 *tion 603(a)(1) of the Immigration Act of 1990 (Public*
 14 *Law 101–649; 104 Stat. 5082).*

15 **SEC. 823. PETITIONING RIGHTS OF CERTAIN FORMER**
 16 **SPOUSES UNDER CUBAN ADJUSTMENT.**

17 (a) *IN GENERAL.—The first section of Public Law 89–*
 18 *732 (8 U.S.C. 1255 note) (commonly known as the Cuban*
 19 *Adjustment Act) is amended—*

20 (1) *in the last sentence, by striking*
 21 *“204(a)(1)(H)” and inserting “204(a)(1)(J)”;* and

22 (2) *by adding at the end the following: “An alien*
 23 *who was the spouse of any Cuban alien described in*
 24 *this section and has resided with such spouse shall*
 25 *continue to be treated as such a spouse for 2 years*

1 *manent residence” and inserting “who is or was eligi-*
2 *ble for classification”; and*

3 *(3) in clause (iii), by striking “204(a)(1)(H)”*
4 *and inserting “204(a)(1)(J)”.*

5 *(b) EFFECTIVE DATE.—The amendment made by sub-*
6 *section (a)(3) shall take effect as if included in the enact-*
7 *ment of the Violence Against Women Act of 2000 (division*
8 *B of Public Law 106–386; 114 Stat. 1491).*

9 **SEC. 825. MOTIONS TO REOPEN.**

10 *(a) REMOVAL PROCEEDINGS.—Section 240(c)(7) of the*
11 *Immigration and Nationality Act (8 U.S.C. 1229a(c)(7)),*
12 *as redesignated by section 101(d)(1) of the REAL ID Act*
13 *of 2005 (division B of Public Law 109–13), is amended—*

14 *(1) in subparagraph (A), by inserting “, except*
15 *that this limitation shall not apply so as to prevent*
16 *the filing of one motion to reopen described in sub-*
17 *paragraph (C)(iv)” before the period at the end; and*

18 *(2) in subparagraph (C)—*

19 *(A) in the heading of clause (iv), by striking*
20 *“SPOUSES AND CHILDREN” and inserting*
21 *“SPOUSES, CHILDREN, AND PARENTS”;*

22 *(B) in the matter before subclause (I) of*
23 *clause (iv), by striking “The deadline specified*
24 *in subsection (b)(5)(C) for filing a motion to re-*
25 *open does not apply” and inserting “Any limita-*

1 *tion under this section on the deadlines for filing*
2 *such motions shall not apply”;*

3 *(C) in clause (iv)(I), by striking “or section*
4 *240A(b)” and inserting “, section 240A(b), or*
5 *section 244(a)(3) (as in effect on March 31,*
6 *1997)”;*

7 *(D) by striking “and” at the end of clause*
8 *(iv)(II);*

9 *(E) by striking the period at the end of*
10 *clause (iv)(III) and inserting “; and”; and*

11 *(F) by adding at the end the following:*

12 *“(IV) if the alien is physically*
13 *present in the United States at the*
14 *time of filing the motion.*

15 *The filing of a motion to reopen under this*
16 *clause shall only stay the removal of a qualified*
17 *alien (as defined in section 431(c)(1)(B) of the*
18 *Personal Responsibility and Work Opportunity*
19 *Reconciliation Act of 1996 (8 U.S.C.*
20 *1641(c)(1)(B)) pending the final disposition of*
21 *the motion, including exhaustion of all appeals*
22 *if the motion establishes that the alien is a quali-*
23 *fied alien.”.*

1 **(b) DEPORTATION AND EXCLUSION PROCEEDINGS.**—
2 *Section 1506(c)(2) of the Violence Against Women Act of*
3 *2000 (8 U.S.C. 1229a note) is amended—*

4 *(1) by striking subparagraph (A) and inserting*
5 *the following:*

6 “(A)(i) *IN GENERAL.*—*Notwithstanding any*
7 *limitation imposed by law on motions to reopen*
8 *or rescind deportation proceedings under the Im-*
9 *migration and Nationality Act (as in effect be-*
10 *fore the title III–A effective date in section 309*
11 *of the Illegal Immigration Reform and Immig-*
12 *grant Responsibility Act of 1996 (8 U.S.C. 1101*
13 *note))—*

14 “(I) *there is no time limit on the filing*
15 *of a motion to reopen such proceedings, and*
16 *the deadline specified in section 242B(c)(3)*
17 *of the Immigration and Nationality Act (as*
18 *so in effect) (8 U.S.C. 1252b(c)(3)) does not*
19 *apply—*

20 “(aa) *if the basis of the motion is*
21 *to apply for relief under clause (iii) or*
22 *(iv) of section 204(a)(1)(A) of the Im-*
23 *migration and Nationality Act (8*
24 *U.S.C. 1154(a)(1)(A)), clause (ii) or*
25 *(iii) of section 204(a)(1)(B) of such Act*

1 (8 U.S.C. 1154(a)(1)(B)), or section
2 244(a)(3) of such Act (as so in effect)
3 (8 U.S.C. 1254(a)(3)); and

4 “(bb) if the motion is accom-
5 panied by a suspension of deportation
6 application to be filed with the Sec-
7 retary of Homeland Security or by a
8 copy of the self-petition that will be
9 filed with the Department of Homeland
10 Security upon the granting of the mo-
11 tion to reopen; and

12 “(II) any such limitation shall not
13 apply so as to prevent the filing of one mo-
14 tion to reopen described in section
15 240(c)(7)(C)(iv) of the Immigration and
16 Nationality Act (8 U.S.C. 1229a(c)(7)).

17 “(i) *PRIMA FACIE CASE*.—The filing of a
18 motion to reopen under this subparagraph shall
19 only stay the removal of a qualified alien (as de-
20 fined in section 431(c)(1)(B) of the Personal Re-
21 sponsibility and Work Opportunity Reconcili-
22 ation Act of 1996 (8 U.S.C. 1641(c)(1)(B)) pend-
23 ing the final disposition of the motion, including
24 exhaustion of all appeals if the motion estab-
25 lishes that the alien is a qualified alien.”;

1 (2) *in subparagraph (B), in the matter pre-*
2 *ceding clause (i), by inserting “who are physically*
3 *present in the United States and” after “filed by*
4 *aliens”;* and

5 (3) *in subparagraph (B)(i), by inserting “or ex-*
6 *clusion” after “deportation”.*

7 (c) *CERTIFICATION OF COMPLIANCE IN REMOVAL PRO-*
8 *CEEDINGS.—*

9 (1) *IN GENERAL.—Section 239 of the Immigra-*
10 *tion and Nationality Act (8 U.S.C. 1229) is amended*
11 *by adding at the end the following new subsection:*

12 “(e) *CERTIFICATION OF COMPLIANCE WITH RESTRIC-*
13 *TIONS ON DISCLOSURE.—*

14 “(1) *IN GENERAL.—In cases where an enforce-*
15 *ment action leading to a removal proceeding was*
16 *taken against an alien at any of the locations speci-*
17 *fied in paragraph (2), the Notice to Appear shall in-*
18 *clude a statement that the provisions of section 384*
19 *of the Illegal Immigration Reform and Immigrant*
20 *Responsibility Act of 1996 (8 U.S.C. 1367) have been*
21 *complied with.*

22 “(2) *LOCATIONS.—The locations specified in this*
23 *paragraph are as follows:*

24 “(A) *At a domestic violence shelter, a rape*
25 *crisis center, supervised visitation center, family*

1 *justice center, a victim services, or victim serv-*
2 *ices provider, or a community-based organiza-*
3 *tion.*

4 “(B) *At a courthouse (or in connection with*
5 *that appearance of the alien at a courthouse) if*
6 *the alien is appearing in connection with a pro-*
7 *tection order case, child custody case, or other*
8 *civil or criminal case relating to domestic vio-*
9 *lence, sexual assault, trafficking, or stalking in*
10 *which the alien has been battered or subject to*
11 *extreme cruelty or if the alien is described in*
12 *subparagraph (T) or (V) of section 101(a)(15).”.*

13 (2) *EFFECTIVE DATE.*—*The amendment made by*
14 *paragraph (1) shall take effect on the date that is 30*
15 *days after the date of the enactment of this Act and*
16 *shall apply to apprehensions occurring on or after*
17 *such date.*

18 **SEC. 826. PROTECTING ABUSED JUVENILES.**

19 *Section 287 of the Immigration and Nationality Act*
20 *(8 U.S.C. 1357), as amended by section 726, is further*
21 *amended by adding at the end the following new clause:*

22 “(i) *An alien described in section 101(a)(27)(J) of the*
23 *Immigration and Nationality Act who has been battered,*
24 *abused, neglected, or abandoned, shall not be compelled to*
25 *contact the alleged abuser (or family member of the alleged*

1 abuser) at any stage of applying for special immigrant ju-
2 venile status, including after a request for the consent of
3 the Secretary of Homeland Security under section
4 101(a)(27)(J)(iii)(I) of such Act.”.

5 **SEC. 827. PROTECTION OF DOMESTIC VIOLENCE AND**
6 **CRIME VICTIMS FROM CERTAIN DISCLO-**
7 **SURES OF INFORMATION.**

8 *In developing regulations or guidance with regard to*
9 *identification documents, including driver’s licenses, the*
10 *Secretary of Homeland Security, in consultation with the*
11 *Administrator of Social Security, shall consider and ad-*
12 *dress the needs of victims, including victims of battery, ex-*
13 *treme cruelty, domestic violence, dating violence, sexual as-*
14 *sault, stalking or trafficking, who are entitled to enroll in*
15 *State address confidentiality programs, whose addresses are*
16 *entitled to be suppressed under State or Federal law or sup-*
17 *pressed by a court order, or who are protected from disclo-*
18 *sure of information pursuant to section 384 of the Illegal*
19 *Immigration Reform and Immigrant Responsibility Act of*
20 *1996 (8 U.S.C. 1367).*

21 **SEC. 828. RULEMAKING.**

22 *Not later than 180 days after the date of enactment*
23 *of this Act, the Attorney General, the Secretary of Home-*
24 *land Security, and the Secretary of State shall promulgate*
25 *regulations to implement the provisions contained in the*

1 *Battered Immigrant Women Protection Act of 2000 (title*
2 *V of Public Law 106–386), this Act, and the amendments*
3 *made by this Act.*

4 ***Subtitle D—International Marriage***
5 ***Broker Regulation***

6 **SEC. 831. SHORT TITLE.**

7 *This subtitle may be cited as the “International Mar-*
8 *riage Broker Regulation Act of 2005”.*

9 **SEC. 832. ACCESS TO VAWA PROTECTION REGARDLESS OF**
10 ***MANNER OF ENTRY.***

11 *(a) INFORMATION ON CERTAIN CONVICTIONS AND LIM-*
12 *ITATION ON PETITIONS FOR K NONIMMIGRANT PETI-*
13 *TIONERS.—*

14 *(1) 214(D) AMENDMENT.—Section 214(d) of the*
15 *Immigration and Nationality Act (8 U.S.C. 1184(d))*
16 *is amended—*

17 *(A) by striking “(d)” and inserting*
18 *“(d)(1)”;*

19 *(B) by inserting after the second sentence*
20 *“Such information shall include information on*
21 *any criminal convictions of the petitioner for*
22 *any specified crime.”;*

23 *(C) by striking “Attorney General” and in-*
24 *serting “Secretary of Homeland Security” each*
25 *place it appears; and*

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

2 “(2)(A) Subject to subparagraphs (B) and (C), a con-
3 sular officer may not approve a petition under paragraph
4 (1) unless the officer has verified that—

5 “(i) the petitioner has not, previous to the pend-
6 ing petition, petitioned under paragraph (1) with re-
7 spect to two or more applying aliens; and

8 “(ii) if the petitioner has had such a petition
9 previously approved, 2 years have elapsed since the
10 filing of such previously approved petition.

11 “(B) The Secretary of Homeland Security may, in the
12 Secretary’s discretion, waive the limitations in subpara-
13 graph (A) if justification exists for such a waiver. Except
14 in extraordinary circumstances and subject to subpara-
15 graph (C), such a waiver shall not be granted if the peti-
16 tioner has a record of violent criminal offenses against a
17 person or persons.

18 “(C)(i) The Secretary of Homeland Security is not
19 limited by the criminal court record and shall grant a
20 waiver of the condition described in the second sentence of
21 subparagraph (B) in the case of a petitioner described in
22 clause (ii).

23 “(ii) A petitioner described in this clause is a peti-
24 tioner who has been battered or subjected to extreme cruelty

1 *and who is or was not the primary perpetrator of violence*
2 *in the relationship upon a determination that—*

3 *“(I) the petitioner was acting in self-defense;*

4 *“(II) the petitioner was found to have violated a*
5 *protection order intended to protect the petitioner; or*

6 *“(III) the petitioner committed, was arrested for,*
7 *was convicted of, or pled guilty to committing a*
8 *crime that did not result in serious bodily injury and*
9 *where there was a connection between the crime and*
10 *the petitioner’s having been battered or subjected to*
11 *extreme cruelty.*

12 *“(iii) In acting on applications under this subpara-*
13 *graph, the Secretary of Homeland Security shall consider*
14 *any credible evidence relevant to the application. The deter-*
15 *mination of what evidence is credible and the weight to be*
16 *given that evidence shall be within the sole discretion of the*
17 *Secretary.*

18 *“(3) In this subsection:*

19 *“(A) The terms ‘domestic violence’, ‘sexual as-*
20 *sault’, ‘child abuse and neglect’, ‘dating violence’,*
21 *‘elder abuse’, and ‘stalking’ have the meaning given*
22 *such terms in section 3 of the Violence Against*
23 *Women and Department of Justice Reauthorization*
24 *Act of 2005.*

1 “(B) *The term ‘specified crime’ means the fol-*
2 *lowing:*

3 “(i) *Domestic violence, sexual assault, child*
4 *abuse and neglect, dating violence, elder abuse,*
5 *and stalking.*

6 “(ii) *Homicide, murder, manslaughter,*
7 *rape, abusive sexual contact, sexual exploitation,*
8 *incest, torture, trafficking, peonage, holding hos-*
9 *tage, involuntary servitude, slave trade, kidnap-*
10 *ping, abduction, unlawful criminal restraint,*
11 *false imprisonment, or an attempt to commit*
12 *any of the crimes described in this clause.*

13 “(iii) *At least three convictions for crimes*
14 *relating to a controlled substance or alcohol not*
15 *arising from a single act.”.*

16 (2) *214(R) AMENDMENT.—Section 214(r) of such*
17 *Act (8 U.S.C. 1184(r)) is amended—*

18 (A) *in paragraph (1), by inserting after the*
19 *second sentence “Such information shall include*
20 *information on any criminal convictions of the*
21 *petitioner for any specified crime.”; and*

22 (B) *by adding at the end the following:*

23 “(4)(A) *The Secretary of Homeland Security shall cre-*
24 *ate a database for the purpose of tracking multiple visa pe-*
25 *titions filed for fiancé(e)s and spouses under clauses (i) and*

1 *(ii) of section 101(a)(15)(K). Upon approval of a second*
2 *visa petition under section 101(a)(15)(K) for a fiancé(e) or*
3 *spouse filed by the same United States citizen petitioner,*
4 *the petitioner shall be notified by the Secretary that infor-*
5 *mation concerning the petitioner has been entered into the*
6 *multiple visa petition tracking database. All subsequent*
7 *fiancé(e) or spouse nonimmigrant visa petitions filed by*
8 *that petitioner under such section shall be entered in the*
9 *database.*

10 *“(B)(i) Once a petitioner has had two fiancé(e) or*
11 *spousal petitions approved under clause (i) or (ii) of section*
12 *101(a)(15)(K), if a subsequent petition is filed under such*
13 *section less than 10 years after the date the first visa peti-*
14 *tion was filed under such section, the Secretary of Home-*
15 *land Security shall notify both the petitioner and bene-*
16 *ficiary of any such subsequent petition about the number*
17 *of previously approved fiancé(e) or spousal petitions listed*
18 *in the database.*

19 *“(ii) A copy of the information and resources pam-*
20 *phlet on domestic violence developed under section 833(a)*
21 *of the International Marriage Broker Regulation Act of*
22 *2005 shall be mailed to the beneficiary along with the noti-*
23 *fication required in clause (i).*

24 *“(5) In this subsection:*

1 “(A) *The terms ‘domestic violence’, ‘sexual as-*
2 *sault’, ‘child abuse and neglect’, ‘dating violence’,*
3 *‘elder abuse’, and ‘stalking’ have the meaning given*
4 *such terms in section 3 of the Violence Against*
5 *Women and Department of Justice Reauthorization*
6 *Act of 2005.*

7 “(B) *The term ‘specified crime’ means the fol-*
8 *lowing:*

9 “(i) *Domestic violence, sexual assault, child*
10 *abuse and neglect, dating violence, elder abuse,*
11 *and stalking.*

12 “(ii) *Homicide, murder, manslaughter,*
13 *rape, abusive sexual contact, sexual exploitation,*
14 *incest, torture, trafficking, peonage, holding hos-*
15 *tage, involuntary servitude, slave trade, kidnap-*
16 *ping, abduction, unlawful criminal restraint,*
17 *false imprisonment, or an attempt to commit*
18 *any of the crimes described in this clause.*

19 “(iii) *At least three convictions for crimes*
20 *relating to a controlled substance or alcohol not*
21 *arising from a single act.”.*

22 (3) *EFFECTIVE DATE.—The amendments made*
23 *by this subsection shall take effect on the date that is*
24 *60 days after the date of the enactment of this Act.*

1 (b) *LIMITATION ON USE OF CERTAIN INFORMATION.*—
2 *The fact that an alien described in clause (i) or (ii) of sec-*
3 *tion 101(a)(15)(K) of the Immigration and Nationality Act*
4 *(8 U.S.C. 1101(a)(15)(K)) is aware of any information dis-*
5 *closed under the amendments made by this section or under*
6 *section 833 shall not be used to deny the alien eligibility*
7 *for relief under any other provision of law.*

8 **SEC. 833. DOMESTIC VIOLENCE INFORMATION AND RE-**
9 **SOURCES FOR IMMIGRANTS AND REGULA-**
10 **TION OF INTERNATIONAL MARRIAGE BRO-**
11 **KERS.**

12 (a) *INFORMATION FOR K NONIMMIGRANTS ON LEGAL*
13 *RIGHTS AND RESOURCES FOR IMMIGRANT VICTIMS OF DO-*
14 *MESTIC VIOLENCE.*—

15 (1) *IN GENERAL.*—*The Secretary of Homeland*
16 *Security, in consultation with the Attorney General*
17 *and the Secretary of State, shall develop an informa-*
18 *tion pamphlet, as described in paragraph (2), on*
19 *legal rights and resources for immigrant victims of*
20 *domestic violence and distribute and make such pam-*
21 *phlet available as described in paragraph (5). In pre-*
22 *paring such materials, the Secretary of Homeland Se-*
23 *curity shall consult with nongovernmental organiza-*
24 *tions with expertise on the legal rights of immigrant*

1 *victims of battery, extreme cruelty, sexual assault,*
2 *and other crimes.*

3 (2) *INFORMATION PAMPHLET.—The information*
4 *pamphlet developed under paragraph (1) shall in-*
5 *clude information on the following:*

6 (A) *The K nonimmigrant visa application*
7 *process and the marriage-based immigration*
8 *process, including conditional residence and ad-*
9 *justment of status.*

10 (B) *The illegality of domestic violence, sex-*
11 *ual assault, and child abuse in the United States*
12 *and the dynamics of domestic violence.*

13 (C) *Domestic violence and sexual assault*
14 *services in the United States, including the Na-*
15 *tional Domestic Violence Hotline and the Na-*
16 *tional Sexual Assault Hotline.*

17 (D) *The legal rights of immigrant victims*
18 *of abuse and other crimes in immigration,*
19 *criminal justice, family law, and other matters,*
20 *including access to protection orders.*

21 (E) *The obligations of parents to provide*
22 *child support for children.*

23 (F) *Marriage fraud under United States*
24 *immigration laws and the penalties for commit-*
25 *ting such fraud.*

1 (G) *A warning concerning the potential use*
2 *of K nonimmigrant visas by United States citi-*
3 *zens who have a history of committing domestic*
4 *violence, sexual assault, child abuse, or other*
5 *crimes and an explanation that such acts may*
6 *not have resulted in a criminal record for such*
7 *a citizen.*

8 (H) *Notification of the requirement under*
9 *subsection (d)(3)(A) that international marriage*
10 *brokers provide foreign national clients with*
11 *background information gathered on United*
12 *States clients from searches of Federal and State*
13 *sex offender public registries and collected from*
14 *United States clients regarding their marital*
15 *history and domestic violence or other violent*
16 *criminal history, but that such information may*
17 *not be complete or accurate because the United*
18 *States client may not have a criminal record or*
19 *may not have truthfully reported their marital*
20 *or criminal record.*

21 (3) *SUMMARIES.—The Secretary of Homeland*
22 *Security, in consultation with the Attorney General*
23 *and the Secretary of State, shall develop summaries*
24 *of the pamphlet developed under paragraph (1) that*

1 shall be used by Federal officials when reviewing the
2 pamphlet in interviews under subsection (b).

3 (4) *TRANSLATION.*—

4 (A) *IN GENERAL.*—In order to best serve the
5 language groups having the greatest concentra-
6 tion of *K* nonimmigrant visa applicants, the in-
7 formation pamphlet developed under paragraph
8 (1) shall, subject to subparagraph (B), be trans-
9 lated by the Secretary of State into foreign lan-
10 guages, including Russian, Spanish, Tagalog,
11 Vietnamese, Chinese, Ukrainian, Thai, Korean,
12 Polish, Japanese, French, Arabic, Portuguese,
13 Hindi, and such other languages as the Sec-
14 retary of State, in the Secretary's discretion,
15 may specify.

16 (B) *REVISION.*—Every 2 years, the Sec-
17 retary of Homeland Security, in consultation
18 with the Attorney General and the Secretary of
19 State, shall determine at least 14 specific lan-
20 guages into which the information pamphlet is
21 translated based on the languages spoken by the
22 greatest concentrations of *K* nonimmigrant visa
23 applicants.

1 (5) *AVAILABILITY AND DISTRIBUTION.*—*The in-*
2 *formation pamphlet developed under paragraph (1)*
3 *shall be made available and distributed as follows:*

4 (A) *MAILINGS TO K NONIMMIGRANT VISA*
5 *APPLICANTS.*—

6 (i) *The pamphlet shall be mailed by*
7 *the Secretary of State to each applicant for*
8 *a K nonimmigrant visa at the same time*
9 *that the instruction packet regarding the*
10 *visa application process is mailed to such*
11 *applicant. The pamphlet so mailed shall be*
12 *in the primary language of the applicant or*
13 *in English if no translation into the appli-*
14 *cant's primary language is available.*

15 (ii) *The Secretary of Homeland Secu-*
16 *rity shall provide to the Secretary of State,*
17 *for inclusion in the mailing under clause*
18 *(i), a copy of the petition submitted by the*
19 *petitioner for such applicant under sub-*
20 *section (d) or (r) of section 214 of such Act*
21 *(8 U.S.C. 1184).*

22 (iii) *The Secretary of Homeland Secu-*
23 *rity shall provide to the Secretary of State*
24 *any criminal background information the*
25 *Secretary of Homeland Security possesses*

1 *with respect to a petitioner under subsection*
2 *(d) or (r) of section 214 of such Act (8*
3 *U.S.C. 1184). The Secretary of State, in*
4 *turn, shall share any such criminal back-*
5 *ground information that is in government*
6 *records or databases with the K non-*
7 *immigrant visa applicant who is the bene-*
8 *ficiary of the petition. The visa applicant*
9 *shall be informed that such criminal back-*
10 *ground information is based on available*
11 *records and may not be complete. The Sec-*
12 *retary of State also shall provide for the*
13 *disclosure of such criminal background in-*
14 *formation to the visa applicant at the con-*
15 *sular interview in the primary language of*
16 *the visa applicant. Nothing in this clause*
17 *shall be construed to authorize the Secretary*
18 *of Homeland Security to conduct any new*
19 *or additional criminal background check*
20 *that is not otherwise conducted in the course*
21 *of adjudicating such petitions.*

22 *(B) CONSULAR ACCESS.—The pamphlet de-*
23 *veloped under paragraph (1) shall be made*
24 *available to the public at all consular posts. The*
25 *summaries described in paragraph (3) shall be*

1 *made available to foreign service officers at all*
2 *consular posts.*

3 (C) *POSTING ON FEDERAL WEBSITES.*—*The*
4 *pamphlet developed under paragraph (1) shall be*
5 *posted on the websites of the Department of State*
6 *and the Department of Homeland Security, as*
7 *well as on the websites of all consular posts proc-*
8 *essing applications for K nonimmigrant visas.*

9 (D) *INTERNATIONAL MARRIAGE BROKERS*
10 *AND VICTIM ADVOCACY ORGANIZATIONS.*—*The*
11 *pamphlet developed under paragraph (1) shall be*
12 *made available to any international marriage*
13 *broker, government agency, or nongovernmental*
14 *advocacy organization.*

15 (6) *DEADLINE FOR PAMPHLET DEVELOPMENT*
16 *AND DISTRIBUTION.*—*The pamphlet developed under*
17 *paragraph (1) shall be distributed and made avail-*
18 *able (including in the languages specified under para-*
19 *graph (4)) not later than 120 days after the date of*
20 *the enactment of this Act.*

21 (b) *VISA AND ADJUSTMENT INTERVIEWS.*—

22 (1) *FIANCÉ(E)S, SPOUSES AND THEIR DERIVA-*
23 *TIVES.*—*During an interview with an applicant for a*
24 *K nonimmigrant visa, a consular officers shall—*

1 (A) provide information, in the primary
2 language of the visa applicant, on protection or-
3 ders or criminal convictions collected under sub-
4 section (a)(5)(A)(iii);

5 (B) provide a copy of the pamphlet devel-
6 oped under subsection (a)(1) in English or an-
7 other appropriate language and provide an oral
8 summary, in the primary language of the visa
9 applicant, of that pamphlet; and

10 (C) ask the applicant, in the primary lan-
11 guage of the applicant, whether an international
12 marriage broker has facilitated the relationship
13 between the applicant and the United States pe-
14 titioner, and, if so, obtain the identity of the
15 international marriage broker from the appli-
16 cant and confirm that the international mar-
17 riage broker provided to the applicant the infor-
18 mation and materials required under subsection
19 (d)(3)(A)(iii).

20 (2) *FAMILY-BASED APPLICANTS.*—The pamphlet
21 developed under subsection (a)(1) shall be distributed
22 directly to applicants for family-based immigration
23 petitions at all consular and adjustment interviews
24 for such visas. The Department of State or Depart-
25 ment of Homeland Security officer conducting the

1 *interview shall review the summary of the pamphlet*
2 *with the applicant orally in the applicant's primary*
3 *language, in addition to distributing the pamphlet to*
4 *the applicant in English or another appropriate lan-*
5 *guage.*

6 (c) *CONFIDENTIALITY.—In fulfilling the requirements*
7 *of this section, no official of the Department of State or*
8 *the Department of Homeland Security shall disclose to a*
9 *nonimmigrant visa applicant the name or contact informa-*
10 *tion of any person who was granted a protection order or*
11 *restraining order against the petitioner or who was a vic-*
12 *tim of a crime of violence perpetrated by the petitioner, but*
13 *shall disclose the relationship of the person to the petitioner.*

14 (d) *REGULATION OF INTERNATIONAL MARRIAGE BRO-*
15 *KERS.—*

16 (1) *PROHIBITION ON MARKETING CHILDREN.—*
17 *An international marriage broker shall not provide*
18 *any individual or entity with the personal contact in-*
19 *formation, photograph, or general information about*
20 *the background or interests of any individual under*
21 *the age of 18.*

22 (2) *REQUIREMENTS OF INTERNATIONAL MAR-*
23 *RRIAGE BROKERS WITH RESPECT TO MANDATORY COL-*
24 *LECTION OF BACKGROUND INFORMATION.—*

25 (A) *IN GENERAL.—*

1 (i) *SEARCH OF SEX OFFENDER PUBLIC*
2 *REGISTRIES.—Each international marriage*
3 *broker shall search the National Sex Of-*
4 *fender Public Registry or State sex offender*
5 *public registry, as required under para-*
6 *graph (3)(A)(i).*

7 (ii) *COLLECTION OF BACKGROUND IN-*
8 *FORMATION.—Each international marriage*
9 *broker shall also collect the background in-*
10 *formation listed in subparagraph (B) about*
11 *the United States client to whom the per-*
12 *sonal contact information of a foreign na-*
13 *tional client would be provided.*

14 (B) *BACKGROUND INFORMATION.—The*
15 *international marriage broker shall collect a cer-*
16 *tification signed (in written, electronic, or other*
17 *form) by the United States client accompanied*
18 *by documentation or an attestation of the fol-*
19 *lowing background information about the United*
20 *States client:*

21 (i) *Any temporary or permanent civil*
22 *protection order or restraining order issued*
23 *against the United States client.*

24 (ii) *Any Federal, State, or local arrest*
25 *or conviction of the United States client for*

1 *homicide, murder, manslaughter, assault,*
2 *battery, domestic violence, rape, sexual as-*
3 *sault, abusive sexual contact, sexual exploi-*
4 *tation, incest, child abuse or neglect, tor-*
5 *ture, trafficking, peonage, holding hostage,*
6 *involuntary servitude, slave trade, kidnap-*
7 *ping, abduction, unlawful criminal re-*
8 *straint, false imprisonment, or stalking.*

9 *(iii) Any Federal, State, or local arrest*
10 *or conviction of the United States client*
11 *for—*

12 *(I) solely, principally, or inciden-*
13 *tally engaging in prostitution;*

14 *(II) a direct or indirect attempt*
15 *to procure prostitutes or persons for the*
16 *purpose of prostitution; or*

17 *(III) receiving, in whole or in*
18 *part, of the proceeds of prostitution.*

19 *(iv) Any Federal, State, or local arrest*
20 *or conviction of the United States client for*
21 *offenses related to controlled substances or*
22 *alcohol.*

23 *(v) Marital history of the United*
24 *States client, including whether the client is*
25 *currently married, whether the client has*

1 *previously been married and how many*
2 *times, how previous marriages of the client*
3 *were terminated and the date of termi-*
4 *nation, and whether the client has pre-*
5 *viously sponsored an alien to whom the cli-*
6 *ent was engaged or married.*

7 *(vi) The ages of any of the United*
8 *States client's children who are under the*
9 *age of 18.*

10 *(vii) All States and countries in which*
11 *the United States client has resided since*
12 *the client was 18 years of age.*

13 (3) *OBLIGATION OF INTERNATIONAL MARRIAGE*
14 *BROKERS WITH RESPECT TO INFORMED CONSENT.—*

15 (A) *LIMITATION ON SHARING INFORMATION*
16 *ABOUT FOREIGN NATIONAL CLIENTS.—An inter-*
17 *national marriage broker shall not provide any*
18 *United States client or representative with the*
19 *personal contact information of any foreign na-*
20 *tional client unless and until the international*
21 *marriage broker has—*

22 *(i) performed a search of the National*
23 *Sex Offender Public Registry, or of the rel-*
24 *evant State sex offender public registry for*
25 *any State not yet participating in the Na-*

1 *tional Sex Offender Public Registry in*
2 *which the United States client has resided*
3 *during the previous 20 years, for informa-*
4 *tion regarding the United States client;*

5 *(ii) collected background information*
6 *about the United States client required*
7 *under paragraph (2);*

8 *(iii) provided to the foreign national*
9 *client—*

10 *(I) in the foreign national client's*
11 *primary language, a copy of any*
12 *records retrieved from the search re-*
13 *quired under paragraph (2)(A)(i) or*
14 *documentation confirming that such*
15 *search retrieved no records;*

16 *(II) in the foreign national cli-*
17 *ent's primary language, a copy of the*
18 *background information collected by*
19 *the international marriage broker*
20 *under paragraph (2)(B); and*

21 *(III) in the foreign national cli-*
22 *ent's primary language (or in English*
23 *or other appropriate language if there*
24 *is no translation available into the cli-*

1 ent’s primary language), the pamphlet
2 developed under subsection (a)(1); and
3 (iv) received from the foreign national
4 client a signed, written consent, in the for-
5 eign national client’s primary language, to
6 release the foreign national client’s personal
7 contact information to the specific United
8 States client.

9 (B) *CONFIDENTIALITY.*—In fulfilling the re-
10 quirements of this paragraph, an international
11 marriage broker shall disclose the relationship of
12 the United States client to individuals who were
13 issued a protection order or restraining order as
14 described in clause (i) of paragraph (2)(B), or of
15 any other victims of crimes as described in
16 clauses (ii) through (iv) of such paragraph, but
17 shall not disclose the name or location informa-
18 tion of such individuals.

19 (C) *PENALTY FOR MISUSE OF INFORMA-*
20 *TION.*—A person who knowingly discloses, uses,
21 or causes to be used any information obtained by
22 an international marriage broker as a result of
23 the obligations imposed on it under paragraph
24 (2) and this paragraph for any purpose other
25 than the disclosures required under this para-

1 *graph shall be fined in accordance with title 18,*
2 *United States Code, or imprisoned not more*
3 *than 1 year, or both. These penalties are in addi-*
4 *tion to any other civil or criminal liability*
5 *under Federal or State law which a person may*
6 *be subject to for the misuse of that information,*
7 *including to threaten, intimidate, or harass any*
8 *individual. Nothing in this section shall prevent*
9 *the disclosure of such information to law enforce-*
10 *ment or pursuant to a court order.*

11 (4) *LIMITATION ON DISCLOSURE.—An inter-*
12 *national marriage broker shall not provide the per-*
13 *sonal contact information of any foreign national cli-*
14 *ent to any person or entity other than a United*
15 *States client. Such information shall not be disclosed*
16 *to potential United States clients or individuals who*
17 *are being recruited to be United States clients or rep-*
18 *resentatives.*

19 (5) *PENALTIES.—*

20 (A) *FEDERAL CIVIL PENALTY.—*

21 (i) *VIOLATION.—An international*
22 *marriage broker that violates (or attempts*
23 *to violate) paragraph (1), (2), (3), or (4) is*
24 *subject to a civil penalty of not less than*

1 \$5,000 and not more than \$25,000 for each
2 such violation.

3 (ii) *PROCEDURES FOR IMPOSITION OF*
4 *PENALTY.*—A penalty may be imposed
5 under clause (i) by the Attorney General
6 only after notice and an opportunity for an
7 agency hearing on the record in accordance
8 with subchapter II of chapter 5 of title 5,
9 United States Code (popularly known as the
10 Administrative Procedure Act).

11 (B) *FEDERAL CRIMINAL PENALTY.*—In cir-
12 cumstances in or affecting interstate or foreign
13 commerce, an international marriage broker
14 that, within the special maritime and territorial
15 jurisdiction of the United States, violates (or at-
16 tempts to violate) paragraph (1), (2), (3), or (4)
17 shall be fined in accordance with title 18, United
18 States Code, or imprisoned for not more than 5
19 years, or both.

20 (C) *ADDITIONAL REMEDIES.*—The penalties
21 and remedies under this subsection are in addi-
22 tion to any other penalties or remedies available
23 under law.

24 (6) *NONPREEMPTION.*—Nothing in this sub-
25 section shall preempt—

1 (A) any State law that provides additional
2 protections for aliens who are utilizing the serv-
3 ices of an international marriage broker; or

4 (B) any other or further right or remedy
5 available under law to any party utilizing the
6 services of an international marriage broker.

7 (7) *EFFECTIVE DATE.*—

8 (A) *IN GENERAL.*—Except as provided in
9 subparagraph (B), this subsection shall take ef-
10 fect on the date that is 60 days after the date of
11 the enactment of this Act.

12 (B) *ADDITIONAL TIME ALLOWED FOR IN-*
13 *FORMATION PAMPHLET.*—The requirement for
14 the distribution of the pamphlet developed under
15 subsection (a)(1) shall not apply until 30 days
16 after the date of its development and initial dis-
17 tribution under subsection (a)(6).

18 (e) *DEFINITIONS.*—In this section:

19 (1) *CRIME OF VIOLENCE.*—The term “crime of
20 violence” has the meaning given such term in section
21 16 of title 18, United States Code.

22 (2) *DOMESTIC VIOLENCE.*—The term “domestic
23 violence” has the meaning given such term in section
24 3 of this Act.

1 (3) *FOREIGN NATIONAL CLIENT.*—The term “for-
2 *foreign national client*” means a person who is not a
3 *United States citizen or national or an alien lawfully*
4 *admitted to the United States for permanent resi-*
5 *dence and who utilizes the services of an international*
6 *marriage broker. Such term includes an alien resid-*
7 *ing in the United States who is in the United States*
8 *as a result of utilizing the services of an international*
9 *marriage broker and any alien recruited by an inter-*
10 *national marriage broker or representative of such*
11 *broker.*

12 (4) *INTERNATIONAL MARRIAGE BROKER(A) IN*
13 *GENERAL.*—The term “*international marriage*
14 *broker*” means a corporation, partnership, business,
15 *individual, or other legal entity, whether or not orga-*
16 *nized under any law of the United States, that*
17 *charges fees for providing dating, matrimonial,*
18 *matchmaking services, or social referrals between*
19 *United States citizens or nationals or aliens lawfully*
20 *admitted to the United States as permanent residents*
21 *and foreign national clients by providing personal*
22 *contact information or otherwise facilitating commu-*
23 *nication between individuals.*

24 (B) *EXCEPTIONS.*—Such term does not
25 include—

1 (i) a traditional matchmaking organi-
2 zation of a cultural or religious nature that
3 operates on a nonprofit basis and otherwise
4 operates in compliance with the laws of the
5 countries in which it operates, including the
6 laws of the United States; or

7 (ii) an entity that provides dating
8 services if its principal business is not to
9 provide international dating services be-
10 tween United States citizens or United
11 States residents and foreign nationals and
12 it charges comparable rates and offers com-
13 parable services to all individuals it serves
14 regardless of the individual's gender or
15 country of citizenship.

16 (5) *K NONIMMIGRANT VISA*.—The term “*K non-*
17 *immigrant visa*” means a nonimmigrant visa under
18 clause (i) or (ii) of section 101(a)(15)(K) of the *Im-*
19 *migration and Nationality Act* (8 U.S.C.
20 1101(a)(15)(K)).

21 (6) *PERSONAL CONTACT INFORMATION*.—

22 (A) *IN GENERAL*.—The term “*personal con-*
23 *tact information*” means information, or a
24 forum to obtain such information, that would

1 *permit individuals to contact each other,*
2 *including—*

3 *(i) the name or residential, postal, elec-*
4 *tronic mail, or instant message address of*
5 *an individual;*

6 *(ii) the telephone, pager, cellphone, or*
7 *fax number, or voice message mailbox of an*
8 *individual; or*

9 *(iii) the provision of an opportunity*
10 *for an in-person meeting.*

11 *(B) EXCEPTION.—Such term does not in-*
12 *clude a photograph or general information about*
13 *the background or interests of a person.*

14 *(7) REPRESENTATIVE.—The term “representa-*
15 *tive” means, with respect to an international mar-*
16 *riage broker, the person or entity acting on behalf of*
17 *such broker. Such a representative may be a recruiter,*
18 *agent, independent contractor, or other international*
19 *marriage broker or other person conveying informa-*
20 *tion about or to a United States client or foreign na-*
21 *tional client, whether or not the person or entity re-*
22 *ceives remuneration.*

23 *(8) STATE.—The term “State” includes the Dis-*
24 *trict of Columbia, Puerto Rico, the Virgin Islands,*

1 *Guam, American Samoa, and the Northern Mariana*
2 *Islands.*

3 (9) *UNITED STATES.*—*The term “United States”,*
4 *when used in a geographic sense, includes all the*
5 *States.*

6 (10) *UNITED STATES CLIENT.*—*The term*
7 *“United States client” means a United States citizen*
8 *or other individual who resides in the United States*
9 *and who utilizes the services of an international mar-*
10 *riage broker, if a payment is made or a debt is in-*
11 *curred to utilize such services.*

12 (f) *GAO STUDY AND REPORT.*—

13 (1) *STUDY.*—*The Comptroller General of the*
14 *United States shall conduct a study—*

15 (A) *on the impact of this section and sec-*
16 *tion 832 on the K nonimmigrant visa process,*
17 *including specifically—*

18 (i) *annual numerical changes in peti-*
19 *tions for K nonimmigrant visas;*

20 (ii) *the annual number (and percent-*
21 *age) of such petitions that are denied under*
22 *subsection (d)(2) or (r) of section 214 of the*
23 *Immigration and Nationality Act (8 U.S.C.*
24 *1184), as amended by this Act;*

1 (iii) the annual number of waiver ap-
2 plications submitted under such a sub-
3 section, the number (and percentage) of such
4 applications granted or denied, and the rea-
5 sons for such decisions;

6 (iv) the annual number (and percent-
7 age) of cases in which the criminal back-
8 ground information collected and provided
9 to the applicant as required by subsection
10 (a)(5)(A)(iii) contains one or more convic-
11 tions;

12 (v) the annual number and percentage
13 of cases described in clause (iv) that were
14 granted or were denied waivers under sec-
15 tion 214(d)(2) of the Immigration and Na-
16 tionality Act, as amended by this Act;

17 (vi) the annual number of fiancé(e)
18 and spousal K nonimmigrant visa petitions
19 or family-based immigration petitions filed
20 by petitioners or applicants who have pre-
21 viously filed other fiancé(e) or spousal K
22 nonimmigrant visa petitions or family-
23 based immigration petitions;

24 (vii) the annual number of fiancé(e)
25 and spousal K nonimmigrant visa petitions

1 *or family-based immigration petitions filed*
2 *by petitioners or applicants who have con-*
3 *currently filed other fiancé(e) or spousal K*
4 *nonimmigrant visa petitioners or family-*
5 *based immigration petitions; and*

6 *(viii) the annual and cumulative num-*
7 *ber of petitioners and applicants tracked in*
8 *the multiple filings database established*
9 *under paragraph (4) of section 214(r) of the*
10 *Immigration and Nationality Act, as added*
11 *by this Act;*

12 *(B) regarding the number of international*
13 *marriage brokers doing business in the United*
14 *States, the number of marriages resulting from*
15 *the services provided, and the extent of compli-*
16 *ance with the applicable requirements of this sec-*
17 *tion;*

18 *(C) that assesses the accuracy and complete-*
19 *ness of information gathered under section 832*
20 *and this section from clients and petitioners by*
21 *international marriage brokers, the Department*
22 *of State, or the Department of Homeland Secu-*
23 *rity;*

24 *(D) that examines, based on the information*
25 *gathered, the extent to which persons with a his-*

1 *tory of violence are using either the K non-*
2 *immigrant visa process or the services of inter-*
3 *national marriage brokers, or both, and the ex-*
4 *tent to which such persons are providing accu-*
5 *rate and complete information to the Depart-*
6 *ment of State or the Department of Homeland*
7 *Security and to international marriage brokers*
8 *in accordance with subsections (a) and*
9 *(d)(2)(B); and*

10 *(E) that assesses the accuracy and complete-*
11 *ness of the criminal background check performed*
12 *by the Secretary of Homeland Security at identi-*
13 *fying past instances of domestic violence.*

14 *(2) REPORT.—Not later than 2 years after the*
15 *date of enactment of this Act, the Comptroller General*
16 *shall submit to the Committee on the Judiciary of the*
17 *Senate and the Committee on the Judiciary of the*
18 *House of Representatives a report setting forth the re-*
19 *sults of the study conducted under paragraph (1).*

20 *(3) DATA COLLECTION.—The Secretary of Home-*
21 *land Security and the Secretary of State shall collect*
22 *and maintain the data necessary for the Comptroller*
23 *General of the United States to conduct the study re-*
24 *quired by paragraph (1).*

1 (3) *Indian women experience the violent crime of*
2 *battering at a rate of 23.2 per 1,000, compared with*
3 *8 per 1,000 among Caucasian women;*

4 (4) *during the period 1979 through 1992, homi-*
5 *cide was the third leading cause of death of Indian*
6 *females aged 15 to 34, and 75 percent were killed by*
7 *family members or acquaintances;*

8 (5) *Indian tribes require additional criminal*
9 *justice and victim services resources to respond to vio-*
10 *lent assaults against women; and*

11 (6) *the unique legal relationship of the United*
12 *States to Indian tribes creates a Federal trust respon-*
13 *sibility to assist tribal governments in safeguarding*
14 *the lives of Indian women.*

15 **SEC. 902. PURPOSES.**

16 *The purposes of this title are—*

17 (1) *to decrease the incidence of violent crimes*
18 *against Indian women;*

19 (2) *to strengthen the capacity of Indian tribes to*
20 *exercise their sovereign authority to respond to violent*
21 *crimes committed against Indian women; and*

22 (3) *to ensure that perpetrators of violent crimes*
23 *committed against Indian women are held account-*
24 *able for their criminal behavior.*

1 **SEC. 903. CONSULTATION.**

2 (a) *IN GENERAL.*—*The Attorney General shall conduct*
3 *annual consultations with Indian tribal governments con-*
4 *cerning the Federal administration of tribal funds and pro-*
5 *grams established under this Act, the Violence Against*
6 *Women Act of 1994 (title IV of Public Law 103–322; 108*
7 *Stat. 1902) and the Violence Against Women Act of 2000*
8 *(division B of Public Law 106–386; 114 Stat. 1491).*

9 (b) *RECOMMENDATIONS.*—*During consultations under*
10 *subsection (a), the Secretary of the Department of Health*
11 *and Human Services and the Attorney General shall solicit*
12 *recommendations from Indian tribes concerning—*

13 (1) *administering tribal funds and programs;*

14 (2) *enhancing the safety of Indian women from*
15 *domestic violence, dating violence, sexual assault, and*
16 *stalking; and*

17 (3) *strengthening the Federal response to such*
18 *violent crimes.*

19 **SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**
20 **INDIAN WOMEN.**

21 (a) *NATIONAL BASELINE STUDY.*—

22 (1) *IN GENERAL.*—*The National Institute of Jus-*
23 *tice, in consultation with the Office on Violence*
24 *Against Women, shall conduct a national baseline*
25 *study to examine violence against Indian women in*
26 *Indian country.*

1 (2) *SCOPE.*—

2 (A) *IN GENERAL.*—*The study shall examine*
3 *violence committed against Indian women,*
4 *including—*

5 (i) *domestic violence;*

6 (ii) *dating violence;*

7 (iii) *sexual assault;*

8 (iv) *stalking; and*

9 (v) *murder.*

10 (B) *EVALUATION.*—*The study shall evaluate*
11 *the effectiveness of Federal, State, tribal, and*
12 *local responses to the violations described in sub-*
13 *paragraph (A) committed against Indian*
14 *women.*

15 (C) *RECOMMENDATIONS.*—*The study shall*
16 *propose recommendations to improve the effec-*
17 *tiveness of Federal, State, tribal, and local re-*
18 *sponses to the violation described in subpara-*
19 *graph (A) committed against Indian women.*

20 (3) *TASK FORCE.*—

21 (A) *IN GENERAL.*—*The Attorney General,*
22 *acting through the Director of the Office on Vio-*
23 *lence Against Women, shall establish a task force*
24 *to assist in the development and implementation*
25 *of the study under paragraph (1) and guide im-*

1 *plementation of the recommendation in para-*
2 *graph (2)(C).*

3 *(B) MEMBERS.—The Director shall appoint*
4 *to the task force representatives from—*

5 *(i) national tribal domestic violence*
6 *and sexual assault nonprofit organizations;*

7 *(ii) tribal governments; and*

8 *(iii) the national tribal organizations.*

9 *(4) REPORT.—Not later than 2 years after the*
10 *date of enactment of this Act, the Attorney General*
11 *shall submit to the Committee on Indian Affairs of*
12 *the Senate, the Committee on the Judiciary of the*
13 *Senate, and the Committee on the Judiciary of the*
14 *House of Representatives a report that describes the*
15 *study.*

16 *(5) AUTHORIZATION OF APPROPRIATIONS.—*
17 *There is authorized to be appropriated to carry out*
18 *this section \$1,000,000 for each of fiscal years 2007*
19 *and 2008, to remain available until expended.*

20 *(b) INJURY STUDY.—*

21 *(1) IN GENERAL.—The Secretary of Health and*
22 *Human Services, acting through the Indian Health*
23 *Service and the Centers for Disease Control and Pre-*
24 *vention, shall conduct a study to obtain a national*
25 *projection of—*

1 (A) *the incidence of injuries and homicides*
2 *resulting from domestic violence, dating violence,*
3 *sexual assault, or stalking committed against*
4 *American Indian and Alaska Native women;*
5 *and*

6 (B) *the cost of providing health care for the*
7 *injuries described in subparagraph (A).*

8 (2) *REPORT.—Not later than 2 years after the*
9 *date of enactment of this Act, the Secretary of Health*
10 *and Human Services shall submit to the Committee*
11 *on Indian Affairs of the Senate, the Committee on the*
12 *Judiciary of the Senate, and the Committee on the*
13 *Judiciary of the House of Representatives a report*
14 *that describes the findings made in the study and rec-*
15 *ommends health care strategies for reducing the inci-*
16 *dence and cost of the injuries described in paragraph*
17 *(1).*

18 (3) *AUTHORIZATION OF APPROPRIATIONS.—*
19 *There is authorized to be appropriated to carry out*
20 *this section \$500,000 for each of fiscal years 2007 and*
21 *2008, to remain available until expended.*

1 **SEC. 905. TRACKING OF VIOLENCE AGAINST INDIAN**
2 **WOMEN.**

3 (a) *ACCESS TO FEDERAL CRIMINAL INFORMATION*
4 *DATABASES.*—Section 534 of title 28, United States Code,
5 is amended—

6 (1) by redesignating subsection (d) as subsection
7 (e); and

8 (2) by inserting after subsection (c) the fol-
9 lowing:

10 “(d) *INDIAN LAW ENFORCEMENT AGENCIES.*—The At-
11 torney General shall permit Indian law enforcement agen-
12 cies, in cases of domestic violence, dating violence, sexual
13 assault, and stalking, to enter information into Federal
14 criminal information databases and to obtain information
15 from the databases.”.

16 (b) *TRIBAL REGISTRY.*—

17 (1) *ESTABLISHMENT.*—The Attorney General
18 shall contract with any interested Indian tribe, tribal
19 organization, or tribal nonprofit organization to de-
20 velop and maintain—

21 (A) a national tribal sex offender registry;
22 and

23 (B) a tribal protection order registry con-
24 taining civil and criminal orders of protection
25 issued by Indian tribes and participating juris-
26 dictions.

1 (2) *AUTHORIZATION OF APPROPRIATIONS.—*
2 *There is authorized to be appropriated to carry out*
3 *this section \$1,000,000 for each of fiscal years 2007*
4 *through 2011, to remain available until expended.*

5 **SEC. 906. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

6 (a) *IN GENERAL.—Part T of title I of the Omnibus*
7 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
8 *3796gg et seq.) is amended by adding at the end the fol-*
9 *lowing:*

10 **“SEC. 2007. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

11 “(a) *GRANTS.—The Attorney General may make*
12 *grants to Indian tribal governments and tribal organiza-*
13 *tions to—*

14 “(1) *develop and enhance effective governmental*
15 *strategies to curtail violent crimes against and in-*
16 *crease the safety of Indian women consistent with*
17 *tribal law and custom;*

18 “(2) *increase tribal capacity to respond to do-*
19 *mestic violence, dating violence, sexual assault, and*
20 *stalking crimes against Indian women;*

21 “(3) *strengthen tribal justice interventions in-*
22 *cluding tribal law enforcement, prosecution, courts,*
23 *probation, correctional facilities;*

1 “(4) enhance services to Indian women victim-
2 ized by domestic violence, dating violence, sexual as-
3 sault, and stalking;

4 “(5) work in cooperation with the community to
5 develop education and prevention strategies directed
6 toward issues of domestic violence, dating violence,
7 and stalking programs and to address the needs of
8 children exposed to domestic violence;

9 “(6) provide programs for supervised visitation
10 and safe visitation exchange of children in situations
11 involving domestic violence, sexual assault, or stalk-
12 ing committed by one parent against the other with
13 appropriate security measures, policies, and proce-
14 dures to protect the safety of victims and their chil-
15 dren; and

16 “(7) provide transitional housing for victims of
17 domestic violence, dating violence, sexual assault, or
18 stalking, including rental or utilities payments assist-
19 ance and assistance with related expenses such as se-
20 curity deposits and other costs incidental to relocation
21 to transitional housing, and support services to enable
22 a victim of domestic violence, dating violence, sexual
23 assault, or stalking to locate and secure permanent
24 housing and integrate into a community.

1 “(b) *COLLABORATION.*—All applicants under this sec-
2 tion shall demonstrate their proposal was developed in con-
3 sultation with a nonprofit, nongovernmental Indian victim
4 services program, including sexual assault and domestic vi-
5 olence victim services providers in the tribal or local com-
6 munity, or a nonprofit tribal domestic violence and sexual
7 assault coalition to the extent that they exist. In the absence
8 of such a demonstration, the applicant may meet the re-
9 quirement of this subsection through consultation with
10 women in the community to be served.

11 “(c) *NONEXCLUSIVITY.*—The Federal share of a grant
12 made under this section may not exceed 90 percent of the
13 total costs of the project described in the application sub-
14 mitted, except that the Attorney General may grant a waiv-
15 er of this match requirement on the basis of demonstrated
16 financial hardship. Funds appropriated for the activities
17 of any agency of an Indian tribal government or of the Bu-
18 reau of Indian Affairs performing law enforcement func-
19 tions on any Indian lands may be used to provide the non-
20 Federal share of the cost of programs or projects funded
21 under this section.”.

22 (b) *AUTHORIZATION OF FUNDS FROM GRANTS TO*
23 *COMBAT VIOLENT CRIMES AGAINST WOMEN.*—Section
24 2007(b)(1) of the Omnibus Crime Control and Safe Streets

1 *Act of 1968 (42 U.S.C. 3796gg-1(b)(1)) is amended to read*
2 *as follows:*

3 “(1) *Ten percent shall be available for grants*
4 *under the program authorized in section 2007. The*
5 *requirements of this part shall not apply to funds al-*
6 *located for such program.”.*

7 *(c) AUTHORIZATION OF FUNDS FROM GRANTS TO EN-*
8 *COURAGE STATE POLICIES AND ENFORCEMENT OF PRO-*
9 *TECTION ORDERS PROGRAM.—Section 2101 of the Omnibus*
10 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
11 *3796hh) is amended by striking subsection (e) and inserting*
12 *the following:*

13 “(e) *Not less than 10 percent of the total amount avail-*
14 *able under this section for each fiscal year shall be available*
15 *for grants under the program authorized in section 2007.*
16 *The requirements of this part shall not apply to funds allo-*
17 *cated for such program.”.*

18 *(d) AUTHORIZATION OF FUNDS FROM RURAL DOMES-*
19 *TIC VIOLENCE AND CHILD ABUSE ENFORCEMENT ASSIST-*
20 *ANCE GRANTS.—Subsection 40295(c) of the Violence*
21 *Against Women Act of 1994 (42 U.S.C. 13971(c)(3)) is*
22 *amended by striking paragraph (3) and inserting the fol-*
23 *lowing:*

24 “(3) *Not less than 10 percent of the total amount*
25 *available under this section for each fiscal year shall*

1 *be available for grants under the program authorized*
2 *in section 2007 of the Omnibus Crime Control and*
3 *Safe Streets Act of 1968. The requirements of this*
4 *paragraph shall not apply to funds allocated for such*
5 *program.”.*

6 *(e) AUTHORIZATION OF FUNDS FROM THE SAFE HA-*
7 *VENS FOR CHILDREN PROGRAM.—Section 1301 of the Vio-*
8 *lence Against Women Act of 2000 (42 U.S.C. 10420) is*
9 *amended by striking subsection (f) and inserting the fol-*
10 *lowing:*

11 *“(f) Not less than 10 percent of the total amount avail-*
12 *able under this section for each fiscal year shall be available*
13 *for grants under the program authorized in section 2007*
14 *of the Omnibus Crime Control and Safe Streets Act of 1968.*
15 *The requirements of this subsection shall not apply to funds*
16 *allocated for such program.”.*

17 *(f) AUTHORIZATION OF FUNDS FROM THE TRANSI-*
18 *TIONAL HOUSING ASSISTANCE GRANTS FOR CHILD VICTIMS*
19 *OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT*
20 *PROGRAM.—Section 40299(g) of the Violence Against*
21 *Women Act of 1994 (42 U.S.C. 13975(g)) is amended by*
22 *adding at the end the following:*

23 *“(4) TRIBAL PROGRAM.—Not less than 10 per-*
24 *cent of the total amount available under this section*
25 *for each fiscal year shall be available for grants under*

1 *the program authorized in section 2007 of the Omni-*
2 *bus Crime Control and Safe Streets Act of 1968. The*
3 *requirements of this paragraph shall not apply to*
4 *funds allocated for such program.”.*

5 *(g) AUTHORIZATION OF FUNDS FROM THE LEGAL AS-*
6 *SISTANCE FOR VICTIMS IMPROVEMENTS PROGRAM.—Sec-*
7 *tion 1201(f) of the Violence Against Women Act of 2000*
8 *(42 U.S.C. 3796gg–6) is amended by adding at the end the*
9 *following:*

10 *“(4) Not less than 10 percent of the total amount*
11 *available under this section for each fiscal year shall*
12 *be available for grants under the program authorized*
13 *in section 2007 of the Omnibus Crime Control and*
14 *Safe Streets Act of 1968. The requirements of this*
15 *paragraph shall not apply to funds allocated for such*
16 *program.”.*

17 **SEC. 907. TRIBAL DEPUTY IN THE OFFICE ON VIOLENCE**
18 **AGAINST WOMEN.**

19 *Part T of title I of the Omnibus Crime Control and*
20 *Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.), as*
21 *amended by section 906, is amended by adding at the end*
22 *the following:*

1 **“SEC. 2008. TRIBAL DEPUTY.**

2 “(a) *ESTABLISHMENT.*—*There is established in the Of-*
3 *fice on Violence Against Women a Deputy Director for Trib-*
4 *al Affairs.*

5 “(b) *DUTIES.*—

6 “(1) *IN GENERAL.*—*The Deputy Director shall*
7 *under the guidance and authority of the Director of*
8 *the Office on Violence Against Women—*

9 “(A) *oversee and manage the administra-*
10 *tion of grants to and contracts with Indian*
11 *tribes, tribal courts, tribal organizations, or trib-*
12 *al nonprofit organizations;*

13 “(B) *ensure that, if a grant under this Act*
14 *or a contract pursuant to such a grant is made*
15 *to an organization to perform services that ben-*
16 *efit more than 1 Indian tribe, the approval of*
17 *each Indian tribe to be benefitted shall be a pre-*
18 *requisite to the making of the grant or letting of*
19 *the contract;*

20 “(C) *coordinate development of Federal pol-*
21 *icy, protocols, and guidelines on matters relating*
22 *to violence against Indian women;*

23 “(D) *advise the Director of the Office on Vi-*
24 *olence Against Women concerning policies, legis-*
25 *lation, implementation of laws, and other issues*
26 *relating to violence against Indian women;*

1 “(E) represent the Office on Violence
2 *Against Women in the annual consultations*
3 *under section 903;*

4 “(F) provide technical assistance, coordina-
5 *tion, and support to other offices and bureaus in*
6 *the Department of Justice to develop policy and*
7 *to enforce Federal laws relating to violence*
8 *against Indian women, including through litiga-*
9 *tion of civil and criminal actions relating to*
10 *those laws;*

11 “(G) maintain a liaison with the judicial
12 *branches of Federal, State, and tribal govern-*
13 *ments on matters relating to violence against In-*
14 *Indian women;*

15 “(H) support enforcement of tribal protec-
16 *tion orders and implementation of full faith and*
17 *credit educational projects and comity agree-*
18 *ments between Indian tribes and States; and*

19 “(I) ensure that adequate tribal technical
20 *assistance is made available to Indian tribes,*
21 *tribal courts, tribal organizations, and tribal*
22 *nonprofit organizations for all programs relating*
23 *to violence against Indian women.*

24 “(c) *AUTHORITY.—*

1 “(1) *IN GENERAL.*—*The Deputy Director shall*
2 *ensure that a portion of the tribal set-aside funds*
3 *from any grant awarded under this Act, the Violence*
4 *Against Women Act of 1994 (title IV of Public Law*
5 *103–322; 108 Stat. 1902), or the Violence Against*
6 *Women Act of 2000 (division B of Public Law 106–*
7 *386; 114 Stat. 1491) is used to enhance the capacity*
8 *of Indian tribes to address the safety of Indian*
9 *women.*

10 “(2) *ACCOUNTABILITY.*—*The Deputy Director*
11 *shall ensure that some portion of the tribal set-aside*
12 *funds from any grant made under this part is used*
13 *to hold offenders accountable through—*

14 “(A) *enhancement of the response of Indian*
15 *tribes to crimes of domestic violence, dating vio-*
16 *lence, sexual assault, and stalking against In-*
17 *Indian women, including legal services for victims*
18 *and Indian-specific offender programs;*

19 “(B) *development and maintenance of tribal*
20 *domestic violence shelters or programs for bat-*
21 *tered Indian women, including sexual assault*
22 *services, that are based upon the unique cir-*
23 *cumstances of the Indian women to be served;*

24 “(C) *development of tribal educational*
25 *awareness programs and materials;*

1 “(D) support for customary tribal activities
2 to strengthen the intolerance of an Indian tribe
3 to violence against Indian women; and

4 “(E) development, implementation, and
5 maintenance of tribal electronic databases for
6 tribal protection order registries.”.

7 **SEC. 908. ENHANCED CRIMINAL LAW RESOURCES.**

8 (a) *FIREARMS POSSESSION PROHIBITIONS*.—Section
9 921(33)(A)(i) of title 18, United States Code, is amended
10 to read: “(i) is a misdemeanor under Federal, State, or
11 Tribal law; and”.

12 (b) *LAW ENFORCEMENT AUTHORITY*.—Section 4(3) of
13 the Indian Law Enforcement Reform Act (25 U.S.C.
14 2803(3) is amended—

15 (1) in subparagraph (A), by striking “or”;

16 (2) in subparagraph (B), by striking the semi-
17 colon and inserting “, or”; and

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

19 “(C) the offense is a misdemeanor crime of
20 domestic violence, dating violence, stalking, or
21 violation of a protection order and has, as an
22 element, the use or attempted use of physical
23 force, or the threatened use of a deadly weapon,
24 committed by a current or former spouse, parent,
25 or guardian of the victim, by a person with

1 whom the victim shares a child in common, by
2 a person who is cohabitating with or has
3 cohabited with the victim as a spouse, parent, or
4 guardian, or by a person similarly situated to a
5 spouse, parent or guardian of the victim, and the
6 employee has reasonable grounds to believe that
7 the person to be arrested has committed, or is
8 committing the crime;”.

9 **SEC. 909. DOMESTIC ASSAULT BY AN HABITUAL OFFENDER.**

10 Chapter 7 of title 18, United States Code, is amended
11 by adding at the end the following:

12 **“§ 117. Domestic assault by an habitual offender**

13 “(a) *IN GENERAL.*—Any person who commits a domes-
14 tic assault within the special maritime and territorial ju-
15 risdiction of the United States or Indian country and who
16 has a final conviction on at least 2 separate prior occasions
17 in Federal, State, or Indian tribal court proceedings for of-
18 fenses that would be, if subject to Federal jurisdiction—

19 “(1) any assault, sexual abuse, or serious violent
20 felony against a spouse or intimate partner; or

21 “(2) an offense under chapter 110A,
22 shall be fined under this title, imprisoned for a term of not
23 more than 5 years, or both, except that if substantial bodily
24 injury results from violation under this section, the offender
25 shall be imprisoned for a term of not more than 10 years.

1 “(i) on the basis of conviction for a
2 qualifying Federal offense or a qualifying
3 District of Columbia offense (as determined
4 under sections 3 and 4 of the DNA Analysis
5 Backlog Elimination Act of 2000 (42
6 U.S.C. 14135a, 14135b), respectively), if the
7 Director receives, for each conviction of the
8 person of a qualifying offense, a certified
9 copy of a final court order establishing that
10 such conviction has been overturned; or

11 “(ii) on the basis of an arrest under
12 the authority of the United States, if the At-
13 torney General receives, for each charge
14 against the person on the basis of which the
15 analysis was or could have been included in
16 the index, a certified copy of a final court
17 order establishing that such charge has been
18 dismissed or has resulted in an acquittal or
19 that no charge was filed within the applica-
20 ble time period.”;

21 (3) in subsection (d)(2)(A)(ii), by striking “all
22 charges for” and all that follows, and inserting the
23 following: “the responsible agency or official of that
24 State receives, for each charge against the person on
25 the basis of which the analysis was or could have been

1 *included in the index, a certified copy of a final court*
2 *order establishing that such charge has been dismissed*
3 *or has resulted in an acquittal or that no charge was*
4 *filed within the applicable time period.”; and*

5 *(4) by striking subsection (e).*

6 **SEC. 1003. EXPANDED USE OF CODIS GRANTS.**

7 *Section 2(a)(1) of the DNA Analysis Backlog Elimini-*
8 *nation Act of 2000 (42 U.S.C. 14135(a)(1)) is amended by*
9 *striking “taken from individuals convicted of a qualifying*
10 *State offense (as determined under subsection (b)(3))” and*
11 *inserting “collected under applicable legal authority”.*

12 **SEC. 1004. AUTHORIZATION TO CONDUCT DNA SAMPLE**
13 **COLLECTION FROM PERSONS ARRESTED OR**
14 **DETAINED UNDER FEDERAL AUTHORITY.**

15 *(a) IN GENERAL.—Section 3 of the DNA Analysis*
16 *Backlog Elimination Act of 2000 (42 U.S.C. 14135a) is*
17 *amended—*

18 *(1) in subsection (a)—*

19 *(A) in paragraph (1), by striking “The Di-*
20 *rector” and inserting the following:*

21 *“(A) The Attorney General may, as pre-*
22 *scribed by the Attorney General in regulation,*
23 *collect DNA samples from individuals who are*
24 *arrested or from non-United States persons who*
25 *are detained under the authority of the United*

1 *States. The Attorney General may delegate this*
2 *function within the Department of Justice as*
3 *provided in section 510 of title 28, United States*
4 *Code, and may also authorize and direct any*
5 *other agency of the United States that arrests or*
6 *detains individuals or supervises individuals fac-*
7 *ing charges to carry out any function and exer-*
8 *cise any power of the Attorney General under*
9 *this section.*

10 “(B) *The Director*”; and
11 (B) in paragraphs (3) and (4), by striking
12 “*Director of the Bureau of Prisons*” each place
13 it appears and inserting “*Attorney General, the*
14 *Director of the Bureau of Prisons,*”; and
15 (2) in subsection (b), by striking “*Director of the*
16 *Bureau of Prisons*” and inserting “*Attorney General,*
17 *the Director of the Bureau of Prisons,*”.

18 (b) *CONFORMING AMENDMENTS.*—Subsections (b) and
19 (c)(1)(A) of section 3142 of title 18, United States Code,
20 are each amended by inserting “and subject to the condition
21 that the person cooperate in the collection of a DNA sample
22 from the person if the collection of such a sample is author-
23 ized pursuant to section 3 of the DNA Analysis Backlog
24 Elimination Act of 2000 (42 U.S.C. 14135a)” after “period
25 of release”.

1 **SEC. 1005. TOLLING OF STATUTE OF LIMITATIONS FOR SEX-**
 2 **UAL-ABUSE OFFENSES.**

3 *Section 3297 of title 18, United States Code, is amend-*
 4 *ed by striking “except for a felony offense under chapter*
 5 *109A,”.*

6 **TITLE XI—DEPARTMENT OF**
 7 **JUSTICE REAUTHORIZATION**
 8 **Subtitle A—AUTHORIZATION OF**
 9 **APPROPRIATIONS**

10 **SEC. 1101. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
 11 **CAL YEAR 2006.**

12 *There are authorized to be appropriated for fiscal year*
 13 *2006, to carry out the activities of the Department of Jus-*
 14 *tice (including any bureau, office, board, division, commis-*
 15 *sion, subdivision, unit, or other component thereof), the fol-*
 16 *lowing sums:*

17 (1) *GENERAL ADMINISTRATION.—For General*
 18 *Administration: \$161,407,000.*

19 (2) *ADMINISTRATIVE REVIEW AND APPEALS.—*
 20 *For Administrative Review and Appeals:*
 21 *\$216,286,000 for administration of clemency petitions*
 22 *and for immigration-related activities.*

23 (3) *OFFICE OF INSPECTOR GENERAL.—For the*
 24 *Office of Inspector General: \$72,828,000, which shall*
 25 *include not to exceed \$10,000 to meet unforeseen*
 26 *emergencies of a confidential character.*

1 (4) *GENERAL LEGAL ACTIVITIES.*—*For General*
2 *Legal Activities: \$679,661,000, which shall include—*

3 (A) *not less than \$4,000,000 for the inves-*
4 *tigation and prosecution of denaturalization and*
5 *deportation cases involving alleged Nazi war*
6 *criminals;*

7 (B) *not less than \$15,000,000 for the inves-*
8 *tigation and prosecution of violations of title 17*
9 *of the United States Code;*

10 (C) *not to exceed \$20,000 to meet unforeseen*
11 *emergencies of a confidential character; and*

12 (D) *\$5,000,000 for the investigation and*
13 *prosecution of violations of chapter 77 of title 18*
14 *of the United States Code.*

15 (5) *ANTITRUST DIVISION.*—*For the Antitrust Di-*
16 *vision: \$144,451,000.*

17 (6) *UNITED STATES ATTORNEYS.*—*For United*
18 *States Attorneys: \$1,626,146,000.*

19 (7) *FEDERAL BUREAU OF INVESTIGATION.*—*For*
20 *the Federal Bureau of Investigation: \$5,761,237,000,*
21 *which shall include not to exceed \$70,000 to meet un-*
22 *foreseen emergencies of a confidential character.*

23 (8) *UNITED STATES MARSHALS SERVICE.*—*For*
24 *the United States Marshals Service: \$800,255,000.*

1 (9) *FEDERAL PRISON SYSTEM.*—*For the Federal*
2 *Prison System, including the National Institute of*
3 *Corrections: \$5,065,761,000.*

4 (10) *DRUG ENFORCEMENT ADMINISTRATION.*—
5 *For the Drug Enforcement Administration:*
6 *\$1,716,173,000, which shall include not to exceed*
7 *\$70,000 to meet unforeseen emergencies of a confiden-*
8 *tial character.*

9 (11) *BUREAU OF ALCOHOL, TOBACCO, FIREARMS*
10 *AND EXPLOSIVES.*—*For the Bureau of Alcohol, To-*
11 *bacco, Firearms and Explosives: \$923,613,000.*

12 (12) *FEEES AND EXPENSES OF WITNESSES.*—*For*
13 *Fees and Expenses of Witnesses: \$181,137,000, which*
14 *shall include not to exceed \$8,000,000 for construction*
15 *of protected witness safesites.*

16 (13) *INTERAGENCY CRIME AND DRUG ENFORCE-*
17 *MENT.*—*For Interagency Crime and Drug Enforce-*
18 *ment: \$661,940,000 for expenses not otherwise pro-*
19 *vided for, for the investigation and prosecution of per-*
20 *sons involved in organized crime drug trafficking, ex-*
21 *cept that any funds obligated from appropriations*
22 *authorized by this paragraph may be used under au-*
23 *thorities available to the organizations reimbursed*
24 *from such funds.*

1 (14) *FOREIGN CLAIMS SETTLEMENT COMMIS-*
2 *SION.—For the Foreign Claims Settlement Commis-*
3 *sion: \$1,270,000.*

4 (15) *COMMUNITY RELATIONS SERVICE.—For the*
5 *Community Relations Service: \$9,759,000.*

6 (16) *ASSETS FORFEITURE FUND.—For the Assets*
7 *Forfeiture Fund: \$21,468,000 for expenses authorized*
8 *by section 524 of title 28, United States Code.*

9 (17) *UNITED STATES PAROLE COMMISSION.—For*
10 *the United States Parole Commission: \$11,300,000.*

11 (18) *FEDERAL DETENTION TRUSTEE.—For the*
12 *necessary expenses of the Federal Detention Trustee:*
13 *\$1,222,000,000.*

14 (19) *JUSTICE INFORMATION SHARING TECH-*
15 *NOLOGY.—For necessary expenses for information*
16 *sharing technology, including planning, development,*
17 *and deployment: \$181,490,000.*

18 (20) *NARROW BAND COMMUNICATIONS.—For the*
19 *costs of conversion to narrowband communications,*
20 *including the cost for operation and maintenance of*
21 *Land Mobile Radio legacy systems: \$128,701,000.*

22 (21) *ADMINISTRATIVE EXPENSES FOR CERTAIN*
23 *ACTIVITIES.—For the administrative expenses of the*
24 *Office of Justice Programs, the Office on Violence*

1 *Against Women, and Office of Community Oriented*
2 *Policing Services:*

3 (A) \$121,105,000 for the Office of Justice
4 Programs.

5 (B) \$14,172,000 for the Office on Violence
6 Against Women.

7 (C) \$31,343,000 for the Office of Commu-
8 nity Oriented Policing Services.

9 **SEC. 1102. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
10 **CAL YEAR 2007.**

11 *There are authorized to be appropriated for fiscal year*
12 *2007, to carry out the activities of the Department of Jus-*
13 *tice (including any bureau, office, board, division, commis-*
14 *sion, subdivision, unit, or other component thereof), the fol-*
15 *lowing sums:*

16 (1) *GENERAL ADMINISTRATION.—For General*
17 *Administration: \$167,863,000.*

18 (2) *ADMINISTRATIVE REVIEW AND APPEALS.—*
19 *For Administrative Review and Appeals:*
20 *\$224,937,000 for administration of clemency petitions*
21 *and for immigration-related activities.*

22 (3) *OFFICE OF INSPECTOR GENERAL.—For the*
23 *Office of Inspector General: \$75,741,000, which shall*
24 *include not to exceed \$10,000 to meet unforeseen*
25 *emergencies of a confidential character.*

1 (4) *GENERAL LEGAL ACTIVITIES.*—*For General*
2 *Legal Activities: \$706,847,000, which shall include—*

3 (A) *not less than \$4,000,000 for the inves-*
4 *tigation and prosecution of denaturalization and*
5 *deportation cases involving alleged Nazi war*
6 *criminals;*

7 (B) *not less than \$15,600,000 for the inves-*
8 *tigation and prosecution of violations of title 17*
9 *of the United States Code;*

10 (C) *not to exceed \$20,000 to meet unforeseen*
11 *emergencies of a confidential character; and*

12 (D) *\$5,000,000 for the investigation and*
13 *prosecution of violations of chapter 77 of title 18*
14 *of the United States Code.*

15 (5) *ANTITRUST DIVISION.*—*For the Antitrust Di-*
16 *vision: \$150,229,000.*

17 (6) *UNITED STATES ATTORNEYS.*—*For United*
18 *States Attorneys: \$1,691,192,000.*

19 (7) *FEDERAL BUREAU OF INVESTIGATION.*—*For*
20 *the Federal Bureau of Investigation: \$5,991,686,000,*
21 *which shall include not to exceed \$70,000 to meet un-*
22 *foreseen emergencies of a confidential character.*

23 (8) *UNITED STATES MARSHALS SERVICE.*—*For*
24 *the United States Marshals Service: \$832,265,000.*

1 (9) *FEDERAL PRISON SYSTEM.*—*For the Federal*
2 *Prison System, including the National Institute of*
3 *Corrections: \$5,268,391,000.*

4 (10) *DRUG ENFORCEMENT ADMINISTRATION.*—
5 *For the Drug Enforcement Administration:*
6 *\$1,784,820,000, which shall include not to exceed*
7 *\$70,000 to meet unforeseen emergencies of a confiden-*
8 *tial character.*

9 (11) *BUREAU OF ALCOHOL, TOBACCO, FIREARMS*
10 *AND EXPLOSIVES.*—*For the Bureau of Alcohol, To-*
11 *bacco, Firearms and Explosives: \$960,558,000.*

12 (12) *FEEES AND EXPENSES OF WITNESSES.*—*For*
13 *Fees and Expenses of Witnesses: \$188,382,000, which*
14 *shall include not to exceed \$8,000,000 for construction*
15 *of protected witness safesites.*

16 (13) *INTERAGENCY CRIME AND DRUG ENFORCE-*
17 *MENT.*—*For Interagency Crime and Drug Enforce-*
18 *ment: \$688,418,000, for expenses not otherwise pro-*
19 *vided for, for the investigation and prosecution of per-*
20 *sons involved in organized crime drug trafficking, ex-*
21 *cept that any funds obligated from appropriations*
22 *authorized by this paragraph may be used under au-*
23 *thorities available to the organizations reimbursed*
24 *from such funds.*

1 (14) *FOREIGN CLAIMS SETTLEMENT COMMIS-*
2 *SION.—For the Foreign Claims Settlement Commis-*
3 *sion: \$1,321,000.*

4 (15) *COMMUNITY RELATIONS SERVICE.—For the*
5 *Community Relations Service: \$10,149,000.*

6 (16) *ASSETS FORFEITURE FUND.—For the Assets*
7 *Forfeiture Fund: \$22,000,000 for expenses authorized*
8 *by section 524 of title 28, United States Code.*

9 (17) *UNITED STATES PAROLE COMMISSION.—For*
10 *the United States Parole Commission: \$11,752,000.*

11 (18) *FEDERAL DETENTION TRUSTEE.—For the*
12 *necessary expenses of the Federal Detention Trustee:*
13 *\$1,405,300,000.*

14 (19) *JUSTICE INFORMATION SHARING TECH-*
15 *NOLOGY.—For necessary expenses for information*
16 *sharing technology, including planning, development,*
17 *and deployment: \$188,750,000.*

18 (20) *NARROWBAND COMMUNICATIONS.—For the*
19 *costs of conversion to narrowband communications,*
20 *including the cost for operation and maintenance of*
21 *Land Mobile Radio legacy systems: \$133,849,000.*

22 (21) *ADMINISTRATIVE EXPENSES FOR CERTAIN*
23 *ACTIVITIES.—For the administrative expenses of the*
24 *Office of Justice Programs, the Office on Violence*

1 *Against Women, and the Office of Community Ori-*
2 *ented Policing Services:*

3 (A) \$125,949,000 for the Office of Justice
4 Programs.

5 (B) \$15,600,000 for the Office on Violence
6 Against Women.

7 (C) \$32,597,000 for the Office of Commu-
8 nity Oriented Policing Services.

9 **SEC. 1103. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
10 **CAL YEAR 2008.**

11 *There are authorized to be appropriated for fiscal year*
12 *2008, to carry out the activities of the Department of Jus-*
13 *tice (including any bureau, office, board, division, commis-*
14 *sion, subdivision, unit, or other component thereof), the fol-*
15 *lowing sums:*

16 (1) *GENERAL ADMINISTRATION.—For General*
17 *Administration: \$174,578,000.*

18 (2) *ADMINISTRATIVE REVIEW AND APPEALS.—*
19 *For Administrative Review and Appeals:*
20 *\$233,934,000 for administration of clemency petitions*
21 *and for immigration-related activities.*

22 (3) *OFFICE OF INSPECTOR GENERAL.—For the*
23 *Office of Inspector General: \$78,771,000, which shall*
24 *include not to exceed \$10,000 to meet unforeseen*
25 *emergencies of a confidential character.*

1 (4) *GENERAL LEGAL ACTIVITIES.*—*For General*
2 *Legal Activities: \$735,121,000, which shall include—*

3 (A) *not less than \$4,000,000 for the inves-*
4 *tigation and prosecution of denaturalization and*
5 *deportation cases involving alleged Nazi war*
6 *criminals;*

7 (B) *not less than \$16,224,000 for the inves-*
8 *tigation and prosecution of violations of title 17*
9 *of the United States Code;*

10 (C) *not to exceed \$20,000 to meet unforeseen*
11 *emergencies of a confidential character; and*

12 (D) *\$5,000,000 for the investigation and*
13 *prosecution of violations of chapter 77 of title 18*
14 *of the United States Code.*

15 (5) *ANTITRUST DIVISION.*—*For the Antitrust Di-*
16 *vision: \$156,238,000.*

17 (6) *UNITED STATES ATTORNEYS.*—*For United*
18 *States Attorneys: \$1,758,840,000.*

19 (7) *FEDERAL BUREAU OF INVESTIGATION.*—*For*
20 *the Federal Bureau of Investigation: \$6,231,354,000,*
21 *which shall include not to exceed \$70,000 to meet un-*
22 *foreseen emergencies of a confidential character.*

23 (8) *UNITED STATES MARSHALS SERVICE.*—*For*
24 *the United States Marshals Service: \$865,556,000.*

1 (9) *FEDERAL PRISON SYSTEM.*—*For the Federal*
2 *Prison System, including the National Institute of*
3 *Corrections: \$5,479,127,000.*

4 (10) *DRUG ENFORCEMENT ADMINISTRATION.*—
5 *For the Drug Enforcement Administration:*
6 *\$1,856,213,000, which shall include not to exceed*
7 *\$70,000 to meet unforeseen emergencies of a confiden-*
8 *tial character.*

9 (11) *BUREAU OF ALCOHOL, TOBACCO, FIREARMS*
10 *AND EXPLOSIVES.*—*For the Bureau of Alcohol, To-*
11 *bacco, Firearms and Explosives: \$998,980,000.*

12 (12) *FEEES AND EXPENSES OF WITNESSES.*—*For*
13 *Fees and Expenses of Witnesses: \$195,918,000, which*
14 *shall include not to exceed \$8,000,000 for construction*
15 *of protected witness safesites.*

16 (13) *INTERAGENCY CRIME AND DRUG ENFORCE-*
17 *MENT.*—*For Interagency Crime and Drug Enforce-*
18 *ment: \$715,955,000, for expenses not otherwise pro-*
19 *vided for, for the investigation and prosecution of per-*
20 *sons involved in organized crime drug trafficking, ex-*
21 *cept that any funds obligated from appropriations*
22 *authorized by this paragraph may be used under au-*
23 *thorities available to the organizations reimbursed*
24 *from such funds.*

1 (14) *FOREIGN CLAIMS SETTLEMENT COMMIS-*
2 *SION.—For the Foreign Claims Settlement Commis-*
3 *sion: \$1,374,000.*

4 (15) *COMMUNITY RELATIONS SERVICE.—For the*
5 *Community Relations Service: \$10,555,000.*

6 (16) *ASSETS FORFEITURE FUND.—For the Assets*
7 *Forfeiture Fund: \$22,000,000 for expenses authorized*
8 *by section 524 of title 28, United States Code.*

9 (17) *UNITED STATES PAROLE COMMISSION.—For*
10 *the United States Parole Commission: \$12,222,000.*

11 (18) *FEDERAL DETENTION TRUSTEE.—For the*
12 *necessary expenses of the Federal Detention Trustee:*
13 *\$1,616,095,000.*

14 (19) *JUSTICE INFORMATION SHARING TECH-*
15 *NOLOGY.—For necessary expenses for information*
16 *sharing technology, including planning, development,*
17 *and deployment: \$196,300,000.*

18 (20) *NARROWBAND COMMUNICATIONS.—For the*
19 *costs of conversion to narrowband communications,*
20 *including the cost for operation and maintenance of*
21 *Land Mobile Radio legacy systems: \$139,203,000.*

22 (21) *ADMINISTRATIVE EXPENSES FOR CERTAIN*
23 *ACTIVITIES.—For the administrative expenses of the*
24 *Office of Justice Programs, the Office on Violence*

1 *Against Women, and the Office of Community Ori-*
2 *ented Policing Services:*

3 (A) \$130,987,000 for the Office of Justice
4 Programs.

5 (B) \$16,224,000 for the Office on Violence
6 Against Women.

7 (C) \$33,901,000 for the Office of Commu-
8 nity Oriented Policing Services.

9 **SEC. 1104. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
10 **CAL YEAR 2009.**

11 *There are authorized to be appropriated for fiscal year*
12 *2009, to carry out the activities of the Department of Jus-*
13 *tice (including any bureau, office, board, division, commis-*
14 *sion, subdivision, unit, or other component thereof), the fol-*
15 *lowing sums:*

16 (1) *GENERAL ADMINISTRATION.—For General*
17 *Administration: \$181,561,000.*

18 (2) *ADMINISTRATIVE REVIEW AND APPEALS.—*
19 *For Administrative Review and Appeals:*
20 *\$243,291,000 for administration of pardon and clem-*
21 *ency petitions and for immigration-related activities.*

22 (3) *OFFICE OF INSPECTOR GENERAL.—For the*
23 *Office of Inspector General: \$81,922,000, which shall*
24 *include not to exceed \$10,000 to meet unforeseen*
25 *emergencies of a confidential character.*

1 (4) *GENERAL LEGAL ACTIVITIES.*—*For General*
2 *Legal Activities: \$764,526,000, which shall include—*

3 (A) *not less than \$4,000,000 for the inves-*
4 *tigation and prosecution of denaturalization and*
5 *deportation cases involving alleged Nazi war*
6 *criminals;*

7 (B) *not less than \$16,872,000 for the inves-*
8 *tigation and prosecution of violations of title 17*
9 *of the United States Code;*

10 (C) *not to exceed \$20,000 to meet unforeseen*
11 *emergencies of a confidential character; and*

12 (D) *\$5,000,000 for the investigation and*
13 *prosecution of violations of chapter 77 of title 18*
14 *of the United States Code.*

15 (5) *ANTITRUST DIVISION.*—*For the Antitrust Di-*
16 *vision: \$162,488,000.*

17 (6) *UNITED STATES ATTORNEYS.*—*For United*
18 *States Attorneys: \$1,829,194,000.*

19 (7) *FEDERAL BUREAU OF INVESTIGATION.*—*For*
20 *the Federal Bureau of Investigation: \$6,480,608,000,*
21 *which shall include not to exceed \$70,000 to meet un-*
22 *foreseen emergencies of a confidential character.*

23 (8) *UNITED STATES MARSHALS SERVICE.*—*For*
24 *the United States Marshals Service: \$900,178,000.*

1 (9) *FEDERAL PRISON SYSTEM.*—*For the Federal*
2 *Prison System, including the National Institute of*
3 *Corrections: \$5,698,292,000.*

4 (10) *DRUG ENFORCEMENT ADMINISTRATION.*—
5 *For the Drug Enforcement Administration:*
6 *\$1,930,462,000, which shall include not to exceed*
7 *\$70,000 to meet unforeseen emergencies of a confiden-*
8 *tial character.*

9 (11) *BUREAU OF ALCOHOL, TOBACCO, FIREARMS*
10 *AND EXPLOSIVES.*—*For the Bureau of Alcohol, To-*
11 *bacco, Firearms and Explosives: \$1,038,939,000.*

12 (12) *FEEES AND EXPENSES OF WITNESSES.*—*For*
13 *Fees and Expenses of Witnesses: \$203,755,000, which*
14 *shall include not to exceed \$8,000,000 for construction*
15 *of protected witness safesites.*

16 (13) *INTERAGENCY CRIME AND DRUG ENFORCE-*
17 *MENT.*—*For Interagency Crime and Drug Enforce-*
18 *ment: \$744,593,000, for expenses not otherwise pro-*
19 *vided for, for the investigation and prosecution of per-*
20 *sons involved in organized crime drug trafficking, ex-*
21 *cept that any funds obligated from appropriations*
22 *authorized by this paragraph may be used under au-*
23 *thorities available to the organizations reimbursed*
24 *from such funds.*

1 (14) *FOREIGN CLAIMS SETTLEMENT COMMIS-*
2 *SION.—For the Foreign Claims Settlement Commis-*
3 *sion: \$1,429,000.*

4 (15) *COMMUNITY RELATIONS SERVICE.—For the*
5 *Community Relations Service: \$10,977,000.*

6 (16) *ASSETS FORFEITURE FUND.—For the Assets*
7 *Forfeiture Fund: \$22,000,000 for expenses authorized*
8 *by section 524 of title 28, United States Code.*

9 (17) *UNITED STATES PAROLE COMMISSION.—For*
10 *the United States Parole Commission: \$12,711,000.*

11 (18) *FEDERAL DETENTION TRUSTEE.—For the*
12 *necessary expenses of the Federal Detention Trustee:*
13 *\$1,858,509,000.*

14 (19) *JUSTICE INFORMATION SHARING TECH-*
15 *NOLOGY.—For necessary expenses for information*
16 *sharing technology, including planning, development,*
17 *and deployment: \$204,152,000.*

18 (20) *NARROWBAND COMMUNICATIONS.—For the*
19 *costs of conversion to narrowband communications,*
20 *including the cost for operation and maintenance of*
21 *Land Mobile Radio legacy systems: \$144,771,000.*

22 (21) *ADMINISTRATIVE EXPENSES FOR CERTAIN*
23 *ACTIVITIES.—For the administrative expenses of the*
24 *Office of Justice Programs, the Office on Violence*

1 *Against Women, and the Office of Community Ori-*
2 *ented Policing Services:*

3 (A) \$132,226,000 for the Office of Justice
4 *Programs.*

5 (B) \$16,837,000 for the Office on Violence
6 *Against Women.*

7 (C) \$35,257,000 for the Office of Commu-
8 *nity Oriented Policing Services.*

9 **SEC. 1105. ORGANIZED RETAIL THEFT.**

10 (a) *NATIONAL DATA.*—(1) *The Attorney General and*
11 *the Federal Bureau of Investigation, in consultation with*
12 *the retail community, shall establish a task force to combat*
13 *organized retail theft and provide expertise to the retail*
14 *community for the establishment of a national database or*
15 *clearinghouse housed and maintained in the private sector*
16 *to track and identify where organized retail theft type*
17 *crimes are being committed in the United States. The na-*
18 *tional database shall allow Federal, State, and local law*
19 *enforcement officials as well as authorized retail companies*
20 *(and authorized associated retail databases) to transmit in-*
21 *formation into the database electronically and to review in-*
22 *formation that has been submitted electronically.*

23 (2) *The Attorney General shall make available funds*
24 *to provide for the ongoing administrative and technological*

1 *costs to federal law enforcement agencies participating in*
2 *the database project.*

3 (3) *The Attorney General through the Bureau of Jus-*
4 *tice Assistance in the Office of Justice may make grants*
5 *to help provide for the administrative and technological*
6 *costs to State and local law enforcement agencies partici-*
7 *pating in the data base project.*

8 (b) *AUTHORIZATION OF APPROPRIATIONS.—There is*
9 *authorized to be appropriated for each of fiscal years 2006*
10 *through 2009, \$5,000,000 for educating and training fed-*
11 *eral law enforcement regarding organized retail theft, for*
12 *investigating, apprehending and prosecuting individuals*
13 *engaged in organized retail theft, and for working with the*
14 *private sector to establish and utilize the database described*
15 *in subsection (a).*

16 (c) *DEFINITION OF ORGANIZED RETAIL THEFT.—For*
17 *purposes of this section, “organized retail theft” means—*

18 (1) *the violation of a State prohibition on retail*
19 *merchandise theft or shoplifting, if the violation con-*
20 *sists of the theft of quantities of items that would not*
21 *normally be purchased for personal use or consump-*
22 *tion and for the purpose of reselling the items or for*
23 *reentering the items into commerce;*

24 (2) *the receipt, possession, concealment, bar-*
25 *tering, sale, transport, or disposal of any property*

1 *that is know or should be known to have been taken*
2 *in violation of paragraph (1); or*

3 *(3) the coordination, organization, or recruit-*
4 *ment of persons to undertake the conduct described in*
5 *paragraph (1) or (2).*

6 **SEC. 1106. UNITED STATES-MEXICO BORDER VIOLENCE**
7 **TASK FORCE.**

8 *(a) TASK FORCE.—(1) The Attorney General shall es-*
9 *tablish the United States-Mexico Border Violence Task*
10 *Force in Laredo, Texas, to combat drug and firearms traf-*
11 *ficking, violence, and kidnapping along the border between*
12 *the United States and Mexico and to provide expertise to*
13 *the law enforcement and homeland security agencies along*
14 *the border between the United States and Mexico. The Task*
15 *Force shall include personnel from the Bureau of Alcohol,*
16 *Tobacco, Firearms, and Explosives, Immigration and Cus-*
17 *toms Enforcement, the Drug Enforcement Administration,*
18 *Customs and Border Protection, other Federal agencies (as*
19 *appropriate), the Texas Department of Public Safety, and*
20 *local law enforcement agencies.*

21 *(2) The Attorney General shall make available funds*
22 *to provide for the ongoing administrative and technological*
23 *costs to Federal, State, and local law enforcement agencies*
24 *participating in the Task Force.*

1 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
2 *authorized to be appropriated \$10,000,000 for each of the*
3 *fiscal years 2006 through 2009, for—*

4 (1) *the establishment and operation of the*
5 *United States-Mexico Border Violence Task Force;*
6 *and*

7 (2) *the investigation, apprehension, and prosecu-*
8 *tion of individuals engaged in drug and firearms*
9 *trafficking, violence, and kidnapping along the border*
10 *between the United States and Mexico.*

11 **SEC. 1107. NATIONAL GANG INTELLIGENCE CENTER.**

12 (a) *ESTABLISHMENT.*—*The Attorney General shall es-*
13 *tablish a National Gang Intelligence Center and gang infor-*
14 *mation database to be housed at and administered by the*
15 *Federal Bureau of Investigation to collect, analyze, and dis-*
16 *seminate gang activity information from—*

17 (1) *the Federal Bureau of Investigation;*

18 (2) *the Bureau of Alcohol, Tobacco, Firearms,*
19 *and Explosives;*

20 (3) *the Drug Enforcement Administration;*

21 (4) *the Bureau of Prisons;*

22 (5) *the United States Marshals Service;*

23 (6) *the Directorate of Border and Transportation*
24 *Security of the Department of Homeland Security;*

1 (7) *the Department of Housing and Urban De-*
2 *velopment;*

3 (8) *State and local law enforcement;*

4 (9) *Federal, State, and local prosecutors;*

5 (10) *Federal, State, and local probation and pa-*
6 *role offices;*

7 (11) *Federal, State, and local prisons and jails;*
8 *and*

9 (12) *any other entity as appropriate.*

10 (b) *INFORMATION.*—*The Center established under sub-*
11 *section (a) shall make available the information referred to*
12 *in subsection (a) to—*

13 (1) *Federal, State, and local law enforcement*
14 *agencies;*

15 (2) *Federal, State, and local corrections agencies*
16 *and penal institutions;*

17 (3) *Federal, State, and local prosecutorial agen-*
18 *cies; and*

19 (4) *any other entity as appropriate.*

20 (c) *ANNUAL REPORT.*—*The Center established under*
21 *subsection (a) shall annually submit to Congress a report*
22 *on gang activity.*

23 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
24 *authorized to be appropriated to carry out this section*

1 \$10,000,000 for fiscal year 2006 and for each fiscal year
2 thereafter.

3 **Subtitle B—IMPROVING THE DE-**
4 **PARTMENT OF JUSTICE’S**
5 **GRANT PROGRAMS**

6 **CHAPTER 1—ASSISTING LAW ENFORCE-**
7 **MENT AND CRIMINAL JUSTICE AGEN-**
8 **CIES**

9 **SEC. 1111. MERGER OF BYRNE GRANT PROGRAM AND**
10 **LOCAL LAW ENFORCEMENT BLOCK GRANT**
11 **PROGRAM.**

12 (a) *IN GENERAL.*—Part E of title I of the Omnibus
13 Crime Control and Safe Streets Act of 1968 is amended
14 as follows:

15 (1) Subpart 1 of such part (42 U.S.C. 3751–
16 3759) is repealed.

17 (2) Such part is further amended—

18 (A) by inserting before section 500 (42
19 U.S.C. 3750) the following new heading:

20 **“Subpart 1—Edward Byrne Memorial Justice**
21 **Assistance Grant Program”;**

22 (B) by amending section 500 to read as fol-
23 lows:

1 **“SEC. 500. NAME OF PROGRAM.**

2 “(a) *IN GENERAL.*—*The grant program established*
3 *under this subpart shall be known as the ‘Edward Byrne*
4 *Memorial Justice Assistance Grant Program’.*

5 “(b) *REFERENCES TO FORMER PROGRAMS.*—(1) *Any*
6 *reference in a law, regulation, document, paper, or other*
7 *record of the United States to the Edward Byrne Memorial*
8 *State and Local Law Enforcement Assistance Programs, or*
9 *to the Local Government Law Enforcement Block Grants*
10 *program, shall be deemed to be a reference to the grant pro-*
11 *gram referred to in subsection (a).*

12 “(2) *Any reference in a law, regulation, document,*
13 *paper, or other record of the United States to section 506*
14 *of this Act as such section was in effect on the date of the*
15 *enactment of the Department of Justice Appropriations Au-*
16 *thorization Act, Fiscal Years 2006 through 2009, shall be*
17 *deemed to be a reference to section 505(a) of this Act as*
18 *amended by the Department of Justice Appropriations Au-*
19 *thorization Act, Fiscal Years 2006 through 2009.”; and*

20 (C) *by inserting after section 500 the fol-*
21 *lowing new sections:*

22 **“SEC. 501. DESCRIPTION.**

23 “(a) *GRANTS AUTHORIZED.*—

24 “(1) *IN GENERAL.*—*From amounts made avail-*
25 *able to carry out this subpart, the Attorney General*
26 *may, in accordance with the formula established*

1 *under section 505, make grants to States and units*
2 *of local government, for use by the State or unit of*
3 *local government to provide additional personnel,*
4 *equipment, supplies, contractual support, training,*
5 *technical assistance, and information systems for*
6 *criminal justice, including for any one or more of the*
7 *following programs:*

8 *“(A) Law enforcement programs.*

9 *“(B) Prosecution and court programs.*

10 *“(C) Prevention and education programs.*

11 *“(D) Corrections and community correc-*
12 *tions programs.*

13 *“(E) Drug treatment and enforcement pro-*
14 *grams.*

15 *“(F) Planning, evaluation, and technology*
16 *improvement programs.*

17 *“(G) Crime victim and witness programs*
18 *(other than compensation).*

19 *“(2) RULE OF CONSTRUCTION.—Paragraph (1)*
20 *shall be construed to ensure that a grant under that*
21 *paragraph may be used for any purpose for which a*
22 *grant was authorized to be used under either or both*
23 *of the programs specified in section 500(b), as those*
24 *programs were in effect immediately before the enact-*
25 *ment of this paragraph.*

1 “(b) *CONTRACTS AND SUBAWARDS.*—A State or unit
2 of local government may, in using a grant under this sub-
3 part for purposes authorized by subsection (a), use all or
4 a portion of that grant to contract with or make one or
5 more subawards to one or more—

6 “(1) *neighborhood or community-based organiza-*
7 *tions that are private and nonprofit;*

8 “(2) *units of local government; or*

9 “(3) *tribal governments.*

10 “(c) *PROGRAM ASSESSMENT COMPONENT; WAIVER.*—

11 “(1) *Each program funded under this subpart*
12 *shall contain a program assessment component, devel-*
13 *oped pursuant to guidelines established by the Attor-*
14 *ney General, in coordination with the National Insti-*
15 *tute of Justice.*

16 “(2) *The Attorney General may waive the re-*
17 *quirement of paragraph (1) with respect to a program*
18 *if, in the opinion of the Attorney General, the pro-*
19 *gram is not of sufficient size to justify a full program*
20 *assessment.*

21 “(d) *PROHIBITED USES.*—*Notwithstanding any other*
22 *provision of this Act, no funds provided under this subpart*
23 *may be used, directly or indirectly, to provide any of the*
24 *following matters:*

1 “(1) *Any security enhancements or any equip-*
2 *ment to any nongovernmental entity that is not en-*
3 *gaged in criminal justice or public safety.*

4 “(2) *Unless the Attorney General certifies that*
5 *extraordinary and exigent circumstances exist that*
6 *make the use of such funds to provide such matters*
7 *essential to the maintenance of public safety and good*
8 *order—*

9 “(A) *vehicles (excluding police cruisers),*
10 *vessels (excluding police boats), or aircraft (ex-*
11 *cluding police helicopters);*

12 “(B) *luxury items;*

13 “(C) *real estate;*

14 “(D) *construction projects (other than penal*
15 *or correctional institutions); or*

16 “(E) *any similar matters.*

17 “(e) *ADMINISTRATIVE COSTS.—Not more than 10 per-*
18 *cent of a grant made under this subpart may be used for*
19 *costs incurred to administer such grant.*

20 “(f) *PERIOD.—The period of a grant made under this*
21 *subpart shall be four years, except that renewals and exten-*
22 *sions beyond that period may be granted at the discretion*
23 *of the Attorney General.*

24 “(g) *RULE OF CONSTRUCTION.—Subparagraph (d)(1)*
25 *shall not be construed to prohibit the use, directly or indi-*

1 *rectly, of funds provided under this subpart to provide secu-*
2 *rity at a public event, such as a political convention or*
3 *major sports event, so long as such security is provided*
4 *under applicable laws and procedures.*

5 **“SEC. 502. APPLICATIONS.**

6 *“To request a grant under this subpart, the chief execu-*
7 *tive officer of a State or unit of local government shall sub-*
8 *mit an application to the Attorney General within 90 days*
9 *after the date on which funds to carry out this subpart are*
10 *appropriated for a fiscal year, in such form as the Attorney*
11 *General may require. Such application shall include the fol-*
12 *lowing:*

13 *“(1) A certification that Federal funds made*
14 *available under this subpart will not be used to sup-*
15 *plant State or local funds, but will be used to increase*
16 *the amounts of such funds that would, in the absence*
17 *of Federal funds, be made available for law enforce-*
18 *ment activities.*

19 *“(2) An assurance that, not fewer than 30 days*
20 *before the application (or any amendment to the ap-*
21 *plication) was submitted to the Attorney General, the*
22 *application (or amendment) was submitted for review*
23 *to the governing body of the State or unit of local gov-*
24 *ernment (or to an organization designated by that*
25 *governing body).*

1 “(3) *An assurance that, before the application*
2 *(or any amendment to the application) was submitted*
3 *to the Attorney General—*

4 “(A) *the application (or amendment) was*
5 *made public; and*

6 “(B) *an opportunity to comment on the ap-*
7 *plication (or amendment) was provided to citi-*
8 *zens and to neighborhood or community-based*
9 *organizations, to the extent applicable law or es-*
10 *tablished procedure makes such an opportunity*
11 *available.*

12 “(4) *An assurance that, for each fiscal year cov-*
13 *ered by an application, the applicant shall maintain*
14 *and report such data, records, and information (pro-*
15 *grammatic and financial) as the Attorney General*
16 *may reasonably require.*

17 “(5) *A certification, made in a form acceptable*
18 *to the Attorney General and executed by the chief ex-*
19 *ecutive officer of the applicant (or by another officer*
20 *of the applicant, if qualified under regulations pro-*
21 *mulgated by the Attorney General), that—*

22 “(A) *the programs to be funded by the grant*
23 *meet all the requirements of this subpart;*

24 “(B) *all the information contained in the*
25 *application is correct;*

1 “(C) there has been appropriate coordina-
2 tion with affected agencies; and

3 “(D) the applicant will comply with all
4 provisions of this subpart and all other applica-
5 ble Federal laws.

6 **“SEC. 503. REVIEW OF APPLICATIONS.**

7 “The Attorney General shall not finally disapprove
8 any application (or any amendment to that application)
9 submitted under this subpart without first affording the ap-
10 plicant reasonable notice of any deficiencies in the applica-
11 tion and opportunity for correction and reconsideration.

12 **“SEC. 504. RULES.**

13 “The Attorney General shall issue rules to carry out
14 this subpart. The first such rules shall be issued not later
15 than one year after the date on which amounts are first
16 made available to carry out this subpart.

17 **“SEC. 505. FORMULA.**

18 “(a) ALLOCATION AMONG STATES.—

19 “(1) IN GENERAL.—Of the total amount appro-
20 priated for this subpart, the Attorney General shall,
21 except as provided in paragraph (2), allocate—

22 “(A) 50 percent of such remaining amount
23 to each State in amounts that bear the same
24 ratio of—

1 “(i) the total population of a State
2 to—

3 “(ii) the total population of the United
4 States; and

5 “(B) 50 percent of such remaining amount
6 to each State in amounts that bear the same
7 ratio of—

8 “(i) the average annual number of part
9 1 violent crimes of the Uniform Crime Re-
10 ports of the Federal Bureau of Investigation
11 reported by such State for the three most re-
12 cent years reported by such State to—

13 “(ii) the average annual number of
14 such crimes reported by all States for such
15 years.

16 “(2) *MINIMUM ALLOCATION.*—If carrying out
17 paragraph (1) would result in any State receiving an
18 allocation less than 0.25 percent of the total amount
19 (in this paragraph referred to as a ‘minimum alloca-
20 tion State’), then paragraph (1), as so carried out,
21 shall not apply, and the Attorney General shall
22 instead—

23 “(A) allocate 0.25 percent of the total
24 amount to each State; and

1 “(B) using the amount remaining after car-
2 rying out subparagraph (A), carry out para-
3 graph (1) in a manner that excludes each min-
4 imum allocation State, including the population
5 of and the crimes reported by such State.

6 “(b) *ALLOCATION BETWEEN STATES AND UNITS OF*
7 *LOCAL GOVERNMENT.*—Of the amounts allocated under
8 *subsection (a)*—

9 “(1) 60 percent shall be for direct grants to
10 States, to be allocated under subsection (c); and

11 “(2) 40 percent shall be for grants to be allocated
12 under subsection (d).

13 “(c) *ALLOCATION FOR STATE GOVERNMENTS.*—

14 “(1) *IN GENERAL.*—Of the amounts allocated
15 under subsection (b)(1), each State may retain for the
16 purposes described in section 501 an amount that
17 bears the same ratio of—

18 “(A) total expenditures on criminal justice
19 by the State government in the most recently
20 completed fiscal year to—

21 “(B) the total expenditure on criminal jus-
22 tice by the State government and units of local
23 government within the State in such year.

24 “(2) *REMAINING AMOUNTS.*—Except as provided
25 in subsection (e)(1), any amounts remaining after the

1 *allocation required by paragraph (1) shall be made*
2 *available to units of local government by the State for*
3 *the purposes described in section 501.*

4 “(d) *ALLOCATIONS TO LOCAL GOVERNMENTS.*—

5 “(1) *IN GENERAL.*—*Of the amounts allocated*
6 *under subsection (b)(2), grants for the purposes de-*
7 *scribed in section 501 shall be made directly to units*
8 *of local government within each State in accordance*
9 *with this subsection, subject to subsection (e).*

10 “(2) *ALLOCATION.*—

11 “(A) *IN GENERAL.*—*From the amounts re-*
12 *ferred to in paragraph (1) with respect to a*
13 *State (in this subsection referred to as the ‘local*
14 *amount’), the Attorney General shall allocate to*
15 *each unit of local government an amount which*
16 *bears the same ratio to such share as the average*
17 *annual number of part 1 violent crimes reported*
18 *by such unit to the Federal Bureau of Investiga-*
19 *tion for the 3 most recent calendar years for*
20 *which such data is available bears to the number*
21 *of part 1 violent crimes reported by all units of*
22 *local government in the State in which the unit*
23 *is located to the Federal Bureau of Investigation*
24 *for such years.*

1 “(B) *TRANSITIONAL RULE.*—Notwith-
2 standing subparagraph (A), for fiscal years
3 2006, 2007, and 2008, the Attorney General shall
4 allocate the local amount to units of local gov-
5 ernment in the same manner that, under the
6 Local Government Law Enforcement Block
7 Grants program in effect immediately before the
8 date of the enactment of this section, the reserved
9 amount was allocated among reporting and non-
10 reporting units of local government.

11 “(3) *ANNEXED UNITS.*—If a unit of local govern-
12 ment in the State has been annexed since the date of
13 the collection of the data used by the Attorney General
14 in making allocations pursuant to this section, the
15 Attorney General shall pay the amount that would
16 have been allocated to such unit of local government
17 to the unit of local government that annexed it.

18 “(4) *RESOLUTION OF DISPARATE ALLOCA-*
19 *TIONS.*—(A) Notwithstanding any other provision of
20 this subpart, if—

21 “(i) the Attorney General certifies that a
22 unit of local government bears more than 50 per-
23 cent of the costs of prosecution or incarceration
24 that arise with respect to part 1 violent crimes

1 *reported by a specified geographically con-*
2 *stituent unit of local government; and*

3 “(i) *but for this paragraph, the amount of*
4 *funds allocated under this section to—*

5 “(I) *any one such specified geographi-*
6 *cally constituent unit of local government*
7 *exceeds 150 percent of the amount allocated*
8 *to the unit of local government certified*
9 *pursuant to clause (i); or*

10 “(II) *more than one such specified geo-*
11 *graphically constituent unit of local govern-*
12 *ment exceeds 400 percent of the amount al-*
13 *located to the unit of local government cer-*
14 *tified pursuant to clause (i),*

15 *then in order to qualify for payment under this sub-*
16 *section, the unit of local government certified pursu-*
17 *ant to clause (i), together with any such specified geo-*
18 *graphically constituent units of local government de-*
19 *scribed in clause (ii), shall submit to the Attorney*
20 *General a joint application for the aggregate of funds*
21 *allocated to such units of local government. Such ap-*
22 *plication shall specify the amount of such funds that*
23 *are to be distributed to each of the units of local gov-*
24 *ernment and the purposes for which such funds are*
25 *to be used. The units of local government involved*

1 *may establish a joint local advisory board for the*
2 *purposes of carrying out this paragraph.*

3 *“(B) In this paragraph, the term ‘geographically*
4 *constituent unit of local government’ means a unit of*
5 *local government that has jurisdiction over areas lo-*
6 *cated within the boundaries of an area over which a*
7 *unit of local government certified pursuant to clause*
8 *(i) has jurisdiction.*

9 *“(e) LIMITATION ON ALLOCATIONS TO UNITS OF*
10 *LOCAL GOVERNMENT.—*

11 *“(1) MAXIMUM ALLOCATION.—No unit of local*
12 *government shall receive a total allocation under this*
13 *section that exceeds such unit’s total expenditures on*
14 *criminal justice services for the most recently com-*
15 *pleted fiscal year for which data are available. Any*
16 *amount in excess of such total expenditures shall be*
17 *allocated proportionally among units of local govern-*
18 *ment whose allocations under this section do not ex-*
19 *ceed their total expenditures on such services.*

20 *“(2) ALLOCATIONS UNDER \$10,000.—If the alloca-*
21 *tion under this section to a unit of local government*
22 *is less than \$10,000 for any fiscal year, the direct*
23 *grant to the State under subsection (c) shall be in-*
24 *creased by the amount of such allocation, to be dis-*
25 *tributed (for the purposes described in section 501)*

1 among State police departments that provide crimi-
2 nal justice services to units of local government and
3 units of local government whose allocation under this
4 section is less than \$10,000.

5 “(3) *NON-REPORTING UNITS.*—No allocation
6 under this section shall be made to a unit of local
7 government that has not reported at least three years
8 of data on part 1 violent crimes of the Uniform
9 Crime Reports to the Federal Bureau of Investigation
10 within the immediately preceding 10 years.

11 “(f) *FUNDS NOT USED BY THE STATE.*—If the Attor-
12 ney General determines, on the basis of information avail-
13 able during any grant period, that any allocation (or por-
14 tion thereof) under this section to a State for such grant
15 period will not be required, or that a State will be unable
16 to qualify or receive funds under this subpart, or that a
17 State chooses not to participate in the program established
18 under this subpart, then such State’s allocation (or portion
19 thereof) shall be awarded by the Attorney General to units
20 of local government, or combinations thereof, within such
21 State, giving priority to those jurisdictions with the highest
22 annual number of part 1 violent crimes of the Uniform
23 Crime Reports reported by the unit of local government to
24 the Federal Bureau of Investigation for the three most re-
25 cent calendar years for which such data are available.

1 “(g) *SPECIAL RULES FOR PUERTO RICO.*—

2 “(1) *ALL FUNDS SET ASIDE FOR COMMON-*
3 *WEALTH GOVERNMENT.*—*Notwithstanding any other*
4 *provision of this subpart, the amounts allocated under*
5 *subsection (a) to Puerto Rico, 100 percent shall be for*
6 *direct grants to the Commonwealth government of*
7 *Puerto Rico.*

8 “(2) *NO LOCAL ALLOCATIONS.*—*Subsections (c)*
9 *and (d) shall not apply to Puerto Rico.*

10 “(h) *UNITS OF LOCAL GOVERNMENT IN LOUISIANA.*—
11 *In carrying out this section with respect to the State of Lou-*
12 *isiana, the term ‘unit of local government’ means a district*
13 *attorney or a parish sheriff.*

14 “**SEC. 506. RESERVED FUNDS.**

15 “(a) *Of the total amount made available to carry out*
16 *this subpart for a fiscal year, the Attorney General shall*
17 *reserve not more than—*

18 “(1) *\$20,000,000, for use by the National Insti-*
19 *tute of Justice in assisting units of local government*
20 *to identify, select, develop, modernize, and purchase*
21 *new technologies for use by law enforcement, of which*
22 *\$1,000,000 shall be for use by the Bureau of Justice*
23 *Statistics to collect data necessary for carrying out*
24 *this subpart; and*

1 “(2) \$20,000,000, to be granted by the Attorney
2 General to States and units of local government to de-
3 velop and implement antiterrorism training pro-
4 grams.

5 “(b) Of the total amount made available to carry out
6 this subpart for a fiscal year, the Attorney General may
7 reserve not more than 5 percent, to be granted to 1 or more
8 States or units of local government, for 1 or more of the
9 purposes specified in section 501, pursuant to his deter-
10 mination that the same is necessary—

11 “(1) to combat, address, or otherwise respond to
12 precipitous or extraordinary increases in crime, or in
13 a type or types of crime; or

14 “(2) to prevent, compensate for, or mitigate sig-
15 nificant programmatic harm resulting from operation
16 of the formula established under section 505.

17 **“SEC. 507. INTEREST-BEARING TRUST FUNDS.**

18 “(a) *TRUST FUND REQUIRED.*—A State or unit of
19 local government shall establish a trust fund in which to
20 deposit amounts received under this subpart.

21 “(b) *EXPENDITURES.*—

22 “(1) *IN GENERAL.*—Each amount received under
23 this subpart (including interest on such amount) shall
24 be expended before the date on which the grant period
25 expires.

1 “(2) *REPAYMENT.*—A State or unit of local gov-
2 *ernment that fails to expend an entire amount (in-*
3 *cluding interest on such amount) as required by*
4 *paragraph (1) shall repay the unexpended portion to*
5 *the Attorney General not later than 3 months after*
6 *the date on which the grant period expires.*

7 “(3) *REDUCTION OF FUTURE AMOUNTS.*—If a
8 *State or unit of local government fails to comply with*
9 *paragraphs (1) and (2), the Attorney General shall*
10 *reduce amounts to be provided to that State or unit*
11 *of local government accordingly.*

12 “(c) *REPAID AMOUNTS.*—Amounts received as repay-
13 *ments under this section shall be subject to section 108 of*
14 *this title as if such amounts had not been granted and re-*
15 *paid. Such amounts shall be deposited in the Treasury in*
16 *a dedicated fund for use by the Attorney General to carry*
17 *out this subpart. Such funds are hereby made available to*
18 *carry out this subpart.*

19 “**SEC. 508. AUTHORIZATION OF APPROPRIATIONS.**

20 “*There is authorized to be appropriated to carry out*
21 *this subpart \$1,095,000,000 for fiscal year 2006 and such*
22 *sums as may be necessary for each of fiscal years 2007*
23 *through 2009.”.*

24 “(b) *REPEALS OF CERTAIN AUTHORITIES RELATING TO*
25 *BYRNE GRANTS.*—

1 (1) *DISCRETIONARY GRANTS TO PUBLIC AND PRI-*
2 *VATE ENTITIES.*—Chapter A of subpart 2 of Part E
3 *of title I of the Omnibus Crime Control and Safe*
4 *Streets Act of 1968 (42 U.S.C. 3760–3762) is re-*
5 *pealed.*

6 (2) *TARGETED GRANTS TO CURB MOTOR VEHI-*
7 *CLE THEFT.*—Subtitle B of title I of the *Anti Car*
8 *Theft Act of 1992 (42 U.S.C. 3750a–3750d) is re-*
9 *pealed.*

10 (c) *CONFORMING AMENDMENTS.*—

11 (1) *CRIME IDENTIFICATION TECHNOLOGY ACT.*—
12 *Subsection (c)(2)(G) of section 102 of the Crime Iden-*
13 *tification Technology Act of 1998 (42 U.S.C. 14601)*
14 *is amended by striking “such as” and all that follows*
15 *through “the M.O.R.E. program” and inserting “such*
16 *as the Edward Byrne Justice Assistance Grant Pro-*
17 *gram and the M.O.R.E. program”.*

18 (2) *SAFE STREETS ACT.*—Title I of the *Omnibus*
19 *Crime Control and Safe Streets Act of 1968 is*
20 *amended—*

21 (A) *in section 517 (42 U.S.C. 3763), in sub-*
22 *section (a)(1), by striking “pursuant to section*
23 *511 or 515” and inserting “pursuant to section*
24 *515”;*

25 (B) *in section 520 (42 U.S.C. 3766)—*

1 (i) in subsection (a)(1), by striking
2 “the program evaluations as required by
3 section 501(c) of this part” and inserting
4 “program evaluations”;

5 (ii) in subsection (a)(2), by striking
6 “evaluations of programs funded under sec-
7 tion 506 (formula grants) and sections 511
8 and 515 (discretionary grants) of this part”
9 and inserting “evaluations of programs
10 funded under section 505 (formula grants)
11 and section 515 (discretionary grants) of
12 this part”; and

13 (iii) in subsection (b)(2), by striking
14 “programs funded under section 506 (for-
15 mula grants) and section 511 (discretionary
16 grants)” and inserting “programs funded
17 under section 505 (formula grants)”;

18 (C) in section 522 (42 U.S.C. 3766b)—

19 (i) in subsection (a), in the matter pre-
20 ceding paragraph (1), by striking “section
21 506” and inserting “section 505”; and

22 (ii) in subsection (a)(1), by striking
23 “an assessment of the impact of such activi-
24 ties on meeting the needs identified in the
25 State strategy submitted under section 503”

1 and inserting “an assessment of the impact
2 of such activities on meeting the purposes of
3 subpart 1”;

4 (D) in section 801(b) (42 U.S.C. 3782(b)),
5 in the matter following paragraph (5)—

6 (i) by striking “the purposes of section
7 501 of this title” and inserting “the pur-
8 poses of such subpart 1”; and

9 (ii) by striking “the application sub-
10 mitted pursuant to section 503 of this title.”
11 and inserting “the application submitted
12 pursuant to section 502 of this title. Such
13 report shall include details identifying each
14 applicant that used any funds to purchase
15 any cruiser, boat, or helicopter and, with
16 respect to such applicant, specifying both
17 the amount of funds used by such applicant
18 for each purchase of any cruiser, boat, or
19 helicopter and a justification of each such
20 purchase (and the Bureau of Justice Assist-
21 ance shall submit to the Committee of the
22 Judiciary of the House of Representatives
23 and the Committee of the Judiciary of the
24 Senate, promptly after preparation of such
25 report a written copy of the portion of such

1 *report containing the information required*
2 *by this sentence.”;*

3 *(E) in section 808 (42 U.S.C. 3789), by*
4 *striking “the State office described in section 507*
5 *or 1408” and inserting “the State office respon-*
6 *sible for the trust fund required by section 507,*
7 *or the State office described in section 1408,”;*

8 *(F) in section 901 (42 U.S.C. 3791), in sub-*
9 *section (a)(2), by striking “for the purposes of*
10 *section 506(a)” and inserting “for the purposes*
11 *of section 505(a)”;*

12 *(G) in section 1502 (42 U.S.C. 3796bb-1)—*

13 *(i) in paragraph (1), by striking “sec-*
14 *tion 506(a)” and inserting “section*
15 *505(a)”;*

16 *(ii) in paragraph (2)—*

17 *(I) by striking “section 503(a)”*
18 *and inserting “section 502”; and*

19 *(II) by striking “section 506” and*
20 *inserting “section 505”;*

21 *(H) in section 1602 (42 U.S.C. 3796cc-1),*
22 *in subsection (b), by striking “The office des-*
23 *ignated under section 507 of title I” and insert-*
24 *ing “The office responsible for the trust fund re-*
25 *quired by section 507”;*

1 **SEC. 1113. CLARIFICATION OF OFFICIAL TO BE CONSULTED**
2 **BY ATTORNEY GENERAL IN CONSIDERING AP-**
3 **PLICATION FOR EMERGENCY FEDERAL LAW**
4 **ENFORCEMENT ASSISTANCE.**

5 *Section 609M(b) of the Justice Assistance Act of 1984*
6 *(42 U.S.C. 10501(b)) is amended by striking “the Director*
7 *of the Office of Justice Assistance” and inserting “the As-*
8 *stant Attorney General for the Office of Justice Pro-*
9 *grams”.*

10 **SEC. 1114. CLARIFICATION OF USES FOR REGIONAL INFOR-**
11 **MATION SHARING SYSTEM GRANTS.**

12 *Section 1301(b) of the Omnibus Crime Control and*
13 *Safe Streets Act of 1968 (42 U.S.C. 3796h(b)), as most re-*
14 *cently amended by section 701 of the USA PATRIOT Act*
15 *(Public Law 107–56; 115 Stat. 374), is amended—*

16 *(1) in paragraph (1), by inserting “regional” be-*
17 *fore “information sharing systems”;*

18 *(2) by amending paragraph (3) to read as fol-*
19 *lows:*

20 *“(3) establishing and maintaining a secure tele-*
21 *communications system for regional information*
22 *sharing between Federal, State, tribal, and local law*
23 *enforcement agencies;”;* and

24 *(3) by striking “(5)” at the end of paragraph*
25 *(4).*

1 **SEC. 1115. INTEGRITY AND ENHANCEMENT OF NATIONAL**
2 **CRIMINAL RECORD DATABASES.**

3 (a) *DUTIES OF DIRECTOR.*—Section 302 of the Omni-
4 bus Crime Control and Safe Streets Act of 1968 (42 U.S.C.
5 3732) is amended—

6 (1) in subsection (b), by inserting after the third
7 sentence the following new sentence: “The Director
8 shall be responsible for the integrity of data and sta-
9 tistics and shall protect against improper or illegal
10 use or disclosure.”;

11 (2) by amending paragraph (19) of subsection
12 (c) to read as follows:

13 “(19) provide for improvements in the accuracy,
14 quality, timeliness, immediate accessibility, and inte-
15 gration of State criminal history and related records,
16 support the development and enhancement of national
17 systems of criminal history and related records in-
18 cluding the National Instant Criminal Background
19 Check System, the National Incident-Based Reporting
20 System, and the records of the National Crime Infor-
21 mation Center, facilitate State participation in na-
22 tional records and information systems, and support
23 statistical research for critical analysis of the im-
24 provement and utilization of criminal history
25 records;” and

26 (3) in subsection (d)—

1 **CHAPTER 2—BUILDING COMMUNITY CA-**
2 **PACITY TO PREVENT, REDUCE, AND**
3 **CONTROL CRIME**

4 **SEC. 1121. OFFICE OF WEED AND SEED STRATEGIES.**

5 (a) *IN GENERAL.*—Part A of title I of the Omnibus
6 Crime Control and Safe Streets Act of 1968 is amended
7 by inserting after section 102 (42 U.S.C. 3712) the fol-
8 lowing new sections:

9 **“SEC. 103. OFFICE OF WEED AND SEED STRATEGIES.**

10 “(a) *ESTABLISHMENT.*—There is established within
11 the Office an Office of Weed and Seed Strategies, headed
12 by a Director appointed by the Attorney General.

13 “(b) *ASSISTANCE.*—The Director may assist States,
14 units of local government, and neighborhood and commu-
15 nity-based organizations in developing Weed and Seed
16 strategies, as provided in section 104.

17 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—There is
18 authorized to be appropriated to carry out this section
19 \$60,000,000 for fiscal year 2006, and such sums as may
20 be necessary for each of fiscal years 2007, 2008, and 2009,
21 to remain available until expended.

22 **“SEC. 104. WEED AND SEED STRATEGIES.**

23 “(a) *IN GENERAL.*—From amounts made available
24 under section 103(c), the Director of the Office of Weed and
25 Seed Strategies may implement strategies, to be known as

1 *Weed and Seed strategies, to prevent, control, and reduce*
2 *violent crime, criminal drug-related activity, and gang ac-*
3 *tivity in designated Weed-and-Seed communities. Each*
4 *such strategy shall involve both of the following activities:*

5 “(1) *WEEDING.*—*Activities, to be known as*
6 *Weeding activities, which shall include promoting*
7 *and coordinating a broad spectrum of community ef-*
8 *forts (especially those of law enforcement agencies and*
9 *prosecutors) to arrest, and to sanction or incarcerate,*
10 *persons in that community who participate or engage*
11 *in violent crime, criminal drug-related activity, and*
12 *other crimes that threaten the quality of life in that*
13 *community.*

14 “(2) *SEEDING.*—*Activities, to be known as Seed-*
15 *ing activities, which shall include promoting and co-*
16 *ordinating a broad spectrum of community efforts*
17 *(such as drug abuse education, mentoring, and em-*
18 *ployment counseling) to provide—*

19 “(A) *human services, relating to prevention,*
20 *intervention, or treatment, for at-risk individ-*
21 *uals and families; and*

22 “(B) *community revitalization efforts, in-*
23 *cluding enforcement of building codes and devel-*
24 *opment of the economy.*

1 “(b) *GUIDELINES.*—*The Director shall issue guidelines*
2 *for the development and implementation of Weed and Seed*
3 *strategies under this section. The guidelines shall ensure*
4 *that the Weed and Seed strategy for a community referred*
5 *to in subsection (a) shall—*

6 “(1) *be planned and implemented through and*
7 *under the auspices of a steering committee, properly*
8 *established in the community, comprised of—*

9 “(A) *in a voting capacity, representatives*
10 *of—*

11 “(i) *appropriate law enforcement agen-*
12 *cies; and*

13 “(ii) *other public and private agencies,*
14 *and neighborhood and community-based or-*
15 *ganizations, interested in criminal justice*
16 *and community-based development and re-*
17 *vitalization in the community; and*

18 “(B) *in a voting capacity, both—*

19 “(i) *the Drug Enforcement Adminis-*
20 *tration’s special agent in charge for the ju-*
21 *risdiction encompassing the community;*
22 *and*

23 “(ii) *the United States Attorney for the*
24 *District encompassing the community;*

1 “(2) describe how law enforcement agencies, other
2 public and private agencies, neighborhood and com-
3 munity-based organizations, and interested citizens
4 are to cooperate in implementing the strategy; and

5 “(3) incorporate a community-policing compo-
6 nent that shall serve as a bridge between the Weeding
7 activities under subsection (a)(1) and the Seeding ac-
8 tivities under subsection (a)(2).

9 “(c) *DESIGNATION.*—For a community to be des-
10 ignated as a Weed-and-Seed community for purposes of sub-
11 section (a)—

12 “(1) the United States Attorney for the District
13 encompassing the community must certify to the Di-
14 rector that—

15 “(A) the community suffers from consist-
16 ently high levels of crime or otherwise is appro-
17 priate for such designation;

18 “(B) the Weed and Seed strategy proposed,
19 adopted, or implemented by the steering com-
20 mittee has a high probability of improving the
21 criminal justice system within the community
22 and contains all the elements required by the Di-
23 rector; and

24 “(C) the steering committee is capable of
25 implementing the strategy appropriately; and

1 “(2) *the community must agree to formulate a*
2 *timely and effective plan to independently sustain the*
3 *strategy (or, at a minimum, a majority of the best*
4 *practices of the strategy) when assistance under this*
5 *section is no longer available.*

6 “(d) *APPLICATION.—An application for designation as*
7 *a Weed-and-Seed community for purposes of subsection (a)*
8 *shall be submitted to the Director by the steering committee*
9 *of the community in such form, and containing such infor-*
10 *mation and assurances, as the Director may require. The*
11 *application shall propose—*

12 “(1) *a sustainable Weed and Seed strategy that*
13 *includes—*

14 “(A) *the active involvement of the United*
15 *States Attorney for the District encompassing the*
16 *community, the Drug Enforcement Administra-*
17 *tion’s special agent in charge for the jurisdiction*
18 *encompassing the community, and other Federal*
19 *law enforcement agencies operating in the vicin-*
20 *ity;*

21 “(B) *a significant community-oriented po-*
22 *licing component; and*

23 “(C) *demonstrated coordination with com-*
24 *plementary neighborhood and community-based*
25 *programs and initiatives; and*

1 “(2) a methodology with outcome measures and
2 specific objective indicia of performance to be used to
3 evaluate the effectiveness of the strategy.

4 “(e) GRANTS.—

5 “(1) IN GENERAL.—In implementing a strategy
6 for a community under subsection (a), the Director
7 may make grants to that community.

8 “(2) USES.—For each grant under this sub-
9 section, the community receiving that grant may not
10 use any of the grant amounts for construction, except
11 that the Assistant Attorney General may authorize
12 use of grant amounts for incidental or minor con-
13 struction, renovation, or remodeling.

14 “(3) LIMITATIONS.—A community may not re-
15 ceive grants under this subsection (or fall within such
16 a community)—

17 “(A) for a period of more than 10 fiscal
18 years;

19 “(B) for more than 5 separate fiscal years,
20 except that the Assistant Attorney General may,
21 in single increments and only upon a showing of
22 extraordinary circumstances, authorize grants
23 for not more than 3 additional separate fiscal
24 years; or

1 “(C) in an aggregate amount of more than
2 \$1,000,000, except that the Assistant Attorney
3 General may, upon a showing of extraordinary
4 circumstances, authorize grants for not more
5 than an additional \$500,000.

6 “(4) DISTRIBUTION.—In making grants under
7 this subsection, the Director shall ensure that—

8 “(A) to the extent practicable, the distribu-
9 tion of such grants is geographically equitable
10 and includes both urban and rural areas of
11 varying population and area; and

12 “(B) priority is given to communities that
13 clearly and effectively coordinate crime preven-
14 tion programs with other Federal programs in a
15 manner that addresses the overall needs of such
16 communities.

17 “(5) FEDERAL SHARE.—(A) Subject to subpara-
18 graph (B), the Federal share of a grant under this
19 subsection may not exceed 75 percent of the total costs
20 of the projects described in the application for which
21 the grant was made.

22 “(B) The requirement of subparagraph (A)—

23 “(i) may be satisfied in cash or in kind;
24 and

1 “(i) may be waived by the Assistant Attor-
2 ney General upon a determination that the fi-
3 nancial circumstances affecting the applicant
4 warrant a finding that such a waiver is equi-
5 table.

6 “(6) SUPPLEMENT, NOT SUPPLANT.—To receive
7 a grant under this subsection, the applicant must
8 provide assurances that the amounts received under
9 the grant shall be used to supplement, not supplant,
10 non-Federal funds that would otherwise be available
11 for programs or services provided in the community.

12 **“SEC. 105. INCLUSION OF INDIAN TRIBES.**

13 *“For purposes of sections 103 and 104, the term ‘State’*
14 *includes an Indian tribal government.”.*

15 **(b) ABOLISHMENT OF EXECUTIVE OFFICE OF WEED**
16 **AND SEED; TRANSFERS OF FUNCTIONS.—**

17 (1) ABOLISHMENT.—*The Executive Office of*
18 *Weed and Seed is abolished.*

19 (2) TRANSFER.—*There are hereby transferred to*
20 *the Office of Weed and Seed Strategies all functions*
21 *and activities performed immediately before the date*
22 *of the enactment of this Act by the Executive Office*
23 *of Weed and Seed Strategies.*

1 (c) *EFFECTIVE DATE.*—*This section and the amend-*
2 *ments made by this section take effect 90 days after the date*
3 *of the enactment of this Act.*

4 **CHAPTER 3—ASSISTING VICTIMS OF**
5 **CRIME**

6 **SEC. 1131. GRANTS TO LOCAL NONPROFIT ORGANIZATIONS**
7 **TO IMPROVE OUTREACH SERVICES TO VIC-**
8 **TIMS OF CRIME.**

9 Section 1404(c) of the *Victims of Crime Act of 1984*
10 (*42 U.S.C. 10603(c)*), as most recently amended by section
11 *623 of the USA PATRIOT Act (Public Law 107–56; 115*
12 *Stat. 372)*, is amended—

13 (1) in paragraph (1)—

14 (A) in the matter preceding subparagraph
15 (A), by striking the comma after “Director”;

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

18 (C) in subparagraph (B), by striking the
19 period at the end and inserting “; and”; and

20 (D) by adding at the end the following new
21 subparagraph:

22 “(C) for nonprofit neighborhood and community-
23 based victim service organizations and coalitions to
24 improve outreach and services to victims of crime.”;

25 (2) in paragraph (2)—

1 (A) in subparagraph (A)—

2 (i) by striking “paragraph (1)(A)” and
3 inserting “paragraphs (1)(A) and (1)(C)”;
4 and

5 (ii) by striking “and” at the end;

6 (B) in subparagraph (B), by striking the
7 period at the end and inserting “; and”; and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(C) not more than \$10,000 shall be used for any
11 single grant under paragraph (1)(C).”.

12 **SEC. 1132. CLARIFICATION AND ENHANCEMENT OF CER-**
13 **TAIN AUTHORITIES RELATING TO CRIME VIC-**
14 **TIMS FUND.**

15 Section 1402 of the Victims of Crime Act of 1984 (42
16 U.S.C. 10601) is amended as follows:

17 (1) **AUTHORITY TO ACCEPT GIFTS.**—Subsection
18 (b)(5) of such section is amended by striking the pe-
19 riod at the end and inserting the following: “, which
20 the Director is hereby authorized to accept for deposit
21 into the Fund, except that the Director is not hereby
22 authorized to accept any such gift, bequest, or dona-
23 tion that—

24 “(A) attaches conditions inconsistent with
25 applicable laws or regulations; or

1 “(B) is conditioned upon or would require
2 the expenditure of appropriated funds that are
3 not available to the Office for Victims of
4 Crime.”.

5 (2) *AUTHORITY TO REPLENISH ANTITERRORISM*
6 *EMERGENCY RESERVE.*—Subsection (d)(5)(A) of such
7 section is amended by striking “expended” and insert-
8 ing “obligated”.

9 (3) *AUTHORITY TO MAKE GRANTS TO INDIAN*
10 *TRIBES FOR VICTIM ASSISTANCE PROGRAMS.*—Sub-
11 section (g) of such section is amended—

12 (A) in paragraph (1), by striking “, acting
13 through the Director,”;

14 (B) by redesignating paragraph (2) as
15 paragraph (3); and

16 (C) by inserting after paragraph (1) the fol-
17 lowing new paragraph:

18 “(2) The Attorney General may use 5 percent of the
19 funds available under subsection (d)(2) (prior to distribu-
20 tion) for grants to Indian tribes to establish child victim
21 assistance programs, as appropriate.”.

1 **SEC. 1133. AMOUNTS RECEIVED UNDER CRIME VICTIM**
2 **GRANTS MAY BE USED BY STATE FOR TRAIN-**
3 **ING PURPOSES.**

4 (a) *CRIME VICTIM COMPENSATION.*—Section
5 1403(a)(3) of the Victims of Crime Act of 1984 (42 U.S.C.
6 10602(a)(3)) is amended by inserting after “may be used
7 for” the following: “training purposes and”.

8 (b) *CRIME VICTIM ASSISTANCE.*—Section 1404(b)(3)
9 of such Act (42 U.S.C. 10603(b)(3)) is amended by inserting
10 after “may be used for” the following: “training purposes
11 and”.

12 **SEC. 1134. CLARIFICATION OF AUTHORITIES RELATING TO**
13 **VIOLENCE AGAINST WOMEN FORMULA AND**
14 **DISCRETIONARY GRANT PROGRAMS.**

15 (a) *CLARIFICATION OF STATE GRANTS.*—Section 2007
16 of the Omnibus Crime Control and Safe Streets Act of 1968
17 (42 U.S.C. 3796gg–1) is amended—

18 (1) in subsection (c)(3)(A), by striking “police”
19 and inserting “law enforcement”; and

20 (2) in subsection (d)—

21 (A) in the second sentence, by inserting
22 after “each application” the following: “sub-
23 mitted by a State”; and

24 (B) in the third sentence, by striking “An
25 application” and inserting “In addition, each

1 *mencing on or after the date of enactment of this Act, and*
2 *not later than 180 days after the last day of each fiscal*
3 *year thereafter,” and inserting “Not later than 1 month*
4 *after the end of each even-numbered fiscal year,”.*

5 *(c) STOP VIOLENCE AGAINST WOMEN FORMULA*
6 *GRANTS.—Subsection 2009(b) of the Omnibus Crime Con-*
7 *trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg–3),*
8 *is amended by striking “Not later than” and all that follows*
9 *through “the Attorney General shall submit” and inserting*
10 *the following: “Not later than 1 month after the end of each*
11 *even-numbered fiscal year, the Attorney General shall sub-*
12 *mit”.*

13 *(d) GRANTS TO COMBAT VIOLENT CRIMES AGAINST*
14 *WOMEN ON CAMPUS.—Subsection 826(d)(3) of the Higher*
15 *Education Amendments Act of 1998 (20 U.S.C. 1152*
16 *(d)(3)) is amended by striking from “Not” through and in-*
17 *cluding “under this section” and inserting “Not later than*
18 *1 month after the end of each even-numbered fiscal year”.*

19 *(e) TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR*
20 *CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR*
21 *SEXUAL ASSAULT.—Subsection 40299(f) of the Violence*
22 *Against Women Act of 1994 (42 U.S.C. 13975(f)) is amend-*
23 *ed by striking “shall annually prepare and submit to the*
24 *Committee on the Judiciary of the House of Representatives*
25 *and the Committee on the Judiciary of the Senate a report*

1 *that contains a compilation of the information contained*
2 *in the report submitted under subsection (e) of this section.”*
3 *and inserting “shall prepare and submit to the Committee*
4 *on the Judiciary of the House of Representatives and the*
5 *Committee on the Judiciary of the Senate a report that con-*
6 *tains a compilation of the information contained in the re-*
7 *port submitted under subsection (e) of this section not later*
8 *than one month after the end of each even-numbered fiscal*
9 *year.”.*

10 **SEC. 1136. GRANTS FOR YOUNG WITNESS ASSISTANCE.**

11 (a) *IN GENERAL.*—*The Attorney General, acting*
12 *through the Bureau of Justice Assistance, may make grants*
13 *to State and local prosecutors and law enforcement agencies*
14 *in support of juvenile and young adult witness assistance*
15 *programs.*

16 (b) *USE OF FUNDS.*—*Grants made available under*
17 *this section may be used—*

18 (1) *to assess the needs of juvenile and young*
19 *adult witnesses;*

20 (2) *to develop appropriate program goals and*
21 *objectives; and*

22 (3) *to develop and administer a variety of wit-*
23 *ness assistance services, which includes—*

1 (A) *counseling services to young witnesses*
2 *dealing with trauma associated in witnessing a*
3 *violent crime;*

4 (B) *pre- and post-trial assistance for the*
5 *youth and their family;*

6 (C) *providing education services if the child*
7 *is removed from or changes their school for safety*
8 *concerns;*

9 (D) *protective services for young witnesses*
10 *and their families when a serious threat of harm*
11 *from the perpetrators or their associates is made;*
12 *and*

13 (E) *community outreach and school-based*
14 *initiatives that stimulate and maintain public*
15 *awareness and support.*

16 (c) *DEFINITIONS.—In this section:*

17 (1) *The term “juvenile” means an individual*
18 *who is age 17 or younger.*

19 (2) *The term “young adult” means an indi-*
20 *vidual who is age 21 or younger but not a juvenile.*

21 (3) *The term “State” includes the District of Co-*
22 *lumbia, the Commonwealth of Puerto Rico, the Virgin*
23 *Islands, American Samoa, Guam, and the Northern*
24 *Mariana Islands.*

1 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
2 *authorized to be appropriated to carry out this section*
3 *\$3,000,000 for each of fiscal years 2006 through 2009.*

4 **CHAPTER 4—PREVENTING CRIME**

5 **SEC. 1141. CLARIFICATION OF DEFINITION OF VIOLENT OF-**
6 **FENDER FOR PURPOSES OF JUVENILE DRUG**
7 **COURTS.**

8 *Section 2953(b) of the Omnibus Crime Control and*
9 *Safe Streets Act of 1968 (42 U.S.C. 3797u–2(b)) is amended*
10 *in the matter preceding paragraph (1) by striking “an of-*
11 *fense that” and inserting “a felony-level offense that”.*

12 **SEC. 1142. CHANGES TO DISTRIBUTION AND ALLOCATION**
13 **OF GRANTS FOR DRUG COURTS.**

14 (a) *MINIMUM ALLOCATION REPEALED.*—*Section 2957*
15 *of such Act (42 U.S.C. 3797u–6) is amended by striking*
16 *subsection (b) and inserting the following:*

17 “(b) *TECHNICAL ASSISTANCE AND TRAINING.*—*Unless*
18 *one or more applications submitted by any State or unit*
19 *of local government within such State (other than an In-*
20 *dian tribe) for a grant under this part has been funded*
21 *in any fiscal year, such State, together with eligible appli-*
22 *cants within such State, shall be provided targeted technical*
23 *assistance and training by the Community Capacity Devel-*
24 *opment Office to assist such State and such eligible appli-*
25 *cants to successfully compete for future funding under this*

1 *part, and to strengthen existing State drug court systems.*
2 *In providing such technical assistance and training, the*
3 *Community Capacity Development Office shall consider*
4 *and respond to the unique needs of rural States, rural areas*
5 *and rural communities.”*

6 (b) *AUTHORIZATION OF APPROPRIATIONS.—Section*
7 *1001(25)(A) of title I of the Omnibus Crime Control and*
8 *Safe Streets Act of 1968 (42 U.S.C. 3793(25)(A)) is amend-*
9 *ed by adding at the end the following:*

10 “(v) \$70,000,000 for each of fiscal
11 years 2007 and 2008.”

12 **SEC. 1143. ELIGIBILITY FOR GRANTS UNDER DRUG COURT**
13 **GRANTS PROGRAM EXTENDED TO COURTS**
14 **THAT SUPERVISE NON-OFFENDERS WITH**
15 **SUBSTANCE ABUSE PROBLEMS.**

16 *Section 2951(a)(1) of such Act (42 U.S.C.*
17 *3797u(a)(1)) is amended by striking “offenders with sub-*
18 *stance abuse problems” and inserting “offenders, and other*
19 *individuals under the jurisdiction of the court, with sub-*
20 *stance abuse problems”.*

1 **SEC. 1144. TERM OF RESIDENTIAL SUBSTANCE ABUSE**
 2 **TREATMENT PROGRAM FOR LOCAL FACILI-**
 3 **TIES.**

4 *Section 1904 of the Omnibus Crime Control and Safe*
 5 *Streets Act of 1968 (42 U.S.C. 3796ff-3) is amended by*
 6 *adding at the end the following new subsection:*

7 *“(d) DEFINITION.—In this section, the term ‘residen-*
 8 *tial substance abuse treatment program’ means a course of*
 9 *individual and group activities, lasting between 6 and 12*
 10 *months, in residential treatment facilities set apart from*
 11 *the general prison population—*

12 *“(1) directed at the substance abuse problems of*
 13 *the prisoners; and*

14 *“(2) intended to develop the prisoner’s cognitive,*
 15 *behavioral, social, vocational and other skills so as to*
 16 *solve the prisoner’s substance abuse and other prob-*
 17 *lems; and*

18 *“(3) which may include the use of*
 19 *pharmacotherapies, where appropriate, that may ex-*
 20 *tend beyond the treatment period.”.*

21 **SEC. 1145. ENHANCED RESIDENTIAL SUBSTANCE ABUSE**
 22 **TREATMENT PROGRAM FOR STATE PRIS-**
 23 **ONERS.**

24 *(a) ENHANCED DRUG SCREENINGS REQUIREMENT.—*
 25 *Subsection (b) of section 1902 of the Omnibus Crime Con-*

1 *trol and Safe Streets Act of 1968 (42 U.S.C. 3796ff—1(b))*
2 *is amended to read as follows:*

3 “(b) *SUBSTANCE ABUSE TESTING REQUIREMENT.*—*To*
4 *be eligible to receive funds under this part, a State must*
5 *agree to implement or continue to require urinalysis or*
6 *other proven reliable forms of testing, including both peri-*
7 *odic and random testing—*

8 “(1) *of an individual before the individual enters*
9 *a residential substance abuse treatment program and*
10 *during the period in which the individual partici-*
11 *pates in the treatment program; and*

12 “(2) *of an individual released from a residential*
13 *substance abuse treatment program if the individual*
14 *remains in the custody of the State.”.*

15 “(b) *AFTERCARE SERVICES REQUIREMENT.*—*Sub-*
16 *section (c) of such section is amended—*

17 “(1) *in the matter preceding paragraph (1), by*
18 *striking “**ELIGIBILITY FOR PREFERENCE WITH***
19 ***AFTER CARE COMPONENT**” and inserting*
20 *“**AFTERCARE SERVICES REQUIREMENT**”;* *and*

21 “(2) *by amending paragraph (1) to read as fol-*
22 *lows:*

23 “(1) *To be eligible for funding under this part,*
24 *a State shall ensure that individuals who participate*
25 *in the substance abuse treatment program established*

1 or implemented with assistance provided under this
2 part will be provided with after care services.”; and

3 (3) by adding at the end the following new para-
4 graph:

5 “(4) After care services required by this sub-
6 section shall be funded through funds provided for this
7 part.”.

8 (c) *PRIORITY FOR PARTNERSHIPS WITH COMMUNITY-*
9 *BASED DRUG TREATMENT PROGRAMS.*—Section 1903 of
10 such Act (42 U.S.C. 3796ff–2) is amended by adding at
11 the end the following new subsection:

12 “(e) *PRIORITY FOR PARTNERSHIPS WITH COMMUNITY-*
13 *BASED DRUG TREATMENT PROGRAMS.*—In considering an
14 application submitted by a State under section 1902, the
15 Attorney General shall give priority to an application that
16 involves a partnership between the State and a community-
17 based drug treatment program within the State.”.

18 **SEC. 1146. RESIDENTIAL SUBSTANCE ABUSE TREATMENT**
19 **PROGRAM FOR FEDERAL FACILITIES.**

20 Section 3621(e) of title 18, United States Code, is
21 amended—

22 (1) by striking paragraph (4) and inserting the
23 following:

24 “(4) *AUTHORIZATION OF APPROPRIATIONS.*—
25 There are authorized to carry out this subsection such

1 *sums as may be necessary for each of fiscal years*
2 *2007 through 2011.”; and*

3 *(2) in paragraph (5)(A)—*

4 *(A) in clause (i) by striking “and” after the*
5 *semicolon’*

6 *(B) in clause (ii) by inserting “and” after*
7 *the semicolon; and*

8 *(C) by adding at the end the following:*

9 *“(iii) which may include the use of*
10 *pharmacotherapies, if appropriate, that*
11 *may extend beyond the treatment period;”.*

12 **CHAPTER 5—OTHER MATTERS**

13 **SEC. 1151. CHANGES TO CERTAIN FINANCIAL AUTHORITIES.**

14 *(a) CERTAIN PROGRAMS THAT ARE EXEMPT FROM*
15 *PAYING STATES INTEREST ON LATE DISBURSEMENTS ALSO*
16 *EXEMPTED FROM PAYING CHARGE TO TREASURY FOR UN-*
17 *TIMELY DISBURSEMENTS.—Section 204(f) of Public Law*
18 *107–273 (116 Stat. 1776; 31 U.S.C. 6503 note) is*
19 *amended—*

20 *(1) by striking “section 6503(d)” and inserting*
21 *“sections 3335(b) or 6503(d)”;* and

22 *(2) by striking “section 6503” and inserting*
23 *“sections 3335(b) or 6503”.*

24 *(b) SOUTHWEST BORDER PROSECUTOR INITIATIVE IN-*
25 *CLUDED AMONG SUCH EXEMPTED PROGRAMS.—Section*

1 204(f) of such Act is further amended by striking “pursuant
 2 to section 501(a)” and inserting “pursuant to the Southwest
 3 Border Prosecutor Initiative (as carried out pursuant to
 4 paragraph (3) (117 Stat. 64) under the heading relating
 5 to Community Oriented Policing Services of the Depart-
 6 ment of Justice Appropriations Act, 2003 (title I of division
 7 B of Public Law 108–7), or as carried out pursuant to any
 8 subsequent authority) or section 501(a)”.

9 (c) *ATFE UNDERCOVER INVESTIGATIVE OPER-*
 10 *ATIONS.*—Section 102(b) of the Department of Justice and
 11 Related Agencies Appropriations Act, 1993, as in effect pur-
 12 suant to section 815(d) of the Antiterrorism and Effective
 13 Death Penalty Act of 1996 shall apply with respect to the
 14 Bureau of Alcohol, Tobacco, Firearms, and Explosives and
 15 the undercover investigative operations of the Bureau on the
 16 same basis as such section applies with respect to any other
 17 agency and the undercover investigative operations of such
 18 agency.

19 **SEC. 1152. COORDINATION DUTIES OF ASSISTANT ATTOR-**
 20 **NEY GENERAL.**

21 (a) *COORDINATE AND SUPPORT OFFICE FOR VICTIMS*
 22 *OF CRIME.*—Section 102 of the Omnibus Crime Control and
 23 Safe Streets Act of 1968 (42 U.S.C. 3712) is amended in
 24 subsection (a)(5) by inserting after “the Bureau of Justice
 25 Statistics,” the following: “the Office for Victims of Crime,”.

1 (b) *SETTING GRANT CONDITIONS AND PRIORITIES.*—
2 *Such section is further amended in subsection (a)(6) by in-*
3 *serting “, including placing special conditions on all*
4 *grants, and determining priority purposes for formula*
5 *grants” before the period at the end.*

6 **SEC. 1153. SIMPLIFICATION OF COMPLIANCE DEADLINES**
7 **UNDER SEX-OFFENDER REGISTRATION LAWS.**

8 (a) *COMPLIANCE PERIOD.*—*A State shall not be treat-*
9 *ed, for purposes of any provision of law, as having failed*
10 *to comply with section 170101 (42 U.S.C. 14071) or 170102*
11 *(42 U.S.C. 14072) of the Violent Crime Control and Law*
12 *Enforcement Act of 1994 until 36 months after the date of*
13 *the enactment of this Act, except that the Attorney General*
14 *may grant an additional 24 months to a State that is mak-*
15 *ing good faith efforts to comply with such sections.*

16 (b) *TIME FOR REGISTRATION OF CURRENT AD-*
17 *DRESS.*—*Subsection (a)(1)(B) of such section 170101 is*
18 *amended by striking “unless such requirement is termi-*
19 *nated under” and inserting “for the time period specified*
20 *in”.*

21 **SEC. 1154. REPEAL OF CERTAIN PROGRAMS.**

22 (a) *SAFE STREETS ACT PROGRAM.*—*The Criminal*
23 *Justice Facility Construction Pilot program (part F; 42*
24 *U.S.C. 3769–3769d) of title I of the Omnibus Crime Control*
25 *and Safe Streets Act of 1968 is repealed.*

1 (b) *VIOLENT CRIME CONTROL AND LAW ENFORCE-*
2 *MENT ACT PROGRAMS.*—*The following provisions of the*
3 *Violent Crime Control and Law Enforcement Act of 1994*
4 *are repealed:*

5 (1) *LOCAL CRIME PREVENTION BLOCK GRANT*
6 *PROGRAM.*—*Subtitle B of title III (42 U.S.C. 13751–*
7 *13758).*

8 (2) *ASSISTANCE FOR DELINQUENT AND AT-RISK*
9 *YOUTH.*—*Subtitle G of title III (42 U.S.C. 13801–*
10 *13802).*

11 (3) *IMPROVED TRAINING AND TECHNICAL AUTO-*
12 *MATION.*—*Subtitle E of title XXI (42 U.S.C. 14151).*

13 (4) *OTHER STATE AND LOCAL AID.*—*Subtitle F*
14 *of title XXI (42 U.S.C. 14161).*

15 **SEC. 1155. ELIMINATION OF CERTAIN NOTICE AND HEAR-**
16 **ING REQUIREMENTS.**

17 *Part H of title I of the Omnibus Crime Control and*
18 *Safe Streets Act of 1968 is amended as follows:*

19 (1) *NOTICE AND HEARING ON DENIAL OR TERMI-*
20 *NATION OF GRANT.*—*Section 802 (42 U.S.C. 3783) of*
21 *such part is amended—*

22 (A) *by striking subsections (b) and (c); and*

23 (B) *by striking “(a)” before “Whenever,”.*

24 (2) *FINALITY OF DETERMINATIONS.*—*Section 803*
25 *(42 U.S.C. 3784) of such part is amended—*

1 (A) by striking “, after reasonable notice
2 and opportunity for a hearing,”; and

3 (B) by striking “, except as otherwise pro-
4 vided herein”.

5 (3) *REPEAL OF APPELLATE COURT REVIEW.*—
6 Section 804 (42 U.S.C. 3785) of such part is repealed.

7 **SEC. 1156. AMENDED DEFINITIONS FOR PURPOSES OF OM-**
8 **NIBUS CRIME CONTROL AND SAFE STREETS**
9 **ACT OF 1968.**

10 Section 901 of title I of the Omnibus Crime Control
11 and Safe Streets Act of 1968 (42 U.S.C. 3791) is amended
12 as follows:

13 (1) *INDIAN TRIBE.*—Subsection (a)(3)(C) of such
14 section is amended by striking “(as that term is de-
15 fined in section 103 of the Juvenile Justice and De-
16 linquency Prevention Act of 1974 (42 U.S.C. 5603))”.

17 (2) *COMBINATION.*—Subsection (a)(5) of such
18 section is amended by striking “program or project”
19 and inserting “program, plan, or project”.

20 (3) *NEIGHBORHOOD OR COMMUNITY-BASED OR-*
21 *GANIZATIONS.*—Subsection (a)(11) of such section is
22 amended by striking “which” and inserting “, includ-
23 ing faith-based, that”.

24 (4) *INDIAN TRIBE; PRIVATE PERSON.*—Sub-
25 section (a) of such section is further amended—

1 (A) in paragraph (24) by striking “and” at
2 the end;

3 (B) in paragraph (25) by striking the pe-
4 riod at the end and inserting a semicolon; and

5 (C) by adding at the end the following new
6 paragraphs:

7 “(26) the term ‘Indian Tribe’ has the meaning
8 given the term ‘Indian tribe’ in section 4(e) of the In-
9 dian Self-Determination and Education Assistance
10 Act (25 U.S.C. 450b(e)); and

11 “(27) the term ‘private person’ means any indi-
12 vidual (including an individual acting in his official
13 capacity) and any private partnership, corporation,
14 association, organization, or entity (or any combina-
15 tion thereof).”.

16 **SEC. 1157. CLARIFICATION OF AUTHORITY TO PAY SUBSIST-**
17 **ENCE PAYMENTS TO PRISONERS FOR HEALTH**
18 **CARE ITEMS AND SERVICES.**

19 Section 4006 of title 18, United States Code, is
20 amended—

21 (1) in subsection (a) by inserting after “The At-
22 torney General” the following: “or the Secretary of
23 Homeland Security, as applicable,”; and

24 (2) in subsection (b)(1)—

1 (A) by striking “the Immigration and Nat-
2 uralization Service” and inserting “the Depart-
3 ment of Homeland Security”;

4 (B) by striking “shall not exceed the lesser
5 of the amount” and inserting “shall be the
6 amount billed, not to exceed the amount”;

7 (C) by striking “items and services” and all
8 that follows through “the Medicare program”
9 and inserting “items and services under the
10 Medicare program”; and

11 (D) by striking “; or” and all that follows
12 through the period at the end and inserting a pe-
13 riod.

14 **SEC. 1158. OFFICE OF AUDIT, ASSESSMENT, AND MANAGE-**
15 **MENT.**

16 (a) *IN GENERAL.*—Part A of title I of the Omnibus
17 *Crime Control and Safe Streets Act of 1968* is amended
18 *by adding after section 104, as added by section 211 of this*
19 *Act, the following new section:*

20 **“SEC. 105. OFFICE OF AUDIT, ASSESSMENT, AND MANAGE-**
21 **MENT.**

22 “(a) *ESTABLISHMENT.*—

23 “(1) *IN GENERAL.*—There is established within
24 the Office an Office of Audit, Assessment, and Man-
25 agement, headed by a Director appointed by the At-

1 *torney General. In carrying out the functions of the*
2 *Office, the Director shall be subject to the authority,*
3 *direction, and control of the Attorney General. Such*
4 *authority, direction, and control may be delegated*
5 *only to the Assistant Attorney General, without re-*
6 *delegation.*

7 *“(2) PURPOSE.—The purpose of the Office shall*
8 *be to carry out and coordinate program assessments*
9 *of, take actions to ensure compliance with the terms*
10 *of, and manage information with respect to, grants*
11 *under programs covered by subsection (b). The Direc-*
12 *tor shall take special conditions of the grant into ac-*
13 *count and consult with the office that issued those*
14 *conditions to ensure appropriate compliance.*

15 *“(3) EXCLUSIVITY.—The Office shall be the ex-*
16 *clusive element of the Department of Justice, other*
17 *than the Inspector General, performing functions and*
18 *activities for the purpose specified in paragraph (2).*
19 *There are hereby transferred to the Office all functions*
20 *and activities, other than functions and activities of*
21 *the Inspector General, for such purpose performed im-*
22 *mediately before the date of the enactment of this Act*
23 *by any other element of the Department.*

24 *“(b) COVERED PROGRAMS.—The programs referred to*
25 *in subsection (a) are the following:*

1 “(1) *The program under part Q of this title.*

2 “(2) *Any grant program carried out by the Of-*
3 *fice of Justice Programs.*

4 “(3) *Any other grant program carried out by the*
5 *Department of Justice that the Attorney General con-*
6 *siders appropriate.*

7 “(c) *PROGRAM ASSESSMENTS REQUIRED.—*

8 “(1) *IN GENERAL.—The Director shall select*
9 *grants awarded under the programs covered by sub-*
10 *section (b) and carry out program assessments on*
11 *such grants. In selecting such grants, the Director*
12 *shall ensure that the aggregate amount awarded*
13 *under the grants so selected represent not less than 10*
14 *percent of the aggregate amount of money awarded*
15 *under all such grant programs.*

16 “(2) *RELATIONSHIP TO NIJ EVALUATIONS.—This*
17 *subsection does not affect the authority or duty of the*
18 *Director of the National Institute of Justice to carry*
19 *out overall evaluations of programs covered by sub-*
20 *section (b), except that such Director shall consult*
21 *with the Director of the Office in carrying out such*
22 *evaluations.*

23 “(3) *TIMING OF PROGRAM ASSESSMENTS.—The*
24 *program assessment required by paragraph (1) of a*

1 *grant selected under paragraph (1) shall be carried*
2 *out—*

3 “(A) *not later than the end of the grant pe-*
4 *riod, if the grant period is not more than 1 year;*
5 *and*

6 “(B) *at the end of each year of the grant pe-*
7 *riod, if the grant period is more than 1 year.*

8 “(d) *COMPLIANCE ACTIONS REQUIRED.—The Director*
9 *shall take such actions to ensure compliance with the terms*
10 *of a grant as the Director considers appropriate with re-*
11 *spect to each grant that the Director determines (in con-*
12 *sultation with the head of the element of the Department*
13 *of Justice concerned), through a program assessment under*
14 *subsection (a) or other means, is not in compliance with*
15 *such terms. In the case of a misuse of more than 1 percent*
16 *of the grant amount concerned, the Director shall, in addi-*
17 *tion to any other action to ensure compliance that the Di-*
18 *rector considers appropriate, ensure that the entity respon-*
19 *sible for such misuse ceases to receive any funds under any*
20 *program covered by subsection (b) until such entity repays*
21 *to the Attorney General an amount equal to the amounts*
22 *misused. The Director may, in unusual circumstances,*
23 *grant relief from this requirement to ensure that an inno-*
24 *cent party is not punished.*

1 “(e) *GRANT MANAGEMENT SYSTEM.*—*The Director*
 2 *shall establish and maintain, in consultation with the chief*
 3 *information officer of the Office, a modern, automated sys-*
 4 *tem for managing all information relating to the grants*
 5 *made under the programs covered by subsection (b).*”

6 “(f) *AVAILABILITY OF FUNDS.*—*Not to exceed 3 percent*
 7 *of all funding made available for a fiscal year for the pro-*
 8 *grams covered by subsection (b) shall be reserved for the Of-*
 9 *fice of Audit, Assessment and Management for the activities*
 10 *authorized by this section.*”

11 “(b) *EFFECTIVE DATE.*—*This section and the amend-*
 12 *ment made by this section take effect 90 days after the date*
 13 *of the enactment of this Act.*”

14 **SEC. 1159. COMMUNITY CAPACITY DEVELOPMENT OFFICE.**

15 “(a) *IN GENERAL.*—*Part A of title I of the Omnibus*
 16 *Crime Control and Safe Streets Act of 1968 is amended*
 17 *by adding after section 105, as added by section 248 of this*
 18 *Act, the following new section:*”

19 **“SEC. 106. COMMUNITY CAPACITY DEVELOPMENT OFFICE.**

20 “(a) *ESTABLISHMENT.*—

21 “(1) *IN GENERAL.*—*There is established within*
 22 *the Office a Community Capacity Development Of-*
 23 *fice, headed by a Director appointed by the Attorney*
 24 *General. In carrying out the functions of the Office,*
 25 *the Director shall be subject to the authority, direc-*

1 *tion, and control of the Attorney General. Such au-*
2 *thority, direction, and control may be delegated only*
3 *to the Assistant Attorney General, without redelega-*
4 *tion.*

5 *“(2) PURPOSE.—The purpose of the Office shall*
6 *be to provide training to actual and prospective par-*
7 *ticipants under programs covered by section 105(b) to*
8 *assist such participants in understanding the sub-*
9 *stantive and procedural requirements for partici-*
10 *pating in such programs.*

11 *“(3) EXCLUSIVITY.—The Office shall be the ex-*
12 *clusive element of the Department of Justice per-*
13 *forming functions and activities for the purpose speci-*
14 *fied in paragraph (2). There are hereby transferred to*
15 *the Office all functions and activities for such purpose*
16 *performed immediately before the date of the enact-*
17 *ment of this Act by any other element of the Depart-*
18 *ment. This does not preclude a grant-making office*
19 *from providing specialized training and technical as-*
20 *sistance in its area of expertise.*

21 *“(b) MEANS.—The Director shall, in coordination with*
22 *the heads of the other elements of the Department, carry*
23 *out the purpose of the Office through the following means:*

24 *“(1) Promoting coordination of public and pri-*
25 *vate efforts and resources within or available to*

1 *States, units of local government, and neighborhood*
2 *and community-based organizations.*

3 “(2) *Providing information, training, and tech-*
4 *nical assistance.*

5 “(3) *Providing support for inter- and intra-*
6 *agency task forces and other agreements and for as-*
7 *essment of the effectiveness of programs, projects, ap-*
8 *proaches, or practices.*

9 “(4) *Providing in the assessment of the effective-*
10 *ness of neighborhood and community-based law en-*
11 *forcement and crime prevention strategies and tech-*
12 *niques, in coordination with the National Institute of*
13 *Justice.*

14 “(5) *Any other similar means.*

15 “(c) *LOCATIONS.—Training referred to in subsection*
16 *(a) shall be provided on a regional basis to groups of such*
17 *participants. In a case in which remedial training is ap-*
18 *propriate, as recommended by the Director or the head of*
19 *any element of the Department, such training may be pro-*
20 *vided on a local basis to a single such participant.*

21 “(d) *BEST PRACTICES.—The Director shall—*

22 “(1) *identify grants under which clearly bene-*
23 *ficial outcomes were obtained, and the characteristics*
24 *of those grants that were responsible for obtaining*
25 *those outcomes; and*

1 “(2) incorporate those characteristics into the
2 training provided under this section.

3 “(e) *AVAILABILITY OF FUNDS.*—not to exceed 3 percent
4 of all funding made available for a fiscal year for the pro-
5 grams covered by section 105(b) shall be reserved for the
6 Community Capacity Development Office for the activities
7 authorized by this section.”.

8 (b) *EFFECTIVE DATE.*—This section and the amend-
9 ment made by this section take effect 90 days after the date
10 of the enactment of this Act.

11 **SEC. 1160. OFFICE OF APPLIED LAW ENFORCEMENT TECH-**
12 **NOLOGY.**

13 (a) *IN GENERAL.*—Part A of title I of the Omnibus
14 Crime Control and Safe Streets Act of 1968 is amended
15 by adding after section 106, as added by section 249 of this
16 Act, the following new section:

17 **“SEC. 107. DIVISION OF APPLIED LAW ENFORCEMENT TECH-**
18 **NOLOGY.**

19 “(a) *ESTABLISHMENT.*—There is established within
20 the Office of Science and Technology, the Division of Ap-
21 plied Law Enforcement Technology, headed by an indi-
22 vidual appointed by the Attorney General. The purpose of
23 the Division shall be to provide leadership and focus to those
24 grants of the Department of Justice that are made for the

1 *purpose of using or improving law enforcement computer*
2 *systems.*

3 “(b) *DUTIES.*—*In carrying out the purpose of the Di-*
4 *vision, the head of the Division shall—*

5 “(1) *establish clear minimum standards for com-*
6 *puter systems that can be purchased using amounts*
7 *awarded under such grants; and*

8 “(2) *ensure that recipients of such grants use*
9 *such systems to participate in crime reporting pro-*
10 *grams administered by the Department, such as Uni-*
11 *form Crime Reports or the National Incident-Based*
12 *Reporting System.”.*

13 (b) *EFFECTIVE DATE.*—*This section and the amend-*
14 *ment made by this section take effect 90 days after the date*
15 *of the enactment of this Act.*

16 **SEC. 1161. AVAILABILITY OF FUNDS FOR GRANTS.**

17 (a) *IN GENERAL.*—*Part A of title I of the Omnibus*
18 *Crime Control and Safe Streets Act of 1968 is amended*
19 *by adding after section 107, as added by section 250 of this*
20 *Act, the following new section:*

21 **“SEC. 108. AVAILABILITY OF FUNDS.**

22 “(a) *PERIOD FOR AWARDING GRANT FUNDS.*—

23 “(1) *IN GENERAL.*—*Unless otherwise specifically*
24 *provided in an authorization, DOJ grant funds for a*
25 *fiscal year shall remain available to be awarded and*

1 *distributed to a grantee only in that fiscal year and*
2 *the three succeeding fiscal years, subject to para-*
3 *graphs (2) and (3). DOJ grant funds not so awarded*
4 *and distributed shall revert to the Treasury.*

5 “(2) *TREATMENT OF REPROGRAMMED FUNDS.—*
6 *DOJ grant funds for a fiscal year that are repro-*
7 *grammed in a later fiscal year shall be treated for*
8 *purposes of paragraph (1) as DOJ grant funds for*
9 *such later fiscal year.*

10 “(3) *TREATMENT OF DEOBLIGATED FUNDS.—If*
11 *DOJ grant funds were obligated and then deobligated,*
12 *the period of availability that applies to those grant*
13 *funds under paragraph (1) shall be extended by a*
14 *number of days equal to the number of days from the*
15 *date on which those grant funds were obligated to the*
16 *date on which those grant funds were deobligated.*

17 “(b) *PERIOD FOR EXPENDING GRANT FUNDS.—DOJ*
18 *grant funds for a fiscal year that have been awarded and*
19 *distributed to a grantee may be expended by that grantee*
20 *only in the period permitted under the terms of the grant.*
21 *DOJ grant funds not so expended shall revert to the Treas-*
22 *ury.*

23 “(c) *DEFINITION.—In this section, the term ‘DOJ*
24 *grant funds’ means, for a fiscal year, amounts appropriated*

1 *for activities of the Department of Justice in carrying out*
2 *grant programs for that fiscal year.*

3 “(d) *APPLICABILITY.*—*This section applies to DOJ*
4 *grant funds for fiscal years beginning with fiscal year*
5 *2006.*”.

6 (b) *EFFECTIVE DATE.*—*This section and the amend-*
7 *ment made by this section take effect 90 days after the date*
8 *of the enactment of this Act.*

9 **SEC. 1162. CONSOLIDATION OF FINANCIAL MANAGEMENT**
10 **SYSTEMS OF OFFICE OF JUSTICE PROGRAMS.**

11 (a) *CONSOLIDATION OF ACCOUNTING ACTIVITIES AND*
12 *PROCUREMENT ACTIVITIES.*—*The Assistant Attorney Gen-*
13 *eral of the Office of Justice Programs, in coordination with*
14 *the Chief Information Officer and Chief Financial Officer*
15 *of the Department of Justice, shall ensure that—*

16 (1) *all accounting activities for all elements of*
17 *the Office of Justice Programs are carried out under*
18 *the direct management of the Office of the Comp-*
19 *troller; and*

20 (2) *all procurement activities for all elements of*
21 *the Office are carried out under the direct manage-*
22 *ment of the Office of Administration.*

23 (b) *FURTHER CONSOLIDATION OF PROCUREMENT AC-*
24 *TIVITIES.*—*The Assistant Attorney General, in coordination*
25 *with the Chief Information Officer and Chief Financial Of-*

1 *ficer of the Department of Justice, shall ensure that, on and*
2 *after September 30, 2008—*

3 (1) *all procurement activities for all elements of*
4 *the Office are carried out through a single manage-*
5 *ment office; and*

6 (2) *all contracts and purchase orders used in*
7 *carrying out those activities are processed through a*
8 *single procurement system.*

9 (c) *CONSOLIDATION OF FINANCIAL MANAGEMENT SYS-*
10 *TEMS.—The Assistant Attorney General, in coordination*
11 *with the Chief Information Officer and Chief Financial Of-*
12 *ficer of the Department of Justice, shall ensure that, on and*
13 *after September 30, 2010, all financial management activi-*
14 *ties (including human resources, payroll, and accounting*
15 *activities, as well as procurement activities) of all elements*
16 *of the Office are carried out through a single financial man-*
17 *agement system.*

18 (d) *ACHIEVING COMPLIANCE.—*

19 (1) *SCHEDULE.—The Assistant Attorney General*
20 *shall undertake a scheduled consolidation of oper-*
21 *ations to achieve compliance with the requirements of*
22 *this section.*

23 (2) *SPECIFIC REQUIREMENTS.—With respect to*
24 *achieving compliance with the requirements of—*

1 (A) subsection (a), the consolidation of oper-
 2 ations shall be initiated not later than 90 days
 3 after the date of the enactment of this Act; and

4 (B) subsections (b) and (c), the consolida-
 5 tion of operations shall be initiated not later
 6 than September 30, 2006, and shall be carried
 7 out by the Office of Administration, in consulta-
 8 tion with the Chief Information Officer and the
 9 Office of Audit, Assessment, and Management.

10 **SEC. 1163. AUTHORIZATION AND CHANGE OF COPS PRO-**
 11 **GRAM TO SINGLE GRANT PROGRAM.**

12 (a) *IN GENERAL.*—Section 1701 of title I of the Omni-
 13 *bus Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
 14 *3796dd) is amended—*

15 (1) *by amending subsection (a) to read as fol-*
 16 *lows:*

17 “(a) *GRANT AUTHORIZATION.*—*The Attorney General*
 18 *shall carry out a single grant program under which the At-*
 19 *torney General makes grants to States, units of local gov-*
 20 *ernment, Indian tribal governments, other public and pri-*
 21 *vate entities, and multi-jurisdictional or regional consortia*
 22 *for the purposes described in subsection (b).”;*

23 (2) *by striking subsections (b) and (c);*

24 (3) *by redesignating subsection (d) as subsection*
 25 *(b), and in that subsection—*

1 (A) by striking “**ADDITIONAL GRANT**
2 **PROJECTS.**—Grants made under subsection (a)
3 may include programs, projects, and other ac-
4 tivities to—” and inserting “**USES OF GRANT**
5 **AMOUNTS.**—The purposes for which grants
6 made under subsection (a) may be made are—
7 ”;

8 (B) by redesignating paragraphs (1)
9 through (12) as paragraphs (6) through (17), re-
10 spectively;

11 (C) by inserting before paragraph (6) (as so
12 redesignated) the following new paragraphs:

13 “(1) rehire law enforcement officers who have
14 been laid off as a result of State and local budget re-
15 ductions for deployment in community-oriented polic-
16 ing;

17 “(2) hire and train new, additional career law
18 enforcement officers for deployment in community-
19 oriented policing across the Nation;

20 “(3) procure equipment, technology, or support
21 systems, or pay overtime, to increase the number of
22 officers deployed in community-oriented policing;

23 “(4) award grants to pay for offices hired to per-
24 form intelligence, anti-terror, or homeland security
25 duties;”;

1 (D) by amending paragraph (9) (as so re-
2 designated) to read as follows:

3 “(9) develop new technologies, including inter-
4 operable communications technologies, modernized
5 criminal record technology, and forensic technology,
6 to assist State and local law enforcement agencies in
7 reorienting the emphasis of their activities from react-
8 ing to crime to preventing crime and to train law en-
9 forcement officers to use such technologies;”;

10 (4) by redesignating subsections (e) through (k)
11 as subsections (c) through (i), respectively; and

12 (5) in subsection (c) (as so redesignated) by
13 striking “subsection (i)” and inserting “subsection
14 (g)”.

15 (b) *CONFORMING AMENDMENT*.—Section 1702 of title
16 *I* of such Act (42 U.S.C. 3796dd–1) is amended in sub-
17 section (d)(2) by striking “section 1701(d)” and inserting
18 “section 1701(b)”.

19 (c) *AUTHORIZATION OF APPROPRIATIONS*.—Section
20 1001(a)(11) of title *I* of such Act (42 U.S.C. 3793(a)(11))
21 is amended—

22 (1) in subparagraph (A) by striking “ex-
23 pended—” and all that follows through “2000” and
24 inserting “expended \$1,047,119,000 for each of fiscal
25 years 2006 through 2009”; and

1 (2) *in subparagraph (B)—*

2 (A) *by striking “section 1701(f)” and in-*
3 *serting “section 1701(d)”;* and

4 (B) *by striking the third sentence.*

5 **SEC. 1164. CLARIFICATION OF PERSONS ELIGIBLE FOR BEN-**
6 **EFITS UNDER PUBLIC SAFETY OFFICERS’**
7 **DEATH BENEFITS PROGRAMS.**

8 (a) *PERSONS ELIGIBLE FOR DEATH BENEFITS.—Sec-*
9 *tion 1204 of the Omnibus Crime Control and Safe Streets*
10 *Act of 1968 (42 U.S.C. 3796b), as most recently amended*
11 *by section 2(a) of the Mychal Judge Police and Fire Chap-*
12 *lains Public Safety Officers’ Benefit Act of 2002 (Public*
13 *Law 107–196; 116 Stat. 719), is amended—*

14 (1) *by redesignating paragraphs (7) and (8) as*
15 *paragraphs (8) and (9), respectively;*

16 (2) *by inserting after paragraph (6) the fol-*
17 *lowing new paragraph:*

18 “(7) ‘*member of a rescue squad or ambulance*
19 *crew’ means an officially recognized or designated*
20 *public employee member of a rescue squad or ambu-*
21 *lance crew;”;* and

22 (3) *in paragraph (4) by striking “and” and all*
23 *that follows through the end and inserting a semi-*
24 *colon.*

1 (4) in paragraph (6) by striking “enforcement of
2 the laws” and inserting “enforcement of the criminal
3 laws (including juvenile delinquency).”

4 (b) *CLARIFICATION OF LIMITATION ON PAYMENTS IN*
5 *NON-CIVILIAN CASES.*—Section 1202(5) of such Act (42
6 *U.S.C. 3796a(5)) is amended by inserting “with respect”*
7 *before “to any individual”.*

8 (c) *WAIVER OF COLLECTION IN CERTAIN CASES.*—Sec-
9 *tion 1201 of such Act (42 U.S.C. 3796) is amended by add-*
10 *ing at the end the following:*

11 “(m) *The Bureau may suspend or end collection action*
12 *on an amount disbursed pursuant to a statute enacted*
13 *retroactively or otherwise disbursed in error under sub-*
14 *section (a) or (c), where such collection would be imprac-*
15 *tical, or would cause undue hardship to a debtor who acted*
16 *in good faith.”.*

17 (d) *DESIGNATION OF BENEFICIARY.*—Section
18 *1201(a)(4) of such Act (42 U.S.C. 3796(a)(4)) is amended*
19 *to read as follows:*

20 “(4) *if there is no surviving spouse or surviving*
21 *child—*

22 “(A) *in the case of a claim made on or after*
23 *the date that is 90 days after the date of the en-*
24 *actment of this subparagraph, to the individual*
25 *designated by such officer as beneficiary under*

1 *this section in such officer's most recently exe-*
2 *cutted designation of beneficiary on file at the*
3 *time of death with such officer's public safety*
4 *agency, organization, or unit, provided that such*
5 *individual survived such officer; or*

6 *“(B) if there is no individual qualifying*
7 *under subparagraph (A), to the individual des-*
8 *ignated by such officer as beneficiary under such*
9 *officer's most recently executed life insurance pol-*
10 *icy on file at the time of death with such officer's*
11 *public safety agency, organization, or unit, pro-*
12 *vided that such individual survived such officer;*
13 *or”.*

14 *(e) CONFIDENTIALITY.—Section 1201(1)(a) of such Act*
15 *(42 U.S.C. 3796(a)) is amended by adding at the end the*
16 *following:*

17 *“(6) The public safety agency, organization, or*
18 *unit responsible for maintaining on file an executed*
19 *designation of beneficiary or recently executed life in-*
20 *surance policy pursuant to paragraph (4) shall main-*
21 *tain the confidentiality of such designation or policy*
22 *in the same manner as it maintains personnel or*
23 *other similar records of the officer.”.*

1 **SEC. 1165. PRE-RELEASE AND POST-RELEASE PROGRAMS**
2 **FOR JUVENILE OFFENDERS.**

3 *Section 1801(b) of the Omnibus Crime Control and*
4 *Safe Streets Act of 1968 (42 U.S.C. 3796ee(b)) is*
5 *amended—*

6 *(1) in paragraph (15) by striking “or” at the*
7 *end;*

8 *(2) in paragraph (16) by striking the period at*
9 *the end and inserting “; or”; and*

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

11 *“(17) establishing, improving, and coordinating*
12 *pre-release and post-release systems and programs to*
13 *facilitate the successful reentry of juvenile offenders*
14 *from State or local custody in the community.”.*

15 **SEC. 1166. REAUTHORIZATION OF JUVENILE ACCOUNT-**
16 **ABILITY BLOCK GRANTS.**

17 *Section 1810(a) of the Omnibus Crime Control and*
18 *Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is*
19 *amended by striking “2002 through 2005” and inserting*
20 *“2006 through 2009”.*

21 **SEC. 1167. SEX OFFENDER MANAGEMENT.**

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

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

4 **SEC. 1168. EVIDENCE-BASED APPROACHES.**

5 *Section 1802 of the Omnibus Crime Control and Safe*
6 *Streets Act of 1968 is amended—*

7 (1) *in subsection (a)(1)(B) by inserting “, in-*
8 *cluding the extent to which evidence-based approaches*
9 *are utilized” after “part”; and*

10 (2) *in subsection (b)(1)(A)(ii) by inserting “, in-*
11 *cluding the extent to which evidence-based approaches*
12 *are utilized” after “part”.*

13 **SEC. 1169. REAUTHORIZATION OF MATCHING GRANT PRO-**
14 **GRAM FOR SCHOOL SECURITY.**

15 (a) *IN GENERAL.*—*Section 2705 of the Omnibus Crime*
16 *Control and Safe Streets Act of 1968 (42 U.S.C. 3797e) is*
17 *amended by striking “2003” and inserting “2009”.*

18 (b) *PROGRAM TO REMAIN UNDER COPS OFFICE.*—
19 *Section 2701 of the Omnibus Crime Control and Safe*
20 *Streets Act of 1968 (42 U.S.C. 3797a) is amended in sub-*
21 *section (a) by inserting after “The Attorney General” the*
22 *following: “, acting through the Office of Community Ori-*
23 *ented Policing Services,”.*

1 **SEC. 1170. TECHNICAL AMENDMENTS TO AIMEE'S LAW.**

2 *Section 2001 of Div. C, Pub. L. 106–386 (42 U.S.C.*
3 *13713), is amended—*

4 *(1) in each of subsections (b), (c)(1), (c)(2),*
5 *(c)(3), (e)(1), and (g) by striking the first upper-case*
6 *letter after the heading and inserting a lower case let-*
7 *ter of such letter and the following: “Pursuant to reg-*
8 *ulations promulgated by the Attorney General here-*
9 *under,”*

10 *(2) in subsection (c), paragraphs (1) and (2), re-*
11 *spectively, by—*

12 *(A) striking “a State”, the first place it ap-*
13 *pears, and inserting “a criminal-records-report-*
14 *ing State”; and*

15 *(B) striking “(3),” and all that follows*
16 *through “subsequent offense” and inserting “(3),*
17 *it may, under subsection (d), apply to the Attor-*
18 *ney General for \$10,000, for its related appre-*
19 *hension and prosecution costs, and \$22,500 per*
20 *year (up to a maximum of 5 years), for its re-*
21 *lated incarceration costs with both amounts for*
22 *costs adjusted annually for the rate of inflation”;*
23 *(3) in subsection (c)(3), by—*

24 *(A) striking “if—” and inserting “unless—*
25 *”;*

26 *(B) striking—*

1 (i) “average”;

2 (ii) “individuals convicted of the of-
3 fense for which,”; and

4 (iii) “convicted by the State is”; and

5 (C) inserting “not” before “less” each place
6 it appears.

7 (4) in subsections (d) and (e), respectively, by
8 striking “transferred”;

9 (5) in subsection (e)(1), by—

10 (A) inserting “pursuant to section 506 of
11 the Omnibus Crime Control and Safe Streets Act
12 of 1968” before “that”; and

13 (B) striking the last sentence and inserting
14 “No amount described under this section shall be
15 subject to section 3335(b) or 6503(d) of title 31,
16 United States Code”;

17 (6) in subsection (i)(1), by striking “State-” and
18 inserting “State (where practicable)-”; and

19 (7) by striking subsection (i)(2) and inserting:

20 “(2) REPORT.—The Attorney General shall sub-
21 mit to Congress—

22 “(A) a report, by not later than 6 months
23 after the date of enactment of this Act, that pro-
24 vides national estimates of the nature and extent
25 of recidivism (with an emphasis on interstate re-

1 *cidivism) by State inmates convicted of murder,*
 2 *rape, and dangerous sexual offenses;*

3 “(B) a report, by not later than October 1,
 4 2007, and October 1 of each year thereafter, that
 5 provides statistical analysis and criminal his-
 6 tory profiles of interstate recidivists identified in
 7 any State applications under this section; and

8 “(C) reports, at regular intervals not to ex-
 9 ceed every five years, that include the informa-
 10 tion described in paragraph (1).”.

11 ***Subtitle C—MISCELLANEOUS***
 12 ***PROVISIONS***

13 ***SEC. 1171. TECHNICAL AMENDMENTS RELATING TO PUBLIC***
 14 ***LAW 107-56.***

15 ***(a) STRIKING SURPLUS WORDS.—***

16 (1) *Section 2703(c)(1) of title 18, United States*
 17 *Code, is amended by striking “or” at the end of sub-*
 18 *paragraph (C).*

19 (2) *Section 1960(b)(1)(C) of title 18, United*
 20 *States Code, is amended by striking “to be used to be*
 21 *used” and inserting “to be used”.*

22 ***(b) PUNCTUATION AND GRAMMAR CORRECTIONS.—***
 23 *Section 2516(1)(q) of title 18, United States Code, is*
 24 *amended—*

1 (1) *by striking the semicolon after the first close*
2 *parenthesis; and*

3 (2) *by striking “sections” and inserting “sec-*
4 *tion”.*

5 (c) *CROSS REFERENCE CORRECTION.*—Section 322 of
6 *Public Law 107–56 is amended, effective on the date of the*
7 *enactment of that section, by striking “title 18” and insert-*
8 *ing “title 28”.*

9 **SEC. 1172. MISCELLANEOUS TECHNICAL AMENDMENTS.**

10 (a) *TABLE OF SECTIONS OMISSION.*—The table of sec-
11 *tions at the beginning of chapter 203 of title 18, United*
12 *States Code, is amended by inserting after the item relating*
13 *to section 3050 the following new item:*

“3051. Powers of Special Agents of Bureau of Alcohol, Tobacco, Firearms, and Ex-
plosives”.

14 (b) *REPEAL OF DUPLICATIVE PROGRAM.*—Section 316
15 *of Part A of the Runaway and Homeless Youth Act (42*
16 *U.S.C. 5712d), as added by section 40155 of the Violent*
17 *Crime Control and Law Enforcement Act of 1994 (Public*
18 *Law 103–322; 108 Stat. 1922), is repealed.*

19 (c) *REPEAL OF PROVISION RELATING TO UNAUTHOR-*
20 *IZED PROGRAM.*—Section 20301 of Public Law 103–322 is
21 *amended by striking subsection (c).*

22 **SEC. 1173. USE OF FEDERAL TRAINING FACILITIES.**

23 (a) *FEDERAL TRAINING FACILITIES.*—Unless author-
24 *ized in writing by the Attorney General, or the Assistant*

1 *Attorney General for Administration, if so delegated by the*
2 *Attorney General, the Department of Justice (and each enti-*
3 *ty within it) shall use for any predominantly internal*
4 *training or conference meeting only a facility that does not*
5 *require a payment to a private entity for use of the facility.*

6 (b) *ANNUAL REPORT.*—*The Attorney General shall*
7 *prepare an annual report to the Chairmen and ranking mi-*
8 *nority members of the Committees on the Judiciary of the*
9 *Senate and of the House of Representatives that details each*
10 *training and conference meeting that requires specific au-*
11 *thorization under subsection (a). The report shall include*
12 *an explanation of why the facility was chosen, and a break-*
13 *down of any expenditures incurred in excess of the cost of*
14 *conducting the training or meeting at a facility that did*
15 *not require such authorization.*

16 **SEC. 1174. PRIVACY OFFICER.**

17 (a) *IN GENERAL.*—*The Attorney General shall des-*
18 *ignate a senior official in the Department of Justice to as-*
19 *sume primary responsibility for privacy policy.*

20 (b) *RESPONSIBILITIES.*—*The responsibilities of such*
21 *official shall include advising the Attorney General*
22 *regarding—*

23 (1) *appropriate privacy protections, relating to*
24 *the collection, storage, use, disclosure, and security of*
25 *personally identifiable information, with respect to*

1 *the Department's existing or proposed information*
2 *technology and information systems;*

3 (2) *privacy implications of legislative and regu-*
4 *latory proposals affecting the Department and involv-*
5 *ing the collection, storage, use, disclosure, and secu-*
6 *rity of personally identifiable information;*

7 (3) *implementation of policies and procedures,*
8 *including appropriate training and auditing, to en-*
9 *sure the Department's compliance with privacy-re-*
10 *lated laws and policies, including section 552a of title*
11 *5, United States Code, and Section 208 of the E-Gov-*
12 *ernment Act of 2002 (Pub. L. 107-347);*

13 (4) *ensuring that adequate resources and staff*
14 *are devoted to meeting the Department's privacy-re-*
15 *lated functions and obligations;*

16 (5) *appropriate notifications regarding the De-*
17 *partment's privacy policies and privacy-related in-*
18 *quiry and complaint procedures; and*

19 (6) *privacy-related reports from the Department*
20 *to Congress and the President.*

21 (c) *REVIEW OF PRIVACY RELATED FUNCTIONS, RE-*
22 *SOURCES, AND REPORT.*—*Within 120 days of his designa-*
23 *tion, the privacy official shall prepare a comprehensive re-*
24 *port to the Attorney General and to the Committees on the*
25 *Judiciary of the House of Representatives and of the Senate,*

1 *describing the organization and resources of the Department*
2 *with respect to privacy and related information manage-*
3 *ment functions, including access, security, and records*
4 *management, assessing the Department's current and future*
5 *needs relating to information privacy issues, and making*
6 *appropriate recommendations regarding the Department's*
7 *organizational structure and personnel.*

8 (d) *ANNUAL REPORT.*—*The privacy official shall sub-*
9 *mit a report to the Committees on the Judiciary of the*
10 *House of Representatives and of the Senate on an annual*
11 *basis on activities of the Department that affect privacy,*
12 *including a summary of complaints of privacy violations,*
13 *implementation of section 552a of title 5, United States*
14 *Code, internal controls, and other relevant matters.*

15 **SEC. 1175. BANKRUPTCY CRIMES.**

16 *The Director of the Executive Office for United States*
17 *Trustees shall prepare an annual report to the Congress*
18 *detailing—*

19 (1) *the number and types of criminal referrals*
20 *made by the United States Trustee Program;*

21 (2) *the outcomes of each criminal referral;*

22 (3) *for any year in which the number of crimi-*
23 *nal referrals is less than for the prior year, an expla-*
24 *nation of the decrease; and*

1 (4) *the United States Trustee Program’s efforts*
2 *to prevent bankruptcy fraud and abuse, particularly*
3 *with respect to the establishment of uniform internal*
4 *controls to detect common, higher risk frauds, such as*
5 *a debtor’s failure to disclose all assets.*

6 **SEC. 1176. REPORT TO CONGRESS ON STATUS OF UNITED**
7 **STATES PERSONS OR RESIDENTS DETAINED**
8 **ON SUSPICION OF TERRORISM.**

9 *Not less often than once every 12 months, the Attorney*
10 *General shall submit to Congress a report on the status of*
11 *United States persons or residents detained, as of the date*
12 *of the report, on suspicion of terrorism. The report shall—*

13 (1) *specify the number of persons or residents so*
14 *detained; and*

15 (2) *specify the standards developed by the De-*
16 *partment of Justice for recommending or determining*
17 *that a person should be tried as a criminal defendant*
18 *or should be designated as an enemy combatant.*

19 **SEC. 1177. INCREASED PENALTIES AND EXPANDED JURIS-**
20 **DICTION FOR SEXUAL ABUSE OFFENSES IN**
21 **CORRECTIONAL FACILITIES.**

22 (a) *EXPANDED JURISDICTION.—The following provi-*
23 *sions of title 18, United States Code, are each amended by*
24 *inserting “or in any prison, institution, or facility in*
25 *which persons are held in custody by direction of or pursu-*

1 *ant to a contract or agreement with the Attorney General”*
2 *after “in a Federal prison,”:*

3 (1) *Subsections (a) and (b) of section 2241.*

4 (2) *The first sentence of subsection (c) of section*
5 *2241.*

6 (3) *Section 2242.*

7 (4) *Subsections (a) and (b) of section 2243.*

8 (5) *Subsections (a) and (b) of section 2244.*

9 (b) *INCREASED PENALTIES.—*

10 (1) *SEXUAL ABUSE OF A WARD.—Section*
11 *2243(b) of such title is amended by striking “one*
12 *year” and inserting “five years”.*

13 (2) *ABUSIVE SEXUAL CONTACT.—Section 2244 of*
14 *such title is amended by striking “six months” and*
15 *inserting “two years” in each of subsections (a)(4)*
16 *and (b).*

17 **SEC. 1178. EXPANDED JURISDICTION FOR CONTRABAND**
18 **OFFENSES IN CORRECTIONAL FACILITIES.**

19 *Section 1791(d)(4) of title 18, United States Code, is*
20 *amended by inserting “or any prison, institution, or facil-*
21 *ity in which persons are held in custody by direction of*
22 *or pursuant to a contract or agreement with the Attorney*
23 *General” after “penal facility”.*

1 **SEC. 1179. MAGISTRATE JUDGE'S AUTHORITY TO CONTINUE**
2 **PRELIMINARY HEARING.**

3 *The second sentence of section 3060(c) of title 18,*
4 *United States Code, is amended to read as follows: "In the*
5 *absence of such consent of the accused, the judge or mag-*
6 *istrate judge may extend the time limits only on a showing*
7 *that extraordinary circumstances exist and justice requires*
8 *the delay."*

9 **SEC. 1180. TECHNICAL CORRECTIONS RELATING TO**
10 **STEROIDS.**

11 *Section 102(41)(A) of the Controlled Substances Act*
12 *(21 U.S.C. 802(41)(A)), as amended by the Anabolic Ster-*
13 *oid Control Act of 2004 (Public law 108-358), is amended*
14 *by—*

15 *(1) striking clause (xvii) and inserting the fol-*
16 *lowing:*

17 *"(xvii) 13 β -ethyl-17 β -hydroxygon-4-en-3-one;"*
18 *and*

19 *(2) striking clause (xlv) and inserting the fol-*
20 *lowing:*

21 *"(xlv) stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-*
22 *androst-2-eno[3,2-c]-pyrazole);"*

23 **SEC. 1181. PRISON RAPE COMMISSION EXTENSION.**

24 *Section 7 of the Prison Rape Elimination Act of 2003*
25 *(42 U.S.C. 15606) is amended in subsection (d)(3)(A) by*
26 *striking "2 years" and inserting "3 years".*

1 **SEC. 1182. LONGER STATUTE OF LIMITATION FOR HUMAN**
 2 **TRAFFICKING-RELATED OFFENSES.**

3 (a) *IN GENERAL.*—Chapter 213 of title 18, United
 4 States Code, is amended by adding at the end the following
 5 new section:

6 **“§ 3298. Trafficking-related offenses**

7 “No person shall be prosecuted, tried, or punished for
 8 any non-capital offense or conspiracy to commit a non-cap-
 9 ital offense under section 1581 (Peonage; Obstructing En-
 10 forcement), 1583 (Enticement into Slavery), 1584 (Sale
 11 into Involuntary Servitude), 1589 (Forced Labor), 1590
 12 (Trafficking with Respect to Peonage, Slavery, Involuntary
 13 Servitude, or Forced Labor), or 1592 (Unlawful Conduct
 14 with Respect to Documents in furtherance of Trafficking,
 15 Peonage, Slavery, Involuntary Servitude, or Forced Labor)
 16 of this title or under section 274(a) of the Immigration and
 17 Nationality Act unless the indictment is found or the infor-
 18 mation is instituted not later than 10 years after the com-
 19 mission of the offense.”.

20 (b) *CLERICAL AMENDMENT.*—The table of sections at
 21 the beginning of such chapter is amended by adding at the
 22 end the following new item:

“3298. Trafficking-related offenses”.

23 (c) *MODIFICATION OF STATUTE APPLICABLE TO OF-*
 24 *FENSE AGAINST CHILDREN.*—Section 3283 of title 18,
 25 United States Code, is amended by inserting “, or for ten

1 *years after the offense, whichever is longer” after “of the*
2 *child”.*

3 **SEC. 1183. USE OF CENTER FOR CRIMINAL JUSTICE TECH-**
4 **NOLOGY.**

5 *(a) IN GENERAL.—The Attorney General may use the*
6 *services of the Center for Criminal Justice Technology, a*
7 *nonprofit “center of excellence” that provides technology as-*
8 *sistance and expertise to the criminal justice community.*

9 *(b) AUTHORIZATION OF APPROPRIATIONS.—There are*
10 *authorized to be appropriated to the Attorney General to*
11 *carry out this section the following amounts, to remain*
12 *available until expended:*

13 *(1) \$7,500,000 for fiscal year 2006;*

14 *(2) \$7,500,000 for fiscal year 2007; and*

15 *(3) \$10,000,000 for fiscal year 2008.*

16 **SEC. 1184. SEARCH GRANTS.**

17 *(a) IN GENERAL.—Pursuant to subpart 1 of part E*
18 *of title I of the Omnibus Crime Control and Safe Streets*
19 *Act of 1968, the Attorney General may make grants to*
20 *SEARCH, the National Consortium for Justice Informa-*
21 *tion and Statistics, to carry out the operations of the Na-*
22 *tional Technical Assistance and Training Program.*

23 *(b) AUTHORIZATION OF APPROPRIATIONS.—There are*
24 *authorized to be appropriated to the Attorney General to*

1 *carry out this section \$4,000,000 for each of fiscal years*
2 *2006 through 2009.*

3 **SEC. 1185. REAUTHORIZATION OF LAW ENFORCEMENT**
4 **TRIBUTE ACT.**

5 *Section 11001 of Public Law 107–273 (42 U.S.C.*
6 *15208; 116 Stat. 1816) is amended in subsection (i) by*
7 *striking “2006” and inserting “2009”.*

8 **SEC. 1186. AMENDMENT REGARDING BULLYING AND**
9 **GANGS.**

10 *Paragraph (13) of section 1801(b) of the Omnibus*
11 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
12 *3796ee(b)) is amended to read as follows:*

13 *“(13) establishing and maintaining account-*
14 *ability-based programs that are designed to enhance*
15 *school safety, which programs may include research-*
16 *based bullying, cyberbullying, and gang prevention*
17 *programs;”.*

18 **SEC. 1187. TRANSFER OF PROVISIONS RELATING TO THE**
19 **BUREAU OF ALCOHOL, TOBACCO, FIREARMS,**
20 **AND EXPLOSIVES.**

21 *(a) ORGANIZATIONAL PROVISION.—Part II of title 28,*
22 *United States Code, is amended by adding at the end the*
23 *following new chapter:*

1 **“CHAPTER 40A—BUREAU OF ALCOHOL,**
 2 **TOBACCO, FIREARMS, AND EXPLOSIVES**

“Sec

“599A. Bureau of Alcohol, Tobacco, Firearms, and Explosives

“599B. Personnel management demonstration project”.

3 (b) *TRANSFER OF PROVISIONS.*—*The section heading*
 4 *for, and subsections (a), (b), (c)(1), and (c)(3) of, section*
 5 *1111, and section 1115, of the Homeland Security Act of*
 6 *2002 (6 U.S.C. 531(a), (b), (c)(1), and (c)(3), and 533) are*
 7 *hereby transferred to, and added at the end of chapter 40A*
 8 *of such title, as added by subsection (a) of this section.*

9 (c) *CONFORMING AMENDMENTS.*—

10 (1) *Such section 1111 is amended—*

11 (A) *by striking the section heading and in-*
 12 *serting the following:*

13 **“§ 599A. Bureau of alcohol, tobacco, firearms, and Ex-**
 14 **plosives”;**

15 *and*

16 (B) *in subsection (b)(2), by inserting “of*
 17 *section 1111 of the Homeland Security Act of*
 18 *2002 (as enacted on the date of the enactment of*
 19 *such Act)” after “subsection (c)”,*

20 *and such section heading and such subsections (as so*
 21 *amended) shall constitute section 599A of such title.*

22 (2) *Such section 1115 is amended by striking the*
 23 *section heading and inserting the following:*

1 **“§ 599B. Personnel Management demonstration**
 2 **project”**,

3 *and such section (as so amended) shall constitute*
 4 *section 599B of such title.*

5 (d) *CLERICAL AMENDMENT.*—*The chapter analysis for*
 6 *such part is amended by adding at the end the following*
 7 *new item:*

“40A. Bureau of Alcohol, Tobacco, Firearms, and Explo-
sives^{2599A}”

8 **SEC. 1188. REAUTHORIZE THE GANG RESISTANCE EDU-**
 9 **CATION AND TRAINING PROJECTS PROGRAM.**

10 *Section 32401(b) of the Violent Crime Control Act of*
 11 *1994 (42 U.S.C. 13921(b)) is amended by striking para-*
 12 *graphs (1) through (6) and inserting the following:*

13 *“(1) \$20,000,000 for fiscal year 2006;*

14 *“(2) \$20,000,000 for fiscal year 2007;*

15 *“(3) \$20,000,000 for fiscal year 2008;*

16 *“(4) \$20,000,000 for fiscal year 2009; and*

17 *“(5) \$20,000,000 for fiscal year 2010.”.*

18 **SEC. 1189. NATIONAL TRAINING CENTER.**

19 (a) *IN GENERAL.*—*The Attorney General may use the*
 20 *services of the National Training Center in Sioux City,*
 21 *Iowa, to utilize a national approach to bring communities*
 22 *and criminal justice agencies together to receive training*
 23 *to control the growing national problem of methamphet-*
 24 *amine, poly drugs and their associated crimes. The Na-*
 25 *tional Training Center in Sioux City, Iowa, seeks a com-*

1 *prehensive approach to control and reduce methamphet-*
 2 *amine trafficking, production and usage through training.*

3 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 4 *authorized to be appropriated to the Attorney General to*
 5 *carry out this section the following amounts, to remain*
 6 *available until expended:*

7 (1) *\$2,500,000 for fiscal year 2006.*

8 (2) *\$3,000,000 for fiscal year 2007.*

9 (3) *\$3,000,000 for fiscal year 2008.*

10 (4) *\$3,000,000 for fiscal year 2009.*

11 **SEC. 1190. SENSE OF CONGRESS RELATING TO “GOOD**
 12 **TIME” RELEASE.**

13 *It is the sense of Congress that it is important to study*
 14 *the concept of implementing a “good time” release program*
 15 *for non-violent criminals in the Federal prison system.*

16 **SEC. 1191. PUBLIC EMPLOYEE UNIFORMS.**

17 (a) *IN GENERAL.*—*Section 716 of title 18, United*
 18 *States Code, is amended—*

19 (1) *by striking “police badge” each place it ap-*
 20 *pears in subsections (a) and (b) and inserting “offi-*
 21 *cial insignia or uniform”;*

22 (2) *in each of paragraphs (2) and (4) of sub-*
 23 *section (a), by striking “badge of the police” and in-*
 24 *serting “official insignia or uniform”;*

25 (3) *in subsection (b)—*

1 (A) by striking “the badge” and inserting
2 “the insignia or uniform”;

3 (B) by inserting “is other than a counterfeit
4 insignia or uniform and” before “is used or is
5 intended to be used”; and

6 (C) by inserting “is not used to mislead or
7 deceive, or” before “is used or intended”;

8 (4) in subsection (c)—

9 (A) by striking “and” at the end of para-
10 graph (1);

11 (B) by striking the period at the end of
12 paragraph (2) and inserting “; and”;

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

14 “(3) the term ‘official insignia or uniform’
15 means an article of distinctive clothing or insignia,
16 including a badge, emblem or identification card, that
17 is an indicium of the authority of a public employee;

18 “(4) the term ‘public employee’ means any offi-
19 cer or employee of the Federal Government or of a
20 State or local government; and

21 “(5) the term ‘uniform’ means distinctive cloth-
22 ing or other items of dress, whether real or counter-
23 feit, worn during the performance of official duties
24 and which identifies the wearer as a public agency
25 employee.”; and

1 (5) *by adding at the end the following:*

2 “(d) *It is a defense to a prosecution under this section*
 3 *that the official insignia or uniform is not used or intended*
 4 *to be used to mislead or deceive, or is a counterfeit insignia*
 5 *or uniform and is used or is intended to be used*
 6 *exclusively—*

7 “(1) *for a dramatic presentation, such as a the-*
 8 *atrical, film, or television production; or*

9 “(2) *for legitimate law enforcement purposes.”;*
 10 *and*

11 (6) *in the heading for the section, by striking*
 12 “**POLICE BADGES**” *and inserting “***PUBLIC EM-**
 13 **PLOYEE INSIGNIA AND UNIFORM***”.*

14 (b) *CONFORMING AMENDMENT TO TABLE OF SEC-*
 15 *TIONS.—The item in the table of sections at the beginning*
 16 *of chapter 33 of title 18, United States Code, relating to*
 17 *section 716 is amended by striking “Police badges” and in-*
 18 *serting “Public employee insignia and uniform”.*

19 (c) *DIRECTION TO SENTENCING COMMISSION.—The*
 20 *United States Sentencing Commission is directed to make*
 21 *appropriate amendments to sentencing guidelines, policy*
 22 *statements, and official commentary to assure that the sen-*
 23 *tence imposed on a defendant who is convicted of a Federal*
 24 *offense while wearing or displaying insignia and uniform*

1 *received in violation of section 716 of title 18, United States*
2 *Code, reflects the gravity of this aggravating factor.*

3 **SEC. 1192. OFFICIALLY APPROVED POSTAGE.**

4 *Section 475 of title 18, United States Code, is amended*
5 *by adding at the end the following: “Nothing in this section*
6 *applies to evidence of postage payment approved by the*
7 *United States Postal Service.”.*

8 **SEC. 1193. AUTHORIZATION OF ADDITIONAL APPROPRIA-**
9 **TIONS.**

10 *In addition to any other amounts authorized by law,*
11 *there are authorized to be appropriated for grants to the*
12 *American Prosecutors Research Institute under section*
13 *214A of the Victims of Child Abuse Act of 1990 (42 U.S.C.*
14 *13003) \$7,500,000 for each of fiscal years 2006 through*
15 *2010.*

16 **SEC. 1194. ASSISTANCE TO COURTS.**

17 *The chief judge of each United States district court is*
18 *encouraged to cooperate with requests from State and local*
19 *authorities whose operations have been significantly dis-*
20 *rupted as a result of Hurricane Katrina or Hurricane Rita*
21 *to provide accommodations in Federal facilities for State*
22 *and local courts to conduct their proceedings.*

1 **SEC. 1195. STUDY AND REPORT ON CORRELATION BETWEEN**
2 **SUBSTANCE ABUSE AND DOMESTIC VIO-**
3 **LENCE AT DOMESTIC VIOLENCE SHELTERS.**

4 *The Secretary of Health and Human Services shall*
5 *carry out a study on the correlation between a perpetrator’s*
6 *drug and alcohol abuse and the reported incidence of domes-*
7 *tic violence at domestic violence shelters. The study shall*
8 *cover fiscal years 2006 through 2008. Not later than Feb-*
9 *ruary 2009, the Secretary shall submit to Congress a report*
10 *on the results of the study.*

11 **SEC. 1196. REAUTHORIZATION OF STATE CRIMINAL ALIEN**
12 **ASSISTANCE PROGRAM.**

13 (a) *AUTHORIZATION OF APPROPRIATIONS.—Section*
14 *241(i)(5) of the Immigration and Nationality Act (8 U.S.C.*
15 *1231(i)(5)) is amended by striking “appropriated” and all*
16 *that follows through the period and inserting the following:*
17 *“appropriated to carry out this subsection—*

18 *“(A) \$750,000,000 for fiscal year 2006;*

19 *“(B) \$850,000,000 for fiscal year 2007; and*

20 *“(C) \$950,000,000 for each of the fiscal*
21 *years 2008 through 2011.”.*

22 (b) *LIMITATION ON USE OF FUNDS.—Section 241(i)(6)*
23 *of the Immigration and Nationality Act (8 U.S.C.*
24 *1231(i)(6)) is amended to read as follows:*

25 *“(6) Amounts appropriated pursuant to the au-*
26 *thorization of appropriations in paragraph (5) that*

1 *are distributed to a State or political subdivision of*
2 *a State, including a municipality, may be used only*
3 *for correctional purposes.”.*

4 *(c) STUDY AND REPORT ON STATE AND LOCAL ASSIST-*
5 *ANCE IN INCARCERATING UNDOCUMENTED CRIMINAL*
6 *ALIENS.—*

7 *(1) IN GENERAL.—Not later than 1 year after*
8 *the date of the enactment of this Act, the Inspector*
9 *General of the United States Department of Justice*
10 *shall perform a study, and report to the Committee*
11 *on the Judiciary of the United States House of Rep-*
12 *resentatives and the Committee on the Judiciary of*
13 *the United States Senate on the following:*

14 *(A) Whether there are States, or political*
15 *subdivisions of a State, that have received com-*
16 *ensation under section 241(i) of the Immigra-*
17 *tion and Nationality Act (8 U.S.C. 1231(i)) and*
18 *are not fully cooperating in the Department of*
19 *Homeland Security’s efforts to remove from the*
20 *United States undocumented criminal aliens (as*
21 *defined in paragraph (3) of such section).*

22 *(B) Whether there are States, or political*
23 *subdivisions of a State, that have received com-*
24 *ensation under section 241(i) of the Immigra-*
25 *tion and Nationality Act (8 U.S.C. 1231(i)) and*

1 *that have in effect a policy that violates section*
2 *642 of the Illegal Immigration Reform and Im-*
3 *migrant Responsibility Act of 1996 (8 U.S.C.*
4 *1373).*

5 *(C) The number of criminal offenses that*
6 *have been committed by aliens unlawfully*
7 *present in the United States after having been*
8 *apprehended by States or local law enforcement*
9 *officials for a criminal offense and subsequently*
10 *being released without being referred to the De-*
11 *partment of Homeland Security for removal*
12 *from the United States.*

13 *(D) The number of aliens described in sub-*
14 *paragraph (C) who were released because the*
15 *State or political subdivision lacked space or*
16 *funds for detention of the alien.*

17 (2) *IDENTIFICATION.*—*In the report submitted*
18 *under paragraph (1), the Inspector General of the*
19 *United States Department of Justice—*

20 *(A) shall include a list identifying each*
21 *State or political subdivision of a State that is*
22 *determined to be described in subparagraph (A)*
23 *or (B) of paragraph (1); and*

1 (B) shall include a copy of any written pol-
2 icy determined to be described in subparagraph
3 (B).

4 **SEC. 1197. EXTENSION OF CHILD SAFETY PILOT PROGRAM.**

5 Section 108 of the PROTECT Act (42 U.S.C. 5119a
6 note) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (2)(B), by striking “A
9 volunteer organization in a participating State
10 may not submit background check requests under
11 paragraph (3).”;

12 (B) in paragraph (3)—

13 (i) in subparagraph (A), by striking
14 “a 30-month” and inserting “a 60-month”;

15 (ii) in subparagraph (A), by striking
16 “100,000” and inserting “200,000”; and

17 (iii) by striking subparagraph (B) and
18 inserting the following:

19 “(B) PARTICIPATING ORGANIZATIONS.—

20 “(i) ELIGIBLE ORGANIZATIONS.—Eli-
21 gible organizations include—

22 “(I) the Boys and Girls Clubs of
23 America;

24 “(II) the MENTOR/National
25 Mentoring Partnership;

1 “(III) the National Council of
2 Youth Sports; and

3 “(IV) any nonprofit organization
4 that provides care, as that term is de-
5 fined in section 5 of the National Child
6 Protection Act of 1993 (42 U.S.C.
7 5119c), for children.

8 “(i) PILOT PROGRAM.—The eligibility
9 of an organization described in clause
10 (i)(IV) to participate in the pilot program
11 established under this section shall be deter-
12 mined by the National Center for Missing
13 and Exploited Children, with the rejection
14 or concurrence within 30 days of the Attor-
15 ney General, according to criteria estab-
16 lished by such Center, including the poten-
17 tial number of applicants and suitability of
18 the organization to the intent of this section.
19 If the Attorney General fails to reject or
20 concur within 30 days, the determination of
21 the National Center for Missing and Ex-
22 ploited Children shall be conclusive.”;

23 (iv) by striking subparagraph (C) and
24 inserting the following:

1 “(C) *APPLICANTS FROM PARTICIPATING OR-*
2 *GANIZATIONS.—Participating organizations may*
3 *request background checks on applicants for posi-*
4 *tions as volunteers and employees who will be*
5 *working with children or supervising volun-*
6 *teers.”;*

7 *(v) in subparagraph (D), by striking*
8 *“the organizations described in subpara-*
9 *graph (C)” and inserting “participating or-*
10 *ganizations”;* and

11 *(vi) in subparagraph (F), by striking*
12 *“14 business days” and inserting “10 busi-*
13 *ness days”;*

14 *(2) in subsection (c)(1), by striking “and 2005”*
15 *and inserting “through 2008”;* and

16 *(3) in subsection (d)(1), by adding at the end the*
17 *following:*

18 *“(O) The extent of participation by eligible*
19 *organizations in the state pilot program.”.*

20 **SEC. 1198. TRANSPORTATION AND SUBSISTENCE FOR SPE-**
21 **CIAL SESSIONS OF DISTRICT COURTS.**

22 *(a) TRANSPORTATION AND SUBSISTENCE.—Section*
23 *141(b) of title 28, United States Code, as added by section*
24 *2(b) of Public Law 109–63, is amended by adding at the*
25 *end the following:*

1 “(5) If a district court issues an order exercising its
2 authority under paragraph (1), the court shall direct the
3 United States marshal of the district where the court is
4 meeting to furnish transportation and subsistence to the
5 same extent as that provided in sections 4282 and 4285
6 of title 18.”.

7 (b) *AUTHORIZATION OF APPROPRIATIONS.*—There are
8 authorized to be appropriated such sums as may be nec-
9 essary to carry out paragraph (5) of section 141(b) of title
10 28, United States Code, as added by subsection (a) of this
11 section.

12 **SEC. 1199. YOUTH VIOLENCE REDUCTION DEMONSTRATION**
13 **PROJECTS.**

14 (a) *ESTABLISHMENT OF YOUTH VIOLENCE REDUC-*
15 *TION DEMONSTRATION PROJECTS.*—

16 (1) *IN GENERAL.*—The Attorney General shall
17 make up to 5 grants for the purpose of carrying out
18 Youth Violence Demonstration Projects to reduce juve-
19 nile and young adult violence, homicides, and recidi-
20 vism among high-risk populations.

21 (2) *ELIGIBLE ENTITIES.*—An entity is eligible
22 for a grant under paragraph (1) if it is a unit of
23 local government or a combination of local govern-
24 ments established by agreement for purposes of under-
25 taking a demonstration project.

1 **(b) SELECTION OF GRANT RECIPIENTS.—**

2 **(1) AWARDS.—***The Attorney General shall award*
3 *grants for Youth Violence Reduction Demonstration*
4 *Projects on a competitive basis.*

5 **(2) AMOUNT OF AWARDS.—***No single grant*
6 *award made under subsection (a) shall exceed*
7 *\$15,000,000 per fiscal year.*

8 **(3) APPLICATION.—***An application for a grant*
9 *under paragraph (1) shall be submitted to the Attor-*
10 *ney General in such a form, and containing such in-*
11 *formation and assurances, as the Attorney General*
12 *may require, and at a minimum shall propose—*

13 **(A)** *a program strategy targeting areas with*
14 *the highest incidence of youth violence and homi-*
15 *cides;*

16 **(B)** *outcome measures and specific objective*
17 *indicia of performance to assess the effectiveness*
18 *of the program; and*

19 **(C)** *a plan for evaluation by an inde-*
20 *pendent third party.*

21 **(4) DISTRIBUTION.—***In making grants under*
22 *this section, the Attorney General shall ensure the fol-*
23 *lowing:*

24 **(A)** *No less than 1 recipient is a city with*
25 *a population exceeding 1,000,000 and an in-*

1 crease of at least 30 percent in the aggregated ju-
2 venile and young adult homicide victimization
3 rate during calendar year 2005 as compared to
4 calendar year 2004.

5 (B) No less than one recipient is a non-
6 metropolitan county or group of counties with
7 per capita arrest rates of juveniles and young
8 adults for serious violent offenses that exceed the
9 national average for nonmetropolitan counties by
10 at least 5 percent.

11 (5) *CRITERIA.*—In making grants under this sec-
12 tion, the Attorney General shall give preference to en-
13 tities operating programs that meet the following cri-
14 teria:

15 (A) A program focus on

16 (i) reducing youth violence and homi-
17 cides, with an emphasis on juvenile and
18 young adult probationers and other juve-
19 niles and young adults who have had or are
20 likely to have contact with the juvenile jus-
21 tice system;

22 (ii) fostering positive relationships be-
23 tween program participants and supportive
24 adults in the community; and

1 (iii) accessing comprehensive supports
2 for program participants through coordi-
3 nated community referral networks, includ-
4 ing job opportunities, educational pro-
5 grams, counseling services, substance abuse
6 programs, recreational opportunities, and
7 other services;

8 (B) A program goal of almost daily contacts
9 with and supervision of participating juveniles
10 and young adults through small caseloads and a
11 coordinated team approach among case man-
12 agers drawn from the community, probation offi-
13 cers, and police officers;

14 (C) The use of existing structures, local gov-
15 ernment agencies, and nonprofit organizations to
16 operate the program;

17 (D) Inclusion in program staff of individ-
18 uals who live or have lived in the community in
19 which the program operates; have personal expe-
20 riences or cultural competency that build credi-
21 bility in relationships with program partici-
22 pants; and will serve as a case manager, inter-
23 mediary, and mentor;

24 (E) Fieldwork and neighborhood outreach
25 in communities where the young violent offenders

1 *live, including support of the program from local*
2 *public and private organizations and commu-*
3 *nity members;*

4 (F) *Imposition of graduated probation*
5 *sanctions to deter violent and criminal behavior.*

6 (G) *A record of program operation and ef-*
7 *fectiveness evaluation over a period of at least*
8 *five years prior to the date of enactment of this*
9 *Act;*

10 (H) *A program structure that can serve as*
11 *a model for other communities in addressing the*
12 *problem of youth violence and juvenile and*
13 *young adult recidivism.*

14 (c) *AUTHORIZED ACTIVITIES.*—*Amounts paid to an el-*
15 *igible entity under a grant award may be used for the fol-*
16 *lowing activities:*

17 (1) *Designing and enhancing program activities;*

18 (2) *Employing and training personnel.*

19 (3) *Purchasing or leasing equipment.*

20 (4) *Providing services and training to program*
21 *participants and their families.*

22 (5) *Supporting related law enforcement and pro-*
23 *bation activities, including personnel costs.*

24 (6) *Establishing and maintaining a system of*
25 *program records.*

1 (7) *Acquiring, constructing, expanding, ren-*
2 *ovating, or operating facilities to support the pro-*
3 *gram.*

4 (8) *Evaluating program effectiveness.*

5 (9) *Undertaking other activities determined by*
6 *the Attorney General as consistent with the purposes*
7 *and requirements of the demonstration program.*

8 (d) *EVALUATION AND REPORTS.—*

9 (1) *INDEPENDENT EVALUATION.—The Attorney*
10 *General may use up to \$500,000 of funds appro-*
11 *priated annually under this such section to—*

12 (A) *prepare and implement a design for in-*
13 *terim and overall evaluations of performance*
14 *and progress of the funded demonstration*
15 *projects;*

16 (B) *provide training and technical assist-*
17 *ance to grant recipients; and*

18 (C) *disseminate broadly the information*
19 *generated and lessons learned from the operation*
20 *of the demonstration projects.*

21 (2) *REPORTS TO CONGRESS.—Not later than 120*
22 *days after the last day of each fiscal year for which*
23 *1 or more demonstration grants are awarded, the At-*
24 *torney General shall submit to Congress a report*
25 *which shall include—*

1 (A) a summary of the activities carried out
2 with such grants;

3 (B) an assessment by the Attorney General
4 of the program carried out; and

5 (C) such other information as the Attorney
6 General considers appropriate.

7 (e) *FEDERAL SHARE*.—

8 (1) *IN GENERAL*.—The Federal share of a grant
9 awarded under this Act shall not exceed 90 percent of
10 the total program costs.

11 (2) *NON-FEDERAL SHARE*.—The non-Federal
12 share of such cost may be provided in cash or in-kind.

13 (f) *DEFINITIONS*.—In this section:

14 (1) *UNIT OF LOCAL GOVERNMENT*.—The term
15 “unit of local government” means a county, township,
16 city, or political subdivision of a county, township, or
17 city, that is a unit of local government as determined
18 by the Secretary of Commerce for general statistical
19 purposes.

20 (2) *JUVENILE*.—The term “juvenile” means an
21 individual who is 17 years of age or younger.

22 (3) *YOUNG ADULT*.—The term “young adult”
23 means an individual who is 18 through 24 years of
24 age.

1 *(g) AUTHORIZATION OF APPROPRIATIONS.—There are*
2 *authorized to be appropriated to carry out this section*
3 *\$50,000,000 for fiscal year 2007 and such sums as may be*
4 *necessary for each of fiscal years 2008 through 2009, to re-*
5 *main available until expended.*

Attest:

Secretary.

109TH CONGRESS
1ST SESSION

H. R. 3402

AMENDMENT