

## **Attachment 1a**

Authorizing Legislation

Family Violence Prevention Service Act

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Division of Violence Prevention  
National Center for Injury Prevention and Control  
Centers for Disease Control and Prevention

From the U.S. Code Online via GPO Access [wais.access.gpo.gov]  
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[CITE: 42USC10401]

TITLE 42--THE PUBLIC HEALTH AND WELFARE

SEC. 201. FAMILY VIOLENCE PREVENTION AND SERVICES.

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

TITLE III--FAMILY VIOLENCE PREVENTION AND SERVICES

SEC. 301. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.--This title may be cited as the 'Family Violence Prevention and Services Act'.

(b) PURPOSE.--It is the purpose of this title to--

(1) assist States and Indian tribes in efforts to increase public awareness about, and primary and secondary prevention of, family violence, domestic violence, and dating violence;

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

(3) provide for a national domestic violence hotline;

(4) provide for technical assistance and training relating to family violence, domestic violence, and dating violence programs to States and Indian tribes, local public agencies(including law enforcement agencies, courts, and legal, social service, and health care professionals in public agencies), nonprofit private organizations (including faith-based and charitable organizations, community-based organizations, and voluntary associations), tribal organizations, and other persons seeking such assistance and training.

#### SEC. 302. DEFINITIONS.

In this title:

(1) ALASKA NATIVE.—The term ‘Alaska Native’ has the meaning given the term ‘Native’ in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

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

(3) DOMESTIC VIOLENCE.—The term ‘domestic violence’ has the meaning given such term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

(4) FAMILY VIOLENCE.—The term ‘family violence’ means any act or threatened act of violence, including any forceful detention of an individual, that—

(A) results or threatens to result in physical injury;

and

(B) is committed by a person against another individual (including an elderly individual) to or with whom such person—

(i) is related by blood;

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

(iii) is or was lawfully residing.

(5) INDIAN; INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms ‘Indian’, ‘Indian tribe’, and ‘tribal organization’ have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

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

(7) PERSONALLY IDENTIFYING INFORMATION.—The term ‘personally identifying information’ has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

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

(9) SHELTER.—The term ‘shelter’ means the provision of temporary refuge and supportive services in compliance with applicable State law (including regulation) governing the provision, on a regular basis, of shelter, safe homes, meals, and supportive services to

victims of family violence, domestic violence, or dating violence, and their dependents.

(10) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and, except as otherwise provided, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(11) STATE DOMESTIC VIOLENCE COALITION.—The term 'State Domestic Violence Coalition' means a statewide nongovernmental nonprofit private domestic violence organization that—

(A) has a membership that includes a majority of the primary-purpose domestic violence service providers in the State;

(B) has board membership that is representative of primary-purpose domestic violence service providers, and which may include representatives of the communities in which the services are being provided in the State;

(C) has as its purpose to provide education, support, and technical assistance to such service providers to enable the providers to establish and maintain shelter and supportive services for victims of domestic violence and their dependents; and

(D) serves as an information clearinghouse, primary point of contact, and resource center on domestic violence for the State and supports the development of policies, protocols, and procedures to enhance domestic violence intervention and prevention in the State.

(12) SUPPORTIVE SERVICES.—The term ‘supportive services’ means services for adult and youth victims of family violence, domestic violence, or dating violence, and dependents exposed to family violence, domestic violence, or dating violence, that are designed to—

(A) meet the needs of such victims of family violence, domestic violence, or dating violence, and their dependents, for short-term, transitional, or long-term safety; and

(B) provide counseling, advocacy, or assistance for victims of family violence, domestic violence, or dating violence, and their dependents.

(13) TRIBALLY DESIGNATED OFFICIAL.—The term ‘tribally designated official’ means an individual designated by an Indian tribe, tribal organization, or nonprofit private organization authorized by an Indian tribe, to administer a grant under section 309.

(14) UNDERSERVED POPULATIONS.—The term ‘underserved populations’ has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)). For the purposes of this title, the Secretary has the same authority to determine whether a population is an underserved population as the Attorney General has under that section 40002(a).

## SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

(a) FORMULA GRANTS TO STATES.—

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

(2) ALLOCATIONS.—

(A) FORMULA GRANTS TO STATES.—

(i) RESERVATION OF FUNDS.—For any fiscal year for which the amounts appropriated under paragraph (1) exceed \$130,000,000, not less than 25 percent of such excess funds shall be made available to carry out section 312.

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

(B) GRANTS TO TRIBES.—Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not less than 10 percent shall be used to carry out section 309.

(C) TECHNICAL ASSISTANCE AND TRAINING CENTERS.— Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not less than 6 percent shall be used by the Secretary for making grants under section 310.

(D) GRANTS FOR STATE DOMESTIC VIOLENCE COALITIONS.— Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not less than 10 percent of

such amounts shall be used by the Secretary for making grants under section 311.

(E) ADMINISTRATION, EVALUATION AND MONITORING.— Of the amount appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not more than 2.5 percent shall be used by the Secretary for evaluation, monitoring, and other administrative costs under this title.

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

(c) DOMESTIC VIOLENCE PREVENTION ENHANCEMENT AND LEADERSHIP THROUGH ALLIANCES.—There is authorized to be appropriated to carry out section 314 \$6,000,000 for each of fiscal years 2011 through 2015.

#### SEC. 304. AUTHORITY OF SECRETARY.

(a) AUTHORITIES.—In order to carry out the provisions of this title, the Secretary is authorized to—

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

(2) procure, to the extent authorized by section 3109 of title 5, United States Code, such temporary and intermittent services of experts and consultants as are necessary;

(3) make grants to eligible entities or enter into contracts with for-profit or nonprofit nongovernmental entities and establish reporting requirements for such grantees and contractors;



(4) prescribe such regulations and guidance as are reasonably necessary in order to carry out the objectives and provisions of this title, including regulations and guidance on implementing new grant conditions established or provisions modified by amendments made to this title by the CAPTA Reauthorization Act of 2010, to ensure accountability and transparency of the actions of grantees and contractors, or as determined by the Secretary to be reasonably necessary to carry out this title; and

(5) coordinate programs within the Department of Health and Human Services, and seek to coordinate those programs with programs administered by other Federal agencies, that involve or affect efforts to prevent family violence, domestic violence, and dating violence or the provision of assistance for adult and youth victims of family violence, domestic violence, or dating violence.

(b) ADMINISTRATION.—The Secretary shall—

(1) assign 1 or more employees of the Department of Health and Human Services to carry out the provisions of this title, including carrying out evaluation and monitoring under this title, which employees shall, prior to such appointment, have expertise in the field of family violence and domestic violence prevention and services and, to the extent practicable, have expertise in the field of dating violence;

(2) provide technical assistance in the conduct of programs for the prevention and treatment of family violence, domestic violence, and dating violence;

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

(A) consulting with experts and program providers within the family violence, domestic violence, and dating violence field to identify gaps in research and knowledge, establish research priorities, and disseminate research findings;

(B) collecting and reporting data on the provision of family violence, domestic violence, and dating violence services, including assistance and programs supported by Federal funds made available under this title and by other governmental or nongovernmental sources of funds; and

(C) coordinating family violence, domestic violence, and dating violence research efforts within the Department of Health and Human Services with relevant research administered or carried out by other Federal agencies and other researchers, including research on the provision of assistance for adult and youth victims of family violence, domestic violence, or dating violence; and

(4) support the development and implementation of effective policies, protocols, and programs within the Department and at other Federal agencies that address the safety and support needs of adult and youth victims of family violence, domestic violence, or dating violence.

(c) REPORTS.—Every 2 years, the Secretary shall review and evaluate the activities conducted by grantees, subgrantees, and contractors

under this title and the effectiveness of the programs administered pursuant to this title, and submit a report containing the evaluation to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. Such report shall also include a summary of the documentation provided to the Secretary through performance reports submitted under section 306(d). The Secretary shall make publicly available on the Department of Health and Human Services website the evaluation reports submitted to Congress under this subsection, including the summary of the documentation provided to the Secretary under section 306(d).