[109th Congress Public Law 162]

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VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF

2005

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Public Law 109-162

109th Congress

An Act

To authorize appropriations for the Department of Justice for fiscal

years 2006 through 2009, and for other purposes. <<NOTE: Jan. 5,

2006 - [H.R. 3402]>>

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, <<NOTE: Violence Against

Women and Department of Justice Reauthorization Act of 2005.>>

SECTION 1. <<NOTE: 42 USC 13701 note.>> SHORT TITLE.

This Act may be cited as the ``Violence Against Women and Department

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SEC. 3. UNIVERSAL DEFINITIONS AND GRANT PROVISIONS.

(a) In General.--The Violence Against Women Act of 1994 (108 Stat.

1902 et seq.) is amended by adding after section 40001 the following:

``SEC. 40002. <<NOTE: 42 USC 13925.>> DEFINITIONS AND GRANT PROVISIONS.

``(a) Definitions.--In this title:

``(1) Courts.--The term `courts' means any civil or

criminal, tribal, and Alaskan Village, Federal, State, local or

territorial court having jurisdiction to address domestic

violence, dating violence, sexual assault or stalking, including

immigration, family, juvenile, and dependency courts, and the

judicial officers serving in those courts, including judges,

magistrate judges, commissioners, justices of the peace, or any

other person with decisionmaking authority.

``(2) Child abuse and neglect.--The term `child abuse and

neglect' means any recent act or failure to act on the part of a

parent or caregiver with intent to cause death, serious physical

or emotional harm, sexual abuse, or exploitation, or an act or

failure to act which presents an imminent risk of serious harm.

This definition shall not be construed to mean that failure to

leave an abusive relationship, in the absence of other action

constituting abuse or neglect, is itself abuse or neglect.

``(3) Community-based organization.--The term `community-

based organization' means an organization that--

``(A) focuses primarily on domestic violence, dating

violence, sexual assault, or stalking;

``(B) has established a specialized culturally

specific program that addresses domestic violence,

dating violence, sexual assault, or stalking;

``(C) has a primary focus on underserved populations

(and includes representatives of these populations) and

domestic violence, dating violence, sexual assault, or

stalking; or

``(D) obtains expertise, or shows demonstrated

capacity to work effectively, on domestic violence,

dating violence, sexual assault, and stalking through

collaboration.

``(4) Child maltreatment.--The term `child maltreatment'

means the physical or psychological abuse or neglect of a child

or youth, including sexual assault and abuse.

``(5) Court-based and court-related personnel.--The term

`court-based' and `court-related personnel' mean persons working

in the court, whether paid or volunteer, including--

``(A) clerks, special masters, domestic relations

officers, administrators, mediators, custody evaluators,

guardians ad litem, lawyers, negotiators, probation,

parole, interpreters, victim assistants, victim

advocates, and judicial, administrative, or any other

professionals or personnel similarly involved in the

legal process;

``(B) court security personnel;

``(C) personnel working in related, supplementary

offices or programs (such as child support enforcement);

and

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``(D) any other court-based or community-based

personnel having responsibilities or authority to

address domestic violence, dating violence, sexual

assault, or stalking in the court system.

``(6) Domestic violence.--The term `domestic violence'

includes felony or misdemeanor crimes of violence committed by a

current or former spouse of the victim, by a person with whom

the victim shares a child in common, by a person who is

cohabitating with or has cohabitated with the victim as a

spouse, by a person similarly situated to a spouse of the victim

under the domestic or family violence laws of the jurisdiction

receiving grant monies, or by any other person against an adult

or youth victim who is protected from that person's acts under

the domestic or family violence laws of the jurisdiction.

``(7) Dating partner.--The term `dating partner' refers to a

person who is or has been in a social relationship of a romantic

or intimate nature with the abuser, and where the existence of

such a relationship shall be determined based on a consideration

of--

``(A) the length of the relationship;

``(B) the type of relationship; and

``(C) the frequency of interaction between the

persons involved in the relationship.

``(8) Dating violence.--The term `dating violence' means

violence committed by a person--

``(A) who is or has been in a social relationship of

a romantic or intimate nature with the victim; and

``(B) where the existence of such a relationship

shall be determined based on a consideration of the

following factors:

``(i) The length of the relationship.

``(ii) The type of relationship.

``(iii) The frequency of interaction between

the persons involved in the relationship.

``(9) Elder abuse.--The term `elder abuse' means any action

against a person who is 50 years of age or older that

constitutes the willful--

``(A) infliction of injury, unreasonable

confinement, intimidation, or cruel punishment with

resulting physical harm, pain, or mental anguish; or

``(B) deprivation by a person, including a

caregiver, of goods or services with intent to cause

physical harm, mental anguish, or mental illness.

``(10) Indian.--The term `Indian' means a member of an

Indian tribe.

``(11) Indian country.--The term `Indian country' has the

same meaning given such term in section 1151 of title 18, United

States Code.

``(12) Indian housing.--The term `Indian housing' means

housing assistance described in the Native American Housing

Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et

seq., as amended).

``(13) Indian tribe.--The term `Indian tribe' means a tribe,

band, pueblo, nation, or other organized group or community of

Indians, including any Alaska Native village or regional or

village corporation (as defined in, or established pursuant

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to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et

seq.)), that is recognized as eligible for the special programs

and services provided by the United States to Indians because of

their status as Indians.

``(14) Indian law enforcement.--The term `Indian law

enforcement' means the departments or individuals under the

direction of the Indian tribe that maintain public order.

``(15) Law enforcement.--The term `law enforcement' means a

public agency charged with policing functions, including any of

its component bureaus (such as governmental victim services

programs), including those referred to in section 3 of the

Indian Enforcement Reform Act (25 U.S.C. 2802).

``(16) Legal assistance.--The term `legal assistance'

includes assistance to adult and youth victims of domestic

violence, dating violence, sexual assault, and stalking in--

``(A) family, tribal, territorial, immigration,

employment, administrative agency, housing matters,

campus administrative or protection or stay away order

proceedings, and other similar matters; and

``(B) criminal justice investigations, prosecutions

and post-trial matters (including sentencing, parole,

and probation) that impact the victim's safety and

privacy.

``(17) Linguistically and culturally specific services.--The

term `linguistically and culturally specific services' means

community-based services that offer full linguistic access and

culturally specific services and resources, including outreach,

collaboration, and support mechanisms primarily directed toward

underserved communities.

``(18) Personally identifying information or personal

information.--The term `personally identifying information' or

`personal information' means individually identifying

information for or about an individual including information

likely to disclose the location of a victim of domestic

violence, dating violence, sexual assault, or stalking,

including--

``(A) a first and last name;

``(B) a home or other physical address;

``(C) contact information (including a postal, e-

mail or Internet protocol address, or telephone or

facsimile number);

``(D) a social security number; and

``(E) any other information, including date of

birth, racial or ethnic background, or religious

affiliation, that, in combination with any of

subparagraphs (A) through (D), would serve to identify

any individual.

``(19) Prosecution.--The term `prosecution' means any public

agency charged with direct responsibility for prosecuting

criminal offenders, including such agency's component bureaus

(such as governmental victim services programs).

``(20) Protection order or restraining order.--The term

`protection order' or `restraining order' includes--

``(A) any injunction, restraining order, or any

other order issued by a civil or criminal court for the

purpose of preventing violent or threatening acts or

harassment against, sexual violence or contact or

communication with or physical proximity to, another

person, including any temporary or final orders issued

by civil or criminal courts whether obtained by filing

an independent action or as

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a pendente lite order in another proceeding so long as

any civil order was issued in response to a complaint,

petition, or motion filed by or on behalf of a person

seeking protection; and

``(B) any support, child custody or visitation

provisions, orders, remedies, or relief issued as part

of a protection order, restraining order, or stay away

injunction pursuant to State, tribal, territorial, or

local law authorizing the issuance of protection orders,

restraining orders, or injunctions for the protection of

victims of domestic violence, dating violence, sexual

assault, or stalking.

``(21) Rural area and rural community.--The term `rural

area' and `rural community' mean--

``(A) any area or community, respectively, no part

of which is within an area designated as a standard

metropolitan statistical area by the Office of

Management and Budget; or

``(B) any area or community, respectively, that is--

``(i) within an area designated as a

metropolitan statistical area or considered as

part of a metropolitan statistical area; and

``(ii) located in a rural census tract.

``(22) Rural state.--The term `rural State' means a State

that has a population density of 52 or fewer persons per square

mile or a State in which the largest county has fewer than

150,000 people, based on the most recent decennial census.

``(23) Sexual assault.--The term `sexual assault' means any

conduct prescribed by chapter 109A of title 18, United States

Code, whether or not the conduct occurs in the special maritime

and territorial jurisdiction of the United States or in a

Federal prison and includes both assaults committed by offenders

who are strangers to the victim and assaults committed by

offenders who are known or related by blood or marriage to the

victim.

``(24) Stalking.--The term `stalking' means engaging in a

course of conduct directed at a specific person that would cause

a reasonable person to--

``(A) fear for his or her safety or the safety of

others; or

``(B) suffer substantial emotional distress.

``(25) State.--The term `State' means each of the several

States and the District of Columbia, and except as otherwise

provided, the Commonwealth of Puerto Rico, Guam, American Samoa,

the Virgin Islands, and the Northern Mariana Islands.

``(26) State domestic violence coalition.--The term `State

domestic violence coalition' means a program determined by the

Administration for Children and Families under the Family

Violence Prevention and Services Act (42 U.S.C. 10410(b)).

``(27) State sexual assault coalition.--The term `State

sexual assault coalition' means a program determined by the

Center for Injury Prevention and Control of the Centers for

Disease Control and Prevention under the Public Health Service

Act (42 U.S.C. 280b et seq.).

``(28) Territorial domestic violence or sexual assault

coalition.--The term `territorial domestic violence or sexual

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assault coalition' means a program addressing domestic or sexual

violence that is--

``(A) an established nonprofit, nongovernmental

territorial coalition addressing domestic violence or

sexual assault within the territory; or

``(B) a nongovernmental organization with a

demonstrated history of addressing domestic violence or

sexual assault within the territory that proposes to

incorporate as a nonprofit, nongovernmental territorial

coalition.

``(29) Tribal coalition.--The term `tribal coalition'

means--

``(A) an established nonprofit, nongovernmental

tribal coalition addressing domestic violence and sexual

assault against American Indian or Alaskan Native women;

or

``(B) individuals or organizations that propose to

incorporate as nonprofit, nongovernmental tribal

coalitions to address domestic violence and sexual

assault against American Indian or Alaska Native women.

``(30) Tribal government.--The term `tribal government'

means--

``(A) the governing body of an Indian tribe; or

``(B) a tribe, band, pueblo, nation, or other

organized group or community of Indians, including any

Alaska Native village or regional or village corporation

(as defined in, or established pursuant to, the Alaska

Native Claims Settlement Act (43 U.S.C. 1601 et seq.)),

that is recognized as eligible for the special programs

and services provided by the United States to Indians

because of their status as Indians.

``(31) Tribal organization.--The term `tribal organization'

means--

``(A) the governing body of any Indian tribe;

``(B) any legally established organization of

Indians which is controlled, sanctioned, or chartered by

such governing body of a tribe or tribes to be served,

or which is democratically elected by the adult members

of the Indian community to be served by such

organization and which includes the maximum

participation of Indians in all phases of its

activities; or

``(C) any tribal nonprofit organization.

``(32) Underserved populations.--The term `underserved

populations' includes populations underserved because of

geographic location, underserved racial and ethnic populations,

populations underserved because of special needs (such as

language barriers, disabilities, alienage status, or age), and

any other population determined to be underserved by the

Attorney General or by the Secretary of Health and Human

Services, as appropriate.

``(33) Victim advocate.--The term `victim advocate' means a

person, whether paid or serving as a volunteer, who provides

services to victims of domestic violence, sexual assault,

stalking, or dating violence under the auspices or supervision

of a victim services program.

``(34) Victim assistant.--The term `victim assistant' means

a person, whether paid or serving as a volunteer, who provides

services to victims of domestic violence, sexual assault,

stalking,

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or dating violence under the auspices or supervision of a court

or a law enforcement or prosecution agency.

``(35) Victim services or victim service provider.--The term

`victim services' or `victim service provider' means a

nonprofit, nongovernmental organization that assists domestic

violence, dating violence, sexual assault, or stalking victims,

including rape crisis centers, domestic violence shelters,

faith-based organizations, and other organizations, with a

documented history of effective work concerning domestic

violence, dating violence, sexual assault, or stalking.

``(36) Youth.--The term `youth' means teen and young adult

victims of domestic violence, dating violence, sexual assault,

or stalking.

``(b) Grant Conditions.--

``(1) Match.--No matching funds shall be required for a

grant or subgrant made under this title for any tribe,

territory, victim service provider, or any entity that the

Attorney General determines has adequately demonstrated

financial need.

``(2) Nondisclosure of confidential or private

information.--

``(A) In general.--In order to ensure the safety of

adult, youth, and child victims of domestic violence,

dating violence, sexual assault, or stalking, and their

families, grantees and subgrantees under this title

shall protect the confidentiality and privacy of persons

receiving services.

``(B) Nondisclosure.--Subject to subparagraphs (C)

and (D), grantees and subgrantees shall not--

``(i) disclose any personally identifying

information or individual information collected in

connection with services requested, utilized, or

denied through grantees' and subgrantees'

programs; or

``(ii) reveal individual client information

without the informed, written, reasonably time-

limited consent of the person (or in the case of

an unemancipated minor, the minor and the parent

or guardian or in the case of persons with

disabilities, the guardian) about whom information

is sought, whether for this program or any other

Federal, State, tribal, or territorial grant

program, except that consent for release may not

be given by the abuser of the minor, person with

disabilities, or the abuser of the other parent of

the minor.

``(C) Release.--If release of information described

in subparagraph (B) is compelled by statutory or court

mandate--

``(i) grantees and subgrantees shall make

reasonable attempts to provide notice to victims

affected by the disclosure of information; and

``(ii) grantees and subgrantees shall take

steps necessary to protect the privacy and safety

of the persons affected by the release of the

information.

``(D) Information sharing.--Grantees and subgrantees

may share--

``(i) nonpersonally identifying data in the

aggregate regarding services to their clients and

nonpersonally identifying demographic information

in order to comply

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with Federal, State, tribal, or territorial

reporting, evaluation, or data collection

requirements;

``(ii) court-generated information and law-

enforcement generated information contained in

secure, governmental registries for protection

order enforcement purposes; and

``(iii) law enforcement- and prosecution-

generated information necessary for law

enforcement and prosecution purposes.

``(E) Oversight.--Nothing in this paragraph shall

prevent the Attorney General from disclosing grant

activities authorized in this Act to the chairman and

ranking members of the Committee on the Judiciary of the

House of Representatives and the Committee on the

Judiciary of the Senate exercising Congressional

oversight authority. All disclosures shall protect

confidentiality and omit personally identifying

information, including location information about

individuals.

``(3) Approved activities.--In carrying out the activities

under this title, grantees and subgrantees may collaborate with

and provide information to Federal, State, local, tribal, and

territorial public officials and agencies to develop and

implement policies to reduce or eliminate domestic violence,

dating violence, sexual assault, and stalking.

``(4) Non-supplantation.--Any Federal funds received under

this title shall be used to supplement, not supplant, non-

Federal funds that would otherwise be available for activities

under this title.

``(5) Use of funds.--Funds authorized and appropriated under

this title may be used only for the specific purposes described

in this title and shall remain available until expended.

``(6) Reports.--An entity receiving a grant under this title

shall submit to the disbursing agency a report detailing the

activities undertaken with the grant funds, including and

providing additional information as the agency shall require.

``(7) Evaluation.--Federal agencies disbursing funds under

this title shall set aside up to 3 percent of such funds in

order to conduct--

``(A) evaluations of specific programs or projects

funded by the disbursing agency under this title or

related research; or

``(B) evaluations of promising practices or problems

emerging in the field or related research, in order to

inform the agency or agencies as to which programs or

projects are likely to be effective or responsive to

needs in the field.

``(8) Nonexclusivity.--Nothing in this title shall be

construed to prohibit male victims of domestic violence, dating

violence, sexual assault, and stalking from receiving benefits

and services under this title.

``(9) Prohibition on tort litigation.--Funds appropriated

for the grant program under this title may not be used to fund

civil representation in a lawsuit based on a tort claim. This

paragraph should not be construed as a prohibition on providing

assistance to obtain restitution in a protection order or

criminal case.

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``(10) Prohibition on lobbying.--Any funds appropriated for

the grant program shall be subject to the prohibition in section

1913 of title 18, United States Code, relating to lobbying with

appropriated moneys.

``(11) Technical assistance.--If there is a demonstrated

history that the Office on Violence Against Women has previously

set aside amounts greater than 8 percent for technical

assistance and training relating to grant programs authorized

under this title, the Office has the authority to continue

setting aside amounts greater than 8 percent.''.

(b) Change of Certain Reports From Annual to Biennial.--

(1) Stalking and domestic violence.--Section 40610 of the

Violence Against Women Act of 1994 (42 U.S.C. 14039) is amended

by striking ``The Attorney General shall submit to the Congress

an annual report, beginning 1 year after the date of the

enactment of this Act, that provides'' and inserting ``Each

even-numbered fiscal year, the Attorney General shall submit to

the Congress a biennial report that provides''.

(2) Safe havens for children.--Section 1301(d)(l) of the

Victims of Trafficking and Violence Protection Act of 2000 (42

U.S.C. 10420(d)(1)) is amended in the matter preceding

subparagraph (A) by striking ``Not later than 1 year after the

last day of the first fiscal year commencing on or after the

date of enactment of this Act, and not later than 180 days after

the last day of each fiscal year thereafter,'' and inserting

``Not later than 1 month after the end of each even-numbered

fiscal year,''.

(3) Stop violence against women formula grants.--Section

2009(b) of the Omnibus Crime Control and Safe Streets Act of

1968 (42 U.S.C. 3796gg-3) is amended by striking ``Not later

than'' and all that follows through ``the Attorney General shall

submit'' and inserting the following: ``Not later than 1 month

after the end of each even-numbered fiscal year, the Attorney

General shall submit''.

(4) Transitional housing assistance grants for child victims

of domestic violence, stalking, or sexual assault.--Section

40299(f) of the Violence Against Women Act of 1994 (42 U.S.C.

13975(f)) is amended by striking ``shall annually prepare and

submit to the Committee on the Judiciary of the House of

Representatives and the Committee on the Judiciary of the Senate

a report that contains a compilation of the information

contained in the report submitted under subsection (e) of this

section.'' and inserting ``shall prepare and submit to the

Committee on the Judiciary of the House of Representatives and

the Committee on the Judiciary of the Senate a report that

contains a compilation of the information contained in the

report submitted under subsection (e) of this section not later

than 1 month after the end of each even-numbered fiscal year.''.

(c) Definitions and Grant Conditions in Crime Control Act.--

(1) Part t.--Part T of title I of the Omnibus Crime Control

and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is

amended by striking section 2008 and inserting the following:

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``SEC. 2008. <<NOTE: Applicability. 42 USC 3796gg-2.>> DEFINITIONS AND

GRANT CONDITIONS.

``In this part the definitions and grant conditions in section 40002

of the Violence Against Women Act of 1994 shall apply.''.

(2) Part u.--Section 2105 of the Omnibus Crime Control and

Safe Streets Act of 1968 is amended to read as follows:

``SEC. 2105. <<NOTE: Applicability. 42 USC 3796hh-4.>> DEFINITIONS AND

GRANT CONDITIONS.

``In this part the definitions and grant conditions in section 40002

of the Violence Against Women Act of 1994 shall apply.''.

(d) Definitions and Grant Conditions in 2000 Act.--Section 1002 of

the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-2 note) is

amended to read as follows:

``SEC. 1002. <<NOTE: Applicability.>> DEFINITIONS AND GRANT CONDITIONS.

``In this division the definitions and grant conditions in section

40002 of the Violence Against Women Act of 1994 shall apply.''.

TITLE I--ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE

AGAINST WOMEN

SEC. 101. STOP GRANTS IMPROVEMENTS.

(a) Authorization of Appropriations.--Section 1001(a)(18) of title I

of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C.

3793(a)(18)) is amended by striking ``$185,000,000 for each of fiscal

years 2001 through 2005'' and inserting ``$225,000,000 for each of

fiscal years 2007 through 2011''.

(b) Purpose Area Enhancements.--Section 2001(b) of title I of the

Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(b))

is amended--

(1) in paragraph (10), by striking ``and'' after the

semicolon;

(2) in paragraph (11), by striking the period and inserting

a semicolon; and

(3) by adding at the end the following:

``(12) maintaining core victim services and criminal justice

initiatives, while supporting complementary new initiatives and

emergency services for victims and their families;

``(13) <<NOTE: Jessica Gonzales.>> supporting the placement

of special victim assistants (to be known as `Jessica Gonzales

Victim Assistants') in local law enforcement agencies to serve

as liaisons between victims of domestic violence, dating

violence, sexual assault, and stalking and personnel in local

law enforcement agencies in order to improve the enforcement of

protection orders. Jessica Gonzales Victim Assistants shall have

expertise in domestic violence, dating violence, sexual assault,

or stalking and may undertake the following activities--

``(A) developing, in collaboration with prosecutors,

courts, and victim service providers, standardized

response policies for local law enforcement agencies,

including triage protocols to ensure that dangerous or

potentially lethal cases are identified and prioritized;

``(B) notifying persons seeking enforcement of

protection orders as to what responses will be provided

by the relevant law enforcement agency;

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``(C) referring persons seeking enforcement of

protection orders to supplementary services (such as

emergency shelter programs, hotlines, or legal

assistance services); and

``(D) taking other appropriate action to assist or

secure the safety of the person seeking enforcement of a

protection order; and

``(14) <<NOTE: Crystal Judson.>> to provide funding to law

enforcement agencies, nonprofit nongovernmental victim services

providers, and State, tribal, territorial, and local

governments, (which funding stream shall be known as the Crystal

Judson Domestic Violence Protocol Program) to promote--

``(A) the development and implementation of training

for local victim domestic violence service providers,

and to fund victim services personnel, to be known as

`Crystal Judson Victim Advocates,' to provide supportive

services and advocacy for victims of domestic violence

committed by law enforcement personnel;

``(B) the implementation of protocols within law

enforcement agencies to ensure consistent and effective

responses to the commission of domestic violence by

personnel within such agencies (such as the model policy

promulgated by the International Association of Chiefs

of Police (`Domestic Violence by Police Officers: A

Policy of the IACP, Police Response to Violence Against

Women Project' July 2003));

``(C) the development of such protocols in

collaboration with State, tribal, territorial and local

victim service providers and domestic violence

coalitions.

Any <<NOTE: Reports.>> law enforcement, State, tribal,

territorial, or local government agency receiving funding under

the Crystal Judson Domestic Violence Protocol Program under

paragraph (14) shall on an annual basis, receive additional

training on the topic of incidents of domestic violence

committed by law enforcement personnel from domestic violence

and sexual assault nonprofit organizations and, after a period

of 2 years, provide a report of the adopted protocol to the

Department of Justice, including a summary of progress in

implementing such protocol.''.

(c) Clarification of Activities Regarding Underserved Populations.--

Section 2007 of the Omnibus Crime Control and Safe Streets Act of 1968

(42 U.S.C. 3796gg-1) is amended--

(1) in subsection (c)(2), by inserting before the semicolon

the following: ``and describe how the State will address the

needs of underserved populations''; and

(2) in subsection (e)(2), by striking subparagraph (D) and

inserting the following:

``(D) recognize and meaningfully respond to the

needs of underserved populations and ensure that monies

set aside to fund linguistically and culturally specific

services and activities for underserved populations are

distributed equitably among those populations.''.

(d) Tribal and Territorial Setasides.--Section 2007 of the Omnibus

Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1) is

amended--

(1) in subsection (b)--

(A) in paragraph (1), by striking ``5 percent'' and

inserting ``10 percent'';

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(B) in paragraph (2), striking by ``\1/54\'' and

inserting ``\1/56\'';

(C) in paragraph (3), by striking ``and the

coalition for the combined Territories of the United

States, each receiving an amount equal to \1/54\'' and

inserting ``coalitions for Guam, American Samoa, the

United States Virgin Islands, and the Commonwealth of

the Northern Mariana Islands, each receiving an amount

equal to \1/56\''; and

(D) in paragraph (4), by striking ``\1/54\'' and

inserting ``\1/56\'';

(2) in subsection (c)(3)(B), by inserting after ``victim

services'' the following: ``, of which at least 10 percent shall

be distributed to culturally specific community-based

organization''; and

(3) in subsection (d)--

(A) in paragraph (3), by striking the period and

inserting ``; and''; and

(B) by adding at the end the following:

``(4) documentation showing that tribal, territorial, State

or local prosecution, law enforcement, and courts have consulted

with tribal, territorial, State, or local victim service

programs during the course of developing their grant

applications in order to ensure that proposed services,

activities and equipment acquisitions are designed to promote

the safety, confidentiality, and economic independence of

victims of domestic violence, sexual assault, stalking, and

dating violence.''.

(e) Training, Technical Assistance, and Data Collection.--Section

2007 of the Omnibus Crime Control and Safe Streets Act of 1968 (42

U.S.C. 3796gg-1) is amended by adding at the end the following:

``(i) Training, Technical Assistance, and Data Collection.--

``(1) In general.--Of the total amounts appropriated under

this part, not less than 3 percent and up to 8 percent shall be

available for providing training and technical assistance

relating to the purpose areas of this part to improve the

capacity of grantees, subgrantees and other entities.

``(2) Indian training.--The Director of the Office on

Violence Against Women shall ensure that training or technical

assistance regarding violence against Indian women will be

developed and provided by entities having expertise in tribal

law, customary practices, and Federal Indian law.''.

(f) Availability of Forensic Medical Exams.--Section 2010 of the

Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-4)

is amended by adding at the end the following:

``(c) Use of Funds.--A State or Indian tribal government may use

Federal grant funds under this part to pay for forensic medical exams

performed by trained examiners for victims of sexual assault, except

that such funds may not be used to pay for forensic medical exams by any

State, Indian tribal government, or territorial government that requires

victims of sexual assault to seek reimbursement for such exams from

their insurance carriers.

``(d) Rule of Construction.--Nothing in this section shall be

construed to permit a State, Indian tribal government, or territorial

government to require a victim of sexual assault to participate in the

criminal justice system or cooperate with law enforcement

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in order to be provided with a forensic medical exam, reimbursement for

charges incurred on account of such an exam, or both.

``(e) Judicial Notification.--

``(1) In general.--A State or unit of local government shall

not be entitled to funds under this part unless the State or

unit of local government--

``(A) <<NOTE: Certification.>> certifies that its

judicial administrative policies and practices include

notification to domestic violence offenders of the

requirements delineated in section 922(g)(8) and (g)(9)

of title 18, United States Code, and any applicable

related Federal, State, or local laws; or

``(B) <<NOTE: Deadline.>> gives the Attorney General

assurances that its judicial administrative policies and

practices will be in compliance with the requirements of

subparagraph (A) within the later of--

``(i) the period ending on the date on which

the next session of the State legislature ends; or

``(ii) 2 years.

``(2) Redistribution.--Funds withheld from a State or unit

of local government under subsection (a) shall be distributed to

other States and units of local government, pro rata.''.

(g) Polygraph Testing Prohibition.--Part T of title I of the Omnibus

Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is

amended by adding at the end the following:

``SEC. 2013. <<NOTE: 42 USC 3796gg-8.>> POLYGRAPH TESTING PROHIBITION.

``(a) <<NOTE: Deadline.>> In General.--In order to be eligible for

grants under this part, a State, Indian tribal government, territorial

government, or unit of local government shall certify that, not later

than 3 years after the date of enactment of this section, their laws,

policies, or practices will ensure that no law enforcement officer,

prosecuting officer or other government official shall ask or require an

adult, youth, or child victim of an alleged sex offense as defined under

Federal, tribal, State, territorial, or local law to submit to a

polygraph examination or other truth telling device as a condition for

proceeding with the investigation of such an offense.

``(b) Prosecution.--The refusal of a victim to submit to an

examination described in subsection (a) shall not prevent the

investigation, charging, or prosecution of the offense.''.

SEC. 102. GRANTS TO ENCOURAGE ARREST AND ENFORCE PROTECTION ORDERS

IMPROVEMENTS.

(a) Authorization of Appropriations.--Section 1001(a)(19) of title I

of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C.

3793(a)(19)) is amended by striking ``$65,000,000 for each of fiscal

years 2001 through 2005'' and inserting ``$75,000,000 for each of fiscal

years 2007 through 2011. Funds appropriated under this paragraph shall

remain available until expended.''.

(b) Grantee Requirements.--Section 2101 of the Omnibus Crime Control

and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is amended--

(1) in subsection (a), by striking ``to treat domestic

violence as a serious violation'' and inserting ``to treat

domestic violence, dating violence, sexual assault, and stalking

as serious violations'';

(2) in subsection (b)--

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(A) in the matter before paragraph (1), by inserting

after ``State'' the following: ``, tribal,

territorial,'';

(B) in paragraph (1), by--

(i) striking ``mandatory arrest or''; and

(ii) striking ``mandatory arrest programs

and'';

(C) in paragraph (2), by--

(i) inserting after ``educational programs,''

the following: ``protection order registries,'';

(ii) striking ``domestic violence and dating

violence'' and inserting ``domestic violence,

dating violence, sexual assault, and stalking.

Policies, educational programs, protection order

registries, and training described in this

paragraph shall incorporate confidentiality, and

privacy protections for victims of domestic

violence, dating violence, sexual assault, and

stalking'';

(D) in paragraph (3), by--

(i) striking ``domestic violence cases'' and

inserting ``domestic violence, dating violence,

sexual assault, and stalking cases''; and

(ii) striking ``groups'' and inserting

``teams'';

(E) in paragraph (5), by striking ``domestic

violence and dating violence'' and inserting ``domestic

violence, dating violence, sexual assault, and

stalking'';

(F) in paragraph (6), by--

(i) striking ``other'' and inserting

``civil''; and

(ii) inserting after ``domestic violence'' the

following: ``, dating violence, sexual assault,

and stalking''; and

(G) by adding at the end the following:

``(9) To develop State, tribal, territorial, or local

policies, procedures, and protocols for preventing dual arrests

and prosecutions in cases of domestic violence, dating violence,

sexual assault, and stalking, and to develop effective methods

for identifying the pattern and history of abuse that indicates

which party is the actual perpetrator of abuse.

``(10) To plan, develop and establish comprehensive victim

service and support centers, such as family justice centers,

designed to bring together victim advocates from non-profit,

non-governmental victim services organizations, law enforcement

officers, prosecutors, probation officers, governmental victim

assistants, forensic medical professionals, civil legal

attorneys, chaplains, legal advocates, representatives from

community-based organizations and other relevant public or

private agencies or organizations into one centralized location,

in order to improve safety, access to services, and

confidentiality for victims and families. Although funds may be

used to support the colocation of project partners under this

paragraph, funds may not support construction or major

renovation expenses or activities that fall outside of the scope

of the other statutory purpose areas.

``(11) To develop and implement policies and training for

police, prosecutors, probation and parole officers, and the

judiciary in recognizing, investigating, and prosecuting

instances of sexual assault, with an emphasis on recognizing the

threat to the community for repeat crime perpetration by such

individuals.

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``(12) To develop, enhance, and maintain protection order

registries.

``(13) <<NOTE: HIV.>> To develop human immunodeficiency

virus (HIV) testing programs for sexual assault perpetrators and

notification and counseling protocols.'';

(3) in subsection (c)--

(A) in paragraph (3), by striking ``and'' after the

semicolon;

(B) in paragraph (4), by striking the period and

inserting ``; and''; and

(C) by adding at the end the following:

``(5) <<NOTE: Certification. Deadline.>> certify that, not

later than 3 years after the date of enactment of this section,

their laws, policies, or practices will ensure that--

``(A) no law enforcement officer, prosecuting

officer or other government official shall ask or

require an adult, youth, or child victim of a sex

offense as defined under Federal, tribal, State,

territorial, or local law to submit to a polygraph

examination or other truth telling device as a condition

for proceeding with the investigation of such an

offense; and

``(B) the refusal of a victim to submit to an

examination described in subparagraph (A) shall not

prevent the investigation of the offense.''; and

(4) by striking subsections (d) and (e) and inserting the

following:

``(d) Speedy Notice to Victims.--A State or unit of local government

shall not be entitled to 5 percent of the funds allocated under this

part unless the State or unit of local government--

``(1) <<NOTE: Certification.>> certifies that it has a law

or regulation that requires--

``(A) <<NOTE: HIV. Deadline.>> the State or unit of

local government at the request of a victim to

administer to a defendant, against whom an information

or indictment is presented for a crime in which by force

or threat of force the perpetrator compels the victim to

engage in sexual activity, testing for the

immunodeficiency virus (HIV) not later than 48 hours

after the date on which the information or indictment is

presented;

``(B) as soon as practicable notification to the

victim, or parent and guardian of the victim, and

defendant of the testing results; and

``(C) follow-up tests for HIV as may be medically

appropriate, and that as soon as practicable after each

such test the results be made available in accordance

with subparagraph (B); or

``(2) <<NOTE: Deadline.>> gives the Attorney General

assurances that it laws and regulations will be in compliance

with requirements of paragraph (1) within the later of--

``(A) the period ending on the date on which the

next session of the State legislature ends; or

``(B) 2 years.

``(e) Allotment for Indian Tribes.--Not less than 10 percent of the

total amount made available for grants under this section for each

fiscal year shall be available for grants to Indian tribal

governments.''.

(c) Applications.--Section 2102(b) of the Omnibus Crime Control and

Safe Streets Act of 1968 (42 U.S.C. 3796hh-1(b)) is

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amended in each of paragraphs (1) and (2) by inserting after ``involving

domestic violence'' the following: ``, dating violence, sexual assault,

or stalking''.

(d) Training, Technical Assistance, Confidentiality.--Part U of

title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42

U.S.C. 3796hh et seq.) is amended by adding at the end the following:

``SEC. 2106. <<NOTE: 42 USC 3796hh-5.>> TRAINING AND TECHNICAL

ASSISTANCE.

``Of the total amounts appropriated under this part, not less than 5

percent and up to 8 percent shall be available for providing training

and technical assistance relating to the purpose areas of this part to

improve the capacity of grantees and other entities.''.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS IMPROVEMENTS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C.

3796gg-6) is amended--

(1) in subsection (a), by--

(A) inserting before ``legal assistance'' the

following: ``civil and criminal'';

(B) inserting after ``effective aid to'' the

following: ``adult and youth''; and

(C) inserting at the end the following: ``Criminal

legal assistance provided for under this section shall

be limited to criminal matters relating to domestic

violence, sexual assault, dating violence, and

stalking.'';

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

``(b) <<NOTE: Applicability.>> Definitions.--In this section, the

definitions provided in section 40002 of the Violence Against Women Act

of 1994 shall apply.'';

(3) in subsection (c), by inserting ``and tribal

organizations, territorial organizations'' after ``Indian tribal

governments'';

(4) in subsection (d) by striking paragraph (2) and

inserting the following:

``(2) any training program conducted in satisfaction of the

requirement of paragraph (1) has been or will be developed with

input from and in collaboration with a tribal, State,

territorial, or local domestic violence, dating violence, sexual

assault or stalking organization or coalition, as well as

appropriate tribal, State, territorial, and local law

enforcement officials;''.

(5) in subsection (e), by inserting ``dating violence,''

after ``domestic violence,''; and

(6) in subsection (f)--

(A) by striking paragraph (1) and inserting the

following:

``(1) In general.--There is authorized to be appropriated to

carry out this section $65,000,000 for each of fiscal years 2007

through 2011.''; and

(B) in paragraph (2)(A), by--

(i) striking ``5 percent'' and inserting ``10

percent''; and

(ii) inserting ``adult and youth'' after

``that assist''.

SEC. 104. ENSURING CRIME VICTIM ACCESS TO LEGAL SERVICES.

(a) In General.--Section 502 of the Department of Commerce, Justice,

and State, the Judiciary, and Related Agencies Appropriations Act, 1998

(Public Law 105-119; 111 Stat. 2510) is amended--

(1) in subsection (a)(2)(C)--

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(A) in the matter preceding clause (i), by striking

``using funds derived from a source other than the

Corporation to provide'' and inserting ``providing'';

(B) in clause (i), by striking ``in the United

States'' and all that follows and inserting ``or a

victim of sexual assault or trafficking in the United

States, or qualifies for immigration relief under

section 101(a)(15)(U) of the Immigration and Nationality

Act (8 U.S.C. 1101(a)(15)(U)); or''; and

(C) in clause (ii), by striking ``has been

battered'' and all that follows and inserting ``,

without the active participation of the alien, has been

battered or subjected to extreme cruelty or a victim of

sexual assault or trafficking in the United States, or

qualifies for immigration relief under section

101(a)(15)(U) of the Immigration and Nationality Act (8

U.S.C. 1101(a)(15)(U)).''; and

(2) in subsection (b)(2), by striking ``described in such

subsection'' and inserting ``, sexual assault or trafficking, or

the crimes listed in section 101(a)(15)(U)(iii) of the

Immigration and Nationality Act (8 U.S.C.

1101(a)(15)(U)(iii))''.

(b) <<NOTE: 22 USC 7105 note.>> Savings Provision.--Nothing in this

Act, or the amendments made by this Act, shall be construed to restrict

the legal assistance provided to victims of trafficking and certain

family members authorized under section 107(b)(1) of the Trafficking

Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)).

SEC. 105. THE VIOLENCE AGAINST WOMEN ACT COURT TRAINING AND

IMPROVEMENTS.

(a) Violence Against Women Act Court Training and Improvements.--The

Violence Against Women Act of 1994 (108 Stat. 1902 et seq.) is amended

by adding at the end the following:

``Subtitle <<NOTE: Violence Against Women Act Court Training and

Improvements Act of 2005. Grants.>> J--Violence Against Women Act Court

Training and Improvements

``SEC. 41001. <<NOTE: 42 USC 13701 note.>> SHORT TITLE.

``This subtitle may be cited as the `Violence Against Women Act

Court Training and Improvements Act of 2005'.

``SEC. 41002. <<NOTE: 42 USC 14043.>> PURPOSE.

``The purpose of this subtitle is to enable the Attorney General,

though the Director of the Office on Violence Against Women, to award

grants to improve court responses to adult and youth domestic violence,

dating violence, sexual assault, and stalking to be used for--

``(1) improved internal civil and criminal court functions,

responses, practices, and procedures;

``(2) education for court-based and court-related personnel

on issues relating to victims' needs, including safety,

security, privacy, confidentiality, and economic independence,

as well as information about perpetrator behavior and best

practices for holding perpetrators accountable;

``(3) collaboration and training with Federal, State,

tribal, territorial, and local public agencies and officials and

nonprofit, nongovernmental organizations to improve

implementation and

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enforcement of relevant Federal, State, tribal, territorial, and

local law;

``(4) enabling courts or court-based or court-related

programs to develop new or enhance current--

``(A) court infrastructure (such as specialized

courts, dockets, intake centers, or interpreter

services);

``(B) community-based initiatives within the court

system (such as court watch programs, victim assistants,

or community-based supplementary services);

``(C) offender management, monitoring, and

accountability programs;

``(D) safe and confidential information-storage and

-sharing databases within and between court systems;

``(E) education and outreach programs to improve

community access, including enhanced access for

underserved populations; and

``(F) other projects likely to improve court

responses to domestic violence, dating violence, sexual

assault, and stalking; and

``(5) providing technical assistance to Federal, State,

tribal, territorial, or local courts wishing to improve their

practices and procedures or to develop new programs.

``SEC. 41003. <<NOTE: 42 USC 14043a.>> GRANT REQUIREMENTS.

``Grants awarded under this subtitle shall be subject to the

following conditions:

``(1) Eligible grantees.--Eligible grantees may include--

``(A) Federal, State, tribal, territorial, or local

courts or court-based programs; and

``(B) national, State, tribal, territorial, or local

private, nonprofit organizations with demonstrated

expertise in developing and providing judicial education

about domestic violence, dating violence, sexual

assault, or stalking.

``(2) Conditions of eligibility.--To be eligible for a grant

under this section, applicants shall certify in writing that--

``(A) any courts or court-based personnel working

directly with or making decisions about adult or youth

parties experiencing domestic violence, dating violence,

sexual assault, and stalking have completed or will

complete education about domestic violence, dating

violence, sexual assault, and stalking;

``(B) any education program developed under section

41002 has been or will be developed with significant

input from and in collaboration with a national, tribal,

State, territorial, or local victim services provider or

coalition; and

``(C) the grantee's internal organizational

policies, procedures, or rules do not require mediation

or counseling between offenders and victims physically

together in cases where domestic violence, dating

violence, sexual assault, or stalking is an issue.

``SEC. 41004. <<NOTE: 42 USC 14043a-1.>> NATIONAL EDUCATION CURRICULA.

``(a) In General.--The Attorney General, through the Director of the

Office on Violence Against Women, shall fund efforts to develop a

national education curriculum for use by State and national judicial

educators to ensure that all courts and court personnel have access to

information about relevant Federal, State,

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territorial, or local law, promising practices, procedures, and policies

regarding court responses to adult and youth domestic violence, dating

violence, sexual assault, and stalking.

``(b) Eligible Entities.--Any curricula developed under this

section--

``(1) shall be developed by an entity or entities having

demonstrated expertise in developing judicial education

curricula on issues relating to domestic violence, dating

violence, sexual assault, and stalking; or

``(2) if the primary grantee does not have demonstrated

expertise with such issues, shall be developed by the primary

grantee in partnership with an organization having such

expertise.

``SEC. 41005. <<NOTE: 42 USC 14043a-2.>> TRIBAL CURRICULA.

``(a) In General.--The Attorney General, through the Office on

Violence Against Women, shall fund efforts to develop education

curricula for tribal court judges to ensure that all tribal courts have

relevant information about promising practices, procedures, policies,

and law regarding tribal court responses to adult and youth domestic

violence, dating violence, sexual assault, and stalking.

``(b) Eligible Entities.--Any curricula developed under this

section--

``(1) shall be developed by a tribal organization having

demonstrated expertise in developing judicial education

curricula on issues relating to domestic violence, dating

violence, sexual assault, and stalking; or

``(2) if the primary grantee does not have such expertise,

the curricula shall be developed by the primary grantee through

partnership with organizations having such expertise.

``SEC. 41006. <<NOTE: 42 USC 14043a-3.>> AUTHORIZATION OF

APPROPRIATIONS.

``(a) In General.--There is authorized to be appropriated to carry

out this subtitle $5,000,000 for each of fiscal years 2007 to 2011.

``(b) Availability.--Funds appropriated under this section shall

remain available until expended and may only be used for the specific

programs and activities described in this subtitle.

``(c) Set Aside.--Of the amounts made available under this

subsection in each fiscal year, not less than 10 percent shall be used

for grants for tribal courts, tribal court-related programs, and tribal

nonprofits.''.

SEC. 106. FULL FAITH AND CREDIT IMPROVEMENTS.

(a) Enforcement of Protection Orders Issued by Territories.--Section

2265 of title 18, United States Code, is amended by--

(1) striking ``or Indian tribe'' each place it appears and

inserting ``, Indian tribe, or territory''; and

(2) striking ``State or tribal'' each place it appears and

inserting ``State, tribal, or territorial''.

(b) Clarification of Entities Having Enforcement Authority and

Responsibilities.--Section 2265(a) of title 18, United States Code, is

amended by striking ``and enforced as if it were'' and inserting ``and

enforced by the court and law enforcement personnel of the other State,

Indian tribal government or Territory as if it were''.

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(c) Limits on Internet Publication of Protection Order

Information.--Section 2265(d) of title 18, United States Code, is

amended by adding at the end the following:

``(3) Limits on internet publication of registration

information.--A State, Indian tribe, or territory shall not make

available publicly on the Internet any information regarding the

registration or filing of a protection order, restraining order,

or injunction in either the issuing or enforcing State, tribal

or territorial jurisdiction, if such publication would be likely

to publicly reveal the identity or location of the party

protected under such order. A State, Indian tribe, or territory

may share court-generated and law enforcement-generated

information contained in secure, governmental registries for

protection order enforcement purposes.''.

(d) Definitions.--Section 2266 of title 18, United States Code, is

amended--

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

``(5) Protection order.--The term `protection order'

includes--

``(A) any injunction, restraining order, or any

other order issued by a civil or criminal court for the

purpose of preventing violent or threatening acts or

harassment against, sexual violence, or contact or

communication with or physical proximity to, another

person, including any temporary or final order issued by

a civil or criminal court whether obtained by filing an

independent action or as a pendente lite order in

another proceeding so long as any civil or criminal

order was issued in response to a complaint, petition,

or motion filed by or on behalf of a person seeking

protection; and

``(B) any support, child custody or visitation

provisions, orders, remedies or relief issued as part of

a protection order, restraining order, or injunction

pursuant to State, tribal, territorial, or local law

authorizing the issuance of protection orders,

restraining orders, or injunctions for the protection of

victims of domestic violence, sexual assault, dating

violence, or stalking.''; and

(2) in clauses (i) and (ii) of paragraph (7)(A), by striking

``2261A, a spouse or former spouse of the abuser, a person who

shares a child in common with the abuser, and a person who

cohabits or has cohabited as a spouse with the abuser'' and

inserting ``2261A--

``(I) a spouse or former spouse of

the abuser, a person who shares a child

in common with the abuser, and a person

who cohabits or has cohabited as a

spouse with the abuser; or

``(II) a person who is or has been

in a social relationship of a romantic

or intimate nature with the abuser, as

determined by the length of the

relationship, the type of relationship,

and the frequency of interaction between

the persons involved in the

relationship''.

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SEC. 107. PRIVACY PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING

VIOLENCE, SEXUAL VIOLENCE, AND STALKING.

The Violence Against Women Act of 1994 (108 Stat. 1902 et seq.) is

amended by adding at the end the following:

``Subtitle K--Privacy Protections for Victims of Domestic Violence,

Dating Violence, Sexual Violence, and Stalking

``SEC. 41101. <<NOTE: 42 USC 14043b.>> GRANTS TO PROTECT THE PRIVACY AND

CONFIDENTIALITY OF VICTIMS OF DOMESTIC VIOLENCE, DATING

VIOLENCE, SEXUAL ASSAULT, AND STALKING.

``The Attorney General, through the Director of the Office on

Violence Against Women, may award grants under this subtitle to States,

Indian tribes, territories, or local agencies or nonprofit,

nongovernmental organizations to ensure that personally identifying

information of adult, youth, and child victims of domestic violence,

sexual violence, stalking, and dating violence shall not be released or

disclosed to the detriment of such victimized persons.

``SEC. 41102. <<NOTE: 42 USC 14043b-1.>> PURPOSE AREAS.

``Grants made under this subtitle may be used--

``(1) to develop or improve protocols, procedures, and

policies for the purpose of preventing the release of personally

identifying information of victims (such as developing

alternative identifiers);

``(2) to defray the costs of modifying or improving existing

databases, registries, and victim notification systems to ensure

that personally identifying information of victims is protected

from release, unauthorized information sharing and disclosure;

``(3) to develop confidential opt out systems that will

enable victims of violence to make a single request to keep

personally identifying information out of multiple databases,

victim notification systems, and registries; or

``(4) to develop safe uses of technology (such as notice

requirements regarding electronic surveillance by government

entities), to protect against abuses of technology (such as

electronic or GPS stalking), or providing training for law

enforcement on high tech electronic crimes of domestic violence,

dating violence, sexual assault, and stalking.

``SEC. 41103. <<NOTE: 42 USC 14043b-2.>> ELIGIBLE ENTITIES.

``Entities eligible for grants under this subtitle include--

``(1) jurisdictions or agencies within jurisdictions having

authority or responsibility for developing or maintaining public

databases, registries or victim notification systems;

``(2) nonprofit nongovernmental victim advocacy

organizations having expertise regarding confidentiality,

privacy, and information technology and how these issues are

likely to impact the safety of victims;

``(3) States or State agencies;

``(4) local governments or agencies;

``(5) Indian tribal governments or tribal organizations;

``(6) territorial governments, agencies, or organizations;

or

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``(7) nonprofit nongovernmental victim advocacy

organizations, including statewide domestic violence and sexual

assault coalitions.

``SEC. 41104. <<NOTE: 42 USC 14043b-3.>> GRANT CONDITIONS.

``Applicants described in paragraph (1) and paragraphs (3) through

(6) shall demonstrate that they have entered into a significant

partnership with a State, tribal, territorial, or local victim service

or advocacy organization or condition in order to develop safe,

confidential, and effective protocols, procedures, policies, and systems

for protecting personally identifying information of victims.

``SEC. 41105. <<NOTE: 42 USC 14043b-4.>> AUTHORIZATION OF

APPROPRIATIONS.

``(a) In General.--There is authorized to be appropriated to carry

out this subtitle $5,000,000 for each of fiscal years 2007 through 2011.

``(b) Tribal Allocation.--Of the amount made available under this

section in each fiscal year, 10 percent shall be used for grants to

Indian tribes for programs that assist victims of domestic violence,

dating violence, stalking, and sexual assault.

``(c) Technical Assistance and Training.--Of the amount made

available under this section in each fiscal year, not less than 5

percent shall be used for grants to organizations that have expertise in

confidentiality, privacy, and technology issues impacting victims of

domestic violence, dating violence, sexual assault, and stalking to

provide technical assistance and training to grantees and non-grantees

on how to improve safety, privacy, confidentiality, and technology to

protect victimized persons.''.

SEC. 108. SEX OFFENDER MANAGEMENT.

Section 40152 of the Violent Crime Control and Law Enforcement Act

of 1994 (42 U.S.C. 13941) is amended by striking subsection (c) and

inserting the following:

``(c) Authorization of Appropriations.--There are authorized to be

appropriated to carry out this section $3,000,000 for each of fiscal

years 2007 through 2011.''.

SEC. 109. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C.

14032) is amended--

(1) by striking ``2001'' and inserting ``2007''; and

(2) by striking ``2006'' and inserting ``2011''.

SEC. 110. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law

103-322) <<NOTE: 108 Stat. 1910>> is amended to read as follows:

``SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM ASSISTANTS.

``There are authorized to be appropriated for the United States

attorneys for the purpose of appointing victim assistants for the

prosecution of sex crimes and domestic violence crimes where applicable

(such as the District of Columbia), $1,000,000 for each of fiscal years

2007 through 2011.''.

SEC. 111. <<NOTE: 42 USC 14044f.>> GRANTS FOR LAW ENFORCEMENT TRAINING

PROGRAMS.

(a) Definitions.--In this section:

(1) Act of trafficking.--The term ``act of trafficking''

means an act or practice described in paragraph (8) of section

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103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C.

7102).

(2) Eligible entity.--The term ``eligible entity'' means a

State or a local government.

(3) State.--The term ``State'' means any State of the United

States, the District of Columbia, the Commonwealth of Puerto

Rico, Guam, the United States Virgin Islands, the Commonwealth

of the Northern Mariana Islands, American Samoa, and any other

territory or possession of the United States.

(4) Victim of trafficking.--The term ``victim of

trafficking'' means a person subjected to an act of trafficking.

(b) Grants Authorized.--The Attorney General may award grants to

eligible entities to provide training to State and local law enforcement

personnel to identify and protect victims of trafficking.

(c) Use of Funds.--A grant awarded under this section shall be used

to--

(1) train law enforcement personnel to identify and protect

victims of trafficking, including training such personnel to

utilize Federal, State, or local resources to assist victims of

trafficking;

(2) train law enforcement or State or local prosecutors to

identify, investigate, or prosecute acts of trafficking; or

(3) train law enforcement or State or local prosecutors to

utilize laws that prohibit acts of trafficking and to assist in

the development of State and local laws to prohibit acts of

trafficking.

(d) Restrictions.--

(1) Administrative expenses.--An eligible entity that

receives a grant under this section may use not more than 5

percent of the total amount of such grant for administrative

expenses.

(2) Nonexclusivity.--Nothing in this section may be

construed to restrict the ability of an eligible entity to apply

for or obtain funding from any other source to carry out the

training described in subsection (c).

(e) Authorization of Appropriations.--There are authorized to be

appropriated $10,000,000 for each of the fiscal years 2007 through 2011

to carry out the provisions of this section.

SEC. 112. REAUTHORIZATION OF THE COURT-APPOINTED SPECIAL ADVOCATE

PROGRAM.

(a) Findings.--Section 215 of the Victims of Child Abuse Act of 1990

(42 U.S.C. 13011) is amended by striking paragraphs (1) and (2) and

inserting the following:

``(1) Court Appointed Special Advocates, who may serve as

guardians ad litem, are trained volunteers appointed by courts

to advocate for the best interests of children who are involved

in the juvenile and family court system due to abuse or neglect;

and

``(2) in 2003, Court Appointed Special Advocate volunteers

represented 288,000 children, more than 50 percent of the

estimated 540,000 children in foster care because of

substantiated cases of child abuse or neglect.''.

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(b) Implementation Date.--Section 216 of the Victims of Child Abuse

Act of 1990 (42 U.S.C. 13012) is amended by striking ``January 1, 1995''

and inserting ``January 1, 2010''.

(c) Clarification of Program Goals.--Section 217 of the Victims of

Child Abuse Act of 1990 (42 U.S.C. 13013) is amended--

(1) in subsection (a), by striking ``to expand'' and

inserting ``to initiate, sustain, and expand'';

(2) subsection (b)--

(A) in paragraph (1)--

(i) by striking ``subsection (a) shall be''

and inserting the following: ``subsection (a)--

``(A) shall be'';

(ii) by striking ``(2) may be'' and inserting

the following:

``(B) may be''; and

(iii) in subparagraph (B) (as redesignated),

by striking ``to initiate or expand'' and

inserting ``to initiate, sustain, and expand'';

and

(B) in the first sentence of paragraph (2)--

(i) by striking ``(1)(a)'' and inserting

``(1)(A)''; and

(ii) striking ``to initiate and to expand''

and inserting ``to initiate, sustain, and

expand''; and

(3) by adding at the end the following:

``(d) Background Checks.--State and local Court Appointed Special

Advocate programs are authorized to request fingerprint-based criminal

background checks from the Federal Bureau of Investigation's criminal

history database for prospective volunteers. The requesting program is

responsible for the reasonable costs associated with the Federal records

check.''.

(d) Report.--Subtitle B of title II of the Victims of Child Abuse

Act of 1990 (42 U.S.C. 13011 et seq.) is amended--

(1) by redesignating section 218 <<NOTE: 42 USC 13014.>> as

section 219; and

(2) by inserting after section 217 the following new

section:

``SEC. 218. <<NOTE: 42 USC 13013a.>> REPORT.

``(a) Report Required.--Not later than December 31, 2006, the

Inspector General of the Department of Justice shall submit to Congress

a report on the types of activities funded by the National Court-

Appointed Special Advocate Association and a comparison of outcomes in

cases where court-appointed special advocates are involved and cases

where court-appointed special advocates are not involved.

``(b) Elements of Report.--The report submitted under subsection (a)

shall include information on the following:

``(1) The types of activities the National Court-Appointed

Special Advocate Association has funded since 1993.

``(2) The outcomes in cases where court-appointed special

advocates are involved as compared to cases where court-

appointed special advocates are not involved, including--

``(A) the length of time a child spends in foster

care;

``(B) the extent to which there is an increased

provision of services;

``(C) the percentage of cases permanently closed;

and

``(D) achievement of the permanent plan for

reunification or adoption.''.

(e) Authorization of Appropriations.--

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(1) Authorization.--Section 219 of the Victims of Child

Abuse Act of 1990, as redesignated by subsection <<NOTE: 42 USC

13014.>> (d), is amended by striking subsection (a) and

inserting the following:

``(a) Authorization.--There is authorized to be appropriated to

carry out this subtitle $12,000,000 for each of fiscal years 2007

through 2011.''.

(2) Prohibition on lobbying.--Section 219 of the Victims of

Child Abuse Act of 1990, as redesignated by subsection (d) and

amended by paragraphs (1) and (2), is further amended by adding

at the end the following new subsection:

``(c) Prohibition on Lobbying.--No funds authorized under this

subtitle may be used for lobbying activities in contravention of OMB

Circular No. A-122.''.

SEC. 113. PREVENTING CYBERSTALKING.

(a) In General.--Paragraph (1) of section 223(h) of the

Communications Act of 1934 (47 U.S.C. 223(h)(1)) is amended--

(1) in subparagraph (A), by striking ``and'' at the end;

(2) in subparagraph (B), by striking the period at the end

and inserting ``; and''; and

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

``(C) in the case of subparagraph (C) of subsection

(a)(1), includes any device or software that can be used

to originate telecommunications or other types of

communications that are transmitted, in whole or in

part, by the Internet (as such term is defined in

section 1104 of the Internet Tax Freedom Act (47 U.S.C.

151 note)).''.

(b) <<NOTE: 47 USC 223 note.>> Rule of Construction.--This section

and the amendment made by this section may not be construed to affect

the meaning given the term ``telecommunications device'' in section

223(h)(1) of the Communications Act of 1934, as in effect before the

date of the enactment of this section.

SEC. 114. CRIMINAL PROVISION RELATING TO STALKING.

(a) Interstate Stalking.--Section 2261A of title 18, United States

Code, is amended to read as follows:

``Sec. 2261A. Stalking

``Whoever--

``(1) travels in interstate or foreign commerce or within

the special maritime and territorial jurisdiction of the United

States, or enters or leaves Indian country, with the intent to

kill, injure, harass, or place under surveillance with intent to

kill, injure, harass, or intimidate another person, and in the

course of, or as a result of, such travel places that person in

reasonable fear of the death of, or serious bodily injury to, or

causes substantial emotional distress to that person, a member

of the immediate family (as defined in section 115) of that

person, or the spouse or intimate partner of that person; or

``(2) with the intent--

``(A) to kill, injure, harass, or place under

surveillance with intent to kill, injure, harass, or

intimidate, or cause substantial emotional distress to a

person in another State or tribal jurisdiction or within

the special maritime and territorial jurisdiction of the

United States; or

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``(B) to place a person in another State or tribal

jurisdiction, or within the special maritime and

territorial jurisdiction of the United States, in

reasonable fear of the death of, or serious bodily

injury to--

``(i) that person;

``(ii) a member of the immediate family (as

defined in section 115 of that person; or

``(iii) a spouse or intimate partner of that

person;

uses the mail, any interactive computer service, or any

facility of interstate or foreign commerce to engage in

a course of conduct that causes substantial emotional

distress to that person or places that person in

reasonable fear of the death of, or serious bodily

injury to, any of the persons described in clauses (i)

through (iii) of subparagraph (B);

shall be punished as provided in section 2261(b) of this title.''.

(b) Enhanced Penalties for Stalking.--Section 2261(b) of title 18,

United States Code, is amended by adding at the end the following:

``(6) Whoever commits the crime of stalking in violation of

a temporary or permanent civil or criminal injunction,

restraining order, no-contact order, or other order described in

section 2266 of title 18, United States Code, shall be punished

by imprisonment for not less than 1 year.''.

SEC. 115. REPEAT OFFENDER PROVISION.

Chapter 110A of title 18, United States Code, is amended by adding

after section 2265 the following:

``Sec. 2265A. Repeat offenders

``(a) Maximum Term of Imprisonment.--The maximum term of

imprisonment for a violation of this chapter after a prior domestic

violence or stalking offense shall be twice the term otherwise provided

under this chapter.

``(b) Definition.--For purposes of this section--

``(1) the term `prior domestic violence or stalking offense'

means a conviction for an offense--

``(A) under section 2261, 2261A, or 2262 of this

chapter; or

``(B) under State law for an offense consisting of

conduct that would have been an offense under a section

referred to in subparagraph (A) if the conduct had

occurred within the special maritime and territorial

jurisdiction of the United States, or in interstate or

foreign commerce; and

``(2) the term `State' means a State of the United States,

the District of Columbia, or any commonwealth, territory, or

possession of the United States.''.

SEC. 116. PROHIBITING DATING VIOLENCE.

(a) In General.--Section 2261(a) of title 18, United States Code, is

amended--

(1) in paragraph (1), striking ``or intimate partner'' and

inserting ``, intimate partner, or dating partner''; and

(2) in paragraph (2), striking ``or intimate partner'' and

inserting ``, intimate partner, or dating partner''.

(b) Definition.--Section 2266 of title 18, United States Code, is

amended by adding at the end the following:

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``(10) Dating partner.--The term `dating partner' refers to

a person who is or has been in a social relationship of a

romantic or intimate nature with the abuser and the existence of

such a relationship based on a consideration of--

``(A) the length of the relationship; and

``(B) the type of relationship; and

``(C) the frequency of interaction between the

persons involved in the relationship.''.

SEC. 117. PROHIBITING VIOLENCE IN SPECIAL MARITIME AND TERRITORIAL

JURISDICTION.

(a) Domestic Violence.--Section 2261(a)(1) of title 18, United

States Code, is amended by inserting after ``Indian country'' the

following: ``or within the special maritime and territorial jurisdiction

of the United States''.

(b) Protection Order.--Section 2262(a)(1) of title 18, United States

Code, is amended by inserting after ``Indian country'' the following:

``or within the special maritime and territorial jurisdiction of the

United States''.

SEC. 118. UPDATING PROTECTION ORDER DEFINITION.

Section 534 of title 28, United States Code, is amended by striking

subsection (e)(3)(B) and inserting the following:

``(B) the term `protection order' includes--

``(i) any injunction, restraining order, or

any other order issued by a civil or criminal

court for the purpose of preventing violent or

threatening acts or harassment against, sexual

violence or contact or communication with or

physical proximity to, another person, including

any temporary or final orders issued by civil or

criminal courts whether obtained by filing an

independent action or as a pendente lite order in

another proceeding so long as any civil order was

issued in response to a complaint, petition, or

motion filed by or on behalf of a person seeking

protection; and

``(ii) any support, child custody or

visitation provisions, orders, remedies, or relief

issued as part of a protection order, restraining

order, or stay away injunction pursuant to State,

tribal, territorial, or local law authorizing the

issuance of protection orders, restraining orders,

or injunctions for the protection of victims of

domestic violence, dating violence, sexual

assault, or stalking.''.

SEC. 119. GAO STUDY AND REPORT.

(a) Study Required.--The Comptroller General shall conduct a study

to establish the extent to which men, women, youth, and children are

victims of domestic violence, dating violence, sexual assault, and

stalking and the availability to all victims of shelter, counseling,

legal representation, and other services commonly provided to victims of

domestic violence.

(b) <<NOTE: Applicability.>> Activities Under Study.--In conducting

the study, the following shall apply:

(1) Crime statistics.--The Comptroller General shall not

rely only on crime statistics, but may also use existing

research available, including public health studies and academic

studies.

(2) Survey.--The Comptroller General shall survey the

Department of Justice, as well as any recipients of Federal

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funding for any purpose or an appropriate sampling of

recipients, to determine--

(A) what services are provided to victims of

domestic violence, dating violence, sexual assault, and

stalking;

(B) whether those services are made available to

youth, child, female, and male victims; and

(C) the number, age, and gender of victims receiving

each available service.

(c) Report.--Not later than 1 year after the date of the enactment

of this Act, the Comptroller General shall submit to Congress a report

on the activities carried out under this section.

SEC. 120. <<NOTE: 42 USC 14045.>> GRANTS FOR OUTREACH TO UNDERSERVED

POPULATIONS.

(a) Grants Authorized.--

(1) In general.--From amounts made available to carry out

this section, the Attorney General, acting through the Director

of the Office on Violence Against Women, shall award grants to

eligible entities described in subsection (b) to carry out

local, regional, or national public information campaigns

focused on addressing adult, youth, or minor domestic violence,

dating violence, sexual assault, stalking, or trafficking within

tribal and underserved populations and immigrant communities,

including information on services available to victims and ways

to prevent or reduce domestic violence, dating violence, sexual

assault, and stalking.

(2) Term.--The Attorney General shall award grants under

this section for a period of 1 fiscal year.

(b) Eligible Entities.--Eligible entities under this section are--

(1) nonprofit, nongovernmental organizations or coalitions

that represent the targeted tribal and underserved populations

or immigrant community that--

(A) have a documented history of creating and

administering effective public awareness campaigns

addressing domestic violence, dating violence, sexual

assault, and stalking; or

(B) work in partnership with an organization that

has a documented history of creating and administering

effective public awareness campaigns addressing domestic

violence, dating violence, sexual assault, and stalking;

or

(2) a governmental entity that demonstrates a partnership

with organizations described in paragraph (1).

(c) Allocation of Funds.--Of the amounts appropriated for grants

under this section--

(1) not more than 20 percent shall be used for national

model campaign materials targeted to specific tribal and

underserved populations or immigrant community, including

American Indian tribes and Alaskan native villages for the

purposes of research, testing, message development, and

preparation of materials; and

(2) the balance shall be used for not less than 10 State,

regional, territorial, tribal, or local campaigns targeting

specific communities with information and materials developed

through the national campaign or, if appropriate, new materials

to reach an underserved population or a particularly isolated

community.

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(d) Use of Funds.--Funds appropriated under this section shall be

used to conduct a public information campaign and build the capacity and

develop leadership of racial, ethnic populations, or immigrant community

members to address domestic violence, dating violence, sexual assault,

and stalking.

(e) Application.--An eligible entity desiring a grant under this

section shall submit an application to the Director of the Office on

Violence Against Women at such time, in such form, and in such manner as

the Director may prescribe.

(f) Criteria.--In awarding grants under this section, the Attorney

General shall ensure--

(1) reasonable distribution among eligible grantees

representing various underserved and immigrant communities;

(2) reasonable distribution among State, regional,

territorial, tribal, and local campaigns; and

(3) that not more than 8 percent of the total amount

appropriated under this section for each fiscal year is set

aside for training, technical assistance, and data collection.

(g) Reports.--Each eligible entity receiving a grant under this

section shall submit to the Director of the Office of Violence Against

Women, every 18 months, a report that describes the activities carried

out with grant funds.

(h) Authorization of Appropriations.--There are authorized to be

appropriated to carry out this section $2,000,000 for each of fiscal

years 2007 through 2011.

SEC. 121. <<NOTE: 42 USC 14045a.>> ENHANCING CULTURALLY AND

LINGUISTICALLY SPECIFIC SERVICES FOR VICTIMS OF DOMESTIC

VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) Establishment.--

(1) In general.--Of the amounts appropriated under certain

grant programs identified in paragraph (a)(2) of this Section,

the Attorney General, through the Director of the Violence

Against Women Office (referred to in this section as the

``Director''), shall take 5 percent of such appropriated amounts

and combine them to establish a new grant program to enhance

culturally and linguistically specific services for victims of

domestic violence, dating violence, sexual assault, and

stalking. Grants made under this new program shall be

administered by the Director.

(2) Programs covered.--The programs covered by paragraph (1)

are the programs carried out under the following provisions:

(A) Section 2101 (42 U.S.C. 3796hh), Grants to

Encourage Arrest Policies.

(B) Section 1201 of the Violence Against Women Act

of 2000 (42 U.S.C. 3796gg-6), Legal Assistance for

Victims.

(C) Section 40295 of the Violence Against Women Act

of 1994 (42 U.S.C. 13971), Rural Domestic Violence and

Child Abuser Enforcement Assistance.

(D) Section \_\_\_ of the Violence Against Women Act of

1994 (42 U.S.C. \_\_\_), Older Battered Women.

(E) Section \_\_\_ of the Violence Against Women Act of

2000 (42 U.S.C. \_\_\_), Disabled Women Program.

(b) Purpose of Program and Grants.--

(1) General program purpose.--The purpose of the program

required by this section is to promote:

[[Page 119 STAT. 2992]]

(A) The maintenance and replication of existing

successful services in domestic violence, dating

violence, sexual assault, and stalking community-based

programs providing culturally and linguistically

specific services and other resources.

(B) The development of innovative culturally and

linguistically specific strategies and projects to

enhance access to services and resources for victims of

domestic violence, dating violence, sexual assault, and

stalking who face obstacles to using more traditional

services and resources.

(2) Purposes for which grants may be used.--The Director

shall make grants to community-based programs for the purpose of

enhancing culturally and linguistically specific services for

victims of domestic violence, dating violence, sexual assault,

and stalking. Grants under the program shall support community-

based efforts to address distinctive cultural and linguistic

responses to domestic violence, dating violence, sexual assault,

and stalking.

(3) Technical assistance and training.--The Director shall

provide technical assistance and training to grantees of this

and other programs under this Act regarding the development and

provision of effective culturally and linguistically specific

community-based services by entering into cooperative agreements

or contracts with an organization or organizations having a

demonstrated expertise in and whose primary purpose is

addressing the development and provision of culturally and

linguistically specific community-based services to victims of

domestic violence, dating violence, sexual assault, and

stalking.

(c) Eligible Entities.--Eligible entities for grants under this

Section include--

(1) community-based programs whose primary purpose is

providing culturally and linguistically specific services to

victims of domestic violence, dating violence, sexual assault,

and stalking; and

(2) community-based programs whose primary purpose is

providing culturally and linguistically specific services who

can partner with a program having demonstrated expertise in

serving victims of domestic violence, dating violence, sexual

assault, and stalking.

(d) Reporting.--The Director shall issue a biennial report on the

distribution of funding under this section, the progress made in

replicating and supporting increased services to victims of domestic

violence, dating violence, sexual assault, and stalking who face

obstacles to using more traditional services and resources, and the

types of culturally and linguistically accessible programs, strategies,

technical assistance, and training developed or enhanced through this

program.

(e) Grant Period.--The Director shall award grants for a 2-year

period, with a possible extension of another 2 years to implement

projects under the grant.

(f) <<NOTE: Contracts.>> Evaluation.--The Director shall award a

contract or cooperative agreement to evaluate programs under this

section to an entity with the demonstrated expertise in and primary goal

of providing enhanced cultural and linguistic access to services and

resources for victims of domestic violence, dating violence,

[[Page 119 STAT. 2993]]

sexual assault, and stalking who face obstacles to using more

traditional services and resources.

(g) Non-Exclusivity.--Nothing in this Section shall be interpreted

to exclude linguistic and culturally specific community-based programs

from applying to other grant programs authorized under this Act.

TITLE II--IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING

VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. <<NOTE: 42 USC 13925 note.>> FINDINGS.

Congress finds the following:

(1) Nearly \1/3\ of American women report physical or sexual

abuse by a husband or boyfriend at some point in their lives.

(2) According to the National Crime Victimization Survey,

248,000 Americans 12 years of age and older were raped or

sexually assaulted in 2002.

(3) Rape and sexual assault in the United States is

estimated to cost $127,000,000,000 per year, including--

(A) lost productivity;

(B) medical and mental health care;

(C) police and fire services;

(D) social services;

(E) loss of and damage to property; and

(F) reduced quality of life.

(4) Nonreporting of sexual assault in rural areas is a

particular problem because of the high rate of nonstranger

sexual assault.

(5) Geographic isolation often compounds the problems facing

sexual assault victims. The lack of anonymity and accessible

support services can limit opportunities for justice for

victims.

(6) Domestic elder abuse is primarily family abuse. The

National Elder Abuse Incidence Study found that the perpetrator

was a family member in 90 percent of cases.

(7) Barriers for older victims leaving abusive relationships

include--

(A) the inability to support themselves;

(B) poor health that increases their dependence on

the abuser;

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

(D) ineffective responses by domestic abuse programs

and law enforcement.

(8) Disabled women comprise another vulnerable population

with unmet needs. Women with disabilities are more likely to be

the victims of abuse and violence than women without

disabilities because of their increased physical, economic,

social, or psychological dependence on others.

(9) Many women with disabilities also fail to report the

abuse, since they are dependent on their abusers and fear being

abandoned or institutionalized.

(10) Of the 598 battered women's programs surveyed--

[[Page 119 STAT. 2994]]

(A) only 35 percent of these programs offered

disability awareness training for their staff; and

(B) only 16 percent dedicated a staff member to

provide services to women with disabilities.

(11) Problems of domestic violence are exacerbated for

immigrants when spouses control the immigration status of their

family members, and abusers use threats of refusal to file

immigration papers and threats to deport spouses and children as

powerful tools to prevent battered immigrant women from seeking

help, trapping battered immigrant women in violent homes because

of fear of deportation.

(12) Battered immigrant women who attempt to flee abusive

relationships may not have access to bilingual shelters or

bilingual professionals, and face restrictions on public or

financial assistance. They may also lack assistance of a

certified interpreter in court, when reporting complaints to the

police or a 9-1-1 operator, or even in acquiring information

about their rights and the legal system.

(13) More than 500 men and women call the National Domestic

Violence Hotline every day to get immediate, informed, and

confidential assistance to help deal with family violence.

(14) The National Domestic Violence Hotline service is

available, toll-free, 24 hours a day and 7 days a week, with

bilingual staff, access to translators in 150 languages, and a

TTY line for the hearing-impaired.

(15) With access to over 5,000 shelters and service

providers across the United States, Puerto Rico, and the United

States Virgin Islands, the National Domestic Violence Hotline

provides crisis intervention and immediately connects callers

with sources of help in their local community.

(16) Approximately 60 percent of the callers indicate that

calling the Hotline is their first attempt to address a domestic

violence situation and that they have not called the police or

any other support services.

(17) Between 2000 and 2003, there was a 27 percent increase

in call volume at the National Domestic Violence Hotline.

(18) Improving technology infrastructure at the National

Domestic Violence Hotline and training advocates, volunteers,

and other staff on upgraded technology will drastically increase

the Hotline's ability to answer more calls quickly and

effectively.

SEC. 202. SEXUAL ASSAULT SERVICES PROGRAM.

Part T of title I of the Omnibus Crime Control and Safe Streets Act

of 1968 (42 U.S.C. 3796gg et seq.) is amended by inserting after section

2012, as added by this Act, the following:

``SEC. 2014. <<NOTE: 42 USC 3796gg-9.>> SEXUAL ASSAULT SERVICES.

``(a) Purposes.--The purposes of this section are--

``(1) to assist States, Indian tribes, and territories in

providing intervention, advocacy, accompaniment, support

services, and related assistance for--

``(A) adult, youth, and child victims of sexual

assault;

``(B) family and household members of such victims;

and

[[Page 119 STAT. 2995]]

``(C) those collaterally affected by the

victimization, except for the perpetrator of such

victimization;

``(2) to provide for technical assistance and training

relating to sexual assault to--

``(A) Federal, State, tribal, territorial and local

governments, law enforcement agencies, and courts;

``(B) professionals working in legal, social

service, and health care settings;

``(C) nonprofit organizations;

``(D) faith-based organizations; and

``(E) other individuals and organizations seeking

such assistance.

``(b) Grants to States and Territories.--

``(1) Grants authorized.--The Attorney General shall award

grants to States and territories to support the establishment,

maintenance, and expansion of rape crisis centers and other

programs and projects to assist those victimized by sexual

assault.

``(2) Allocation and use of funds.--

``(A) Administrative costs.--Not more than 5 percent

of the grant funds received by a State or territory

governmental agency under this subsection for any fiscal

year may be used for administrative costs.

``(B) Grant funds.--Any funds received by a State or

territory under this subsection that are not used for

administrative costs shall be used to provide grants to

rape crisis centers and other nonprofit, nongovernmental

organizations for programs and activities within such

State or territory that provide direct intervention and

related assistance.

``(C) Intervention and related assistance.--

Intervention and related assistance under subparagraph

(B) may include--

``(i) 24 hour hotline services providing

crisis intervention services and referral;

``(ii) accompaniment and advocacy through

medical, criminal justice, and social support

systems, including medical facilities, police, and

court proceedings;

``(iii) crisis intervention, short-term

individual and group support services, and

comprehensive service coordination and supervision

to assist sexual assault victims and family or

household members;

``(iv) information and referral to assist the

sexual assault victim and family or household

members;

``(v) community-based, linguistically and

culturally specific services and support

mechanisms, including outreach activities for

underserved communities; and

``(vi) the development and distribution of

materials on issues related to the services

described in clauses (i) through (v).

``(3) Application.--

``(A) In general.--Each eligible entity desiring a

grant under this subsection shall submit an application

to the Attorney General at such time and in such manner

as the Attorney General may reasonably require.

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``(B) Contents.--Each application submitted under

subparagraph (A) shall--

``(i) set forth procedures designed to ensure

meaningful involvement of the State or territorial

sexual assault coalition and representatives from

underserved communities in the development of the

application and the implementation of the plans;

``(ii) set forth procedures designed to ensure

an equitable distribution of grants and grant

funds within the State or territory and between

urban and rural areas within such State or

territory;

``(iii) identify the State or territorial

agency that is responsible for the administration

of programs and activities; and

``(iv) meet other such requirements as the

Attorney General reasonably determines are

necessary to carry out the purposes and provisions

of this section.

``(4) Minimum amount.--The Attorney General shall allocate

to each State not less than 1.50 percent of the total amount

appropriated in a fiscal year for grants under this section,

except that the United States Virgin Islands, American Samoa,

Guam, the District of Columbia, Puerto Rico, and the

Commonwealth of the Northern Mariana Islands shall each be

allocated 0.125 percent of the total appropriations. The

remaining funds shall be allotted to each State and each

territory in an amount that bears the same ratio to such

remaining funds as the population of such State and such

territory bears to the population of the combined States or the

population of the combined territories.

``(c) Grants for Culturally Specific Programs Addressing Sexual

Assault.--

``(1) Grants authorized.--The Attorney General shall award

grants to eligible entities to support the establishment,

maintenance, and expansion of culturally specific intervention

and related assistance for victims of sexual assault.

``(2) Eligible entities.--To be eligible to receive a grant

under this section, an entity shall--

``(A) be a private nonprofit organization that

focuses primarily on culturally specific communities;

``(B) must have documented organizational experience

in the area of sexual assault intervention or have

entered into a partnership with an organization having

such expertise;

``(C) have expertise in the development of

community-based, linguistically and culturally specific

outreach and intervention services relevant for the

specific communities to whom assistance would be

provided or have the capacity to link to existing

services in the community tailored to the needs of

culturally specific populations; and

``(D) have an advisory board or steering committee

and staffing which is reflective of the targeted

culturally specific community.

``(3) Award basis.--The Attorney General shall award grants

under this section on a competitive basis.

``(4) Distribution.--

``(A) The Attorney General shall not use more than

2.5 percent of funds appropriated under this subsection

[[Page 119 STAT. 2997]]

in any year for administration, monitoring, and

evaluation of grants made available under this

subsection.

``(B) Up to 5 percent of funds appropriated under

this subsection in any year shall be available for

technical assistance by a national, nonprofit,

nongovernmental organization or organizations whose

primary focus and expertise is in addressing sexual

assault within underserved culturally specific

populations.

``(5) Term.--The Attorney General shall make grants under

this section for a period of no less than 2 fiscal years.

``(6) Reporting.--Each entity receiving a grant under this

subsection shall submit a report to the Attorney General that

describes the activities carried out with such grant funds.

``(d) Grants to State, Territorial, and Tribal Sexual Assault

Coalitions.--

``(1) Grants authorized.--

``(A) In general.--The Attorney General shall award

grants to State, territorial, and tribal sexual assault

coalitions to assist in supporting the establishment,

maintenance, and expansion of such coalitions.

``(B) Minimum amount.--Not less than 10 percent of

the total amount appropriated to carry out this section

shall be used for grants under subparagraph (A).

``(C) Eligible applicants.--Each of the State,

territorial, and tribal sexual assault coalitions.

``(2) Use of funds.--Grant funds received under this

subsection may be used to--

``(A) work with local sexual assault programs and

other providers of direct services to encourage

appropriate responses to sexual assault within the

State, territory, or tribe;

``(B) work with judicial and law enforcement

agencies to encourage appropriate responses to sexual

assault cases;

``(C) work with courts, child protective services

agencies, and children's advocates to develop

appropriate responses to child custody and visitation

issues when sexual assault has been determined to be a

factor;

``(D) design and conduct public education campaigns;

``(E) plan and monitor the distribution of grants

and grant funds to their State, territory, or tribe; or

``(F) collaborate with and inform Federal, State, or

local public officials and agencies to develop and

implement policies to reduce or eliminate sexual

assault.

``(3) Allocation and use of funds.--From amounts

appropriated for grants under this subsection for each fiscal

year--

``(A) not less than 10 percent of the funds shall be

available for grants to tribal sexual assault

coalitions; and

``(B) the remaining funds shall be available for

grants to State and territorial coalitions, and the

Attorney General shall allocate an amount equal to \1/

56\ of the amounts so appropriated to each of those

State and territorial coalitions.

``(4) Application.--Each eligible entity desiring a grant

under this subsection shall submit an application to the

Attorney General at such time, in such manner, and containing

such information as the Attorney General determines to be

essential to carry out the purposes of this section.

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``(5) First-time applicants.--No entity shall be prohibited

from submitting an application under this subsection during any

fiscal year for which funds are available under this subsection

because such entity has not previously applied or received

funding under this subsection.

``(e) Grants to Tribes.--

``(1) Grants authorized.--The Attorney General may award

grants to Indian tribes, tribal organizations, and nonprofit

tribal organizations for the operation of sexual assault

programs or projects in Indian country and Alaska Native

villages to support the establishment, maintenance, and

expansion of programs and projects to assist those victimized by

sexual assault.

``(2) Allocation and use of funds.--

``(A) Administrative costs.--Not more than 5 percent

of the grant funds received by an Indian tribe, tribal

organization, and nonprofit tribal organization under

this subsection for any fiscal year may be used for

administrative costs.

``(B) Grant funds.--Any funds received under this

subsection that are not used for administrative costs

shall be used to provide grants to tribal organizations

and nonprofit tribal organizations for programs and

activities within Indian country and Alaskan native

villages that provide direct intervention and related

assistance.

``(f) Authorization of Appropriations.--

``(1) In general.--There are authorized to be appropriated

$50,000,000 for each of the fiscal years 2007 through 2011 to

carry out the provisions of this section.

``(2) Allocations.--Of the total amounts appropriated for

each fiscal year to carry out this section--

``(A) not more than 2.5 percent shall be used by the

Attorney General for evaluation, monitoring, and other

administrative costs under this section;

``(B) not more than 2.5 percent shall be used for

the provision of technical assistance to grantees and

subgrantees under this section;

``(C) not less than 65 percent shall be used for

grants to States and territories under subsection (b);

``(D) not less than 10 percent shall be used for

making grants to State, territorial, and tribal sexual

assault coalitions under subsection (d);

``(E) not less than 10 percent shall be used for

grants to tribes under subsection (e); and

``(F) not less than 10 percent shall be used for

grants for culturally specific programs addressing

sexual assault under subsection (c).''.

SEC. 203. AMENDMENTS TO THE RURAL DOMESTIC VIOLENCE AND CHILD ABUSE

ENFORCEMENT ASSISTANCE PROGRAM.

Section 40295 of the Safe Homes for Women Act of 1994 (42 U.S.C.

13971) is amended to read as follows:

``SEC. 40295. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT,

STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

``(a) Purposes.--The purposes of this section are--

[[Page 119 STAT. 2999]]

``(1) to identify, assess, and appropriately respond to

child, youth, and adult victims of domestic violence, sexual

assault, dating violence, and stalking in rural communities, by

encouraging collaboration among--

``(A) domestic violence, dating violence, sexual

assault, and stalking victim service providers;

``(B) law enforcement agencies;

``(C) prosecutors;

``(D) courts;

``(E) other criminal justice service providers;

``(F) human and community service providers;

``(G) educational institutions; and

``(H) health care providers;

``(2) to establish and expand nonprofit, nongovernmental,

State, tribal, territorial, and local government victim services

in rural communities to child, youth, and adult victims; and

``(3) to increase the safety and well-being of women and

children in rural communities, by--

``(A) dealing directly and immediately with domestic

violence, sexual assault, dating violence, and stalking

occurring in rural communities; and

``(B) creating and implementing strategies to

increase awareness and prevent domestic violence, sexual

assault, dating violence, and stalking.

``(b) Grants Authorized.--The Attorney General, acting through the

Director of the Office on Violence Against Women (referred to in this

section as the `Director'), may award grants to States, Indian tribes,

local governments, and nonprofit, public or private entities, including

tribal nonprofit organizations, to carry out programs serving rural

areas or rural communities that address domestic violence, dating

violence, sexual assault, and stalking by--

``(1) implementing, expanding, and establishing cooperative

efforts and projects among law enforcement officers,

prosecutors, victim advocacy groups, and other related parties

to investigate and prosecute incidents of domestic violence,

dating violence, sexual assault, and stalking;

``(2) providing treatment, counseling, advocacy, and other

long- and short-term assistance to adult and minor victims of

domestic violence, dating violence, sexual assault, and stalking

in rural communities, including assistance in immigration

matters; and

``(3) working in cooperation with the community to develop

education and prevention strategies directed toward such issues.

``(c) Use of Funds.--Funds appropriated pursuant to this section

shall be used only for specific programs and activities expressly

described in subsection (a).

``(d) Allotments and Priorities.--

``(1) Allotment for indian tribes.--Not less than 10 percent

of the total amount made available for each fiscal year to carry

out this section shall be allocated for grants to Indian tribes

or tribal organizations.

``(2) Allotment for sexual assault.--

``(A) In general.--Not less than 25 percent of the

total amount appropriated in a fiscal year under this

section shall fund services that meaningfully address

sexual

[[Page 119 STAT. 3000]]

assault in rural communities, however at such time as

the amounts appropriated reach the amount of

$45,000,000, the percentage allocated shall rise to 30

percent of the total amount appropriated, at such time

as the amounts appropriated reach the amount of

$50,000,000, the percentage allocated shall rise to 35

percent of the total amount appropriated, and at such

time as the amounts appropriated reach the amount of

$55,000,000, the percentage allocated shall rise to 40

percent of the amounts appropriated.

``(B) Multiple purpose applications.--Nothing in

this section shall prohibit any applicant from applying

for funding to address sexual assault, domestic

violence, stalking, or dating violence in the same

application.

``(3) Allotment for technical assistance.--Of the amounts

appropriated for each fiscal year to carry out this section, not

more than 8 percent may be used by the Director for technical

assistance costs. Of the amounts appropriated in this

subsection, no less than 25 percent of such amounts shall be

available to a nonprofit, nongovernmental organization or

organizations whose focus and expertise is in addressing sexual

assault to provide technical assistance to sexual assault

grantees.

``(4) Underserved populations.--In awarding grants under

this section, the Director shall give priority to the needs of

underserved populations.

``(5) Allocation of funds for rural states.--Not less than

75 percent of the total amount made available for each fiscal

year to carry out this section shall be allocated to eligible

entities located in rural States.

``(e) Authorization of Appropriations.--

``(1) In general.--There are authorized to be appropriated

$55,000,000 for each of the fiscal years 2007 through 2011 to

carry out this section.

``(2) Additional funding.--In addition to funds received

through a grant under subsection (b), a law enforcement agency

may use funds received through a grant under part Q of title I

of the Omnibus Crime Control and Safe Streets Act of 1968 (42

U.S.C. 3796dd et seq.) to accomplish the objectives of this

section.''.

SEC. 204. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH

DISABILITIES.

(a) In General.--Section 1402 of the Violence Against Women Act of

2000 (42 U.S.C. 3796gg-7) is amended to read as follows:

``SEC. 1402. EDUCATION, TRAINING, AND ENHANCED SERVICES TO END VIOLENCE

AGAINST AND ABUSE OF WOMEN WITH DISABILITIES.

``(a) In General.--The Attorney General, in consultation with the

Secretary of Health and Human Services, may award grants to eligible

entities--

``(1) to provide training, consultation, and information on

domestic violence, dating violence, stalking, and sexual assault

against individuals with disabilities (as defined in section 3

of the Americans with Disabilities Act of 1990 (42 U.S.C.

12102)); and

``(2) to enhance direct services to such individuals.

[[Page 119 STAT. 3001]]

``(b) Use of Funds.--Grants awarded under this section shall be

used--

``(1) to provide personnel, training, technical assistance,

advocacy, intervention, risk reduction and prevention of

domestic violence, dating violence, stalking, and sexual assault

against disabled individuals;

``(2) to conduct outreach activities to ensure that disabled

individuals who are victims of domestic violence, dating

violence, stalking, or sexual assault receive appropriate

assistance;

``(3) to conduct cross-training for victim service

organizations, governmental agencies, courts, law enforcement,

and nonprofit, nongovernmental organizations serving individuals

with disabilities about risk reduction, intervention, prevention

and the nature of domestic violence, dating violence, stalking,

and sexual assault for disabled individuals;

``(4) to provide technical assistance to assist with

modifications to existing policies, protocols, and procedures to

ensure equal access to the services, programs, and activities of

victim service organizations for disabled individuals;

``(5) to provide training and technical assistance on the

requirements of shelters and victim services organizations under

Federal antidiscrimination laws, including--

``(A) the Americans with Disabilities Act of 1990;

and

``(B) section 504 of the Rehabilitation Act of 1973;

``(6) to modify facilities, purchase equipment, and provide

personnel so that shelters and victim service organizations can

accommodate the needs of disabled individuals;

``(7) to provide advocacy and intervention services for

disabled individuals who are victims of domestic violence,

dating violence, stalking, or sexual assault; or

``(8) to develop model programs providing advocacy and

intervention services within organizations serving disabled

individuals who are victims of domestic violence, dating

violence, sexual assault, or stalking.

``(c) Eligible Entities.--

``(1) In general.--An entity shall be eligible to receive a

grant under this section if the entity is--

``(A) a State;

``(B) a unit of local government;

``(C) an Indian tribal government or tribal

organization; or

``(D) a nonprofit and nongovernmental victim

services organization, such as a State domestic violence

or sexual assault coalition or a nonprofit,

nongovernmental organization serving disabled

individuals.

``(2) Limitation.--A grant awarded for the purpose described

in subsection (b)(8) shall only be awarded to an eligible agency

(as defined in section 410 of the Rehabilitation Act of 1973 (29

U.S.C. 796f-5)).

``(d) Underserved Populations.--In awarding grants under this

section, the Director shall ensure that the needs of underserved

populations are being addressed.

``(e) Authorization of Appropriations.--There are authorized to be

appropriated $10,000,000 for each of the fiscal years 2007 through 2011

to carry out this section.''.

[[Page 119 STAT. 3002]]

SEC. 205. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER

LIFE.

(a) Training Programs.--Section 40802 of the Violence Against Women

Act of 1994 (42 U.S.C. 14041a) is amended to read as follows:

``SEC. 40802. ENHANCED TRAINING AND SERVICES TO END VIOLENCE AGAINST AND

ABUSE OF WOMEN LATER IN LIFE.

``(a) Grants Authorized.--The Attorney General, through the Director

of the Office on Violence Against Women, may award grants, which may be

used for--

``(1) training programs to assist law enforcement,

prosecutors, governmental agencies, victim assistants, and

relevant officers of Federal, State, tribal, territorial, and

local courts in recognizing, addressing, investigating, and

prosecuting instances of elder abuse, neglect, and exploitation,

including domestic violence, dating violence, sexual assault, or

stalking against victims who are 50 years of age or older;

``(2) providing or enhancing services for victims of elder

abuse, neglect, and exploitation, including domestic violence,

dating violence, sexual assault, or stalking, who are 50 years

of age or older;

``(3) creating or supporting multidisciplinary collaborative

community responses to victims of elder abuse, neglect, and

exploitation, including domestic violence, dating violence,

sexual assault, and stalking, who are 50 years of age or older;

and

``(4) conducting cross-training for victim service

organizations, governmental agencies, courts, law enforcement,

and nonprofit, nongovernmental organizations serving victims of

elder abuse, neglect, and exploitation, including domestic

violence, dating violence, sexual assault, and stalking, who are

50 years of age or older.

``(b) Eligible Entities.--An entity shall be eligible to receive a

grant under this section if the entity is--

``(1) a State;

``(2) a unit of local government;

``(3) an Indian tribal government or tribal organization; or

``(4) a nonprofit and nongovernmental victim services

organization with demonstrated experience in assisting elderly

women or demonstrated experience in addressing domestic

violence, dating violence, sexual assault, and stalking.

``(c) Underserved Populations.--In awarding grants under this

section, the Director shall ensure that services are culturally and

linguistically relevant and that the needs of underserved populations

are being addressed.''.

(b) Authorization of Appropriations.--Section 40803 of the Violence

Against Women Act of 1994 (42 U.S.C. 14041b) is amended by striking

``$5,000,000 for each of fiscal years 2001 through 2005'' and inserting

``$10,000,000 for each of the fiscal years 2007 through 2011''.

SEC. 206. STRENGTHENING THE NATIONAL DOMESTIC VIOLENCE HOTLINE.

Section 316 of the Family Violence Prevention and Services Act (42

U.S.C. 10416) is amended--

[[Page 119 STAT. 3003]]

(1) in subsection (d)(2), by inserting ``(including

technology training)'' after ``train;'';

(2) in subsection (f)(2)(A), by inserting ``, including

technology training to ensure that all persons affiliated with

the hotline are able to effectively operate any technological

systems used by the hotline'' after ``hotline personnel''; and

(3) in subsection (g)(2), by striking ``shall'' and

inserting ``may''.

TITLE III--SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF

VIOLENCE

SEC. 301. <<NOTE: 42 USC 13925 note.>> FINDINGS.

Congress finds the following:

(1) Youth, under the age of 18, account for 67 percent of

all sexual assault victimizations reported to law enforcement

officials.

(2) The Department of Justice consistently finds that young

women between the ages of 16 and 24 experience the highest rate

of non-fatal intimate partner violence.

(3) In 1 year, over 4,000 incidents of rape or sexual

assault occurred in public schools across the country.

(4) Young people experience particular obstacles to seeking

help. They often do not have access to money, transportation, or

shelter services. They must overcome issues such as distrust of

adults, lack of knowledge about available resources, or pressure

from peers and parents.

(5) A needs assessment on teen relationship abuse for the

State of California, funded by the California Department of

Health Services, identified a desire for confidentiality and

confusion about the law as 2 of the most significant barriers to

young victims of domestic and dating violence seeking help.

(6) Only one State specifically allows for minors to

petition the court for protection orders.

(7) Many youth are involved in dating relationships, and

these relationships can include the same kind of domestic

violence and dating violence seen in the adult population. In

fact, more than 40 percent of all incidents of domestic violence

involve people who are not married.

(8) 40 percent of girls ages 14 to 17 report knowing someone

their age who has been hit or beaten by a boyfriend, and 13

percent of college women report being stalked.

(9) Of college women who said they had been the victims of

rape or attempted rape, 12.8 percent of completed rapes, 35

percent of attempted rapes, and 22.9 percent of threatened rapes

took place on a date. Almost 60 percent of the completed rapes

that occurred on campus took place in the victim's residence.

(10) According to a 3-year study of student-athletes at 10

Division I universities, male athletes made up only 3.3 percent

of the general male university population, but they accounted

for 19 percent of the students reported for sexual assault and

35 percent of domestic violence perpetrators.

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SEC. 302. RAPE PREVENTION AND EDUCATION.

Section 393B(c) of part J of title III of the Public Health Service

Act (42 U.S.C. 280b-1c(c)) is amended to read as follows:

``(c) Authorization of Appropriations.--

``(1) In general.--There is authorized to be appropriated to

carry out this section $80,000,000 for each of fiscal years 2007

through 2011.

``(2) National sexual violence resource center allotment.--

Of the total amount made available under this subsection in each

fiscal year, not less than $1,500,000 shall be available for

allotment under subsection (b).''.

SEC. 303. SERVICES, EDUCATION, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS

OF VIOLENCE.

The Violence Against Women Act of 1994 (Public Law 103-322, Stat.

1902 et seq.) is amended by adding at the end the following:

``Subtitle L--Services, Education, Protection and Justice for Young

Victims of Violence

``SEC. 41201. <<NOTE: 42 USC 14043c.>> SERVICES TO ADVOCATE FOR AND

RESPOND TO YOUTH.

``(a) Grants Authorized.--The Attorney General, in consultation with

the Department of Health and Human Services, shall award grants to

eligible entities to conduct programs to serve youth victims of domestic

violence, dating violence, sexual assault, and stalking. Amounts

appropriated under this section may only be used for programs and

activities described under subsection (c).

``(b) Eligible Grantees.--To be eligible to receive a grant under

this section, an entity shall be--

``(1) a nonprofit, nongovernmental entity, the primary

purpose of which is to provide services to teen and young adult

victims of domestic violence, dating violence, sexual assault,

or stalking;

``(2) a community-based organization specializing in

intervention or violence prevention services for youth;

``(3) an Indian Tribe or tribal organization providing

services primarily to tribal youth or tribal victims of domestic

violence, dating violence, sexual assault or stalking; or

``(4) a nonprofit, nongovernmental entity providing services

for runaway or homeless youth affected by domestic or sexual

abuse.

``(c) Use of Funds.--

``(1) In general.--An entity that receives a grant under

this section shall use amounts provided under the grant to

design or replicate, and implement, programs and services, using

domestic violence, dating violence, sexual assault, and stalking

intervention models to respond to the needs of youth who are

victims of domestic violence, dating violence, sexual assault or

stalking.

``(2) Types of programs.--Such a program--

``(A) shall provide direct counseling and advocacy

for youth and young adults, who have experienced

domestic violence, dating violence, sexual assault or

stalking;

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``(B) shall include linguistically, culturally, and

community relevant services for underserved populations

or linkages to existing services in the community

tailored to the needs of underserved populations;

``(C) may include mental health services for youth

and young adults who have experienced domestic violence,

dating violence, sexual assault, or stalking;

``(D) may include legal advocacy efforts on behalf

of youth and young adults with respect to domestic

violence, dating violence, sexual assault or stalking;

``(E) may work with public officials and agencies to

develop and implement policies, rules, and procedures in

order to reduce or eliminate domestic violence, dating

violence, sexual assault, and stalking against youth and

young adults; and

``(F) may use not more than 25 percent of the grant

funds to provide additional services and resources for

youth, including childcare, transportation, educational

support, and respite care.

``(d) Awards Basis.--

``(1) Grants to indian tribes.--Not less than 7 percent of

funds appropriated under this section in any year shall be

available for grants to Indian Tribes or tribal organizations.

``(2) Administration.--The Attorney General shall not use

more than 2.5 percent of funds appropriated under this section

in any year for administration, monitoring, and evaluation of

grants made available under this section.

``(3) Technical assistance.--Not less than 5 percent of

funds appropriated under this section in any year shall be

available to provide technical assistance for programs funded

under this section.

``(e) Term.--The Attorney General shall make the grants under this

section for a period of 3 fiscal years.

``(f) Authorization of Appropriations.--There is authorized to be

appropriated to carry out this section, $15,000,000 for each of fiscal

years 2007 through 2011.

``SEC. 41202. <<NOTE: 42 USC 14043c-1.>> ACCESS TO JUSTICE FOR YOUTH.

``(a) Purpose.--It is the purpose of this section to encourage cross

training and collaboration between the courts, domestic violence and

sexual assault service providers, youth organizations and service

providers, violence prevention programs, and law enforcement agencies,

so that communities can establish and implement policies, procedures,

and practices to protect and more comprehensively and effectively serve

young victims of dating violence, domestic violence, sexual assault, and

stalking who are between the ages of 12 and 24, and to engage, where

necessary, other entities addressing the safety, health, mental health,

social service, housing, and economic needs of young victims of domestic

violence, dating violence, sexual assault, and stalking, including

community-based supports such as schools, local health centers,

community action groups, and neighborhood coalitions.

``(b) Grant Authority.--

``(1) In general.--The Attorney General, through the

Director of the Office on Violence Against Women (in this

section referred to as the `Director'), shall make grants to

eligible entities to carry out the purposes of this section.

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``(2) Grant periods.--Grants shall be awarded under this

section for a period of 2 fiscal years.

``(3) Eligible entities.--To be eligible for a grant under

this section, a grant applicant shall establish a collaboration

that--

``(A) shall include a victim service provider that

has a documented history of effective work concerning

domestic violence, dating violence, sexual assault, or

stalking and the effect that those forms of abuse have

on young people;

``(B) shall include a court or law enforcement

agency partner; and

``(C) may include--

``(i) batterer intervention programs or sex

offender treatment programs with specialized

knowledge and experience working with youth

offenders;

``(ii) community-based youth organizations

that deal specifically with the concerns and

problems faced by youth, including programs that

target teen parents and underserved communities;

``(iii) schools or school-based programs

designed to provide prevention or intervention

services to youth experiencing problems;

``(iv) faith-based entities that deal with the

concerns and problems faced by youth;

``(v) healthcare entities eligible for

reimbursement under title XVIII of the Social

Security Act, including providers that target the

special needs of youth;

``(vi) education programs on HIV and other

sexually transmitted diseases that are designed to

target teens;

``(vii) Indian Health Service, tribal child

protective services, the Bureau of Indian Affairs,

or the Federal Bureau of Investigations; or

``(viii) law enforcement agencies of the

Bureau of Indian Affairs providing tribal law

enforcement.

``(c) Uses of Funds.--An entity that receives a grant under this

section shall use the funds made available through the grant for cross-

training and collaborative efforts--

``(1) addressing domestic violence, dating violence, sexual

assault, and stalking, assessing and analyzing currently

available services for youth and young adult victims,

determining relevant barriers to such services in a particular

locality, and developing a community protocol to address such

problems collaboratively;

``(2) to establish and enhance linkages and collaboration

between--

``(A) domestic violence and sexual assault service

providers; and

``(B) where applicable, law enforcement agencies,

courts, Federal agencies, and other entities addressing

the safety, health, mental health, social service,

housing, and economic needs of young victims of abuse,

including community-based supports such as schools,

local health centers, community action groups, and

neighborhood coalitions--

``(i) to respond effectively and

comprehensively to the varying needs of young

victims of abuse;

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``(ii) to include linguistically, culturally,

and community relevant services for underserved

populations or linkages to existing services in

the community tailored to the needs of underserved

populations; and

``(iii) to include where appropriate legal

assistance, referral services, and parental

support;

``(3) to educate the staff of courts, domestic violence and

sexual assault service providers, and, as applicable, the staff

of law enforcement agencies, Indian child welfare agencies,

youth organizations, schools, healthcare providers, and other

community prevention and intervention programs to responsibly

address youth victims and perpetrators of domestic violence,

dating violence, sexual assault, and stalking;

``(4) to identify, assess, and respond appropriately to

dating violence, domestic violence, sexual assault, or stalking

against teens and young adults and meet the needs of young

victims of violence; and

``(5) to provide appropriate resources in juvenile court

matters to respond to dating violence, domestic violence, sexual

assault, and stalking and ensure necessary services dealing with

the health and mental health of victims are available.

``(d) Grant Applications.--To be eligible for a grant under this

section, the entities that are members of the applicant collaboration

described in subsection (b)(3) shall jointly submit an application to

the Director at such time, in such manner, and containing such

information as the Director may require.

``(e) Priority.--In awarding grants under this section, the Director

shall give priority to entities that have submitted applications in

partnership with community organizations and service providers that work

primarily with youth, especially teens, and who have demonstrated a

commitment to coalition building and cooperative problem solving in

dealing with problems of dating violence, domestic violence, sexual

assault, and stalking in teen populations.

``(f) Distribution.--In awarding grants under this section--

``(1) not less than 10 percent of funds appropriated under

this section in any year shall be available to Indian tribal

governments to establish and maintain collaborations involving

the appropriate tribal justice and social services departments

or domestic violence or sexual assault service providers, the

purpose of which is to provide culturally appropriate services

to American Indian women or youth;

``(2) the Director shall not use more than 2.5 percent of

funds appropriated under this section in any year for monitoring

and evaluation of grants made available under this section;

``(3) the Attorney General of the United States shall not

use more than 2.5 percent of funds appropriated under this

section in any year for administration of grants made available

under this section; and

``(4) up to 8 percent of funds appropriated under this

section in any year shall be available to provide technical

assistance for programs funded under this section.

``(g) <<NOTE: Deadline.>> Dissemination of Information.--Not later

than 12 months after the end of the grant period under this section, the

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Director shall prepare, submit to Congress, and make widely available,

including through electronic means, summaries that contain information

on--

``(1) the activities implemented by the recipients of the

grants awarded under this section; and

``(2) related initiatives undertaken by the Director to

promote attention to dating violence, domestic violence, sexual

assault, and stalking and their impact on young victims by--

``(A) the staffs of courts;

``(B) domestic violence, dating violence, sexual

assault, and stalking victim service providers; and

``(C) law enforcement agencies and community

organizations.

``(h) Authorization of Appropriations.--There are authorized to be

appropriated to carry out this section, $5,000,000 in each of fiscal

years 2007 through 2011.

``SEC. 41203. <<NOTE: 42 USC 14043c-2.>> GRANTS FOR TRAINING AND

COLLABORATION ON THE INTERSECTION BETWEEN DOMESTIC VIOLENCE

AND CHILD MALTREATMENT.

``(a) Purpose.--The purpose of this section is to support efforts by

child welfare agencies, domestic violence or dating violence victim

services providers, courts, law enforcement, and other related

professionals and community organizations to develop collaborative

responses and services and provide cross-training to enhance community

responses to families where there is both child maltreatment and

domestic violence.

``(b) Grants Authorized.--The Secretary of the Department of Health

and Human Services (in this section referred to as the `Secretary'),

through the Family and Youth Services Bureau, and in consultation with

the Office on Violence Against Women, shall award grants on a

competitive basis to eligible entities for the purposes and in the

manner described in this section.

``(c) Authorization of Appropriations.--There are authorized to be

appropriated to carry out this section $5,000,000 for each of fiscal

years 2007 through 2011. Funds appropriated under this section shall

remain available until expended. Of the amounts appropriated to carry

out this section for each fiscal year, the Secretary shall--

``(1) use not more than 3 percent for evaluation,

monitoring, site visits, grantee conferences, and other

administrative costs associated with conducting activities under

this section;

``(2) set aside not more than 7 percent for grants to Indian

tribes to develop programs addressing child maltreatment and

domestic violence or dating violence that are operated by, or in

partnership with, a tribal organization; and

``(3) set aside up to 8 percent for technical assistance and

training to be provided by organizations having demonstrated

expertise in developing collaborative community and system

responses to families in which there is both child maltreatment

and domestic violence or dating violence, which technical

assistance and training may be offered to jurisdictions in the

process of developing community responses to families in which

children are exposed to child maltreatment and domestic violence

or dating violence, whether or not they are receiving funds

under this section.

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``(d) Underserved Populations.--In awarding grants under this

section, the Secretary shall consider the needs of underserved

populations.

``(e) Grant Awards.--The Secretary shall award grants under this

section for periods of not more than 2 fiscal years.

``(f) Uses of Funds.--Entities receiving grants under this section

shall use amounts provided to develop collaborative responses and

services and provide cross-training to enhance community responses to

families where there is both child maltreatment and domestic violence or

dating violence. Amounts distributed under this section may only be used

for programs and activities described in subsection (g).

``(g) Programs and Activities.--The programs and activities

developed under this section shall--

``(1) encourage cross training, education, service

development, and collaboration among child welfare agencies,

domestic violence victim service providers, and courts, law

enforcement agencies, community-based programs, and other

entities, in order to ensure that such entities have the

capacity to and will identify, assess, and respond appropriately

to--

``(A) domestic violence or dating violence in homes

where children are present and may be exposed to the

violence;

``(B) domestic violence or dating violence in child

protection cases; and

``(C) the needs of both the child and nonabusing

parent;

``(2) establish and implement policies, procedures,

programs, and practices for child welfare agencies, domestic

violence victim service providers, courts, law enforcement

agencies, and other entities, that are consistent with the

principles of protecting and increasing the immediate and long-

term safety and well being of children and non-abusing parents

and caretakers;

``(3) increase cooperation and enhance linkages between

child welfare agencies, domestic violence victim service

providers, courts, law enforcement agencies, and other entities

to provide more comprehensive community-based services

(including health, mental health, social service, housing, and

neighborhood resources) to protect and to serve both child and

adult victims;

``(4) identify, assess, and respond appropriately to

domestic violence or dating violence in child protection cases

and to child maltreatment when it co-occurs with domestic

violence or dating violence;

``(5) analyze and change policies, procedures, and protocols

that contribute to overrepresentation of certain populations in

the court and child welfare system; and

``(6) provide appropriate referrals to community-based

programs and resources, such as health and mental health

services, shelter and housing assistance for adult and youth

victims and their children, legal assistance and advocacy for

adult and youth victims, assistance for parents to help their

children cope with the impact of exposure to domestic violence

or dating violence and child maltreatment, appropriate

intervention and treatment for adult perpetrators of domestic

violence or dating violence whose children are the subjects of

child protection

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cases, programs providing support and assistance to underserved

populations, and other necessary supportive services.

``(h) Grantee Requirements.--

``(1) Applications.--Under this section, an entity shall

prepare and submit to the Secretary an application at such time,

in such manner, and containing such information as the Secretary

may require, consistent with the requirements described herein.

The application shall--

``(A) ensure that communities impacted by these

systems or organizations are adequately represented in

the development of the application, the programs and

activities to be undertaken, and that they have a

significant role in evaluating the success of the

project;

``(B) describe how the training and collaboration

activities will enhance or ensure the safety and

economic security of families where both child

maltreatment and domestic violence or dating violence

occurs by providing appropriate resources, protection,

and support to the victimized parents of such children

and to the children themselves; and

``(C) outline methods and means participating

entities will use to ensure that all services are

provided in a developmentally, linguistically and

culturally competent manner and will utilize community-

based supports and resources.

``(2) Eligible entities.--To be eligible for a grant under

this section, an entity shall be a collaboration that--

``(A) shall include a State or local child welfare

agency or Indian Tribe;

``(B) shall include a domestic violence or dating

violence victim service provider;

``(C) shall include a law enforcement agency or

Bureau of Indian Affairs providing tribal law

enforcement;

``(D) may include a court; and

``(E) may include any other such agencies or private

nonprofit organizations and faith-based organizations,

including community-based organizations, with the

capacity to provide effective help to the child and

adult victims served by the collaboration.

``SEC. 41204. <<NOTE: Supporting Teens through Education and Protection

Act of 2005. 42 USC 14043c-3.>> GRANTS TO COMBAT DOMESTIC

VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING IN

MIDDLE AND HIGH SCHOOLS.

``(a) Short Title.--This section may be cited as the `Supporting

Teens through Education and Protection Act of 2005' or the `STEP Act'.

``(b) Grants Authorized.--The Attorney General, through the Director

of the Office on Violence Against Women, is authorized to award grants

to middle schools and high schools that work with domestic violence and

sexual assault experts to enable the schools--

``(1) to provide training to school administrators, faculty,

counselors, coaches, healthcare providers, security personnel,

and other staff on the needs and concerns of students who

experience domestic violence, dating violence, sexual assault,

or stalking, and the impact of such violence on students;

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``(2) to develop and implement policies in middle and high

schools regarding appropriate, safe responses to, and

identification and referral procedures for, students who are

experiencing or perpetrating domestic violence, dating violence,

sexual assault, or stalking, including procedures for handling

the requirements of court protective orders issued to or against

students or school personnel, in a manner that ensures the

safety of the victim and holds the perpetrator accountable;

``(3) to provide support services for students and school

personnel, such as a resource person who is either on-site or

on-call, and who is an expert described in subsections (i)(2)

and (i)(3), for the purpose of developing and strengthening

effective prevention and intervention strategies for students

and school personnel experiencing domestic violence, dating

violence, sexual assault or stalking;

``(4) to provide developmentally appropriate educational

programming to students regarding domestic violence, dating

violence, sexual assault, and stalking, and the impact of

experiencing domestic violence, dating violence, sexual assault,

and stalking on children and youth by adapting existing

curricula activities to the relevant student population;

``(5) to work with existing mentoring programs and develop

strong mentoring programs for students, including student

athletes, to help them understand and recognize violence and

violent behavior, how to prevent it and how to appropriately

address their feelings; and

``(6) to conduct evaluations to assess the impact of

programs and policies assisted under this section in order to

enhance the development of the programs.

``(c) Award Basis.--The Director shall award grants and contracts

under this section on a competitive basis.

``(d) Policy Dissemination.--The Director shall disseminate to

middle and high schools any existing Department of Justice, Department

of Health and Human Services, and Department of Education policy

guidance and curricula regarding the prevention of domestic violence,

dating violence, sexual assault, and stalking, and the impact of the

violence on children and youth.

``(e) Nondisclosure of Confidential or Private Information.--In

order to ensure the safety of adult, youth, and minor victims of

domestic violence, dating violence, sexual assault, or stalking and

their families, grantees and subgrantees shall protect the

confidentiality and privacy of persons receiving services. Grantees and

subgrantees pursuant to this section shall not disclose any personally

identifying information or individual information collected in

connection with services requested, utilized, or denied through

grantees' and subgrantees' programs. Grantees and subgrantees shall not

reveal individual client information without the informed, written,

reasonably time-limited consent of the person (or in the case of

unemancipated minor, the minor and the parent or guardian, except that

consent for release may not be given by the abuser of the minor or of

the other parent of the minor) about whom information is sought, whether

for this program or any other Tribal, Federal, State or Territorial

grant program. If release of such information is compelled by statutory

or court mandate, grantees and subgrantees shall make reasonable

attempts to provide notice to victims affected by the disclosure of

information. If such personally identifying information is or will be

revealed,

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grantees and subgrantees shall take steps necessary to protect the

privacy and safety of the persons affected by the release of the

information. Grantees may share non-personally identifying data in the

aggregate regarding services to their clients and non-personally

identifying demographic information in order to comply with Tribal,

Federal, State or Territorial reporting, evaluation, or data collection

requirements. Grantees and subgrantees may share court-generated

information contained in secure, governmental registries for protection

order enforcement purposes.

``(f) Grant Term and Allocation.--

``(1) Term.--The Director shall make the grants under this

section for a period of 3 fiscal years.

``(2) Allocation.--Not more than 15 percent of the funds

available to a grantee in a given year shall be used for the

purposes described in subsection (b)(4)(D), (b)(5), and (b)(6).

``(g) Distribution.--

``(1) In general.--Not less than 5 percent of funds

appropriated under subsection (l) in any year shall be available

for grants to tribal schools, schools on tribal lands or schools

whose student population is more than 25 percent Native

American.

``(2) Administration.--The Director shall not use more than

5 percent of funds appropriated under subsection (l) in any year

for administration, monitoring and evaluation of grants made

available under this section.

``(3) Training, technical assistance, and data collection.--

Not less than 5 percent of funds appropriated under subsection

(l) in any year shall be available to provide training,

technical assistance, and data collection for programs funded

under this section.

``(h) Application.--To be eligible to be awarded a grant or contract

under this section for any fiscal year, a middle or secondary school, in

consultation with an expert as described in subsections (i)(2) and

(i)(3), shall submit an application to the Director at such time and in

such manner as the Director shall prescribe.

``(i) Eligible Entities.--To be eligible to receive a grant under

this section, an entity shall be a partnership that--

``(1) shall include a public, charter, tribal, or nationally

accredited private middle or high school, a school administered

by the Department of Defense under 10 U.S.C. 2164 or 20 U.S.C.

921, a group of schools, or a school district;

``(2) shall include a domestic violence victim service

provider that has a history of working on domestic violence and

the impact that domestic violence and dating violence have on

children and youth;

``(3) shall include a sexual assault victim service

provider, such as a rape crisis center, program serving tribal

victims of sexual assault, or coalition or other nonprofit

nongovernmental organization carrying out a community-based

sexual assault program, that has a history of effective work

concerning sexual assault and the impact that sexual assault has

on children and youth; and

``(4) may include a law enforcement agency, the State,

Tribal, Territorial or local court, nonprofit nongovernmental

organizations and service providers addressing sexual

harassment, bullying or gang-related violence in schools, and

any other such agencies or nonprofit nongovernmental

organizations

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with the capacity to provide effective assistance to the adult,

youth, and minor victims served by the partnership.

``(j) Priority.--In awarding grants under this section, the Director

shall give priority to entities that have submitted applications in

partnership with relevant courts or law enforcement agencies.

``(k) Reporting and Dissemination of Information.--

``(1) Reporting.--Each of the entities that are members of

the applicant partnership described in subsection (i), that

receive a grant under this section shall jointly prepare and

submit to the Director every 18 months a report detailing the

activities that the entities have undertaken under the grant and

such additional information as the Director shall require.

``(2) Dissemination of information.--Within 9 months of the

completion of the first full grant cycle, the Director shall

publicly disseminate, including through electronic means, model

policies and procedures developed and implemented in middle and

high schools by the grantees, including information on the

impact the policies have had on their respective schools and

communities.

``(l) Authorization of Appropriations.--

``(1) In general.--There is authorized to be appropriated to

carry out this section, $5,000,000 for each of fiscal years 2007

through 2011.

``(2) Availability.--Funds appropriated under paragraph (1)

shall remain available until expended.''.

SEC. 304. <<NOTE: 42 USC 14045b.>> GRANTS TO COMBAT VIOLENT CRIMES ON

CAMPUSES.

(a) Grants Authorized.--

(1) In general.--The Attorney General is authorized to make

grants to institutions of higher education, for use by such

institutions or consortia consisting of campus personnel,

student organizations, campus administrators, security

personnel, and regional crisis centers affiliated with the

institution, to develop and strengthen effective security and

investigation strategies to combat domestic violence, dating

violence, sexual assault, and stalking on campuses, and to

develop and strengthen victim services in cases involving such

crimes against women on campuses, which may include partnerships

with local criminal justice authorities and community-based

victim services agencies.

(2) Award basis.--The Attorney General shall award grants

and contracts under this section on a competitive basis for a

period of 3 years. The Attorney General, through the Director of

the Office on Violence Against Women, shall award the grants in

amounts of not more than $500,000 for individual institutions of

higher education and not more than $1,000,000 for consortia of

such institutions.

(3) Equitable participation.--The Attorney General shall

make every effort to ensure--

(A) the equitable participation of private and

public institutions of higher education in the

activities assisted under this section;

(B) the equitable geographic distribution of grants

under this section among the various regions of the

United States; and

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(C) the equitable distribution of grants under this

section to tribal colleges and universities and

traditionally black colleges and universities.

(b) Use of Grant Funds.--Grant funds awarded under this section may

be used for the following purposes:

(1) To provide personnel, training, technical assistance,

data collection, and other equipment with respect to the

increased apprehension, investigation, and adjudication of

persons committing domestic violence, dating violence, sexual

assault, and stalking on campus.

(2) To train campus administrators, campus security

personnel, and personnel serving on campus disciplinary or

judicial boards to develop and implement campus policies,

protocols, and services that more effectively identify and

respond to the crimes of domestic violence, dating violence,

sexual assault, and

stalking. <<NOTE: Deadline. Standards.>> Within 90 days after

the date of enactment of this Act, the Attorney General shall

issue and make available minimum standards of training relating

to domestic violence, dating violence, sexual assault, and

stalking on campus, for all campus security personnel and

personnel serving on campus disciplinary or judicial boards.

(3) To implement and operate education programs for the

prevention of domestic violence, dating violence, sexual

assault, and stalking.

(4) To develop, enlarge, or strengthen victim services

programs on the campuses of the institutions involved, including

programs providing legal, medical, or psychological counseling,

for victims of domestic violence, dating violence, sexual

assault, and stalking, and to improve delivery of victim

assistance on campus. To the extent practicable, such an

institution shall collaborate with any entities carrying out

nonprofit and other victim services programs, including domestic

violence, dating violence, sexual assault, and stalking victim

services programs in the community in which the institution is

located. If appropriate victim services programs are not

available in the community or are not accessible to students,

the institution shall, to the extent practicable, provide a

victim services program on campus or create a victim services

program in collaboration with a community-based organization.

The institution shall use not less than 20 percent of the funds

made available through the grant for a victim services program

provided in accordance with this paragraph.

(5) To create, disseminate, or otherwise provide assistance

and information about victims' options on and off campus to

bring disciplinary or other legal action, including assistance

to victims in immigration matters.

(6) To develop, install, or expand data collection and

communication systems, including computerized systems, linking

campus security to the local law enforcement for the purpose of

identifying and tracking arrests, protection orders, violations

of protection orders, prosecutions, and convictions with respect

to the crimes of domestic violence, dating violence, sexual

assault, and stalking on campus.

(7) To provide capital improvements (including improved

lighting and communications facilities but not including the

construction of buildings) on campuses to address the crimes

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of domestic violence, dating violence, sexual assault, and

stalking.

(8) To support improved coordination among campus

administrators, campus security personnel, and local law

enforcement to reduce domestic violence, dating violence, sexual

assault, and stalking on campus.

(c) Applications.--

(1) In general.--In order to be eligible to be awarded a

grant under this section for any fiscal year, an institution of

higher education shall submit an application to the Attorney

General at such time and in such manner as the Attorney General

shall prescribe.

(2) Contents.--Each application submitted under paragraph

(1) shall--

(A) describe the need for grant funds and the plan

for implementation for any of the purposes described in

subsection (b);

(B) include proof that the institution of higher

education collaborated with any non-profit,

nongovernmental entities carrying out other victim

services programs, including domestic violence, dating

violence, sexual assault, and stalking victim services

programs in the community in which the institution is

located;

(C) describe the characteristics of the population

being served, including type of campus, demographics of

the population, and number of students;

(D) provide measurable goals and expected results

from the use of the grant funds;

(E) provide assurances that the Federal funds made

available under this section shall be used to supplement

and, to the extent practical, increase the level of

funds that would, in the absence of Federal funds, be

made available by the institution for the purposes

described in subsection (b); and

(F) include such other information and assurances as

the Attorney General reasonably determines to be

necessary.

(3) Compliance with campus crime reporting required.--No

institution of higher education shall be eligible for a grant

under this section unless such institution is in compliance with

the requirements of section 485(f) of the Higher Education Act

of 1965 (20 U.S.C. 1092(f)). Up to $200,000 of the total amount

of grant funds appropriated under this section for fiscal years

2007 through 2011 may be used to provide technical assistance in

complying with the mandatory reporting requirements of section

485(f) of such Act.

(d) General Terms and Conditions.--

(1) Nonmonetary assistance.--In addition to the assistance

provided under this section, the Attorney General may request

any Federal agency to use the agency's authorities and the

resources granted to the agency under Federal law (including

personnel, equipment, supplies, facilities, and managerial,

technical, and advisory services) in support of campus security,

and investigation and victim service efforts.

(2) Grantee reporting.--

(A) Annual report.--Each institution of higher

education receiving a grant under this section shall

submit

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a biennial performance report to the Attorney General.

The Attorney General shall suspend funding under this

section for an institution of higher education if the

institution fails to submit such a report.

(B) Final report.--Upon completion of the grant

period under this section, the institution shall file a

performance report with the Attorney General and the

Secretary of Education explaining the activities carried

out under this section together with an assessment of

the effectiveness of those activities in achieving the

purposes described in subsection (b).

(3) Report to congress.--Not later than 180 days after the

end of the fiscal year for which grants are awarded under this

section, the Attorney General shall submit to Congress a report

that includes--

(A) the number of grants, and the amount of funds,

distributed under this section;

(B) a summary of the purposes for which the grants

were provided and an evaluation of the progress made

under the grant;

(C) a statistical summary of the persons served,

detailing the nature of victimization, and providing

data on age, sex, race, ethnicity, language, disability,

relationship to offender, geographic distribution, and

type of campus; and

(D) an evaluation of the effectiveness of programs

funded under this part.

(e) Authorization of Appropriations.--For the purpose of carrying

out this section, there are authorized to be appropriated $12,000,000

for fiscal year 2007 and $15,000,000 for each of fiscal years 2008

through 2011.

(f) Repeal.--Section 826 of the Higher Education Amendments of 1998

(20 U.S.C. 1152) is repealed.

SEC. 305. JUVENILE JUSTICE.

Section 223(a) of the Juvenile Justice and Delinquency Prevention

Act of 1974 (42 U.S.C. 5633(a)) is amended--

(1) in paragraph (7)(B)--

(A) by redesignating clauses (i), (ii) and (iii), as

clauses (ii), (iii), and (iv), respectively; and

(B) by inserting before clause (ii) the following:

``(i) an analysis of gender-specific services for

the prevention and treatment of juvenile delinquency,

including the types of such services available and the

need for such services;''.

SEC. 306. SAFE HAVENS.

Section 1301 of the Victims of Trafficking and Violence Protection

Act of 2000 (42 U.S.C. 10420) is amended--

(1) by striking the section heading and inserting the

following:

``SEC. 10402. SAFE HAVENS FOR CHILDREN.'';

(2) in subsection (a)--

(A) by inserting ``, through the Director of the

Office on Violence Against Women,'' after ``Attorney

General'';

(B) by inserting ``dating violence,'' after

``domestic violence,'';

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(C) by striking ``to provide'' and inserting the

following:

``(1) to provide'';

(D) by striking the period at the end and inserting

a semicolon; and

(E) by adding at the end the following:

``(2) to protect children from the trauma of witnessing

domestic or dating violence or experiencing abduction, injury,

or death during parent and child visitation exchanges;

``(3) to protect parents or caretakers who are victims of

domestic and dating violence from experiencing further violence,

abuse, and threats during child visitation exchanges; and

``(4) to protect children from the trauma of experiencing

sexual assault or other forms of physical assault or abuse

during parent and child visitation and visitation exchanges.'';

and

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

``(e) Authorization of Appropriations.--

``(1) In general.--There is authorized to be appropriated to

carry out this section, $20,000,000 for each of fiscal years

2007 through 2011. Funds appropriated under this section shall

remain available until expended.

``(2) Use of funds.--Of the amounts appropriated to carry

out this section for each fiscal year, the Attorney General

shall--

``(A) set aside not less than 7 percent for grants

to Indian tribal governments or tribal organizations;

``(B) use not more than 3 percent for evaluation,

monitoring, site visits, grantee conferences, and other

administrative costs associated with conducting

activities under this section; and

``(C) set aside not more than 8 percent for

technical assistance and training to be provided by

organizations having nationally recognized expertise in

the design of safe and secure supervised visitation

programs and visitation exchange of children in

situations involving domestic violence, dating violence,

sexual assault, or stalking.''.

TITLE IV--STRENGTHENING AMERICA'S FAMILIES BY PREVENTING VIOLENCE

SEC. 401. PREVENTING VIOLENCE AGAINST WOMEN AND CHILDREN.

The Violence Against Women Act of 1994 (108 Stat. 1902 et seq.) is

amended by adding at the end the following:

``Subtitle M--Strengthening America's Families by Preventing Violence

Against Women and Children

``SEC. 41301. <<NOTE: 42 USC 14043d.>> FINDINGS.

``Congress finds that--

[[Page 119 STAT. 3018]]

``(1) the former United States Advisory Board on Child Abuse

suggests that domestic violence may be the single major

precursor to child abuse and neglect fatalities in this country;

``(2) studies suggest that as many as 10,000,000 children

witness domestic violence every year;

``(3) studies suggest that among children and teenagers,

recent exposure to violence in the home was a significant factor

in predicting a child's violent behavior;

``(4) a study by the Nurse-Family Partnership found that

children whose parents did not participate in home visitation

programs that provided coaching in parenting skills, advice and

support, were almost 5 times more likely to be abused in their

first 2 years of life;

``(5) a child's exposure to domestic violence seems to pose

the greatest independent risk for being the victim of any act of

partner violence as an adult;

``(6) children exposed to domestic violence are more likely

to believe that using violence is an effective means of getting

one's needs met and managing conflict in close relationships;

``(7) children exposed to abusive parenting, harsh or

erratic discipline, or domestic violence are at increased risk

for juvenile crime; and

``(8) in a national survey of more than 6,000 American

families, 50 percent of men who frequently assaulted their wives

also frequently abused their children.

``SEC. 41302. <<NOTE: 42 USC 14043d-1.>> PURPOSE.

``The purpose of this subtitle is to--

``(1) prevent crimes involving violence against women,

children, and youth;

``(2) increase the resources and services available to

prevent violence against women, children, and youth;

``(3) reduce the impact of exposure to violence in the lives

of children and youth so that the intergenerational cycle of

violence is interrupted;

``(4) develop and implement education and services programs

to prevent children in vulnerable families from becoming victims

or perpetrators of domestic violence, dating violence, sexual

assault, or stalking;

``(5) promote programs to ensure that children and youth

receive the assistance they need to end the cycle of violence

and develop mutually respectful, nonviolent relationships; and

``(6) encourage collaboration among community-based

organizations and governmental agencies serving children and

youth, providers of health and mental health services and

providers of domestic violence, dating violence, sexual assault,

and stalking victim services to prevent violence against women

and children.

``SEC. 41303. <<NOTE: 42 USC 14043d-2.>> GRANTS TO ASSIST CHILDREN AND

YOUTH EXPOSED TO VIOLENCE.

``(a) Grants Authorized.--

``(1) In general.--The Attorney General, acting through the

Director of the Office on Violence Against Women, and in

collaboration with the Department of Health and Human Services,

is authorized to award grants on a competitive basis to eligible

entities for the purpose of mitigating the effects of domestic

violence, dating violence, sexual assault, and

[[Page 119 STAT. 3019]]

stalking on children exposed to such violence, and reducing the

risk of future victimization or perpetration of domestic

violence, dating violence, sexual assault, and stalking.

``(2) Term.--The Director shall make grants under this

section for a period of 2 fiscal years.

``(3) Award basis.--The Director shall award grants--

``(A) considering the needs of underserved

populations;

``(B) awarding not less than 10 percent of such

amounts to Indian tribes for the funding of tribal

projects from the amounts made available under this

section for a fiscal year;

``(C) awarding up to 8 percent for the funding of

technical assistance programs from the amounts made

available under this section for a fiscal year; and

``(D) awarding not less than 66 percent to programs

described in subsection (c)(1) from the amounts made

available under this section for a fiscal year.

``(b) Authorization of Appropriations.--There is authorized to be

appropriated to carry out this section $20,000,000 for each of fiscal

years 2007 through 2011.

``(c) Use of Funds.--The funds appropriated under this section shall

be used for--

``(1) programs that provide services for children exposed to

domestic violence, dating violence, sexual assault, or stalking,

which may include direct counseling, advocacy, or mentoring, and

must include support for the nonabusing parent or the child's

caretaker; or

``(2) training, coordination, and advocacy for programs that

serve children and youth (such as Head Start, child care, and

after-school programs) on how to safely and confidentially

identify children and families experiencing domestic violence

and properly refer them to programs that can provide direct

services to the family and children, and coordination with other

domestic violence or other programs serving children exposed to

domestic violence, dating violence, sexual assault, or stalking

that can provide the training and direct services referenced in

this subsection.

``(d) Eligible Entities.--To be eligible to receive a grant under

this section, an entity shall be a--

``(1) a victim service provider, tribal nonprofit

organization or community-based organization that has a

documented history of effective work concerning children or

youth exposed to domestic violence, dating violence, sexual

assault, or stalking, including programs that provide culturally

specific services, Head Start, childcare, faith-based

organizations, after school programs, and health and mental

health providers; or

``(2) a State, territorial, or tribal, or local unit of

government agency that is partnered with an organization

described in paragraph (1).

``(e) Grantee Requirements.--Under this section, an entity shall--

``(1) prepare and submit to the Director an application at

such time, in such manner, and containing such information as

the Director may require; and

``(2) at a minimum, describe in the application the policies

and procedures that the entity has or will adopt to--

[[Page 119 STAT. 3020]]

``(A) enhance or ensure the safety and security of

children who have been or are being exposed to violence

and their nonabusing parent, enhance or ensure the

safety and security of children and their nonabusing

parent in homes already experiencing domestic violence,

dating violence, sexual assault, or stalking; and

``(B) ensure linguistically, culturally, and

community relevant services for underserved communities.

``SEC. 41304. <<NOTE: 42 USC 14043d-3.>> DEVELOPMENT OF CURRICULA AND

PILOT PROGRAMS FOR HOME VISITATION PROJECTS.

``(a) Grants Authorized.--

``(1) In general.--The Attorney General, acting through the

Director of the Office on Violence Against Women, and in

collaboration with the Department of Health and Human Services,

shall award grants on a competitive basis to home visitation

programs, in collaboration with victim service providers, for

the purposes of developing and implementing model policies and

procedures to train home visitation service providers on

addressing domestic violence, dating violence, sexual assault,

and stalking in families experiencing violence, or at risk of

violence, to reduce the impact of that violence on children,

maintain safety, improve parenting skills, and break

intergenerational cycles of violence.

``(2) Term.--The Director shall make the grants under this

section for a period of 2 fiscal years.

``(3) Award basis.--The Director shall--

``(A) consider the needs of underserved populations;

``(B) award not less than 7 percent of such amounts

for the funding of tribal projects from the amounts made

available under this section for a fiscal year; and

``(C) award up to 8 percent for the funding of

technical assistance programs from the amounts made

available under this section for a fiscal year.

``(b) Authorization of Appropriations.--There is authorized to be

appropriated to carry out this section $7,000,000 for each of fiscal

years 2007 through 2011.

``(c) Eligible Entities.--To be eligible to receive a grant under

this section, an entity shall be a national, Federal, State, local,

territorial, or tribal--

``(1) home visitation program that provides services to

pregnant women and to young children and their parent or primary

caregiver that are provided in the permanent or temporary

residence or in other familiar surroundings of the individual or

family receiving such services; or

``(2) victim services organization or agency in

collaboration with an organization or organizations listed in

paragraph (1).

``(d) Grantee Requirements.--Under this section, an entity shall--

``(1) prepare and submit to the Director an application at

such time, in such manner, and containing such information as

the Director may require; and

``(2) describe in the application the policies and

procedures that the entity has or will adopt to--

[[Page 119 STAT. 3021]]

``(A) enhance or ensure the safety and security of

children and their nonabusing parent in homes already

experiencing domestic violence, dating violence, sexual

assault, or stalking;

``(B) ensure linguistically, culturally, and

community relevant services for underserved communities;

``(C) ensure the adequate training by domestic

violence, dating violence, sexual assault or stalking

victim service providers of home visitation grantee

program staff to--

``(i) safely screen for and/or recognize

domestic violence, dating violence, sexual

assault, and stalking;

``(ii) understand the impact of domestic

violence or sexual assault on children and

protective actions taken by a nonabusing parent or

caretaker in response to violence against anyone

in the household; and

``(iii) link new parents with existing

community resources in communities where resources

exist; and

``(D) ensure that relevant State and local domestic

violence, dating violence, sexual assault, and stalking

victim service providers and coalitions are aware of the

efforts of organizations receiving grants under this

section, and are included as training partners, where

possible.

``SEC. 41305. <<NOTE: 42 USC 14043d-4.>> ENGAGING MEN AND YOUTH IN

PREVENTING DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL

ASSAULT, AND STALKING.

``(a) Grants Authorized.--

``(1) In general--The Attorney General, acting through the

Director of the Office on Violence Against Women, and in

collaboration with the Department of Health and Human Services,

shall award grants on a competitive basis to eligible entities

for the purpose of developing or enhancing programs related to

engaging men and youth in preventing domestic violence, dating

violence, sexual assault, and stalking by helping them to

develop mutually respectful, nonviolent relationships.

``(2) Term.--The Director shall make grants under this

section for a period of 2 fiscal years.

``(3) Award basis.--The Director shall award grants--

``(A) considering the needs of underserved

populations;

``(B) awarding not less than 10 percent of such

amounts for the funding of Indian tribes from the

amounts made available under this section for a fiscal

year; and

``(C) awarding up to 8 percent for the funding of

technical assistance for grantees and non-grantees

working in this area from the amounts made available

under this section for a fiscal year.

``(b) Authorization of Appropriations.--There is authorized to be

appropriated to carry out this section $10,000,000 for each of fiscal

years 2007 through 2011.

``(c) Use of Funds.--

``(1) Programs.--The funds appropriated under this section

shall be used by eligible entities--

``(A) to develop or enhance community-based

programs, including gender-specific programs in

accordance with applicable laws that--

[[Page 119 STAT. 3022]]

``(i) encourage children and youth to pursue

nonviolent relationships and reduce their risk of

becoming victims or perpetrators of domestic

violence, dating violence, sexual assault, or

stalking; and

``(ii) that include at a minimum--

``(I) information on domestic

violence, dating violence, sexual

assault, stalking, or child sexual abuse

and how they affect children and youth;

and

``(II) strategies to help

participants be as safe as possible; or

``(B) to create public education campaigns and

community organizing to encourage men and boys to work

as allies with women and girls to prevent violence

against women and girls conducted by entities that have

experience in conducting public education campaigns that

address domestic violence, dating violence, sexual

assault, or stalking.

``(2) Media limits.--No more than 40 percent of funds

received by a grantee under this section may be used to create

and distribute media materials.

``(d) Eligible Entities.--

``(1) Relationships.--Eligible entities under subsection

(c)(1)(A) are--

``(A) nonprofit, nongovernmental domestic violence,

dating violence, sexual assault, or stalking victim

service providers or coalitions;

``(B) community-based child or youth services

organizations with demonstrated experience and expertise

in addressing the needs and concerns of young people;

``(C) a State, territorial, tribal, or unit of local

governmental entity that is partnered with an

organization described in subparagraph (A) or (B); or

``(D) a program that provides culturally specific

services.

``(2) Awareness campaign.--Eligible entities under

subsection (c)(1)(B) are--

``(A) nonprofit, nongovernmental organizations or

coalitions that have a documented history of creating

and administering effective public education campaigns

addressing the prevention of domestic violence, dating

violence, sexual assault or stalking; or

``(B) a State, territorial, tribal, or unit of local

governmental entity that is partnered with an

organization described in subparagraph (A).

``(e) Grantee Requirements.--Under this section, an entity shall--

``(1) prepare and submit to the Director an application at

such time, in such manner, and containing such information as

the Director may require; and

``(2) eligible entities pursuant to subsection (c)(1)(A)

shall describe in the application the policies and procedures

that the entity has or will adopt to--

``(A) enhance or ensure the safety and security of

children and youth already experiencing domestic

violence, dating violence, sexual assault, or stalking

in their lives;

[[Page 119 STAT. 3023]]

``(B) ensure linguistically, culturally, and

community relevant services for underserved communities;

``(C) inform participants about laws, services, and

resources in the community, and make referrals as

appropriate; and

``(D) ensure that State and local domestic violence,

dating violence, sexual assault, and stalking victim

service providers and coalitions are aware of the

efforts of organizations receiving grants under this

section.''.

SEC. 402. <<NOTE: 42 USC 280b-4.>> STUDY CONDUCTED BY THE CENTERS FOR

DISEASE CONTROL AND PREVENTION.

(a) <<NOTE: Grants.>> Purposes.--The Secretary of Health and Human

Services acting through the National Center for Injury Prevention and

Control at the Centers for Disease Control Prevention shall make grants

to entities, including domestic and sexual assault coalitions and

programs, research organizations, tribal organizations, and academic

institutions to support research to examine prevention and intervention

programs to further the understanding of sexual and domestic violence by

and against adults, youth, and children.

(b) Use of Funds.--The research conducted under this section shall

include evaluation and study of best practices for reducing and

preventing violence against women and children addressed by the

strategies included in Department of Health and Human Services-related

provisions this title, including strategies addressing underserved

communities.

(c) Authorization of Appropriations.--There shall be authorized to

be appropriated to carry out this title $2,000,000 for each of the

fiscal years 2007 through 2011.

SEC. 403. <<NOTE: 42 USC 14045c.>> PUBLIC AWARENESS CAMPAIGN.

(a) <<NOTE: Grants.>> In General.--The Attorney General, acting

through the Office on Violence Against Women], shall make grants to

States for carrying out a campaign to increase public awareness of

issues regarding domestic violence against pregnant women.

(b) Authorization of Appropriations.--For the purpose of carrying

out this section, there are authorized to be appropriated such sums as

may be necessary for each of the fiscal years 2006 through 2010.

TITLE V--STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC

VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. <<NOTE: 42 USC 280g-4 note.>> FINDINGS.

Congress makes the following findings:

(1) The health-related costs of intimate partner violence in

the United States exceed $5,800,000,000 annually.

(2) Thirty-seven percent of all women who sought care in

hospital emergency rooms for violence-related injuries were

injured by a current or former spouse, boyfriend, or girlfriend.

[[Page 119 STAT. 3024]]

(3) In addition to injuries sustained during violent

episodes, physical and psychological abuse is linked to a number

of adverse physical and mental health effects. Women who have

been abused are much more likely to suffer from chronic pain,

diabetes, depression, unintended pregnancies, substance abuse

and sexually transmitted infections, including HIV/AIDS.

(4) Health plans spend an average of $1,775 more a year on

abused women than on general enrollees.

(5) Each year about 324,000 pregnant women in the United

States are battered by the men in their lives. This battering

leads to complications of pregnancy, including low weight gain,

anemia, infections, and first and second trimester bleeding.

(6) Pregnant and recently pregnant women are more likely to

be victims of homicide than to die of any other pregnancy-

related cause, and evidence exists that a significant proportion

of all female homicide victims are killed by their intimate

partners.

(7) Children who witness domestic violence are more likely

to exhibit behavioral and physical health problems including

depression, anxiety, and violence towards peers. They are also

more likely to attempt suicide, abuse drugs and alcohol, run

away from home, engage in teenage prostitution, and commit

sexual assault crimes.

(8) Recent research suggests that women experiencing

domestic violence significantly increase their safety-promoting

behaviors over the short- and long-term when health care

providers screen for, identify, and provide followup care and

information to address the violence.

(9) Currently, only about 10 percent of primary care

physicians routinely screen for intimate partner abuse during

new patient visits and 9 percent routinely screen for intimate

partner abuse during periodic checkups.

(10) Recent clinical studies have proven the effectiveness

of a 2-minute screening for early detection of abuse of pregnant

women. Additional longitudinal studies have tested a 10-minute

intervention that was proven highly effective in increasing the

safety of pregnant abused women. Comparable research does not

yet exist to support the effectiveness of screening men.

(11) Seventy to 81 percent of the patients studied reported

that they would like their healthcare providers to ask them

privately about intimate partner violence.

SEC. 502. <<NOTE: 42 USC 280g-4 note.>> PURPOSE.

It is the purpose of this title to improve the health care system's

response to domestic violence, dating violence, sexual assault, and

stalking through the training and education of health care providers,

developing comprehensive public health responses to violence against

women and children, increasing the number of women properly screened,

identified, and treated for lifetime exposure to violence, and expanding

research on effective interventions in the health care setting.

SEC. 503. TRAINING AND EDUCATION OF HEALTH PROFESSIONALS IN DOMESTIC AND

SEXUAL VIOLENCE.

Part D of title VII of the Public Health Service Act (42 U.S.C. 294

et seq.) is amended by adding at the end the following:

[[Page 119 STAT. 3025]]

``SEC. 758. <<NOTE: 42 USC 294h.>> INTERDISCIPLINARY TRAINING AND

EDUCATION ON DOMESTIC VIOLENCE AND OTHER TYPES OF VIOLENCE

AND ABUSE.

``(a) Grants.--The Secretary, acting through the Director of the

Health Resources and Services Administration, shall award grants under

this section to develop interdisciplinary training and education

programs that provide undergraduate, graduate, post-graduate medical,

nursing (including advanced practice nursing students), and other health

professions students with an understanding of, and clinical skills

pertinent to, domestic violence, sexual assault, stalking, and dating

violence.

``(b) Eligibility.--To be eligible to receive a grant under this

section an entity shall--

``(1) be an accredited school of allopathic or osteopathic

medicine;

``(2) prepare and submit to the Secretary an application at

such time, in such manner, and containing such information as

the Secretary may require, including--

``(A) information to demonstrate that the applicant

includes the meaningful participation of a school of

nursing and at least one other school of health

professions or graduate program in public health,

dentistry, social work, midwifery, or behavioral and

mental health;

``(B) strategies for the dissemination and sharing

of curricula and other educational materials developed

under the grant to other interested medical and nursing

schools and national resource repositories for materials

on domestic violence and sexual assault; and

``(C) a plan for consulting with community-based

coalitions or individuals who have experience and

expertise in issues related to domestic violence, sexual

assault, dating violence, and stalking for services

provided under the program carried out under the grant.

``(c) Use of Funds.--

``(1) Required uses.--Amounts provided under a grant under

this section shall be used to--

``(A) fund interdisciplinary training and education

projects that are designed to train medical, nursing,

and other health professions students and residents to

identify and provide health care services (including

mental or behavioral health care services and referrals

to appropriate community services) to individuals who

are or who have experienced domestic violence, sexual

assault, and stalking or dating violence; and

``(B) plan and develop culturally competent clinical

components for integration into approved residency

training programs that address health issues related to

domestic violence, sexual assault, dating violence, and

stalking, along with other forms of violence as

appropriate, and include the primacy of victim safety

and confidentiality.

``(2) Permissive uses.--Amounts provided under a grant under

this section may be used to--

``(A) offer community-based training opportunities

in rural areas for medical, nursing, and other students

and residents on domestic violence, sexual assault,

stalking, and dating violence, and other forms of

violence and abuse, which may include the use of

distance learning networks

[[Page 119 STAT. 3026]]

and other available technologies needed to reach

isolated rural areas; or

``(B) provide stipends to students who are

underrepresented in the health professions as necessary

to promote and enable their participation in clerkships,

preceptorships, or other offsite training experiences

that are designed to develop health care clinical skills

related to domestic violence, sexual assault, dating

violence, and stalking.

``(3) Requirements.--

``(A) Confidentiality and safety.--Grantees under

this section shall ensure that all educational programs

developed with grant funds address issues of

confidentiality and patient safety, and that faculty and

staff associated with delivering educational components

are fully trained in procedures that will protect the

immediate and ongoing security of the patients, patient

records, and staff. Advocacy-based coalitions or other

expertise available in the community shall be consulted

on the development and adequacy of confidentially and

security procedures, and shall be fairly compensated by

grantees for their services.

``(B) Rural programs.--Rural training programs

carried out under paragraph (2)(A) shall reflect

adjustments in protocols and procedures or referrals

that may be needed to protect the confidentiality and

safety of patients who live in small or isolated

communities and who are currently or have previously

experienced violence or abuse.

``(4) Child and elder abuse.--Issues related to child and

elder abuse may be addressed as part of a comprehensive

programmatic approach implemented under a grant under this

section.

``(d) Requirements of Grantees.--

``(1) Limitation on administrative expenses.--A grantee

shall not use more than 10 percent of the amounts received under

a grant under this section for administrative expenses.

``(2) Contribution of funds.--A grantee under this section,

and any entity receiving assistance under the grant for training

and education, shall contribute non-Federal funds, either

directly or through in-kind contributions, to the costs of the

activities to be funded under the grant in an amount that is not

less than 25 percent of the total cost of such activities.

``(e) Authorization of Appropriations.--There is authorized to be

appropriated to carry out this section, $3,000,000 for each of fiscal

years 2007 through 2011. Amounts appropriated under this subsection

shall remain available until expended.''.

SEC. 504. GRANTS TO FOSTER PUBLIC HEALTH RESPONSES TO DOMESTIC VIOLENCE,

DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING GRANTS.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g

et seq.) is amended by adding at the end the following:

``SEC. 399O. <<NOTE: 42 USC 280g-4.>> GRANTS TO FOSTER PUBLIC HEALTH

RESPONSES TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL

ASSAULT, AND STALKING.

``(a) Authority to Award Grants.--

``(1) In general.--The Secretary, acting through the

Director of the Centers for Disease Control and Prevention,

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shall award grants to eligible State, tribal, territorial, or

local entities to strengthen the response of State, tribal,

territorial, or local health care systems to domestic violence,

dating violence, sexual assault, and stalking.

``(2) Eligible entities.--To be eligible to receive a grant

under this section, an entity shall--

``(A) be--

``(i) a State department (or other division)

of health, a State domestic or sexual assault

coalition or service-based program, State law

enforcement task force, or any other nonprofit,

nongovernmental, tribal, territorial, or State

entity with a history of effective work in the

fields of domestic violence, dating violence,

sexual assault or stalking, and health care; or

``(ii) a local, nonprofit domestic violence,

dating violence, sexual assault, or stalking

service-based program, a local department (or

other division) of health, a local health clinic,

hospital, or health system, or any other

nonprofit, tribal, or local entity with a history

of effective work in the field of domestic or

sexual violence and health;

``(B) prepare and submit to the Secretary an

application at such time, in such manner, and containing

such agreements, assurances, and information as the

Secretary determines to be necessary to carry out the

purposes for which the grant is to be made; and

``(C) demonstrate that the entity is representing a

team of organizations and agencies working

collaboratively to strengthen the response of the health

care system involved to domestic violence, dating

violence, sexual assault, or stalking and that such team

includes domestic violence, dating violence, sexual

assault or stalking and health care organizations.

``(3) Duration.--A program conducted under a grant awarded

under this section shall not exceed 2 years.

``(b) Use of Funds.--

``(1) In general.--An entity shall use amounts received

under a grant under this section to design and implement

comprehensive strategies to improve the response of the health

care system involved to domestic or sexual violence in clinical

and public health settings, hospitals, clinics, managed care

settings (including behavioral and mental health), and other

health settings.

``(2) Mandatory strategies.--Strategies implemented under

paragraph (1) shall include the following:

``(A) The implementation, dissemination, and

evaluation of policies and procedures to guide health

care professionals and behavioral and public health

staff in responding to domestic violence, dating

violence, sexual assault, and stalking, including

strategies to ensure that health information is

maintained in a manner that protects the patient's

privacy and safety and prohibits insurance

discrimination.

``(B) The development of on-site access to services

to address the safety, medical, mental health, and

economic needs of patients either by increasing the

capacity of existing health care professionals and

behavioral and public health staff to address domestic

violence, dating violence,

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sexual assault, and stalking, by contracting with or

hiring domestic or sexual assault advocates to provide

the services, or to model other services appropriate to

the geographic and cultural needs of a site.

``(C) The evaluation of practice and the

institutionalization of identification, intervention,

and documentation including quality improvement

measurements.

``(D) The provision of training and followup

technical assistance to health care professionals,

behavioral and public health staff, and allied health

professionals to identify, assess, treat, and refer

clients who are victims of domestic violence, dating

violence, sexual violence, or stalking.

``(3) Permissive strategies.--Strategies implemented under

paragraph (1) may include the following:

``(A) Where appropriate, the development of training

modules and policies that address the overlap of child

abuse, domestic violence, dating violence, sexual

assault, and stalking and elder abuse as well as

childhood exposure to domestic violence.

``(B) The creation, adaptation, and implementation

of public education campaigns for patients concerning

domestic violence, dating violence, sexual assault, and

stalking prevention.

``(C) The development, adaptation, and dissemination

of domestic violence, dating violence, sexual assault,

and stalking education materials to patients and health

care professionals and behavioral and public health

staff.

``(D) The promotion of the inclusion of domestic

violence, dating violence, sexual assault, and stalking

into health professional training schools, including

medical, dental, nursing school, social work, and mental

health curriculum.

``(E) The integration of domestic violence, dating

violence, sexual assault, and stalking into health care

accreditation and professional licensing examinations,

such as medical, dental, social work, and nursing

boards.

``(c) Allocation of Funds.--Funds appropriated under this section

shall be distributed equally between State and local programs.

``(d) Authorization of Appropriations.--There is authorized to be

appropriated to award grants under this section, $5,000,000 for each of

fiscal years 2007 through 2011.''.

SEC. 505. RESEARCH ON EFFECTIVE INTERVENTIONS IN THE HEALTHCARE SETTING.

Subtitle B of the Violence Against Women Act of 1994 (Public Law

103-322; 108 Stat. 1902 et seq.), as amended by the Violence Against

Women Act of 2000 (114 Stat. 1491 et seq.), and as amended by this Act,

is further amended by adding at the end the following:

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``CHAPTER 11--RESEARCH ON EFFECTIVE INTERVENTIONS TO ADDRESS VIOLENCE

AGAINST WOMEN

``SEC. 40297. <<NOTE: 42 USC 13973.>> RESEARCH ON EFFECTIVE

INTERVENTIONS IN THE HEALTH CARE SETTING.

``(a) <<NOTE: Grants. Contracts.>> Purpose.--The Secretary, acting

through the Director of the Centers for Disease Control and Prevention

and the Director of the Agency for Healthcare Research and Quality,

shall award grants and contracts to fund research on effective

interventions in the health care setting that prevent domestic violence,

dating violence, and sexual assault across the lifespan and that prevent

the health effects of such violence and improve the safety and health of

individuals who are currently being victimized.

``(b) Use of Funds.--Research conducted with amounts received under

a grant or contract under this section shall include the following:

``(1) With respect to the authority of the Centers for

Disease Control and Prevention--

``(A) research on the effects of domestic violence,

dating violence, sexual assault, and childhood exposure

to domestic, dating, or sexual violence, on health

behaviors, health conditions, and the health status of

individuals, families, and populations;

``(B) research and testing of best messages and

strategies to mobilize public and health care provider

action concerning the prevention of domestic, dating, or

sexual violence; and

``(C) measure the comparative effectiveness and

outcomes of efforts under this Act to reduce violence

and increase women's safety.

``(2) With respect to the authority of the Agency for

Healthcare Research and Quality--

``(A) research on the impact on the health care

system, health care utilization, health care costs, and

health status of domestic violence, dating violence, and

childhood exposure to domestic and dating violence,

sexual violence and stalking and childhood exposure; and

``(B) research on effective interventions within

primary care and emergency health care settings and with

health care settings that include clinical partnerships

within community domestic violence providers for adults

and children exposed to domestic or dating violence.

``(c) Use of Data.--Research funded under this section shall be

utilized by eligible entities under section 399O of the Public Health

Service Act.

``(d) Authorization of Appropriations.--There is authorized to be

appropriated to carry out this section, $5,000,000 for each of fiscal

years 2007 through 2011.''.

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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.

The Violence Against Women Act of 1994 (42 U.S.C. 13701 et seq.) is

amended by adding at the end the following:

``Subtitle N--Addressing the Housing Needs of Victims of Domestic

Violence, Dating Violence, Sexual Assault, and Stalking

``SEC. 41401. <<NOTE: 42 USC 14043e.>> FINDINGS.

``Congress finds that:

``(1) There is a strong link between domestic violence and

homelessness. Among cities surveyed, 44 percent identified

domestic violence as a primary cause of homelessness.

``(2) Ninety-two percent of homeless women have experienced

severe physical or sexual abuse at some point in their lives. Of

all homeless women and children, 60 percent had been abused by

age 12, and 63 percent have been victims of intimate partner

violence as adults.

``(3) Women and families across the country are being

discriminated against, denied access to, and even evicted from

public and subsidized housing because of their status as victims

of domestic violence.

``(4) A recent survey of legal service providers around the

country found that these providers have responded to almost 150

documented eviction cases in the last year alone where the

tenant was evicted because of the domestic violence crimes

committed against her. In addition, nearly 100 clients were

denied housing because of their status as victims of domestic

violence.

``(5) Women who leave their abusers frequently lack adequate

emergency shelter options. The lack of adequate emergency

options for victims presents a serious threat to their safety

and the safety of their children. Requests for emergency shelter

by homeless women with children increased by 78 percent of

United States cities surveyed in 2004. In the same year, 32

percent of the requests for shelter by homeless families went

unmet due to the lack of available emergency shelter beds.

``(6) The average stay at an emergency shelter is 60 days,

while the average length of time it takes a homeless family to

secure housing is 6 to 10 months.

``(7) Victims of domestic violence often return to abusive

partners because they cannot find long-term housing.

``(8) There are not enough Federal housing rent vouchers

available to accommodate the number of people in need of

[[Page 119 STAT. 3031]]

long-term housing. Some people remain on the waiting list for

Federal housing rent vouchers for years, while some lists are

closed.

``(9) Transitional housing resources and services provide an

essential continuum between emergency shelter provision and

independent living. A majority of women in transitional housing

programs stated that had these programs not existed, they would

have likely gone back to abusive partners.

``(10) Because abusers frequently manipulate finances in an

effort to control their partners, victims often lack steady

income, credit history, landlord references, and a current

address, all of which are necessary to obtain long-term

permanent housing.

``(11) Victims of domestic violence in rural areas face

additional barriers, challenges, and unique circumstances, such

as geographical isolation, poverty, lack of public

transportation systems, shortages of health care providers,

under-insurance or lack of health insurance, difficulty ensuring

confidentiality in small communities, and decreased access to

many resources (such as advanced education, job opportunities,

and adequate childcare).

``(12) Congress and the Secretary of Housing and Urban

Development have recognized in recent years that families

experiencing domestic violence have unique needs that should be

addressed by those administering the Federal housing programs.

``SEC. 41402. <<NOTE: 42 USC 14043e-1.>> PURPOSE.

``The purpose of this subtitle is to reduce domestic violence,

dating violence, sexual assault, and stalking, and to prevent

homelessness by--

``(1) protecting the safety of victims of domestic violence,

dating violence, sexual assault, and stalking who reside in

homeless shelters, public housing, assisted housing, tribally

designated housing, or other emergency, transitional, permanent,

or affordable housing, and ensuring that such victims have

meaningful access to the criminal justice system without

jeopardizing such housing;

``(2) creating long-term housing solutions that develop

communities and provide sustainable living solutions for victims

of domestic violence, dating violence, sexual assault, and

stalking;

``(3) building collaborations among victim service

providers, homeless service providers, housing providers, and

housing agencies to provide appropriate services, interventions,

and training to address the housing needs of victims of domestic

violence, dating violence, sexual assault, and stalking; and

``(4) enabling public and assisted housing agencies,

tribally designated housing entities, private landlords,

property management companies, and other housing providers and

agencies to respond appropriately to domestic violence, dating

violence, sexual assault, and stalking, while maintaining a safe

environment for all housing residents.

``SEC. 41403. <<NOTE: 42 USC 14043e-2.>> DEFINITIONS.

``For purposes of this subtitle--

``(1) the term `assisted housing' means housing assisted--

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``(A) under sections 213, 220, 221(d)(3), 221(d)(4),

223(e), 231, or 236 of the National Housing Act (12

U.S.C. 1715l(d)(3), (d)(4), or 1715z-1);

``(B) under section 101 of the Housing and Urban

Development Act of 1965 (12 U.S.C. 1701s);

``(C) under section 202 of the Housing Act of 1959

(12 U.S.C. 1701q);

``(D) under section 811 of the Cranston-Gonzales

National Affordable Housing Act (42 U.S.C. 8013);

``(E) under title II of the Cranston-Gonzales

National Affordable Housing Act (42 U.S.C. 12701 et

seq.);

``(F) under subtitle D of title VIII of the

Cranston-Gonzalez National Affordable Housing Act (42

U.S.C. 12901 et seq.);

``(G) under title I of the Housing and Community

Development Act of 1974 (42 U.S.C. 5301 et seq.); or

``(H) under section 8 of the United States Housing

Act of 1937 (42 U.S.C. 1437f);

``(2) the term `continuum of care' means a community plan

developed to organize and deliver housing and services to meet

the specific needs of people who are homeless as they move to

stable housing and achieve maximum self-sufficiency;

``(3) the term `low-income housing assistance voucher' means

housing assistance described in section 8 of the United States

Housing Act of 1937 (42 U.S.C. 1437f);

``(4) the term `public housing' means housing described in

section 3(b)(1) of the United States Housing Act of 1937 (42

U.S.C. 1437a(b)(1));

``(5) the term `public housing agency' means an agency

described in section 3(b)(6) of the United States Housing Act of

1937 (42 U.S.C. 1437a(b)(6));

``(6) the terms `homeless', `homeless individual', and

`homeless person'--

``(A) mean an individual who lacks a fixed, regular,

and adequate nighttime residence; and

``(B) includes--

``(i) an individual who--

``(I) is sharing the housing of

other persons due to loss of housing,

economic hardship, or a similar reason;

``(II) is living in a motel, hotel,

trailer park, or campground due to the

lack of alternative adequate

accommodations;

``(III) is living in an emergency or

transitional shelter;

``(IV) is abandoned in a hospital;

or

``(V) is awaiting foster care

placement;

``(ii) an individual who has a primary

nighttime residence that is a public or private

place not designed for or ordinarily used as a

regular sleeping accommodation for human beings;

or

``(iii) migratory children (as defined in

section 1309 of the Elementary and Secondary

Education Act of 1965; 20 U.S.C. 6399) who qualify

as homeless under this section because the

children are living in circumstances described in

this paragraph;

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``(7) the term `homeless service provider' means a

nonprofit, nongovernmental homeless service provider, such as a

homeless shelter, a homeless service or advocacy program, a

tribal organization serving homeless individuals, or coalition

or other nonprofit, nongovernmental organization carrying out a

community-based homeless or housing program that has a

documented history of effective work concerning homelessness;

``(8) the term `tribally designated housing' means housing

assistance described in the Native American Housing Assistance

and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

``(9) the term `tribally designated housing entity' means a

housing entity described in the Native American Housing

Assistance and Self-Determination Act of 1996 (25 U.S.C.

4103(21));

``SEC. 41404. <<NOTE: 42 USC 14043e-3.>> COLLABORATIVE GRANTS TO

INCREASE THE LONG-TERM STABILITY OF VICTIMS.

``(a) Grants Authorized.--

``(1) <<NOTE: Contracts.>> In general.--The Secretary of

Health and Human Services, acting through the Administration of

Children and Families, in partnership with the Secretary of

Housing and Urban Development, shall award grants, contracts, or

cooperative agreements for a period of not less than 2 years to

eligible entities to develop long-term sustainability and self-

sufficiency options for adult and youth victims of domestic

violence, dating violence, sexual assault, and stalking who are

currently homeless or at risk for becoming homeless.

``(2) Amount.--The Secretary of Health and Human Services

shall award funds in amounts--

``(A) not less than $25,000 per year; and

``(B) not more than $1,000,000 per year.

``(b) Eligible Entities.--To be eligible to receive funds under this

section, an entity shall demonstrate that it is a coalition or

partnership, applying jointly, that--

``(1) shall include a domestic violence victim service

provider;

``(2) shall include--

``(A) a homeless service provider;

``(B) a nonprofit, nongovernmental community housing

development organization or a Department of Agriculture

rural housing service program; or

``(C) in the absence of a homeless service provider

on tribal lands or nonprofit, nongovernmental community

housing development organization on tribal lands, a

tribally designated housing entity or tribal housing

consortium;

``(3) may include a dating violence, sexual assault, or

stalking victim service provider;

``(4) may include housing developers, housing corporations,

State housing finance agencies, other housing agencies, and

associations representing landlords;

``(5) may include a public housing agency or tribally

designated housing entity;

``(6) may include tenant organizations in public or tribally

designated housing, as well as nonprofit, nongovernmental tenant

organizations;

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``(7) may include other nonprofit, nongovernmental

organizations participating in the Department of Housing and

Urban Development's Continuum of Care process;

``(8) may include a State, tribal, territorial, or local

government or government agency; and

``(9) may include any other agencies or nonprofit,

nongovernmental organizations with the capacity to provide

effective help to adult and youth victims of domestic violence,

dating violence, sexual assault, or stalking.

``(c) Application.--Each eligible entity seeking funds under this

section shall submit an application to the Secretary of Health and Human

Services at such time, in such manner, and containing such information

as the Secretary of Health and Human Services may require.

``(d) Use of Funds.--

``(1) In general.--Funds awarded to eligible entities under

subsection (a) shall be used to design or replicate and

implement new activities, services, and programs to increase the

stability and self-sufficiency of, and create partnerships to

develop long-term housing options for adult and youth victims of

domestic violence, dating violence, sexual assault, or stalking,

and their dependents, who are currently homeless or at risk of

becoming homeless.

``(2) Activities, services, programs.--Such activities,

services, or programs described in paragraph (1) shall develop

sustainable long-term living solutions in the community by--

``(A) coordinating efforts and resources among the

various groups and organizations comprised in the entity

to access existing private and public funding;

``(B) assisting with the placement of individuals

and families in long-term housing; and

``(C) providing services to help individuals or

families find and maintain long-term housing, including

financial assistance and support services;

``(3) may develop partnerships with individuals,

organizations, corporations, or other entities that provide

capital costs for the purchase, preconstruction, construction,

renovation, repair, or conversion of affordable housing units;

``(4) may use funds for the administrative expenses related

to the continuing operation, upkeep, maintenance, and use of

housing described in paragraph (3); and

``(5) may provide to the community information about housing

and housing programs, and the process to locate and obtain long-

term housing.

``(e) Limitation.--Funds provided under paragraph (a) shall not be

used for construction, modernization or renovation.

``(f) Underserved Populations and Priorities.--In awarding grants

under this section, the Secretary of Health and Human Services shall--

``(1) give priority to linguistically and culturally

specific services;

``(2) give priority to applications from entities that

include a sexual assault service provider as described in

subsection (b)(3); and

``(3) award a minimum of 15 percent of the funds

appropriated under this section in any fiscal year to tribal

organizations.

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``(g) Definitions.--For purposes of this section:

``(1) Affordable housing.--The term `affordable housing'

means housing that complies with the conditions set forth in

section 215 of the Cranston-Gonzalez National Affordable Housing

Act (42 U.S.C. 12745).

``(2) Long-term housing.--The term `long-term housing' means

housing that is sustainable, accessible, affordable, and safe

for the foreseeable future and is--

``(A) rented or owned by the individual;

``(B) subsidized by a voucher or other program which

is not time-limited and is available for as long as the

individual meets the eligibility requirements for the

voucher or program; or

``(C) provided directly by a program, agency, or

organization and is not time-limited and is available

for as long as the individual meets the eligibility

requirements for the program, agency, or organization.

``(h) Evaluation, Monitoring, Administration, and Technical

Assistance.--For purposes of this section--

``(1) up to 5 percent of the funds appropriated under

subsection (i) for each fiscal year may be used by the Secretary

of Health and Human Services for evaluation, monitoring, and

administration costs under this section; and

``(2) up to 8 percent of the funds appropriated under

subsection (i) for each fiscal year may be used to provide

technical assistance to grantees under this section.

``(i) Authorization of Appropriations.--There are authorized to be

appropriated $10,000,000 for each of fiscal years 2007 through 2011 to

carry out the provisions of this section.

``SEC. 41405. <<NOTE: 42 USC 14043e-4.>> GRANTS TO COMBAT VIOLENCE

AGAINST WOMEN IN PUBLIC AND ASSISTED HOUSING.

``(a) Purpose.--It is the purpose of this section to assist eligible

grantees in responding appropriately to domestic violence, dating

violence, sexual assault, and stalking so that the status of being a

victim of such a crime is not a reason for the denial or loss of

housing. Such assistance shall be accomplished through--

``(1) education and training of eligible entities;

``(2) development and implementation of appropriate housing

policies and practices;

``(3) enhancement of collaboration with victim service

providers and tenant organizations; and

``(4) reduction of the number of victims of such crimes who

are evicted or denied housing because of crimes and lease

violations committed or directly caused by the perpetrators of

such crimes.

``(b) Grants Authorized.--

``(1) <<NOTE: Contracts.>> In general.--The Attorney

General, acting through the Director of the Violence Against

Women Office of the Department of Justice (`Director'), and in

consultation with the Secretary of Housing and Urban Development

(`Secretary'), and the Secretary of Health and Human Services,

acting through the Administration for Children, Youth and

Families (`ACYF'), shall award grants and contracts for not less

than 2 years to eligible grantees to promote the full and equal

access to and use of housing by adult and youth victims of

domestic violence, dating violence, sexual assault, and

stalking.

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``(2) Amounts.--Not less than 15 percent of the funds

appropriated to carry out this section shall be available for

grants to tribally designated housing entities.

``(3) Award basis.--The Attorney General shall award grants

and contracts under this section on a competitive basis.

``(4) Limitation.--Appropriated funds may only be used for

the purposes described in subsection (f).

``(c) Eligible Grantees.--

``(1) In general.--Eligible grantees are--

``(A) public housing agencies;

``(B) principally managed public housing resident

management corporations, as determined by the Secretary;

``(C) public housing projects owned by public

housing agencies;

``(D) tribally designated housing entities; and

``(E) private, for-profit, and nonprofit owners or

managers of assisted housing.

``(2) <<NOTE: Certification.>> Submission required for all

grantees.--To receive assistance under this section, an eligible

grantee shall certify that--

``(A) its policies and practices do not prohibit or

limit a resident's right to summon police or other

emergency assistance in response to domestic violence,

dating violence, sexual assault, or stalking;

``(B) programs and services are developed that give

a preference in admission to adult and youth victims of

such violence, consistent with local housing needs, and

applicable law and the Secretary's instructions;

``(C) it does not discriminate against any person--

``(i) because that person is or is perceived

to be, or has a family or household member who is

or is perceived to be, a victim of such violence;

or

``(ii) because of the actions or threatened

actions of the individual who the victim, as

certified in subsection (e), states has committed

or threatened to commit acts of such violence

against the victim, or against the victim's family

or household member;

``(D) plans are developed that establish meaningful

consultation and coordination with local victim service

providers, tenant organizations, linguistically and

culturally specific service providers, State domestic

violence and sexual assault coalitions, and, where they

exist, tribal domestic violence and sexual assault

coalitions; and

``(E) <<NOTE: Deadline.>> its policies and practices

will be in compliance with those described in this

paragraph within the later of 1 year or a period

selected by the Attorney General in consultation with

the Secretary and ACYF.

``(d) Application.--Each eligible entity seeking a grant under this

section shall submit an application to the Attorney General at such a

time, in such a manner, and containing such information as the Attorney

General may require.

``(e) Certification.--

``(1) In general.--A public housing agency, tribally

designated housing entity, or assisted housing provider

receiving funds under this section may request that an

individual claiming relief under this section certify that the

individual is a victim of domestic violence, dating violence,

sexual assault,

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or stalking. <<NOTE: Records.>> The individual shall provide a

copy of such certification to the public housing agency,

tribally designated housing entity, or assisted housing provider

within a reasonable period of time after the agency or authority

requests such certification.

``(2) Contents.--An individual may satisfy the certification

requirement of paragraph (1) by--

``(A) providing the public housing agency, tribally

designated housing entity, or assisted housing provider

with documentation, signed by an employee, agent, or

volunteer of a victim service provider, an attorney, a

member of the clergy, a medical professional, or any

other professional from whom the victim has sought

assistance in addressing domestic violence, dating

violence, sexual assault, or stalking, or the effects of

abuse; or

``(B) producing a Federal, State, tribal,

territorial, or local police or court record.

``(3) Limitation.--Nothing in this subsection shall be

construed to require any housing agency, assisted housing

provider, tribally designated housing entity, owner, or manager

to demand that an individual produce official documentation or

physical proof of the individual's status as a victim of

domestic violence, dating violence, sexual assault, or stalking,

in order to receive any of the benefits provided in this

section. A housing agency, assisted housing provider, tribally

designated housing entity, owner, or manager may provide

benefits to an individual based solely on the individual's

statement or other corroborating evidence.

``(4) Confidentiality.--

``(A) In general.--All information provided to any

housing agency, assisted housing provider, tribally

designated housing entity, owner, or manager pursuant to

paragraph (1), including the fact that an individual is

a victim of domestic violence, dating violence, sexual

assault, or stalking, shall be retained in confidence by

such agency, and shall neither be entered into any

shared database, nor provided to any related housing

agency, assisted housing provider, tribally designated

housing entity, owner, or manager, except to the extent

that disclosure is--

``(i) requested or consented to by the

individual in writing; or

``(ii) otherwise required by applicable law.

``(B) Notification.--Public housing agencies must

provide notice to tenants of their rights under this

section, including their right to confidentiality and

the limits thereof, and to owners and managers of their

rights and obligations under this section.

``(f) Use of Funds.--Grants and contracts awarded pursuant to

subsection (a) shall provide to eligible entities personnel, training,

and technical assistance to develop and implement policies, practices,

and procedures, making physical improvements or changes, and developing

or enhancing collaborations for the purposes of--

``(1) enabling victims of domestic violence, dating

violence, sexual assault, and stalking with otherwise

disqualifying rental, credit, or criminal histories to be

eligible to obtain housing or housing assistance, if such

victims would otherwise qualify for housing or housing

assistance and can provide documented

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evidence that demonstrates the causal connection between such

violence or abuse and the victims' negative histories;

``(2) permitting applicants for housing or housing

assistance to provide incomplete rental and employment

histories, otherwise required as a condition of admission or

assistance, if the victim believes that providing such rental

and employment history would endanger the victim's or the victim

children's safety;

``(3) protecting victims' confidentiality, including

protection of victims' personally identifying information,

address, or rental history;

``(4) assisting victims who need to leave a public housing,

tribally designated housing, or assisted housing unit quickly to

protect their safety, including those who are seeking transfer

to a new public housing unit, tribally designated housing unit,

or assisted housing unit, whether in the same or a different

neighborhood or jurisdiction;

``(5) enabling the public housing agency, tribally

designated housing entity, or assisted housing provider, or the

victim, to remove, consistent with applicable State law, the

perpetrator of domestic violence, dating violence, sexual

assault, or stalking without evicting, removing, or otherwise

penalizing the victim;

``(6) enabling the public housing agency, tribally

designated housing entity, or assisted housing provider, when

notified, to honor court orders addressing rights of access to

or control of the property, including civil protection orders

issued to protect the victim and issued to address the

distribution or possession of property among the household

members in cases where a family breaks up;

``(7) developing and implementing more effective security

policies, protocols, and services;

``(8) allotting not more than 15 percent of funds awarded

under the grant to make modest physical improvements to enhance

safety;

``(9) training personnel to more effectively identify and

respond to victims of domestic violence, dating violence, sexual

assault, and stalking; and

``(10) effectively providing notice to applicants and

residents of the above housing policies, practices, and

procedures.

``(g) Authorization of Appropriations.--There are authorized to be

appropriated $10,000,000 for each of fiscal years 2007 through 2011 to

carry out the provisions of this section.

``(h) Technical Assistance.--Up to 12 percent of the amount

appropriated under subsection (g) for each fiscal year shall be used by

the Attorney General for technical assistance costs under this

section.''.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC

VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING.

(a) In General.--Section 40299 of the Violence Against Women Act of

1994 (42 U.S.C. 13975) is amended--

(1) in subsection (a)--

(A) by inserting ``the Department of Housing and

Urban Development, and the Department of Health and

Human Services,'' after ``Department of Justice,'';

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(B) by inserting ``, including domestic violence and

sexual assault victim service providers, domestic

violence and sexual assault coalitions, other nonprofit,

nongovernmental organizations, or community-based and

culturally specific organizations, that have a

documented history of effective work concerning domestic

violence, dating violence, sexual assault, or stalking''

after ``other organizations''; and

(C) in paragraph (1), by inserting ``, dating

violence, sexual assault, or stalking'' after ``domestic

violence'';

(2) in subsection (b)--

(A) by redesignating paragraphs (1) and (2) as

paragraphs (2) and (3), respectively;

(B) in paragraph (3), as redesignated, by inserting

``, dating violence, sexual assault, or stalking'' after

``violence'';

(C) by inserting before paragraph (2), as

redesignated, the following:

``(1) transitional housing, including funding for the

operating expenses of newly developed or existing transitional

housing.''; and

(D) in paragraph (3)(B) as redesignated, by

inserting ``Participation in the support services shall

be voluntary. Receipt of the benefits of the housing

assistance described in paragraph (2) shall not be

conditioned upon the participation of the youth, adults,

or their dependents in any or all of the support

services offered them.'' after ``assistance.'';

(3) in paragraph (1) of subsection (c), by striking ``18

months'' and inserting ``24 months'';

(4) in subsection (d)(2)--

(A) by striking ``and'' at the end of subparagraph

(A);

(B) by redesignating subparagraph (B) as

subparagraph (C); and

(C) by inserting after subparagraph (A) the

following:

``(B) provide assurances that any supportive

services offered to participants in programs developed

under subsection (b)(3) are voluntary and that refusal

to receive such services shall not be grounds for

termination from the program or eviction from the

victim's housing; and'';

(5) in subsection (e)(2)--

(A) in subparagraph (A), by inserting ``purpose

and'' before ``amount'';

(B) in clause (ii) of subparagraph (C), by striking

``and'';

(C) in subparagraph (D), by striking the period and

inserting ``; and''; and

(D) by adding at the end the following new

subparagraph:

``(E) the client population served and the number of

individuals requesting services that the transitional

housing program is unable to serve as a result of a lack

of resources.''; and

(6) in subsection (g)--

(A) in paragraph (1), by striking ``$30,000,000''

and inserting ``$40,000,000'';

(B) in paragraph (1), by striking ``2004'' and

inserting ``2007'';

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(C) in paragraph (1), by striking ``2008'' and

inserting ``2011'';

(D) in paragraph (2), by striking ``not more than 3

percent'' and inserting ``up to 5 percent'';

(E) in paragraph (2), by inserting ``evaluation,

monitoring, technical assistance,'' before ``salaries'';

and

(F) in paragraph (3), by adding at the end the

following new subparagraphs:

``(C) Underserved populations.--

``(i) A minimum of 7 percent of the total

amount appropriated in any fiscal year shall be

allocated to tribal organizations serving adult

and youth victims of domestic violence, dating

violence, sexual assault, or stalking, and their

dependents.

``(ii) Priority shall be given to projects

developed under subsection (b) that primarily

serve underserved populations.''.

SEC. 603. PUBLIC HOUSING AUTHORITY PLANS REPORTING REQUIREMENT.

Section 5A of the United States Housing Act of 1937 (42 U.S.C.

1437c-1) is amended--

(1) in subsection (a)--

(A) in paragraph (1), by striking ``paragraph (2)''

and inserting ``paragraph (3)'';

(B) by redesignating paragraph (2) as paragraph (3);

and

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

``(2) Statement of goals.--The 5-year plan shall include a

statement by any public housing agency of the goals, objectives,

policies, or programs that will enable the housing authority to

serve the needs of child and adult victims of domestic violence,

dating violence, sexual assault, or stalking.'';

(2) in subsection (d), by redesignating paragraphs (13),

(14), (15), (16), (17), and (18), as paragraphs (14), (15),

(16), (17), (18), and (19), respectively; and

(3) by inserting after paragraph (12) the following:

``(13) Domestic violence, dating violence, sexual assault,

or stalking programs.--A description of--

``(A) any activities, services, or programs provided

or offered by an agency, either directly or in

partnership with other service providers, to child or

adult victims of domestic violence, dating violence,

sexual assault, or stalking;

``(B) any activities, services, or programs provided

or offered by a public housing agency that helps child

and adult victims of domestic violence, dating violence,

sexual assault, or stalking, to obtain or maintain

housing; and

``(C) any activities, services, or programs provided

or offered by a public housing agency to prevent

domestic violence, dating violence, sexual assault, and

stalking, or to enhance victim safety in assisted

families.''.

SEC. 604. HOUSING STRATEGIES.

Section 105(b)(1) of the Cranston-Gonzalez National Affordable

Housing Act (42 U.S.C. 12705(b)(1)) is amended by inserting after

``immunodeficiency syndrome,'' the following: ``victims of domestic

violence, dating violence, sexual assault, and stalking''.

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SEC. 605. AMENDMENT TO THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.

Section 423 of the Stewart B. McKinney Homeless Assistance Act (42

U.S.C. 11383) is amended--

(1) by adding at the end of subsection (a) the following:

``(8) Confidentiality.--

``(A) Victim service providers.--In the course of

awarding grants or implementing programs under this

subsection, the Secretary shall instruct any victim

service provider that is a recipient or subgrantee not

to disclose for purposes of a Homeless Management

Information System personally identifying information

about any client. The Secretary may, after public notice

and comment, require or ask such recipients and

subgrantees to disclose for purposes of a Homeless

Management Information System non-personally identifying

data that has been de-identified, encrypted, or

otherwise encoded. Nothing in this section shall be

construed to supersede any provision of any Federal,

State, or local law that provides greater protection

than this paragraph for victims of domestic violence,

dating violence, sexual assault, or stalking.

``(B) Definitions.--

``(i) Personally identifying information or

personal information.--The term `personally

identifying information' or `personal information'

means individually identifying information for or

about an individual including information likely

to disclose the location of a victim of domestic

violence, dating violence, sexual assault, or

stalking, including--

``(I) a first and last name;

``(II) a home or other physical

address;

``(III) contact information

(including a postal, e-mail or Internet

protocol address, or telephone or

facsimile number);

``(IV) a social security number; and

``(V) any other information,

including date of birth, racial or

ethnic background, or religious

affiliation, that, in combination with

any other non-personally identifying

information would serve to identify any

individual.

``(ii) Victim service provider.--The term

`victim service provider' or `victim service

providers' means a nonprofit, nongovernmental

organization including rape crisis centers,

battered women's shelters, domestic violence

transitional housing programs, and other programs

whose primary mission is to provide services to

victims of domestic violence, dating violence,

sexual assault, or stalking.''.

SEC. 606. AMENDMENTS TO THE LOW-INCOME HOUSING ASSISTANCE VOUCHER

PROGRAM.

Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f)

is amended--

(1) in subsection (c), by adding at the end the following

new paragraph:

``(9)(A) That an applicant or participant is or has been a

victim of domestic violence, dating violence, or stalking is

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not an appropriate basis for denial of program assistance or for

denial of admission, if the applicant otherwise qualifies for

assistance or admission.

``(B) An incident or incidents of actual or threatened

domestic violence, dating violence, or stalking will not be

construed as a serious or repeated violation of the lease by the

victim or threatened victim of that violence and shall not be

good cause for terminating the assistance, tenancy, or occupancy

rights of the victim of such violence.

``(C)(i) Criminal activity directly relating to domestic

violence, dating violence, or stalking, engaged in by a member

of a tenant's household or any guest or other person under the

tenant's control shall not be cause for termination of

assistance, tenancy, or occupancy rights if the tenant or an

immediate member of the tenant's family is the victim or

threatened victim of that domestic violence, dating violence, or

stalking.

``(ii) Notwithstanding clause (i), an owner or manager may

bifurcate a lease under this section, in order to evict, remove,

or terminate assistance to any individual who is a tenant or

lawful occupant and who engages in criminal acts of physical

violence against family members or others, without evicting,

removing, terminating assistance to, or otherwise penalizing the

victim of such violence who is also a tenant or lawful occupant.

``(iii) Nothing in clause (i) may be construed to limit the

authority of a public housing agency, owner, or manager, when

notified, to honor court orders addressing rights of access to

or control of the property, including civil protection orders

issued to protect the victim and issued to address the

distribution or possession of property among the household

members in cases where a family breaks up.

``(iv) Nothing in clause (i) limits any otherwise available

authority of an owner or manager to evict or the public housing

agency to terminate assistance to a tenant for any violation of

a lease not premised on the act or acts of violence in question

against the tenant or a member of the tenant's household,

provided that the owner or manager does not subject an

individual who is or has been a victim of domestic violence,

dating violence, or stalking to a more demanding standard than

other tenants in determining whether to evict or terminate.

``(v) Nothing in clause (i) may be construed to limit the

authority of an owner, manager, or public housing agency to

evict or terminate from assistance any tenant or lawful occupant

if the owner, manager or public housing agency can demonstrate

an actual and imminent threat to other tenants or those employed

at or providing service to the property if that tenant is not

evicted or terminated from assistance.

``(vi) Nothing in this section shall be construed to

supersede any provision of any Federal, State, or local law that

provides greater protection than this section for victims of

domestic violence, dating violence, or stalking.'';

(2) in subsection (d)--

(A) in paragraph (1)(A), by inserting after ``public

housing agency'' the following: ``and that an applicant

or participant is or has been a victim of domestic

violence, dating violence, or stalking is not an

appropriate basis for denial of program assistance or

for denial of admission

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if the applicant otherwise qualifies for assistance or

admission'';

(B) in paragraph (1)(B)(ii), by inserting after

``other good cause'' the following: ``, and that an

incident or incidents of actual or threatened domestic

violence, dating violence, or stalking will not be

construed as a serious or repeated violation of the

lease by the victim or threatened victim of that

violence and will not be good cause for terminating the

tenancy or occupancy rights of the victim of such

violence''; and

(C) in paragraph (1)(B)(iii), by inserting after

``termination of tenancy'' the following: ``, except

that: (I) criminal activity directly relating to

domestic violence, dating violence, or stalking, engaged

in by a member of a tenant's household or any guest or

other person under the tenant's control, shall not be

cause for termination of the tenancy or occupancy rights

or program assistance, if the tenant or immediate member

of the tenant's family is a victim of that domestic

violence, dating violence, or stalking; (II)

notwithstanding subclause (I), a public housing agency

may terminate assistance to any individual who is a

tenant or lawful occupant and who engages in criminal

acts of physical violence against family members or

others, or an owner or manager under this section may

bifurcate a lease, in order to evict, remove, or

terminate assistance to any individual who is a tenant

or lawful occupant and who engages in criminal acts of

physical violence against family members or others,

without evicting, removing, terminating assistance to,

or otherwise penalizing the victim of such violence who

is also a tenant or lawful occupant; (III) nothing in

subclause (I) may be construed to limit the authority of

a public housing agency, owner, or manager, when

notified, to honor court orders addressing rights of

access to or control of the property, including civil

protection orders issued to protect the victim and

issued to address the distribution or possession of

property among the household members in cases where a

family breaks up; (IV) nothing in subclause (I) limits

any otherwise available authority of an owner or manager

to evict or the public housing agency to terminate

assistance to a tenant for any violation of a lease not

premised on the act or acts of violence in question

against the tenant or a member of the tenant's

household, provided that the owner, manager, or public

housing agency does not subject an individual who is or

has been a victim of domestic violence, dating violence,

or stalking to a more demanding standard than other

tenants in determining whether to evict or terminate;

(V) nothing in subclause (I) may be construed to limit

the authority of an owner or manager to evict, or the

public housing agency to terminate assistance, to any

tenant if the owner, manager, or public housing agency

can demonstrate an actual and imminent threat to other

tenants or those employed at or providing service to the

property if that tenant is not evicted or terminated

from assistance; and (VI) nothing in this section shall

be construed to supersede any provision of any Federal,

State, or local law that provides greater protection

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than this section for victims of domestic violence,

dating violence, or stalking.'';

(3) in subsection (f)--

(A) in paragraph (6), by striking ``and'';

(B) in paragraph (7), by striking the period at the

end and inserting a semicolon; and

(C) by adding at the end the following new

paragraphs:

``(8) the term `domestic violence' has the same meaning

given the term in section 40002 of the Violence Against Women

Act of 1994;

``(9) the term `dating violence' has the same meaning given

the term in section 40002 of the Violence Against Women Act of

1994; and

``(10) the term `stalking' means--

``(A)(i) to follow, pursue, or repeatedly commit

acts with the intent to kill, injure, harass, or

intimidate another person; and

``(ii) to place under surveillance with the intent

to kill, injure, harass, or intimidate another person;

and

``(B) in the course of, or as a result of, such

following, pursuit, surveillance, or repeatedly

committed acts, to place a person in reasonable fear of

the death of, or serious bodily injury to, or to cause

substantial emotional harm to--

``(i) that person;

``(ii) a member of the immediate family of

that person; or

``(iii) the spouse or intimate partner of that

person; and

``(11) the term `immediate family member' means, with

respect to a person--

``(A) a spouse, parent, brother or sister, or child

of that person, or an individual to whom that person

stands in loco parentis; or

``(B) any other person living in the household of

that person and related to that person by blood and

marriage.'';

(4) in subsection (o)--

(A) by inserting at the end of paragraph (6)(B) the

following new sentence: ``That an applicant or

participant is or has been a victim of domestic

violence, dating violence, or stalking is not an

appropriate basis for denial of program assistance by or

for denial of admission if the applicant otherwise

qualifies for assistance for admission, and that nothing

in this section shall be construed to supersede any

provision of any Federal, State, or local law that

provides greater protection than this section for

victims of domestic violence, dating violence, or

stalking.'';

(B) in paragraph (7)(C), by inserting after ``other

good cause'' the following: ``, and that an incident or

incidents of actual or threatened domestic violence,

dating violence, or stalking shall not be construed as a

serious or repeated violation of the lease by the victim

or threatened victim of that violence and shall not be

good cause for terminating the tenancy or occupancy

rights of the victim of such violence'';

(C) in paragraph (7)(D), by inserting after

``termination of tenancy'' the following: ``; except

that (i) criminal activity

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directly relating to domestic violence, dating violence,

or stalking, engaged in by a member of a tenant's

household or any guest or other person under the

tenant's control shall not be cause for termination of

the tenancy or occupancy rights, if the tenant or

immediate member of the tenant's family is a victim of

that domestic violence, dating violence, or stalking;

(ii) notwithstanding clause (i), a public housing agency

may terminate assistance to any individual who is a

tenant or lawful occupant and who engages in criminal

acts of physical violence against family members or

others, or an owner or manager may bifurcate a lease

under this section, in order to evict, remove, or

terminate assistance to any individual who is a tenant

or lawful occupant and who engages in criminal acts of

physical violence against family members or others,

without evicting, removing, terminating assistance to,

or otherwise penalizing the victim of such violence who

is also a tenant or lawful occupant; (iii) nothing in

clause (i) may be construed to limit the authority of a

public housing agency, owner, or manager, when notified,

to honor court orders addressing rights of access to

control of the property, including civil protection

orders issued to protect the victim and issued to

address the distribution or possession of property among

the household members in cases where a family breaks up;

(iv) nothing in clause (i) limits any otherwise

available authority of an owner or manager to evict or

the public housing agency to terminate assistance to a

tenant for any violation of a lease not premised on the

act or acts of violence in question against the tenant

or a member of the tenant's household, provided that the

owner, manager, or public housing agency does not

subject an individual who is or has been a victim of

domestic violence, dating violence, or stalking to a

more demanding standard than other tenants in

determining whether to evict or terminate; (v) nothing

in clause (i) may be construed to limit the authority of

an owner or manager to evict, or the public housing

agency to terminate, assistance to any tenant if the

owner, manager, or public housing agency can demonstrate

an actual and imminent threat to other tenants or those

employed at or providing service to the property if that

tenant is not evicted or terminated from assistance; and

(vi) nothing in this section shall be construed to

supersede any provision of any Federal, State, or local

law that provides greater protection than this section

for victims of domestic violence, dating violence, or

stalking.''; and

(D) by adding at the end the following new

paragraph:

``(20) Prohibited basis for termination of assistance.--

``(A) In general.--A public housing agency may not terminate

assistance to a participant in the voucher program on the basis

of an incident or incidents of actual or threatened domestic

violence, dating violence, or stalking against that participant.

``(B) Construal of lease provisions.--Criminal activity

directly relating to domestic violence, dating violence, or

stalking shall not be considered a serious or repeated violation

of the lease by the victim or threatened victim of that criminal

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activity justifying termination of assistance to the victim or

threatened victim.

``(C) Termination on the basis of criminal activity.--

Criminal activity directly relating to domestic violence, dating

violence, or stalking shall not be considered cause for

termination of assistance for any participant or immediate

member of a participant's family who is a victim of the domestic

violence, dating violence, or stalking.

``(D) Exceptions.--

``(i) Public housing authority right to terminate

for criminal acts.--Nothing in subparagraph (A), (B), or

(C) may be construed to limit the authority of the

public housing agency to terminate voucher assistance to

individuals who engage in criminal acts of physical

violence against family members or others.

``(ii) Compliance with court orders.--Nothing in

subparagraph (A), (B), or (C) may be construed to limit

the authority of a public housing agency, when notified,

to honor court orders addressing rights of access to or

control of the property, including civil protection

orders issued to protect the victim and issued to

address the distribution possession of property among

the household members in cases where a family breaks up.

``(iii) Public housing authority right to terminate

voucher assistance for lease violations.--Nothing in

subparagraph (A), (B), or (C) limit any otherwise

available authority of the public housing agency to

terminate voucher assistance to a tenant for any

violation of a lease not premised on the act or acts of

violence in question against the tenant or a member of

the tenant's household, provided that the public housing

agency does not subject an individual who is or has been

a victim of domestic violence, dating violence, or

stalking to a more demanding standard than other tenants

in determining whether to terminate.

``(iv) Public housing authority right to terminate

voucher assistance for imminent threat.--Nothing in

subparagraph (A), (B), or (C) may be construed to limit

the authority of the public housing agency to terminate

voucher assistance to a tenant if the public housing

agency can demonstrate an actual and imminent threat to

other tenants or those employed at or providing service

to the property or public housing agency if that tenant

is not evicted or terminated from assistance.

``(v) Preemption.--Nothing in this section shall be

construed to supersede any provision of any Federal,

State, or local law that provides greater protection

than this section for victims of domestic violence,

dating violence, or stalking.'';

(5) in subsection (r)(5), by inserting after ``violation of

a lease'' the following: ``, except that a family may receive a

voucher from a public housing agency and move to another

jurisdiction under the tenant-based assistance program if the

family has complied with all other obligations of the section 8

program and has moved out of the assisted dwelling unit in order

to protect the health or safety of an individual who is or has

been the victim of domestic violence, dating violence, or

stalking and who reasonably believed he or she was

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imminently threatened by harm from further violence if he or she

remained in the assisted dwelling unit''; and

(6) by adding at the end the following new subsection:

``(ee) Certification and Confidentiality.--

``(1) Certification.--

``(A) In general.--An owner, manager, or public

housing agency responding to subsections (c)(9),

(d)(1)(B)(ii), (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D),

(o)(20), and (r)(5) may request that an individual

certify via a HUD approved certification form that the

individual is a victim of domestic violence, dating

violence, or stalking, and that the incident or

incidents in question are bona fide incidents of such

actual or threatened abuse and meet the requirements set

forth in the aforementioned paragraphs. Such

certification shall include the name of the

perpetrator. <<NOTE: Deadline.>> The individual shall

provide such certification within 14 business days after

the owner, manager, or public housing agency requests

such certification.

``(B) Failure to provide certification.--If the

individual does not provide the certification within 14

business days after the owner, manager, public housing

agency, or assisted housing provider has requested such

certification in writing, nothing in this subsection or

in subsection (c)(9), (d)(1)(B)(ii), (d)(1)(B)(iii),

(o)(7)(C), (o)(7)(D), (o)(20), or (r)(5) may be

construed to limit the authority of an owner or manager

to evict, or the public housing agency or assisted

housing provider to terminate voucher assistance for,

any tenant or lawful occupant that commits violations of

a lease. The owner, manager, public housing agency, or

assisted housing provider may extend the 14-day deadline

at their discretion.

``(C) Contents.--An individual may satisfy the

certification requirement of subparagraph (A) by--

``(i) providing the requesting owner, manager,

or public housing agency with documentation signed

by an employee, agent, or volunteer of a victim

service provider, an attorney, or a medical

professional, from whom the victim has sought

assistance in addressing domestic violence, dating

violence, sexual assault, or stalking, or the

effects of the abuse, in which the professional

attests under penalty of perjury (28 U.S.C. 1746)

to the professional's belief that the incident or

incidents in question are bona fide incidents of

abuse, and the victim of domestic violence, dating

violence, or stalking has signed or attested to

the documentation; or

``(ii) producing a Federal, State, tribal,

territorial, or local police or court record.

``(D) Limitation.--Nothing in this subsection shall

be construed to require an owner, manager, or public

housing agency to demand that an individual produce

official documentation or physical proof of the

individual's status as a victim of domestic violence,

dating violence, sexual assault, or stalking in order to

receive any of the benefits provided in this section. At

their discretion, the owner, manager, or public housing

agency may provide benefits

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to an individual based solely on the individual's

statement or other corroborating evidence.

``(E) Compliance not sufficient to constitute

evidence of unreasonable act.--Compliance with this

statute by an owner, manager, public housing agency, or

assisted housing provider based on the certification

specified in paragraphs (1)(A) and (B) of this

subsection or based solely on the victim's statement or

other corroborating evidence, as permitted by paragraph

(1)(C) of this subsection, shall not alone be sufficient

to constitute evidence of an unreasonable act or

omission by an owner, manger, public housing agency, or

assisted housing provider, or employee thereof. Nothing

in this subparagraph shall be construed to limit

liability for failure to comply with the requirements of

subsection (c)(9), (d)(1)(B)(ii), (d)(1)(B)(iii),

(o)(7)(C), (o)(7)(D), (o)(20), or (r)(5).

``(F) Preemption.--Nothing in this section shall be

construed to supersede any provision of any Federal,

State, or local law that provides greater protection

than this section for victims of domestic violence,

dating violence, or stalking.

``(2) Confidentiality.--

``(A) In general.--All information provided to an

owner, manager, or public housing agency pursuant to

paragraph (1), including the fact that an individual is

a victim of domestic violence, dating violence, or

stalking, shall be retained in confidence by an owner,

manager, or public housing agency, and shall neither be

entered into any shared database nor provided to any

related entity, except to the extent that disclosure

is--

``(i) requested or consented to by the

individual in writing;

``(ii) required for use in an eviction

proceeding under subsection (c)(9), (d)(1)(B(ii),

(d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), or (o)(20),;

or

``(iii) otherwise required by applicable law.

``(B) Notification.--Public housing agencies must

provide notice to tenants assisted under Section 8 of

the United States Housing Act of 1937 of their rights

under this subsection and subsections (c)(9),

(d)(1)(B(ii), (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D),

(o)(20), and (r)(5), including their right to

confidentiality and the limits thereof, and to owners

and managers of their rights and obligations under this

subsection and subsections (c)(9), (d)(1)(B(ii),

(d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), (o)(20), and

(r)(5).''.

SEC. 607. AMENDMENTS TO THE PUBLIC HOUSING PROGRAM.

Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d)

is amended--

(1) in subsection (c), by redesignating paragraph (3) and

(4), as paragraphs (4) and (5), respectively;

(2) by inserting after paragraph (2) the following:

``(3) the public housing agency shall not deny admission to

the project to any applicant on the basis that the applicant is

or has been a victim of domestic violence, dating violence, or

stalking if the applicant otherwise qualifies for assistance or

admission, and that nothing in this section shall be construed

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to supersede any provision of any Federal, State, or local law

that provides greater protection than this section for victims

of domestic violence, dating violence, or stalking'';

(3) in subsection (l)(5), by inserting after ``other good

cause'' the following: ``, and that an incident or incidents of

actual or threatened domestic violence, dating violence, or

stalking will not be construed as a serious or repeated

violation of the lease by the victim or threatened victim of

that violence and will not be good cause for terminating the

tenancy or occupancy rights of the victim of such violence'';

(4) in subsection (l)(6), by inserting after ``termination

of tenancy'' the following: ``; except that: (A) criminal

activity directly relating to domestic violence, dating

violence, or stalking, engaged in by a member of a tenant's

household or any guest or other person under the tenant's

control, shall not be cause for termination of the tenancy or

occupancy rights, if the tenant or immediate member of the

tenant's family is a victim of that domestic violence, dating

violence, or stalking; (B) notwithstanding subparagraph (A), a

public housing agency under this section may bifurcate a lease

under this section, in order to evict, remove, or terminate

assistance to any individual who is a tenant or lawful occupant

and who engages in criminal acts of physical violence against

family members or others, without evicting, removing,

terminating assistance to, or otherwise penalizing the victim of

such violence who is also a tenant or lawful occupant; (C)

nothing in subparagraph (A) may be construed to limit the

authority of a public housing agency, when notified, to honor

court orders addressing rights of access to or control of the

property, including civil protection orders issued to protect

the victim and issued to address the distribution or possession

of property among the household members in cases where a family

breaks up; (D) nothing in subparagraph (A) limits any otherwise

available authority of a public housing agency to evict a tenant

for any violation of a lease not premised on the act or acts of

violence in question against the tenant or a member of the

tenant's household, provided that the public housing agency does

not subject an individual who is or has been a victim of

domestic violence, dating violence, or stalking to a more

demanding standard than other tenants in determining whether to

evict or terminate; (E) nothing in subparagraph (A) may be

construed to limit the authority of a public housing agency to

terminate the tenancy of any tenant if the public housing agency

can demonstrate an actual and imminent threat to other tenants

or those employed at or providing service to the property if

that tenant's tenancy is not terminated; and (F) nothing in this

section shall be construed to supersede any provision of any

Federal, State, or local law that provides greater protection

than this section for victims of domestic violence, dating

violence, or stalking.''; and

(5) by inserting at the end of subsection (t) the following

new subsection:

``(u) Certification and Confidentiality.--

``(1) Certification.--

``(A) In general.--A public housing agency

responding to subsection (l)(5) and (6) may request that

an individual certify via a HUD approved certification

form that the

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individual is a victim of domestic violence, dating

violence, or stalking, and that the incident or

incidents in question are bona fide incidents of such

actual or threatened abuse and meet the requirements set

forth in the aforementioned paragraphs. Such

certification shall include the name of the

perpetrator. <<NOTE: Deadline.>> The individual shall

provide such certification within 14 business days after

the public housing agency requests such certification.

``(B) Failure to provide certification.--If the

individual does not provide the certification within 14

business days after the public housing agency has

requested such certification in writing, nothing in this

subsection, or in paragraph (5) or (6) of subsection

(l), may be construed to limit the authority of the

public housing agency to evict any tenant or lawful

occupant that commits violations of a lease. The public

housing agency may extend the 14-day deadline at its

discretion.

``(C) Contents.--An individual may satisfy the

certification requirement of subparagraph (A) by--

``(i) providing the requesting public housing

agency with documentation signed by an employee,

agent, or volunteer of a victim service provider,

an attorney, or a medical professional, from whom

the victim has sought assistance in addressing

domestic violence, dating violence, or stalking,

or the effects of the abuse, in which the

professional attests under penalty of perjury (28

U.S.C. 1746) to the professional's belief that the

incident or incidents in question are bona fide

incidents of abuse, and the victim of domestic

violence, dating violence, or stalking has signed

or attested to the documentation; or

``(ii) producing a Federal, State, tribal,

territorial, or local police or court record.

``(D) Limitation.--Nothing in this subsection shall

be construed to require any public housing agency to

demand that an individual produce official documentation

or physical proof of the individual's status as a victim

of domestic violence, dating violence, or stalking in

order to receive any of the benefits provided in this

section. At the public housing agency's discretion, a

public housing agency may provide benefits to an

individual based solely on the individual's statement or

other corroborating evidence.

``(E) Preemption.--Nothing in this section shall be

construed to supersede any provision of any Federal,

State, or local law that provides greater protection

than this section for victims of domestic violence,

dating violence, or stalking.

``(F) Compliance not sufficient to constitute

evidence of unreasonable act.--Compliance with this

statute by a public housing agency, or assisted housing

provider based on the certification specified in

subparagraphs (A) and (B) of this subsection or based

solely on the victim's statement or other corroborating

evidence, as permitted by subparagraph (D) of this

subsection, shall not alone be sufficient to constitute

evidence of an unreasonable act or omission by a public

housing agency or employee thereof. Nothing in this

subparagraph shall

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be construed to limit liability for failure to comply

with the requirements of subsection (l)(5) and (6).

``(2) Confidentiality.--

``(A) In general.--All information provided to any

public housing agency pursuant to paragraph (1),

including the fact that an individual is a victim of

domestic violence, dating violence, or stalking, shall

be retained in confidence by such public housing agency,

and shall neither be entered into any shared database

nor provided to any related entity, except to the extent

that disclosure is--

``(i) requested or consented to by the

individual in writing;

``(ii) required for use in an eviction

proceeding under subsection (l)(5) or (6); or

``(iii) otherwise required by applicable law.

``(B) Notification.--Public housing agencies must

provide notice to tenants assisted under section 6 of

the United States Housing Act of 1937 of their rights

under this subsection and subsection (l)(5) and (6),

including their right to confidentiality and the limits

thereof.

``(3) Definitions.--For purposes of this subsection,

subsection (c)(3), and subsection (l)(5) and (6)--

``(A) the term `domestic violence' has the same

meaning given the term in section 40002 of the Violence

Against Women Act of 1994;

``(B) the term `dating violence' has the same

meaning given the term in section 40002 of the Violence

Against Women Act of 1994;

``(C) the term `stalking' means--

``(i)(I) to follow, pursue, or repeatedly

commit acts with the intent to kill, injure,

harass, or intimidate; or

``(II) to place under surveillance with the

intent to kill, injure, harass, or intimidate

another person; and

``(ii) in the course of, or as a result of,

such following, pursuit, surveillance, or

repeatedly committed acts, to place a person in

reasonable fear of the death of, or serious bodily

injury to, or to cause substantial emotional harm

to--

``(I) that person;

``(II) a member of the immediate

family of that person; or

``(III) the spouse or intimate

partner of that person; and

``(D) the term `immediate family member' means, with

respect to a person--

``(i) a spouse, parent, brother or sister, or

child of that person, or an individual to whom

that person stands in loco parentis; or

``(ii) any other person living in the

household of that person and related to that

person by blood and marriage.''.

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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.

Subtitle N of the Violence Against Women Act of 1994 (Public Law

103-322; 108 Stat. 1902) is amended by adding at the end the following:

``Subtitle O--National Resource Center

``SEC. 41501. <<NOTE: 42 USC 14043f.>> GRANT FOR NATIONAL RESOURCE

CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC

AND SEXUAL VIOLENCE.

``(a) Authority.--The Attorney General, acting through the Director

of the Office on Violence Against Women, may award a grant to an

eligible nonprofit nongovernmental entity or tribal organization, in

order to provide for the establishment and operation of a national

resource center on workplace responses to assist victims of domestic and

sexual violence. The resource center shall provide information and

assistance to employers and labor organizations to aid in their efforts

to develop and implement responses to such violence.

``(b) Applications.--To be eligible to receive a grant under this

section, an entity or organization shall submit an application to the

Attorney General at such time, in such manner, and containing such

information as the Attorney General may require, including--

``(1) information that demonstrates that the entity or

organization has nationally recognized expertise in the area of

domestic or sexual violence;

``(2) a plan to maximize, to the extent practicable,

outreach to employers (including private companies and public

entities such as public institutions of higher education and

State and local governments) and labor organizations described

in subsection (a) concerning developing and implementing

workplace responses to assist victims of domestic or sexual

violence; and

``(3) a plan for developing materials and training for

materials for employers that address the needs of employees in

cases of domestic violence, dating violence, sexual assault, and

stalking impacting the workplace, including the needs of

underserved communities.

``(c) Use of Grant Amount.--

``(1) In general.--An entity or organization that receives a

grant under this section may use the funds made available

through the grant for staff salaries, travel expenses,

equipment, printing, and other reasonable expenses necessary to

develop, maintain, and disseminate to employers and labor

organizations described in subsection (a), information and

assistance concerning workplace responses to assist victims of

domestic or sexual violence.

``(2) Responses.--Responses referred to in paragraph (1) may

include--

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``(A) providing training to promote a better

understanding of workplace assistance to victims of

domestic or sexual violence;

``(B) providing conferences and other educational

opportunities; and

``(C) developing protocols and model workplace

policies.

``(d) Liability.--The compliance or noncompliance of any employer or

labor organization with any protocol or policy developed by an entity or

organization under this section shall not serve as a basis for liability

in tort, express or implied contract, or by any other means. No protocol

or policy developed by an entity or organization under this section

shall be referenced or enforced as a workplace safety standard by any

Federal, State, or other governmental agency.

``(e) Authorization of Appropriations.--There is authorized to be

appropriated to carry out this section $1,000,000 for each of fiscal

years 2007 through 2011.

``(f) Availability of Grant Funds.--Funds appropriated under this

section shall remain available until expended.''.

TITLE VIII--PROTECTION OF BATTERED AND TRAFFICKED IMMIGRANTS

Subtitle A--Victims of Crime

SEC. 801. TREATMENT OF SPOUSE AND CHILDREN OF VICTIMS.

(a) Treatment of Spouse and Children of Victims of Trafficking.--

Section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C.

1101(a)(15)(T)) is amended--

(1) in clause (i)--

(A) in the matter preceding subclause (I), by

striking ``Attorney General'' and inserting ``Secretary

of Homeland Security, or in the case of subclause

(III)(aa) the Secretary of Homeland Security and the

Attorney General jointly;'';

(B) in subclause (III)(aa)--

(i) by inserting ``Federal, State, or local''

before ``investigation''; and

(ii) by striking ``, or'' and inserting ``or

the investigation of crime where acts of

trafficking are at least one central reason for

the commission of that crime; or''; and

(C) in subclause (IV), by striking ``and'' at the

end;

(2) by amending clause (ii) to read as follows:

``(ii) if accompanying, or following to join, the alien

described in clause (i)--

``(I) in the case of an alien described in clause

(i) who is under 21 years of age, the spouse, children,

unmarried siblings under 18 years of age on the date on

which such alien applied for status under such clause,

and parents of such alien; or

``(II) in the case of an alien described in clause

(i) who is 21 years of age or older, the spouse and

children of such alien; and''; and

(3) by inserting after clause (ii) the following:

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``(iii) if the Secretary of Homeland Security, in his or her

discretion and with the consultation of the Attorney General,

determines that a trafficking victim, due to psychological or

physical trauma, is unable to cooperate with a request for

assistance described in clause (i)(III)(aa), the request is

unreasonable.''.

(b) Treatment of Spouses and Children of Victims of Abuse.--Section

101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C.

1101(a)(15)(U)) is amended--

(1) in clause (i), by striking ``Attorney General'' and

inserting ``Secretary of Homeland Security''; and

(2) by amending clause (ii) to read as follows:

``(ii) if accompanying, or following to join, the alien

described in clause (i)--

``(I) in the case of an alien described in clause

(i) who is under 21 years of age, the spouse, children,

unmarried siblings under 18 years of age on the date on

which such alien applied for status under such clause,

and parents of such alien; or

``(II) in the case of an alien described in clause

(i) who is 21 years of age or older, the spouse and

children of such alien; and''.

(c) Technical Amendments.--Section 101(i) of the Immigration and

Nationality Act (8 U.S.C. 1101(i)) is amended--

(1) in paragraph (1), by striking ``Attorney General'' and

inserting ``Secretary of Homeland Security, the Attorney

General,''; and

(2) in paragraph (2), by striking ``Attorney General'' and

inserting ``Secretary of Homeland Security''.

SEC. 802. PRESENCE OF VICTIMS OF A SEVERE FORM OF TRAFFICKING IN

PERSONS.

(a) In General.--Section 212(a)(9)(B)(iii) of the Immigration and

Nationality Act (8 U.S.C. 1182(a)(9)(B)(iii)) is amended by adding at

the end the following:

``(V) Victims of a severe form of trafficking in

persons.--Clause (i) shall not apply to an alien who

demonstrates that the severe form of trafficking (as

that term is defined in section 103 of the Trafficking

Victims Protection Act of 2000 (22 U.S.C. 7102)) was at

least one central reason for the alien's unlawful

presence in the United States.''.

(b) Technical Amendment.--Paragraphs (13) and (14) of section 212(d)

of the Immigration and Nationality Act (8 U.S.C. 1182(d)) are amended by

striking ``Attorney General'' each place it appears and inserting

``Secretary of Homeland Security''.

SEC. 803. ADJUSTMENT OF STATUS.

(a) Victims of Trafficking.--Section 245(l) of the Immigration and

Nationality Act (8 U.S.C. 1255(l)) is amended--

(1) in paragraph (1)--

(A) by striking ``Attorney General'' each place it

appears and inserting ``Secretary of Homeland Security,

or in the case of subparagraph (C)(i), the Attorney

General,''; and

(B) in subparagraph (A), by inserting at the end

``or has been physically present in the United States

for a continuous period during the investigation or

prosecution

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of acts of trafficking and that, in the opinion of the

Attorney General, the investigation or prosecution is

complete, whichever period of time is less;'';

(2) in paragraph (2), by striking ``Attorney General'' each

place it appears and inserting ``Secretary of Homeland

Security''; and

(3) in paragraph (5), by striking ``Attorney General'' and

inserting ``Secretary of Homeland Security''.

(b) Victims of Crimes Against Women.--Section 245(m) of the

Immigration and Nationality Act (8 U.S.C. 12255(m)) is amended--

(1) in paragraph (1)--

(A) by striking ``Attorney General may adjust'' and

inserting ``Secretary of Homeland Security may adjust'';

and

(B) in subparagraph (B), by striking ``Attorney

General'' and inserting ``Secretary of Homeland

Security'';

(2) in paragraph (3)--

(A) by striking ``Attorney General may adjust'' and

inserting ``Secretary of Homeland Security may adjust'';

and

(B) by striking ``Attorney General considers'' and

inserting ``Secretary considers''; and

(3) in paragraph (4), by striking ``Attorney General'' and

inserting ``Secretary of Homeland Security''.

SEC. 804. PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING.

(a) Clarification of Department of Justice and Department of

Homeland Security Roles.--Section 107 of the Trafficking Victims

Protection Act of 2000 (22 U.S.C. 7105) is amended--

(1) in subsections (b)(1)(E), (e)(5), and (g), by striking

``Attorney General'' each place it appears and inserting

``Secretary of Homeland Security''; and

(2) in subsection (c), by inserting ``, the Secretary of

Homeland Security'' after ``Attorney General''.

(b) Certification Process.--Section 107(b)(1)(E) of the Trafficking

Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)(E)) is amended--

(1) in clause (i)--

(A) in the matter preceding subclause (I), by

inserting ``and the Secretary of Homeland Security''

after ``Attorney General''; and

(B) in subclause (II)(bb), by inserting ``and the

Secretary of Homeland Security'' after ``Attorney

General''.

(2) in clause (ii), by inserting ``Secretary of Homeland

Security'' after ``Attorney General'';

(3) in clause (iii)--

(A) in subclause (II), by striking ``and'' at the

end;

(B) in subclause (III), by striking the period at

the end and inserting ``; or''; and

(C) by adding at the end the following:

``(IV) responding to and cooperating

with requests for evidence and

information.''.

(c) Protection From Removal for Certain Crime Victims.--Section

107(e) of the Trafficking Victims Protection Act of 2000

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(22 U.S.C. 7105(e)) is amended by striking ``Attorney General'' each

place it occurs and inserting ``Secretary of Homeland Security''.

(d) Annual Report.--Section 107(g) of the Trafficking Victims

Protection Act of 2000 (22 U.S.C. 7105(g)) is amended by inserting ``or

the Secretary of Homeland Security'' after ``Attorney General''.

SEC. 805. PROTECTING VICTIMS OF CHILD ABUSE.

(a) Aging Out Children.--Section 204(a)(1)(D) of the Immigration and

Nationality Act (8 U.S.C. 1154(a)(1)(D)) is amended--

(1) in clause (i)--

(A) in subclause (I), by inserting ``or section

204(a)(1)(B)(iii)'' after ``204(a)(1)(A)'' each place it

appears; and

(B) in subclause (III), by striking ``a petitioner

for preference status under paragraph (1), (2), or (3)

of section 203(a), whichever paragraph is applicable,''

and inserting ``a VAWA self-petitioner''; and

(2) by adding at the end the following:

``(iv) Any alien who benefits from this subparagraph may adjust

status in accordance with subsections (a) and (c) of section 245 as an

alien having an approved petition for classification under subparagraph

(A)(iii), (A)(iv), (B)(ii), or (B)(iii).''.

(b) Application of CSPA Protections.--

(1) Immediate relative rules.--Section 201(f) of the

Immigration and Nationality Act (8 U.S.C. 1151(f)) is amended by

adding at the end the following:

``(4) Application to self-petitions.--Paragraphs (1) through

(3) shall apply to self-petitioners and derivatives of self-

petitioners.''.

(2) Children rules.--Section 203(h) of the Immigration and

Nationality Act (8 U.S.C. 1153(h)) is amended by adding at the

end the following:

``(4) Application to self-petitions.--Paragraphs (1) through

(3) shall apply to self-petitioners and derivatives of self-

petitioners.''.

(c) Late Petition Permitted for Immigrant Sons and Daughters

Battered as Children.--

(1) In general.--Section 204(a)(1)(D) of the Immigration and

Nationality Act (8 U.S.C. 1154(a)(1)(D)), as amended by

subsection (a), is further amended by adding at the end the

following:

``(v) For purposes of this paragraph, an individual who is not less

than 21 years of age, who qualified to file a petition under

subparagraph (A)(iv) as of the day before the date on which the

individual attained 21 years of age, and who did not file such a

petition before such day, shall be treated as having filed a petition

under such subparagraph as of such day if a petition is filed for the

status described in such subparagraph before the individual attains 25

years of age and the individual shows that the abuse was at least one

central reason for the filing delay. <<NOTE: Applicability.>> Clauses

(i) through (iv) of this subparagraph shall apply to an individual

described in this clause in the same manner as an individual filing a

petition under subparagraph (A)(iv).''.

(d) Removing a 2-Year Custody and Residency Requirement for Battered

Adopted Children.--Section 101(b)(1)(E)(i) of the Immigration and

Nationality Act (8 U.S.C. 1101(b)(1)(E)(i)) is amended by inserting

before the colon the following: ``or if the

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child has been battered or subject to extreme cruelty by the adopting

parent or by a family member of the adopting parent residing in the same

household''.

Subtitle B--VAWA Self-Petitioners

SEC. 811. DEFINITION OF VAWA SELF-PETITIONER.

Section 101(a) of the Immigration and Nationality Act (8 U.S.C.

1101(a)) is amended by adding at the end the following:

``(51) The term `VAWA self-petitioner' means an alien, or a

child of the alien, who qualifies for relief under--

``(A) clause (iii), (iv), or (vii) of section

204(a)(1)(A);

``(B) clause (ii) or (iii) of section 204(a)(1)(B);

``(C) section 216(c)(4)(C);

``(D) the first section of Public Law 89-732 (8

U.S.C. 1255 note) (commonly known as the Cuban

Adjustment Act) as a child or spouse who has been

battered or subjected to extreme cruelty;

``(E) section 902(d)(1)(B) of the Haitian Refugee

Immigration Fairness Act of 1998 (8 U.S.C. 1255 note);

``(F) section 202(d)(1) of the Nicaraguan Adjustment

and Central American Relief Act; or

``(G) section 309 of the Illegal Immigration Reform

and Immigrant Responsibility Act of 1996 (division C of

Public Law 104-208).''.

SEC. 812. APPLICATION IN CASE OF VOLUNTARY DEPARTURE.

Section 240B(d) of the Immigration and Nationality Act (8 U.S.C.

1229c(d)) is amended to read as follows:

``(d) Civil Penalty for Failure To Depart.--

``(1) In general.--Subject to paragraph (2), if an alien is

permitted to depart voluntarily under this section and

voluntarily fails to depart the United States within the time

period specified, the alien--

``(A) shall be subject to a civil penalty of not

less than $1,000 and not more than $5,000; and

``(B) shall be ineligible, for a period of 10 years,

to receive any further relief under this section and

sections 240A, 245, 248, and 249.

``(2) Application of vawa protections.--The restrictions on

relief under paragraph (1) shall not apply to relief under

section 240A or 245 on the basis of a petition filed by a VAWA

self-petitioner, or a petition filed under section 240A(b)(2),

or under section 244(a)(3) (as in effect prior to March 31,

1997), if the extreme cruelty or battery was at least one

central reason for the alien's overstaying the grant of

voluntary departure.

``(3) Notice of penalties.--The order permitting an alien to

depart voluntarily shall inform the alien of the penalties under

this subsection.''.

SEC. 813. REMOVAL PROCEEDINGS.

(a) Exceptional Circumstances.--

(1) In general.--Section 240(e)(1) of the Immigration and

Nationality Act (8 U.S.C. 1229a(e)(1)) is amended by striking

``serious illness of the alien'' and inserting ``battery or

extreme

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cruelty to the alien or any child or parent of the alien,

serious illness of the alien,''.

(2) <<NOTE: 8 USC 1229a note.>> Effective date.--The

amendment made by paragraph (1) shall apply to a failure to

appear that occurs before, on, or after the date of the

enactment of this Act.

(b) <<NOTE: 8 USC 1229b note.>> Discretion to Consent to an Alien's

Reapplication for Admission.--

(1) In general.--The Secretary of Homeland Security, the

Attorney General, and the Secretary of State shall continue to

have discretion to consent to an alien's reapplication for

admission after a previous order of removal, deportation, or

exclusion.

(2) Sense of congress.--It is the sense of Congress that the

officials described in paragraph (1) should particularly

consider exercising this authority in cases under the Violence

Against Women Act of 1994, cases involving nonimmigrants

described in subparagraph (T) or (U) of section 101(a)(15) of

the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), and

relief under section 240A(b)(2) or 244(a)(3) of such Act (as in

effect on March 31, 1997) pursuant to regulations under section

212.2 of title 8, Code of Federal Regulations.

(c) Clarifying Application of Domestic Violence Waiver Authority in

Cancellation of Removal.--

(1) In general.--Section 240A(b) of the Immigration and

Nationality Act (8 U.S.C. 1229b(b)) is amended--

(A) in paragraph (1)(C), by striking ``(except in a

case described in section 237(a)(7) where the Attorney

General exercises discretion to grant a waiver)'' and

inserting ``, subject to paragraph (5)'';

(B) in paragraph (2)(A)(iv), by striking ``(except

in a case described in section 237(a)(7) where the

Attorney General exercises discretion to grant a

waiver)'' and inserting ``, subject to paragraph (5)'';

and

(C) by adding at the end the following:

``(5) Application of domestic violence waiver authority.--

The authority provided under section 237(a)(7) may apply under

paragraphs (1)(B), (1)(C), and (2)(A)(iv) in a cancellation of

removal and adjustment of status proceeding.''.

SEC. 814. ELIMINATING ABUSERS' CONTROL OVER APPLICATIONS AND LIMITATION

ON PETITIONING FOR ABUSERS.

(a) Application of VAWA Deportation Protections to Aliens Eligible

for Relief Under Cuban Adjustment and Haitian Refugee Immigration

Fairness Act.--Section 1506(c)(2) of the Violence Against Women Act of

2000 (8 U.S.C. 1229a note; division B of Public Law 106-386) is

amended--

(1) in subparagraph (A)--

(A) by amending clause (i) to read as follows:

``(i) if the basis of the motion is to apply

for relief under--

``(I) clause (iii) or (iv) of

section 204(a)(1)(A) of the Immigration

and Nationality Act (8 U.S.C.

1154(a)(1)(A));

``(II) clause (ii) or (iii) of

section 204(a)(1)(B) of such Act (8

U.S.C. 1154(a)(1)(B));

``(III) section 244(a)(3) of such

Act (8 U.S.C. 8 U.S.C. 1254(a)(3));

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``(IV) the first section of Public

Law 89-732 (8 U.S.C. 1255 note)

(commonly known as the Cuban Adjustment

Act) as a child or spouse who has been

battered or subjected to extreme

cruelty; or

``(V) section 902(d)(1)(B) of the

Haitian Refugee Immigration Fairness Act

of 1998 (8 U.S.C. 1255 note); and''; and

(B) in clause (ii), by inserting ``or adjustment of

status'' after ``suspension of deportation''; and

(2) in subparagraph (B)(ii), by striking ``for relief'' and

all that follows through ``1101 note))'' and inserting ``for

relief described in subparagraph (A)(i)''.

(b) Employment Authorization for VAWA Self-Petitioners.--Section

204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1))

is amended by adding at the end the following:

``(K) Upon the approval of a petition as a VAWA self-petitioner, the

alien--

``(i) is eligible for work authorization; and

``(ii) may be provided an `employment authorized'

endorsement or appropriate work permit incidental to such

approval.''.

(c) Employment Authorization for Battered Spouses of Certain

Nonimmigrants.--Title I of the Immigration and Nationality Act is

amended by adding at the end the following new section:

``SEC. 106. <<NOTE: 8 USC 1105a.>> EMPLOYMENT AUTHORIZATION FOR BATTERED

SPOUSES OF CERTAIN NONIMMIGRANTS.

``(a) In General.--In the case of an alien spouse admitted under

subparagraph (A), (E)(iii), (G), or (H) of section 101(a)(15) who is

accompanying or following to join a principal alien admitted under

subparagraph (A), (E)(iii), (G), or (H) of such section, respectively,

the Secretary of Homeland Security may authorize the alien spouse to

engage in employment in the United States and provide the spouse with an

`employment authorized' endorsement or other appropriate work permit if

the alien spouse demonstrates that during the marriage the alien spouse

or a child of the alien spouse has been battered or has been the subject

of extreme cruelty perpetrated by the spouse of the alien

spouse. <<NOTE: Applicability.>> Requests for relief under this section

shall be handled under the procedures that apply to aliens seeking

relief under section 204(a)(1)(A)(iii).

``(b) Construction.--The grant of employment authorization pursuant

to this section shall not confer upon the alien any other form of

relief.''.

(d) Clerical Amendment.--The table of contents of such Act is

amended by inserting after the item relating to section 105 the

following new item:

``Sec. 106. Employment authorization for battered spouses of certain

nonimmigrants.''.

(e) Limitation on Petitioning for Abuser.--Section 204(a)(1) of the

Immigration and Nationality Act (8 U.S.C. 1154(a)(1)) is amended by

adding at the end the following new subparagraph:

``(L) Notwithstanding the previous provisions of

this paragraph, an individual who was a VAWA petitioner

or who had the status of a nonimmigrant under

subparagraph (T) or (U) of section 101(a)(15) may not

file a petition for classification under this section or

section 214 to classify

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any person who committed the battery or extreme cruelty

or trafficking against the individual (or the

individual's child) which established the individual's

(or individual's child) eligibility as a VAWA petitioner

or for such nonimmigrant status.''.

SEC. 815. APPLICATION FOR VAWA-RELATED RELIEF.

(a) In General.--Section 202(d)(1) of the Nicaraguan Adjustment and

Central American Relief Act (8 U.S.C. 1255 note; Public Law 105-100) is

amended--

(1) in subparagraph (B)(ii), by inserting ``, or was

eligible for adjustment,'' after ``whose status is adjusted'';

and

(2) in subparagraph (E), by inserting ``, or, in the case of

an alien who qualifies under subparagraph (B)(ii), applies for

such adjustment during the 18-month period beginning on the date

of enactment of the Violence Against Women and Department of

Justice Reauthorization Act of 2005'' after ``April 1, 2000''.

(b) Technical Amendment.--Section 202(d)(3) of such Act (8 U.S.C.

1255 note; Public Law 105-100) is amended by striking ``204(a)(1)(H)''

and inserting ``204(a)(1)(J)''.

(c) <<NOTE: 8 USC 1255 note.>> Effective Date.--The amendment made

by subsection (b) shall take effect as if included in the enactment of

the Violence Against Women Act of 2000 (division B of Public Law 106-

386; 114 Stat. 1491).

SEC. 816. SELF-PETITIONING PARENTS.

Section 204(a)(1)(A) of the Immigration and Nationality Act (8

U.S.C. 1154(a)(1)(A)) is amended by adding at the end the following:

``(vii) An alien may file a petition with the Secretary of Homeland

Security under this subparagraph for classification of the alien under

section 201(b)(2)(A)(i) if the alien--

``(I) is the parent of a citizen of the United States or was

a parent of a citizen of the United States who, within the past

2 years, lost or renounced citizenship status related to an

incident of domestic violence or died;

``(II) is a person of good moral character;

``(III) is eligible to be classified as an immediate

relative under section 201(b)(2)(A)(i);

``(IV) resides, or has resided, with the citizen daughter or

son; and

``(V) demonstrates that the alien has been battered or

subject to extreme cruelty by the citizen daughter or son.''.

SEC. 817. VAWA CONFIDENTIALITY NONDISCLOSURE.

Section 384 of the Illegal Immigration Reform and Immigrant

Responsibility Act of 1996 (8 U.S.C. 1367) is amended--

(1) in subsection (a)--

(A) in the matter preceding paragraph (1), by

striking ``(including any bureau or agency of such

Department)'' and inserting ``, the Secretary of

Homeland Security, the Secretary of State, or any other

official or employee of the Department of Homeland

Security or Department of State (including any bureau or

agency of either of such Departments)''; and

(B) in paragraph (1)--

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(i) in subparagraph (D), by striking ``or'' at

the end; and

(ii) by inserting after subparagraph (E) the

following:

``(F) in the case of an alien applying for status

under section 101(a)(15)(T) of the Immigration and

Nationality Act (8 U.S.C. 1101(a)(15)(T)), under section

107(b)(1)(E)(i)(II)(bb) of the Trafficking Victims

Protection Act of 2000 (22 U.S.C. 7105), under section

244(a)(3) of the Immigration and Nationality Act (8

U.S.C. 1254a(a)(3)), as in effect prior to March 31,

1999, or as a VAWA self-petitioner (as defined in

section 101(a)(51) of the Immigration and Nationality

Act (8 U.S.C. 1101(a)(51)), the trafficker or

perpetrator,'';

(2) in subsection (b), by adding at the end the following

new paragraphs:

``(6) Subsection (a) may not be construed to prevent the

Attorney General and the Secretary of Homeland Security from

disclosing to the chairmen and ranking members of the Committee

on the Judiciary of the Senate or the Committee on the Judiciary

of the House of Representatives, for the exercise of

congressional oversight authority, information on closed cases

under this section in a manner that protects the confidentiality

of such information and that omits personally identifying

information (including locational information about

individuals).

``(7) Government entities adjudicating applications for

relief under subsection (a)(2), and government personnel

carrying out mandated duties under section 101(i)(1) of the

Immigration and Nationality Act, may, with the prior written

consent of the alien involved, communicate with nonprofit,

nongovernmental victims' service providers for the sole purpose

of assisting victims in obtaining victim services from programs

with expertise working with immigrant victims. Agencies

receiving referrals are bound by the provisions of this section.

Nothing in this paragraph shall be construed as affecting the

ability of an applicant to designate a safe organization through

whom governmental agencies may communicate with the

applicant.'';

(3) in subsection (c), by inserting ``or who knowingly makes

a false certification under section 239(e) of the Immigration

and Nationality Act'' after ``in violation of this section'';

and

(4) by adding at the end the following new subsection:

``(d) Guidance.--The Attorney General and the Secretary of Homeland

Security shall provide guidance to officers and employees of the

Department of Justice or the Department of Homeland Security who have

access to information covered by this section regarding the provisions

of this section, including the provisions to protect victims of domestic

violence from harm that could result from the inappropriate disclosure

of covered information.''.

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Subtitle C--Miscellaneous Amendments

SEC. 821. DURATION OF T AND U VISAS.

(a) T Visas.--Section 214(o) of the Immigration and Nationality Act

(8 U.S.C. 1184(o)) is amended by adding at the end the following:

``(7)(A) Except as provided in subparagraph (B), an alien who is

issued a visa or otherwise provided nonimmigrant status under section

101(a)(15)(T) may be granted such status for a period of not more than 4

years.

``(B) An alien who is issued a visa or otherwise provided

nonimmigrant status under section 101(a)(15)(T) may extend the period of

such status beyond the period described in subparagraph (A) if a

Federal, State, or local law enforcement official, prosecutor, judge, or

other authority investigating or prosecuting activity relating to human

trafficking or certifies that the presence of the alien in the United

States is necessary to assist in the investigation or prosecution of

such activity.''.

(b) U Visas.--Section 214(p) of the Immigration and Nationality Act

(8 U.S.C. 1184(p)) is amended by adding at the end the following:

``(6) <<NOTE: Certification.>> Duration of status.--The

authorized period of status of an alien as a nonimmigrant under

section 101(a)(15)(U) shall be for a period of not more than 4

years, but shall be extended upon certification from a Federal,

State, or local law enforcement official, prosecutor, judge, or

other Federal, State, or local authority investigating or

prosecuting criminal activity described in section

101(a)(15)(U)(iii) that the alien's presence in the United

States is required to assist in the investigation or prosecution

of such criminal activity.''.

(c) Permitting Change of Nonimmigrant Status to T and U Nonimmigrant

Status.--

(1) In general.--Section 248 of the Immigration and

Nationality Act (8 U.S.C. 1258) is amended--

(A) by striking ``The Attorney General'' and

inserting ``(a) The Secretary of Homeland Security'';

(B) by inserting ``(subject to subsection (b))''

after ``except''; and

(C) by adding at the end the following:

``(b) The exceptions specified in paragraphs (1) through (4) of

subsection (a) shall not apply to a change of nonimmigrant

classification to that of a nonimmigrant under subparagraph (T) or (U)

of section 101(a)(15).''.

(2) Conforming amendment.--Section 214(l)(2)(A) of the

Immigration and Nationality Act (8 U.S.C. 1184(l)(2)(A)) is

amended by striking ``248(2)'' and inserting ``248(a)(2)''.

SEC. 822. TECHNICAL CORRECTION TO REFERENCES IN APPLICATION OF SPECIAL

PHYSICAL PRESENCE AND GOOD MORAL CHARACTER RULES.

(a) Physical Presence Rules.--Section 240A(b)(2)(B) of the

Immigration and Nationality Act (8 U.S.C. 1229b(b)(2)(B)) is amended--

(1) in the first sentence, by striking ``(A)(i)(II)'' and

inserting ``(A)(ii)''; and

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(2) in the fourth sentence, by striking ``subsection

(b)(2)(B) of this section'' and inserting ``this subparagraph,

subparagraph (A)(ii),''.

(b) Moral Character Rules.--Section 240A(b)(2)(C) of the Immigration

and Nationality Act (8 U.S.C. 1229b(b)(2)(C)) is amended by striking

``(A)(i)(III)'' and inserting ``(A)(iii)''.

(c) Correction of Cross-Reference Error in Applying Good Moral

Character.--

(1) In general.--Section 101(f)(3) of the Immigration and

Nationality Act (8 U.S.C. 1101(f)(3)) is amended by striking

``(9)(A)'' and inserting ``(10)(A)''.

(2) <<NOTE: 8 USC 1101 note.>> Effective date.--The

amendment made by paragraph (1) shall be effective as if

included in section 603(a)(1) of the Immigration Act of 1990

(Public Law 101-649; 104 Stat. 5082).

SEC. 823. PETITIONING RIGHTS OF CERTAIN FORMER SPOUSES UNDER CUBAN

ADJUSTMENT.

(a) In General.--The first section of Public Law 89-732 (8 U.S.C.

1255 note) (commonly known as the Cuban Adjustment Act) is amended--

(1) in the last sentence, by striking ``204(a)(1)(H)'' and

inserting ``204(a)(1)(J)''; and

(2) by adding at the end the following: ``An alien who was

the spouse of any Cuban alien described in this section and has

resided with such spouse shall continue to be treated as such a

spouse for 2 years after the date on which the Cuban alien dies

(or, if later, 2 years after the date of enactment of Violence

Against Women and Department of Justice Reauthorization Act of

2005), or for 2 years after the date of termination of the

marriage (or, if later, 2 years after the date of enactment of

Violence Against Women and Department of Justice Reauthorization

Act of 2005) if there is demonstrated a connection between the

termination of the marriage and the battering or extreme cruelty

by the Cuban alien.''.

(b) <<NOTE: 8 USC 1255 note.>> Effective Date.--The amendment made

by subsection (a)(1) shall take effect as if included in the enactment

of the Violence Against Women Act of 2000 (division B of Public Law 106-

386; 114 Stat. 1491).

SEC. 824. SELF-PETITIONING RIGHTS OF HRIFA APPLICANTS.

(a) In General.--Section 902(d)(1)(B) of the Haitian Refugee

Immigration Fairness Act of 1998 (8 U.S.C. 1255 note) is amended--

(1) in clause (i), by striking ``whose status is adjusted to

that of an alien lawfully admitted for permanent residence'' and

inserting ``who is or was eligible for classification'';

(2) in clause (ii), by striking ``whose status is adjusted

to that of an alien lawfully admitted for permanent residence''

and inserting ``who is or was eligible for classification''; and

(3) in clause (iii), by striking ``204(a)(1)(H)'' and

inserting ``204(a)(1)(J)''.

(b) <<NOTE: 8 USC 1255 note.>> Effective Date.--The amendment made

by subsection (a)(3) shall take effect as if included in the enactment

of the Violence Against Women Act of 2000 (division B of Public Law 106-

386; 114 Stat. 1491).

SEC. 825. MOTIONS TO REOPEN.

(a) Removal Proceedings.--Section 240(c)(7) of the Immigration and

Nationality Act (8 U.S.C. 1229a(c)(7)), as redesignated

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by section 101(d)(1) of the REAL ID Act of 2005 (division B of Public

Law 109-13), is amended--

(1) in subparagraph (A), by inserting ``, except that this

limitation shall not apply so as to prevent the filing of one

motion to reopen described in subparagraph (C)(iv)'' before the

period at the end; and

(2) in subparagraph (C)--

(A) in the heading of clause (iv), by striking

``Spouses and children'' and inserting ``Spouses,

children, and parents'';

(B) in the matter before subclause (I) of clause

(iv), by striking ``The deadline specified in subsection

(b)(5)(C) for filing a motion to reopen does not apply''

and inserting ``Any limitation under this section on the

deadlines for filing such motions shall not apply'';

(C) in clause (iv)(I), by striking ``or section

240A(b)'' and inserting ``, section 240A(b), or section

244(a)(3) (as in effect on March 31, 1997)'';

(D) by striking ``and'' at the end of clause

(iv)(II);

(E) by striking the period at the end of clause

(iv)(III) and inserting ``; and''; and

(F) by adding at the end the following:

``(IV) if the alien is physically

present in the United States at the time

of filing the motion.

The filing of a motion to reopen under this clause shall

only stay the removal of a qualified alien (as defined

in section 431(c)(1)(B) of the Personal Responsibility

and Work Opportunity Reconciliation Act of 1996 (8

U.S.C. 1641(c)(1)(B)) pending the final disposition of

the motion, including exhaustion of all appeals if the

motion establishes that the alien is a qualified

alien.''.

(b) Deportation and Exclusion Proceedings.--Section 1506(c)(2) of

the Violence Against Women Act of 2000 (8 U.S.C. 1229a note) is

amended--

(1) by striking subparagraph (A) and inserting the

following:

``(A)(i) In general.--Notwithstanding any limitation

imposed by law on motions to reopen or rescind

deportation proceedings under the Immigration and

Nationality Act (as in effect before the title III-A

effective date in section 309 of the Illegal Immigration

Reform and Immigrant Responsibility Act of 1996 (8

U.S.C. 1101 note))--

``(I) there is no time limit on the filing of

a motion to reopen such proceedings, and the

deadline specified in section 242B(c)(3) of the

Immigration and Nationality Act (as so in effect)

(8 U.S.C. 1252b(c)(3)) does not apply--

``(aa) if the basis of the motion is

to apply for relief under clause (iii)

or (iv) of section 204(a)(1)(A) of the

Immigration and Nationality Act (8

U.S.C. 1154(a)(1)(A)), clause (ii) or

(iii) of section 204(a)(1)(B) of such

Act (8 U.S.C. 1154(a)(1)(B)), or section

244(a)(3) of such Act (as so in effect)

(8 U.S.C. 1254(a)(3)); and

``(bb) if the motion is accompanied

by a suspension of deportation

application to be filed with the

Secretary of Homeland Security or by a

copy

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of the self-petition that will be filed

with the Department of Homeland Security

upon the granting of the motion to

reopen; and

``(II) any such limitation shall not apply so

as to prevent the filing of one motion to reopen

described in section 240(c)(7)(C)(iv) of the

Immigration and Nationality Act (8 U.S.C.

1229a(c)(7)).

``(ii) Prima facie case.--The filing of a motion to

reopen under this subparagraph shall only stay the

removal of a qualified alien (as defined in section

431(c)(1)(B) of the Personal Responsibility and Work

Opportunity Reconciliation Act of 1996 (8 U.S.C.

1641(c)(1)(B)) pending the final disposition of the

motion, including exhaustion of all appeals if the

motion establishes that the alien is a qualified

alien.'';

(2) in subparagraph (B), in the matter preceding clause (i),

by inserting ``who are physically present in the United States

and'' after ``filed by aliens''; and

(3) in subparagraph (B)(i), by inserting ``or exclusion''

after ``deportation''.

(c) Certification of Compliance in Removal Proceedings.--

(1) In general.--Section 239 of the Immigration and

Nationality Act (8 U.S.C. 1229) is amended by adding at the end

the following new subsection:

``(e) Certification of Compliance With Restrictions on Disclosure.--

``(1) In general.--In cases where an enforcement action

leading to a removal proceeding was taken against an alien at

any of the locations specified in paragraph (2), the Notice to

Appear shall include a statement that the provisions of section

384 of the Illegal Immigration Reform and Immigrant

Responsibility Act of 1996 (8 U.S.C. 1367) have been complied

with.

``(2) Locations.--The locations specified in this paragraph

are as follows:

``(A) At a domestic violence shelter, a rape crisis

center, supervised visitation center, family justice

center, a victim services, or victim services provider,

or a community-based organization.

``(B) At a courthouse (or in connection with that

appearance of the alien at a courthouse) if the alien is

appearing in connection with a protection order case,

child custody case, or other civil or criminal case

relating to domestic violence, sexual assault,

trafficking, or stalking in which the alien has been

battered or subject to extreme cruelty or if the alien

is described in subparagraph (T) or (V) of section

101(a)(15).''.

(2) <<NOTE: 8 USC 1229 note.>> Effective date.--The

amendment made by paragraph (1) shall take effect on the date

that is 30 days after the date of the enactment of this Act and

shall apply to apprehensions occurring on or after such date.

SEC. 826. PROTECTING ABUSED JUVENILES.

Section 287 of the Immigration and Nationality Act (8 U.S.C. 1357),

as amended by section 726, is further amended by adding at the end the

following new clause:

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``(i) An alien described in section 101(a)(27)(J) of the Immigration

and Nationality Act who has been battered, abused, neglected, or

abandoned, shall not be compelled to contact the alleged abuser (or

family member of the alleged abuser) at any stage of applying for

special immigrant juvenile status, including after a request for the

consent of the Secretary of Homeland Security under section

101(a)(27)(J)(iii)(I) of such Act.''.

SEC. 827. <<NOTE: 49 USC 30301 note.>> PROTECTION OF DOMESTIC VIOLENCE

AND CRIME VICTIMS FROM CERTAIN DISCLOSURES OF INFORMATION.

In developing regulations or guidance with regard to identification

documents, including driver's licenses, the Secretary of Homeland

Security, in consultation with the Administrator of Social Security,

shall consider and address the needs of victims, including victims of

battery, extreme cruelty, domestic violence, dating violence, sexual

assault, stalking or trafficking, who are entitled to enroll in State

address confidentiality programs, whose addresses are entitled to be

suppressed under State or Federal law or suppressed by a court order, or

who are protected from disclosure of information pursuant to section 384

of the Illegal Immigration Reform and Immigrant Responsibility Act of

1996 (8 U.S.C. 1367).

SEC. 828. <<NOTE: Deadline. 8 USC 1101 note.>> RULEMAKING.

Not later than 180 days after the date of enactment of this Act, the

Attorney General, the Secretary of Homeland Security, and the Secretary

of State shall promulgate regulations to implement the provisions

contained in the Battered Immigrant Women Protection Act of 2000 (title

V of Public Law 106-386), this Act, and the amendments made by this Act.

Subtitle D-- <<NOTE: International Marriage Broker Regulation Act of

2005.>> International Marriage Broker Regulation

SEC. 831. <<NOTE: 8 USC 1101 note.>> SHORT TITLE.

This subtitle may be cited as the ``International Marriage Broker

Regulation Act of 2005''.

SEC. 832. ACCESS TO VAWA PROTECTION REGARDLESS OF MANNER OF ENTRY.

(a) Information on Certain Convictions and Limitation on Petitions

for K Nonimmigrant Petitioners.--

(1) 214(d) amendment.--Section 214(d) of the Immigration and

Nationality Act (8 U.S.C. 1184(d)) is amended--

(A) by striking ``(d)'' and inserting ``(d)(1)'';

(B) by inserting after the second sentence ``Such

information shall include information on any criminal

convictions of the petitioner for any specified

crime.'';

(C) by striking ``Attorney General'' and inserting

``Secretary of Homeland Security'' each place it

appears; and

(D) by adding at the end the following:

``(2)(A) Subject to subparagraphs (B) and (C), a consular officer

may not approve a petition under paragraph (1) unless the officer has

verified that--

``(i) the petitioner has not, previous to the pending

petition, petitioned under paragraph (1) with respect to two or

more applying aliens; and

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``(ii) if the petitioner has had such a petition previously

approved, 2 years have elapsed since the filing of such

previously approved petition.

``(B) The Secretary of Homeland Security may, in the Secretary's

discretion, waive the limitations in subparagraph (A) if justification

exists for such a waiver. Except in extraordinary circumstances and

subject to subparagraph (C), such a waiver shall not be granted if the

petitioner has a record of violent criminal offenses against a person or

persons.

``(C)(i) The Secretary of Homeland Security is not limited by the

criminal court record and shall grant a waiver of the condition

described in the second sentence of subparagraph (B) in the case of a

petitioner described in clause (ii).

``(ii) A petitioner described in this clause is a petitioner who has

been battered or subjected to extreme cruelty and who is or was not the

primary perpetrator of violence in the relationship upon a determination

that--

``(I) the petitioner was acting in self-defense;

``(II) the petitioner was found to have violated a

protection order intended to protect the petitioner; or

``(III) the petitioner committed, was arrested for, was

convicted of, or pled guilty to committing a crime that did not

result in serious bodily injury and where there was a connection

between the crime and the petitioner's having been battered or

subjected to extreme cruelty.

``(iii) In acting on applications under this subparagraph, the

Secretary of Homeland Security shall consider any credible evidence

relevant to the application. The determination of what evidence is

credible and the weight to be given that evidence shall be within the

sole discretion of the Secretary.

``(3) In this subsection:

``(A) The terms `domestic violence', `sexual assault',

`child abuse and neglect', `dating violence', `elder abuse', and

`stalking' have the meaning given such terms in section 3 of the

Violence Against Women and Department of Justice Reauthorization

Act of 2005.

``(B) The term `specified crime' means the following:

``(i) Domestic violence, sexual assault, child abuse

and neglect, dating violence, elder abuse, and stalking.

``(ii) Homicide, murder, manslaughter, rape, abusive

sexual contact, sexual exploitation, incest, torture,

trafficking, peonage, holding hostage, involuntary

servitude, slave trade, kidnapping, abduction, unlawful

criminal restraint, false imprisonment, or an attempt to

commit any of the crimes described in this clause.

``(iii) At least three convictions for crimes

relating to a controlled substance or alcohol not

arising from a single act.''.

(2) 214(r) amendment.--Section 214(r) of such Act (8 U.S.C.

1184(r)) is amended--

(A) in paragraph (1), by inserting after the second

sentence ``Such information shall include information on

any criminal convictions of the petitioner for any

specified crime.''; and

(B) by adding at the end the following:

``(4)(A) <<NOTE: Records.>> The Secretary of Homeland Security shall

create a database for the purpose of tracking multiple visa petitions

filed for

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fiance(e)s and spouses under clauses (i) and (ii) of section

101(a)(15)(K). <<NOTE: Notification.>> Upon approval of a second visa

petition under section 101(a)(15)(K) for a fiance(e) or spouse filed by

the same United States citizen petitioner, the petitioner shall be

notified by the Secretary that information concerning the petitioner has

been entered into the multiple visa petition tracking database. All

subsequent fiance(e) or spouse nonimmigrant visa petitions filed by that

petitioner under such section shall be entered in the database.

``(B)(i) <<NOTE: Notification.>> Once a petitioner has had two

fiance(e) or spousal petitions approved under clause (i) or (ii) of

section 101(a)(15)(K), if a subsequent petition is filed under such

section less than 10 years after the date the first visa petition was

filed under such section, the Secretary of Homeland Security shall

notify both the petitioner and beneficiary of any such subsequent

petition about the number of previously approved fiance(e) or spousal

petitions listed in the database.

``(ii) A copy of the information and resources pamphlet on domestic

violence developed under section 833(a) of the International Marriage

Broker Regulation Act of 2005 shall be mailed to the beneficiary along

with the notification required in clause (i).

``(5) In this subsection:

``(A) The terms `domestic violence', `sexual assault',

`child abuse and neglect', `dating violence', `elder abuse', and

`stalking' have the meaning given such terms in section 3 of the

Violence Against Women and Department of Justice Reauthorization

Act of 2005.

``(B) The term `specified crime' means the following:

``(i) Domestic violence, sexual assault, child abuse

and neglect, dating violence, elder abuse, and stalking.

``(ii) Homicide, murder, manslaughter, rape, abusive

sexual contact, sexual exploitation, incest, torture,

trafficking, peonage, holding hostage, involuntary

servitude, slave trade, kidnapping, abduction, unlawful

criminal restraint, false imprisonment, or an attempt to

commit any of the crimes described in this clause.

``(iii) At least three convictions for crimes

relating to a controlled substance or alcohol not

arising from a single act.''.

(3) <<NOTE: 8 USC 1184 note.>> Effective date.--The

amendments made by this subsection shall take effect on the date

that is 60 days after the date of the enactment of this Act.

(b) <<NOTE: 8 USC 1184 note.>> Limitation on Use of Certain

Information.--The fact that an alien described in clause (i) or (ii) of

section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C.

1101(a)(15)(K)) is aware of any information disclosed under the

amendments made by this section or under section 833 shall not be used

to deny the alien eligibility for relief under any other provision of

law.

SEC. 833. <<NOTE: 8 USC 1375a.>> DOMESTIC VIOLENCE INFORMATION AND

RESOURCES FOR IMMIGRANTS AND REGULATION OF INTERNATIONAL

MARRIAGE BROKERS.

(a) Information for K Nonimmigrants on Legal Rights and Resources

for Immigrant Victims of Domestic Violence.--

(1) In general.--The Secretary of Homeland Security, in

consultation with the Attorney General and the Secretary of

State, shall develop an information pamphlet, as described

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in paragraph (2), on legal rights and resources for immigrant

victims of domestic violence and distribute and make such

pamphlet available as described in paragraph (5). In preparing

such materials, the Secretary of Homeland Security shall consult

with nongovernmental organizations with expertise on the legal

rights of immigrant victims of battery, extreme cruelty, sexual

assault, and other crimes.

(2) Information pamphlet.--The information pamphlet

developed under paragraph (1) shall include information on the

following:

(A) The K nonimmigrant visa application process and

the marriage-based immigration process, including

conditional residence and adjustment of status.

(B) The illegality of domestic violence, sexual

assault, and child abuse in the United States and the

dynamics of domestic violence.

(C) Domestic violence and sexual assault services in

the United States, including the National Domestic

Violence Hotline and the National Sexual Assault

Hotline.

(D) The legal rights of immigrant victims of abuse

and other crimes in immigration, criminal justice,

family law, and other matters, including access to

protection orders.

(E) The obligations of parents to provide child

support for children.

(F) Marriage fraud under United States immigration

laws and the penalties for committing such fraud.

(G) A warning concerning the potential use of K

nonimmigrant visas by United States citizens who have a

history of committing domestic violence, sexual assault,

child abuse, or other crimes and an explanation that

such acts may not have resulted in a criminal record for

such a citizen.

(H) Notification of the requirement under subsection

(d)(3)(A) that international marriage brokers provide

foreign national clients with background information

gathered on United States clients from searches of

Federal and State sex offender public registries and

collected from United States clients regarding their

marital history and domestic violence or other violent

criminal history, but that such information may not be

complete or accurate because the United States client

may not have a criminal record or may not have

truthfully reported their marital or criminal record.

(3) Summaries.--The Secretary of Homeland Security, in

consultation with the Attorney General and the Secretary of

State, shall develop summaries of the pamphlet developed under

paragraph (1) that shall be used by Federal officials when

reviewing the pamphlet in interviews under subsection (b).

(4) Translation.--

(A) In general.--In order to best serve the language

groups having the greatest concentration of K

nonimmigrant visa applicants, the information pamphlet

developed under paragraph (1) shall, subject to

subparagraph (B), be translated by the Secretary of

State into foreign

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languages, including Russian, Spanish, Tagalog,

Vietnamese, Chinese, Ukrainian, Thai, Korean, Polish,

Japanese, French, Arabic, Portuguese, Hindi, and such

other languages as the Secretary of State, in the

Secretary's discretion, may specify.

(B) Revision.--Every 2 years, the Secretary of

Homeland Security, in consultation with the Attorney

General and the Secretary of State, shall determine at

least 14 specific languages into which the information

pamphlet is translated based on the languages spoken by

the greatest concentrations of K nonimmigrant visa

applicants.

(5) Availability and distribution.--The information pamphlet

developed under paragraph (1) shall be made available and

distributed as follows:

(A) Mailings to k nonimmigrant visa applicants.--

(i) The pamphlet shall be mailed by the

Secretary of State to each applicant for a K

nonimmigrant visa at the same time that the

instruction packet regarding the visa application

process is mailed to such applicant. The pamphlet

so mailed shall be in the primary language of the

applicant or in English if no translation into the

applicant's primary language is available.

(ii) <<NOTE: Records.>> The Secretary of

Homeland Security shall provide to the Secretary

of State, for inclusion in the mailing under

clause (i), a copy of the petition submitted by

the petitioner for such applicant under subsection

(d) or (r) of section 214 of such Act (8 U.S.C.

1184).

(iii) <<NOTE: Records.>> The Secretary of

Homeland Security shall provide to the Secretary

of State any criminal background information the

Secretary of Homeland Security possesses with

respect to a petitioner under subsection (d) or

(r) of section 214 of such Act (8 U.S.C. 1184).

The Secretary of State, in turn, shall share any

such criminal background information that is in

government records or databases with the K

nonimmigrant visa applicant who is the beneficiary

of the petition. The visa applicant shall be

informed that such criminal background information

is based on available records and may not be

complete. The Secretary of State also shall

provide for the disclosure of such criminal

background information to the visa applicant at

the consular interview in the primary language of

the visa applicant. Nothing in this clause shall

be construed to authorize the Secretary of

Homeland Security to conduct any new or additional

criminal background check that is not otherwise

conducted in the course of adjudicating such

petitions.

(B) <<NOTE: Public information.>> Consular access.--

The pamphlet developed under paragraph (1) shall be made

available to the public at all consular posts. The

summaries described in paragraph (3) shall be made

available to foreign service officers at all consular

posts.

(C) Posting on federal websites.--The pamphlet

developed under paragraph (1) shall be posted on the

websites of the Department of State and the Department

of Homeland Security, as well as on the websites of all

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consular posts processing applications for K

nonimmigrant visas.

(D) International marriage brokers and victim

advocacy organizations.--The pamphlet developed under

paragraph (1) shall be made available to any

international marriage broker, government agency, or

nongovernmental advocacy organization.

(6) Deadline for pamphlet development and distribution.--The

pamphlet developed under paragraph (1) shall be distributed and

made available (including in the languages specified under

paragraph (4)) not later than 120 days after the date of the

enactment of this Act.

(b) Visa and Adjustment Interviews.--

(1) Fiance(e)s, spouses and their derivatives.--During an

interview with an applicant for a K nonimmigrant visa, a

consular officers shall--

(A) provide information, in the primary language of

the visa applicant, on protection orders or criminal

convictions collected under subsection (a)(5)(A)(iii);

(B) provide a copy of the pamphlet developed under

subsection (a)(1) in English or another appropriate

language and provide an oral summary, in the primary

language of the visa applicant, of that pamphlet; and

(C) ask the applicant, in the primary language of

the applicant, whether an international marriage broker

has facilitated the relationship between the applicant

and the United States petitioner, and, if so, obtain the

identity of the international marriage broker from the

applicant and confirm that the international marriage

broker provided to the applicant the information and

materials required under subsection (d)(3)(A)(iii).

(2) Family-based applicants.--The pamphlet developed under

subsection (a)(1) shall be distributed directly to applicants

for family-based immigration petitions at all consular and

adjustment interviews for such visas. The Department of State or

Department of Homeland Security officer conducting the interview

shall review the summary of the pamphlet with the applicant

orally in the applicant's primary language, in addition to

distributing the pamphlet to the applicant in English or another

appropriate language.

(c) Confidentiality.--In fulfilling the requirements of this

section, no official of the Department of State or the Department of

Homeland Security shall disclose to a nonimmigrant visa applicant the

name or contact information of any person who was granted a protection

order or restraining order against the petitioner or who was a victim of

a crime of violence perpetrated by the petitioner, but shall disclose

the relationship of the person to the petitioner.

(d) Regulation of International Marriage Brokers.--

(1) Prohibition on marketing children.--An international

marriage broker shall not provide any individual or entity with

the personal contact information, photograph, or general

information about the background or interests of any individual

under the age of 18.

(2) Requirements of international marriage brokers with

respect to mandatory collection of background information.--

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(A) In general.--

(i) Search of sex offender public

registries.--Each international marriage broker

shall search the National Sex Offender Public

Registry or State sex offender public registry, as

required under paragraph (3)(A)(i).

(ii) Collection of background information.--

Each international marriage broker shall also

collect the background information listed in

subparagraph (B) about the United States client to

whom the personal contact information of a foreign

national client would be provided.

(B) <<NOTE: Certification.>> Background

information.--The international marriage broker shall

collect a certification signed (in written, electronic,

or other form) by the United States client accompanied

by documentation or an attestation of the following

background information about the United States client:

(i) Any temporary or permanent civil

protection order or restraining order issued

against the United States client.

(ii) Any Federal, State, or local arrest or

conviction of the United States client for

homicide, murder, manslaughter, assault, battery,

domestic violence, rape, sexual assault, abusive

sexual contact, sexual exploitation, incest, child

abuse or neglect, torture, trafficking, peonage,

holding hostage, involuntary servitude, slave

trade, kidnapping, abduction, unlawful criminal

restraint, false imprisonment, or stalking.

(iii) Any Federal, State, or local arrest or

conviction of the United States client for--

(I) solely, principally, or

incidentally engaging in prostitution;

(II) a direct or indirect attempt to

procure prostitutes or persons for the

purpose of prostitution; or

(III) receiving, in whole or in

part, of the proceeds of prostitution.

(iv) Any Federal, State, or local arrest or

conviction of the United States client for

offenses related to controlled substances or

alcohol.

(v) Marital history of the United States

client, including whether the client is currently

married, whether the client has previously been

married and how many times, how previous marriages

of the client were terminated and the date of

termination, and whether the client has previously

sponsored an alien to whom the client was engaged

or married.

(vi) The ages of any of the United States

client's children who are under the age of 18.

(vii) All States and countries in which the

United States client has resided since the client

was 18 years of age.

(3) Obligation of international marriage brokers with

respect to informed consent.--

(A) Limitation on sharing information about foreign

national clients.--An international marriage broker

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shall not provide any United States client or

representative with the personal contact information of

any foreign national client unless and until the

international marriage broker has--

(i) performed a search of the National Sex

Offender Public Registry, or of the relevant State

sex offender public registry for any State not yet

participating in the National Sex Offender Public

Registry in which the United States client has

resided during the previous 20 years, for

information regarding the United States client;

(ii) collected background information about

the United States client required under paragraph

(2);

(iii) provided to the foreign national

client--

(I) in the foreign national client's

primary language, a copy of any records

retrieved from the search required under

paragraph (2)(A)(i) or documentation

confirming that such search retrieved no

records;

(II) in the foreign national

client's primary language, a copy of the

background information collected by the

international marriage broker under

paragraph (2)(B); and

(III) in the foreign national

client's primary language (or in English

or other appropriate language if there

is no translation available into the

client's primary language), the pamphlet

developed under subsection (a)(1); and

(iv) received from the foreign national client

a signed, written consent, in the foreign national

client's primary language, to release the foreign

national client's personal contact information to

the specific United States client.

(B) Confidentiality.--In fulfilling the requirements

of this paragraph, an international marriage broker

shall disclose the relationship of the United States

client to individuals who were issued a protection order

or restraining order as described in clause (i) of

paragraph (2)(B), or of any other victims of crimes as

described in clauses (ii) through (iv) of such

paragraph, but shall not disclose the name or location

information of such individuals.

(C) Penalty for misuse of information.--A person who

knowingly discloses, uses, or causes to be used any

information obtained by an international marriage broker

as a result of the obligations imposed on it under

paragraph (2) and this paragraph for any purpose other

than the disclosures required under this paragraph shall

be fined in accordance with title 18, United States

Code, or imprisoned not more than 1 year, or both. These

penalties are in addition to any other civil or criminal

liability under Federal or State law which a person may

be subject to for the misuse of that information,

including to threaten, intimidate, or harass any

individual. Nothing in this section shall prevent the

disclosure of such information to law enforcement or

pursuant to a court order.

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(4) Limitation on disclosure.--An international marriage

broker shall not provide the personal contact information of any

foreign national client to any person or entity other than a

United States client. Such information shall not be disclosed to

potential United States clients or individuals who are being

recruited to be United States clients or representatives.

(5) Penalties.--

(A) Federal civil penalty.--

(i) Violation.--An international marriage

broker that violates (or attempts to violate)

paragraph (1), (2), (3), or (4) is subject to a

civil penalty of not less than $5,000 and not more

than $25,000 for each such violation.

(ii) Procedures for imposition of penalty.--A

penalty may be imposed under clause (i) by the

Attorney General only after notice and an

opportunity for an agency hearing on the record in

accordance with subchapter II of chapter 5 of

title 5, United States Code (popularly known as

the Administrative Procedure Act).

(B) Federal criminal penalty.--In circumstances in

or affecting interstate or foreign commerce, an

international marriage broker that, within the special

maritime and territorial jurisdiction of the United

States, violates (or attempts to violate) paragraph (1),

(2), (3), or (4) shall be fined in accordance with title

18, United States Code, or imprisoned for not more than

5 years, or both.

(C) Additional remedies.--The penalties and remedies

under this subsection are in addition to any other

penalties or remedies available under law.

(6) Nonpreemption.--Nothing in this subsection shall

preempt--

(A) any State law that provides additional

protections for aliens who are utilizing the services of

an international marriage broker; or

(B) any other or further right or remedy available

under law to any party utilizing the services of an

international marriage broker.

(7) Effective date.--

(A) In general.--Except as provided in subparagraph

(B), this subsection shall take effect on the date that

is 60 days after the date of the enactment of this Act.

(B) Additional time allowed for information

pamphlet.--The requirement for the distribution of the

pamphlet developed under subsection (a)(1) shall not

apply until 30 days after the date of its development

and initial distribution under subsection (a)(6).

(e) Definitions.--In this section:

(1) Crime of violence.--The term ``crime of violence'' has

the meaning given such term in section 16 of title 18, United

States Code.

(2) Domestic violence.--The term ``domestic violence'' has

the meaning given such term in section 3 of this Act.

(3) Foreign national client.--The term ``foreign national

client'' means a person who is not a United States citizen or

national or an alien lawfully admitted to the United States for

permanent residence and who utilizes the services of an

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international marriage broker. Such term includes an alien

residing in the United States who is in the United States as a

result of utilizing the services of an international marriage

broker and any alien recruited by an international marriage

broker or representative of such broker.

(4) International marriage broker.--

(A) In general.--The term ``international marriage

broker'' means a corporation, partnership, business,

individual, or other legal entity, whether or not

organized under any law of the United States, that

charges fees for providing dating, matrimonial,

matchmaking services, or social referrals between United

States citizens or nationals or aliens lawfully admitted

to the United States as permanent residents and foreign

national clients by providing personal contact

information or otherwise facilitating communication

between individuals.

(B) Exceptions.--Such term does not include--

(i) a traditional matchmaking organization of

a cultural or religious nature that operates on a

nonprofit basis and otherwise operates in

compliance with the laws of the countries in which

it operates, including the laws of the United

States; or

(ii) an entity that provides dating services

if its principal business is not to provide

international dating services between United

States citizens or United States residents and

foreign nationals and it charges comparable rates

and offers comparable services to all individuals

it serves regardless of the individual's gender or

country of citizenship.

(5) K nonimmigrant visa.--The term ``K nonimmigrant visa''

means a nonimmigrant visa under clause (i) or (ii) of section

101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C.

1101(a)(15)(K)).

(6) Personal contact information.--

(A) In general.--The term ``personal contact

information'' means information, or a forum to obtain

such information, that would permit individuals to

contact each other, including--

(i) the name or residential, postal,

electronic mail, or instant message address of an

individual;

(ii) the telephone, pager, cellphone, or fax

number, or voice message mailbox of an individual;

or

(iii) the provision of an opportunity for an

in-person meeting.

(B) Exception.--Such term does not include a

photograph or general information about the background

or interests of a person.

(7) Representative.--The term ``representative'' means, with

respect to an international marriage broker, the person or

entity acting on behalf of such broker. Such a representative

may be a recruiter, agent, independent contractor, or other

international marriage broker or other person conveying

information about or to a United States client or foreign

national client, whether or not the person or entity receives

remuneration.

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(8) State.--The term ``State'' includes the District of

Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa,

and the Northern Mariana Islands.

(9) United states.--The term ``United States'', when used in

a geographic sense, includes all the States.

(10) United states client.--The term ``United States

client'' means a United States citizen or other individual who

resides in the United States and who utilizes the services of an

international marriage broker, if a payment is made or a debt is

incurred to utilize such services.

(f) GAO Study and Report.--

(1) Study.--The Comptroller General of the United States

shall conduct a study--

(A) on the impact of this section and section 832 on

the K nonimmigrant visa process, including

specifically--

(i) annual numerical changes in petitions for

K nonimmigrant visas;

(ii) the annual number (and percentage) of

such petitions that are denied under subsection

(d)(2) or (r) of section 214 of the Immigration

and Nationality Act (8 U.S.C. 1184), as amended by

this Act;

(iii) the annual number of waiver applications

submitted under such a subsection, the number (and

percentage) of such applications granted or

denied, and the reasons for such decisions;

(iv) the annual number (and percentage) of

cases in which the criminal background information

collected and provided to the applicant as

required by subsection (a)(5)(A)(iii) contains one

or more convictions;

(v) the annual number and percentage of cases

described in clause (iv) that were granted or were

denied waivers under section 214(d)(2) of the

Immigration and Nationality Act, as amended by

this Act;

(vi) the annual number of fiance(e) and

spousal K nonimmigrant visa petitions or family-

based immigration petitions filed by petitioners

or applicants who have previously filed other

fiance(e) or spousal K nonimmigrant visa petitions

or family-based immigration petitions;

(vii) the annual number of fiance(e) and

spousal K nonimmigrant visa petitions or family-

based immigration petitions filed by petitioners

or applicants who have concurrently filed other

fiance(e) or spousal K nonimmigrant visa

petitioners or family-based immigration petitions;

and

(viii) the annual and cumulative number of

petitioners and applicants tracked in the multiple

filings database established under paragraph (4)

of section 214(r) of the Immigration and

Nationality Act, as added by this Act;

(B) regarding the number of international marriage

brokers doing business in the United States, the number

of marriages resulting from the services provided, and

the extent of compliance with the applicable

requirements of this section;

(C) that assesses the accuracy and completeness of

information gathered under section 832 and this section

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from clients and petitioners by international marriage

brokers, the Department of State, or the Department of

Homeland Security;

(D) that examines, based on the information

gathered, the extent to which persons with a history of

violence are using either the K nonimmigrant visa

process or the services of international marriage

brokers, or both, and the extent to which such persons

are providing accurate and complete information to the

Department of State or the Department of Homeland

Security and to international marriage brokers in

accordance with subsections (a) and (d)(2)(B); and

(E) that assesses the accuracy and completeness of

the criminal background check performed by the Secretary

of Homeland Security at identifying past instances of

domestic violence.

(2) Report.--Not later than 2 years after the date of

enactment of this Act, the Comptroller General shall submit to

the Committee on the Judiciary of the Senate and the Committee

on the Judiciary of the House of Representatives a report

setting forth the results of the study conducted under paragraph

(1).

(3) Data collection.--The Secretary of Homeland Security and

the Secretary of State shall collect and maintain the data

necessary for the Comptroller General of the United States to

conduct the study required by paragraph (1).

(g) Repeal of Mail-Order Bride Provision.--Section 652 of the

Illegal Immigration Reform and Immigrant Responsibility Act of 1996

(division C of Public Law 104-208; 8 U.S.C. 1375) is hereby repealed.

SEC. 834. <<NOTE: 8 USC 1202 note.>> SHARING OF CERTAIN INFORMATION.

Section 222(f) of the Immigration and Nationality Act (8 U.S.C.

1202(f)) shall not be construed to prevent the sharing of information

regarding a United States petitioner for a visa under clause (i) or (ii)

of section 101(a)(15)(K) of such Act (8 U.S.C. 1101(a)(15)(K)) for the

limited purposes of fulfilling disclosure obligations imposed by the

amendments made by section 832(a) or by section 833, including reporting

obligations of the Comptroller General of the United States under

section 833(f).

TITLE IX--SAFETY FOR INDIAN WOMEN

SEC. 901. <<NOTE: 42 USC 3796gg-10 note.>> FINDINGS.

Congress finds that--

(1) 1 out of every 3 Indian (including Alaska Native) women

are raped in their lifetimes;

(2) Indian women experience 7 sexual assaults per 1,000,

compared with 4 per 1,000 among Black Americans, 3 per 1,000

among Caucasians, 2 per 1,000 among Hispanic women, and 1 per

1,000 among Asian women;

(3) Indian women experience the violent crime of battering

at a rate of 23.2 per 1,000, compared with 8 per 1,000 among

Caucasian women;

(4) during the period 1979 through 1992, homicide was the

third leading cause of death of Indian females aged 15

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to 34, and 75 percent were killed by family members or

acquaintances;

(5) Indian tribes require additional criminal justice and

victim services resources to respond to violent assaults against

women; and

(6) the unique legal relationship of the United States to

Indian tribes creates a Federal trust responsibility to assist

tribal governments in safeguarding the lives of Indian women.

SEC. 902. <<NOTE: 42 USC 3796gg-10 note.>> PURPOSES.

The purposes of this title are--

(1) to decrease the incidence of violent crimes against

Indian women;

(2) to strengthen the capacity of Indian tribes to exercise

their sovereign authority to respond to violent crimes committed

against Indian women; and

(3) to ensure that perpetrators of violent crimes committed

against Indian women are held accountable for their criminal

behavior.

SEC. 903. <<NOTE: 42 USC 14045d.>> CONSULTATION.

(a) In General.--The Attorney General shall conduct annual

consultations with Indian tribal governments concerning the Federal

administration of tribal funds and programs established under this Act,

the Violence Against Women Act of 1994 (title IV of Public Law 103-322;

108 Stat. 1902) and the Violence Against Women Act of 2000 (division B

of Public Law 106-386; 114 Stat. 1491).

(b) Recommendations.--During consultations under subsection (a), the

Secretary of the Department of Health and Human Services and the

Attorney General shall solicit recommendations from Indian tribes

concerning--

(1) administering tribal funds and programs;

(2) enhancing the safety of Indian women from domestic

violence, dating violence, sexual assault, and stalking; and

(3) strengthening the Federal response to such violent

crimes.

SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) <<NOTE: 42 USC 3796gg-10 note.>> National Baseline Study.--

(1) In general.--The National Institute of Justice, in

consultation with the Office on Violence Against Women, shall

conduct a national baseline study to examine violence against

Indian women in Indian country.

(2) Scope.--

(A) In general.--The study shall examine violence

committed against Indian women, including--

(i) domestic violence;

(ii) dating violence;

(iii) sexual assault;

(iv) stalking; and

(v) murder.

(B) Evaluation.--The study shall evaluate the

effectiveness of Federal, State, tribal, and local

responses to the violations described in subparagraph

(A) committed against Indian women.

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(C) Recommendations.--The study shall propose

recommendations to improve the effectiveness of Federal,

State, tribal, and local responses to the violation

described in subparagraph (A) committed against Indian

women.

(3) <<NOTE: Establishment.>> Task force.--

(A) In general.--The Attorney General, acting

through the Director of the Office on Violence Against

Women, shall establish a task force to assist in the

development and implementation of the study under

paragraph (1) and guide implementation of the

recommendation in paragraph (2)(C).

(B) Members.--The Director shall appoint to the task

force representatives from--

(i) national tribal domestic violence and

sexual assault nonprofit organizations;

(ii) tribal governments; and

(iii) the national tribal organizations.

(4) Report.--Not later than 2 years after the date of

enactment of this Act, the Attorney General shall submit to the

Committee on Indian Affairs of the Senate, the Committee on the

Judiciary of the Senate, and the Committee on the Judiciary of

the House of Representatives a report that describes the study.

(5) Authorization of appropriations.--There is authorized to

be appropriated to carry out this section $1,000,000 for each of

fiscal years 2007 and 2008, to remain available until expended.

(b) Injury Study.--

(1) In general.--The Secretary of Health and Human Services,

acting through the Indian Health Service and the Centers for

Disease Control and Prevention, shall conduct a study to obtain

a national projection of--

(A) the incidence of injuries and homicides

resulting from domestic violence, dating violence,

sexual assault, or stalking committed against American

Indian and Alaska Native women; and

(B) the cost of providing health care for the

injuries described in subparagraph (A).

(2) Report.--Not later than 2 years after the date of

enactment of this Act, the Secretary of Health and Human

Services shall submit to the Committee on Indian Affairs of the

Senate, the Committee on the Judiciary of the Senate, and the

Committee on the Judiciary of the House of Representatives a

report that describes the findings made in the study and

recommends health care strategies for reducing the incidence and

cost of the injuries described in paragraph (1).

(3) Authorization of appropriations.--There is authorized to

be appropriated to carry out this section $500,000 for each of

fiscal years 2007 and 2008, to remain available until expended.

SEC. 905. TRACKING OF VIOLENCE AGAINST INDIAN WOMEN.

(a) Access to Federal Criminal Information Databases.--Section 534

of title 28, United States Code, is amended--

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

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``(d) Indian Law Enforcement Agencies.--The Attorney General shall

permit Indian law enforcement agencies, in cases of domestic violence,

dating violence, sexual assault, and stalking, to enter information into

Federal criminal information databases and to obtain information from

the databases.''.

(b) <<NOTE: 28 USC 534 note.>> Tribal Registry.--

(1) Establishment.--The Attorney General shall contract with

any interested Indian tribe, tribal organization, or tribal

nonprofit organization to develop and maintain--

(A) a national tribal sex offender registry; and

(B) a tribal protection order registry containing

civil and criminal orders of protection issued by Indian

tribes and participating jurisdictions.

(2) Authorization of appropriations.--There is authorized to

be appropriated to carry out this section $1,000,000 for each of

fiscal years 2007 through 2011, to remain available until

expended.

SEC. 906. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

(a) In General.--Part T of title I of the Omnibus Crime Control and

Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended by adding

at the end the following:

``SEC. 2007. <<NOTE: 42 USC 3796gg-10.>> GRANTS TO INDIAN TRIBAL

GOVERNMENTS.

``(a) Grants.--The Attorney General may make grants to Indian tribal

governments and tribal organizations to--

``(1) develop and enhance effective governmental strategies

to curtail violent crimes against and increase the safety of

Indian women consistent with tribal law and custom;

``(2) increase tribal capacity to respond to domestic

violence, dating violence, sexual assault, and stalking crimes

against Indian women;

``(3) strengthen tribal justice interventions including

tribal law enforcement, prosecution, courts, probation,

correctional facilities;

``(4) enhance services to Indian women victimized by

domestic violence, dating violence, sexual assault, and

stalking;

``(5) work in cooperation with the community to develop

education and prevention strategies directed toward issues of

domestic violence, dating violence, and stalking programs and to

address the needs of children exposed to domestic violence;

``(6) provide programs for supervised visitation and safe

visitation exchange of children in situations involving domestic

violence, sexual assault, or stalking committed by one parent

against the other with appropriate security measures, policies,

and procedures to protect the safety of victims and their

children; and

``(7) provide transitional housing for victims of domestic

violence, dating violence, sexual assault, or stalking,

including rental or utilities payments assistance and assistance

with related expenses such as security deposits and other costs

incidental to relocation to transitional housing, and support

services to enable a victim of domestic violence, dating

violence, sexual assault, or stalking to locate and secure

permanent housing and integrate into a community.

``(b) Collaboration.--All applicants under this section shall

demonstrate their proposal was developed in consultation with a

nonprofit, nongovernmental Indian victim services program,

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including sexual assault and domestic violence victim services providers

in the tribal or local community, or a nonprofit tribal domestic

violence and sexual assault coalition to the extent that they exist. In

the absence of such a demonstration, the applicant may meet the

requirement of this subsection through consultation with women in the

community to be served.

``(c) Nonexclusivity.--The Federal share of a grant made under this

section may not exceed 90 percent of the total costs of the project

described in the application submitted, except that the Attorney General

may grant a waiver of this match requirement on the basis of

demonstrated financial hardship. Funds appropriated for the activities

of any agency of an Indian tribal government or of the Bureau of Indian

Affairs performing law enforcement functions on any Indian lands may be

used to provide the non-Federal share of the cost of programs or

projects funded under this section.''.

(b) Authorization of Funds From Grants To Combat Violent Crimes

Against Women.--Section 2007(b)(1) of the Omnibus Crime Control and Safe

Streets Act of 1968 (42 U.S.C. 3796gg-1(b)(1)) is amended to read as

follows:

``(1) Ten percent shall be available for grants under the

program authorized in section 2007. The requirements of this

part shall not apply to funds allocated for such program.''.

(c) Authorization of Funds From Grants To Encourage State Policies

and Enforcement of Protection Orders Program.--Section 2101 of the

Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is

amended by striking subsection (e) and inserting the following:

``(e) Not less than 10 percent of the total amount available under

this section for each fiscal year shall be available for grants under

the program authorized in section 2007. The requirements of this part

shall not apply to funds allocated for such program.''.

(d) Authorization of Funds From Rural Domestic Violence and Child

Abuse Enforcement Assistance Grants.--Subsection 40295(c) of the

Violence Against Women Act of 1994 (42 U.S.C. 13971(c)(3)) is amended by

striking paragraph (3) and inserting the following:

``(3) Not less than 10 percent of the total amount available

under this section for each fiscal year shall be available for

grants under the program authorized in section 2007 of the

Omnibus Crime Control and Safe Streets Act of 1968. The

requirements of this paragraph shall not apply to funds

allocated for such program.''.

(e) Authorization of Funds From the Safe Havens for Children

Program.--Section 1301 of the Violence Against Women Act of 2000 (42

U.S.C. 10420) is amended by striking subsection (f) and inserting the

following:

``(f) Not less than 10 percent of the total amount available under

this section for each fiscal year shall be available for grants under

the program authorized in section 2007 of the Omnibus Crime Control and

Safe Streets Act of 1968. The requirements of this subsection shall not

apply to funds allocated for such program.''.

(f) Authorization of Funds From the Transitional Housing Assistance

Grants for Child Victims of Domestic Violence, Stalking, or Sexual

Assault Program.--Section 40299(g) of the

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Violence Against Women Act of 1994 (42 U.S.C. 13975(g)) is amended by

adding at the end the following:

``(4) Tribal program.--Not less than 10 percent of the total

amount available under this section for each fiscal year shall

be available for grants under the program authorized in section

2007 of the Omnibus Crime Control and Safe Streets Act of 1968.

The requirements of this paragraph shall not apply to funds

allocated for such program.''.

(g) Authorization of Funds From the Legal Assistance for Victims

Improvements Program.--Section 1201(f) of the Violence Against Women Act

of 2000 (42 U.S.C. 3796gg-6) is amended by adding at the end the

following:

``(4) Not less than 10 percent of the total amount available

under this section for each fiscal year shall be available for

grants under the program authorized in section 2007 of the

Omnibus Crime Control and Safe Streets Act of 1968. The

requirements of this paragraph shall not apply to funds

allocated for such program.''.

SEC. 907. TRIBAL DEPUTY IN THE OFFICE ON VIOLENCE AGAINST WOMEN.

Part T of title I of the Omnibus Crime Control and Safe Streets Act

of 1968 (42 U.S.C. 3796gg et seq.), as amended by section 906, is

amended by adding at the end the following:

``SEC. 2008. <<NOTE: 42 USC 3796gg-11.>> TRIBAL DEPUTY.

``(a) Establishment.--There is established in the Office on Violence

Against Women a Deputy Director for Tribal Affairs.

``(b) Duties.--

``(1) In general.--The Deputy Director shall under the

guidance and authority of the Director of the Office on Violence

Against Women--

``(A) <<NOTE: Grants. Contracts.>> oversee and

manage the administration of grants to and contracts

with Indian tribes, tribal courts, tribal organizations,

or tribal nonprofit organizations;

``(B) ensure that, if a grant under this Act or a

contract pursuant to such a grant is made to an

organization to perform services that benefit more than

1 Indian tribe, the approval of each Indian tribe to be

benefitted shall be a prerequisite to the making of the

grant or letting of the contract;

``(C) <<NOTE: Guidelines.>> coordinate development

of Federal policy, protocols, and guidelines on matters

relating to violence against Indian women;

``(D) advise the Director of the Office on Violence

Against Women concerning policies, legislation,

implementation of laws, and other issues relating to

violence against Indian women;

``(E) represent the Office on Violence Against Women

in the annual consultations under section 903;

``(F) provide technical assistance, coordination,

and support to other offices and bureaus in the

Department of Justice to develop policy and to enforce

Federal laws relating to violence against Indian women,

including through litigation of civil and criminal

actions relating to those laws;

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``(G) maintain a liaison with the judicial branches

of Federal, State, and tribal governments on matters

relating to violence against Indian women;

``(H) support enforcement of tribal protection

orders and implementation of full faith and credit

educational projects and comity agreements between

Indian tribes and States; and

``(I) ensure that adequate tribal technical

assistance is made available to Indian tribes, tribal

courts, tribal organizations, and tribal nonprofit

organizations for all programs relating to violence

against Indian women.

``(c) Authority.--

``(1) In general.--The Deputy Director shall ensure that a

portion of the tribal set-aside funds from any grant awarded

under this Act, the Violence Against Women Act of 1994 (title IV

of Public Law 103-322; 108 Stat. 1902), or the Violence Against

Women Act of 2000 (division B of Public Law 106-386; 114 Stat.

1491) is used to enhance the capacity of Indian tribes to

address the safety of Indian women.

``(2) Accountability.--The Deputy Director shall ensure that

some portion of the tribal set-aside funds from any grant made

under this part is used to hold offenders accountable through--

``(A) enhancement of the response of Indian tribes

to crimes of domestic violence, dating violence, sexual

assault, and stalking against Indian women, including

legal services for victims and Indian-specific offender

programs;

``(B) development and maintenance of tribal domestic

violence shelters or programs for battered Indian women,

including sexual assault services, that are based upon

the unique circumstances of the Indian women to be

served;

``(C) development of tribal educational awareness

programs and materials;

``(D) support for customary tribal activities to

strengthen the intolerance of an Indian tribe to

violence against Indian women; and

``(E) development, implementation, and maintenance

of tribal electronic databases for tribal protection

order registries.''.

SEC. 908. ENHANCED CRIMINAL LAW RESOURCES.

(a) Firearms Possession Prohibitions.--Section 921(33)(A)(i) of

title 18, United States Code, is amended to read: ``(i) is a misdemeanor

under Federal, State, or Tribal law; and''.

(b) Law Enforcement Authority.--Section 4(3) of the Indian Law

Enforcement Reform Act (25 U.S.C. 2803(3) is amended--

(1) in subparagraph (A), by striking ``or'';

(2) in subparagraph (B), by striking the semicolon and

inserting ``, or''; and

(3) by adding at the end the following:

``(C) the offense is a misdemeanor crime of domestic

violence, dating violence, stalking, or violation of a

protection order and has, as an element, the use or

attempted use of physical force, or the threatened use

of a deadly weapon, committed by a current or former

spouse, parent, or guardian of the victim, by a person

with whom the

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victim shares a child in common, by a person who is

cohabitating with or has cohabited with the victim as a

spouse, parent, or guardian, or by a person similarly

situated to a spouse, parent or guardian of the victim,

and the employee has reasonable grounds to believe that

the person to be arrested has committed, or is

committing the crime;''.

SEC. 909. DOMESTIC ASSAULT BY AN HABITUAL OFFENDER.

Chapter 7 of title 18, United States Code, is amended by adding at

the end the following:

``Sec. 117. Domestic assault by an habitual offender

``(a) In General.--Any person who commits a domestic assault within

the special maritime and territorial jurisdiction of the United States

or Indian country and who has a final conviction on at least 2 separate

prior occasions in Federal, State, or Indian tribal court proceedings

for offenses that would be, if subject to Federal jurisdiction--

``(1) any assault, sexual abuse, or serious violent felony

against a spouse or intimate partner; or

``(2) an offense under chapter 110A,

shall be fined under this title, imprisoned for a term of not more than

5 years, or both, except that if substantial bodily injury results from

violation under this section, the offender shall be imprisoned for a

term of not more than 10 years.

``(b) Domestic Assault Defined.--In this section, the term `domestic

assault' means an assault committed by a current or former spouse,

parent, child, or guardian of the victim, by a person with whom the

victim shares a child in common, by a person who is cohabitating with or

has cohabitated with the victim as a spouse, parent, child, or guardian,

or by a person similarly situated to a spouse, parent, child, or

guardian of the victim.''.

TITLE X-- <<NOTE: DNA Fingerprint Act of 2005.>> DNA FINGERPRINTING

SEC. 1001. <<NOTE: 42 USC 13701 note.>> SHORT TITLE.

This title may be cited as the ``DNA Fingerprint Act of 2005''.

SEC. 1002. USE OF OPT-OUT PROCEDURE TO REMOVE SAMPLES FROM NATIONAL DNA

INDEX.

Section 210304 of the DNA Identification Act of 1994 (42 U.S.C.

14132) is amended--

(1) in subsection (a)(1)(C), by striking ``DNA profiles''

and all that follows through ``, and'';

(2) in subsection (d)(1), by striking subparagraph (A), and

inserting the following:

``(A) <<NOTE: Certification.>> The Director of the

Federal Bureau of Investigation shall promptly expunge

from the index described in subsection (a) the DNA

analysis of a person included in the index--

``(i) on the basis of conviction for a

qualifying Federal offense or a qualifying

District of Columbia offense (as determined under

sections 3 and 4 of the DNA Analysis Backlog

Elimination Act of 2000 (42 U.S.C. 14135a,

14135b), respectively), if the Director receives,

for each conviction of the person of a qualifying

offense,

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a certified copy of a final court order

establishing that such conviction has been

overturned; or

``(ii) on the basis of an arrest under the

authority of the United States, if the Attorney

General receives, for each charge against the

person on the basis of which the analysis was or

could have been included in the index, a certified

copy of a final court order establishing that such

charge has been dismissed or has resulted in an

acquittal or that no charge was filed within the

applicable time period.'';

(3) <<NOTE: Certification.>> in subsection (d)(2)(A)(ii), by

striking ``all charges for'' and all that follows, and inserting

the following: ``the responsible agency or official of that

State receives, for each charge against the person on the basis

of which the analysis was or could have been included in the

index, a certified copy of a final court order establishing that

such charge has been dismissed or has resulted in an acquittal

or that no charge was filed within the applicable time

period.''; and

(4) by striking subsection (e).

SEC. 1003. EXPANDED USE OF CODIS GRANTS.

Section 2(a)(1) of the DNA Analysis Backlog Elimination Act of 2000

(42 U.S.C. 14135(a)(1)) is amended by striking ``taken from individuals

convicted of a qualifying State offense (as determined under subsection

(b)(3))'' and inserting ``collected under applicable legal authority''.

SEC. 1004. AUTHORIZATION TO CONDUCT DNA SAMPLE COLLECTION FROM PERSONS

ARRESTED OR DETAINED UNDER FEDERAL AUTHORITY.

(a) In General.--Section 3 of the DNA Analysis Backlog Elimination

Act of 2000 (42 U.S.C. 14135a) is amended--

(1) in subsection (a)--

(A) in paragraph (1), by striking ``The Director''

and inserting the following:

``(A) <<NOTE: Regulations.>> The Attorney General

may, as prescribed by the Attorney General in

regulation, collect DNA samples from individuals who are

arrested or from non-United States persons who are

detained under the authority of the United States. The

Attorney General may delegate this function within the

Department of Justice as provided in section 510 of

title 28, United States Code, and may also authorize and

direct any other agency of the United States that

arrests or detains individuals or supervises individuals

facing charges to carry out any function and exercise

any power of the Attorney General under this section.

``(B) The Director''; and

(B) in paragraphs (3) and (4), by striking

``Director of the Bureau of Prisons'' each place it

appears and inserting ``Attorney General, the Director

of the Bureau of Prisons,''; and

(2) in subsection (b), by striking ``Director of the Bureau

of Prisons'' and inserting ``Attorney General, the Director of

the Bureau of Prisons,''.

(b) Conforming Amendments.--Subsections (b) and (c)(1)(A) of section

3142 of title 18, United States Code, are each amended by inserting

``and subject to the condition that the person cooperate in the

collection of a DNA sample from the person if the collection

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of such a sample is authorized pursuant to section 3 of the DNA Analysis

Backlog Elimination Act of 2000 (42 U.S.C. 14135a)'' after ``period of

release''.

SEC. 1005. TOLLING OF STATUTE OF LIMITATIONS FOR SEXUAL-ABUSE OFFENSES.

Section 3297 of title 18, United States Code, is amended by striking

``except for a felony offense under chapter 109A,''.

TITLE XI--DEPARTMENT OF JUSTICE REAUTHORIZATION

Subtitle A--AUTHORIZATION OF APPROPRIATIONS

SEC. 1101. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2006.

There are authorized to be appropriated for fiscal year 2006, to

carry out the activities of the Department of Justice (including any

bureau, office, board, division, commission, subdivision, unit, or other

component thereof), the following sums:

(1) General administration.--For General Administration:

$161,407,000.

(2) Administrative review and appeals.--For Administrative

Review and Appeals: $216,286,000 for administration of clemency

petitions and for immigration-related activities.

(3) Office of inspector general.--For the Office of

Inspector General: $72,828,000, which shall include not to

exceed $10,000 to meet unforeseen emergencies of a confidential

character.

(4) General legal activities.--For General Legal Activities:

$679,661,000, which shall include--

(A) not less than $4,000,000 for the investigation

and prosecution of denaturalization and deportation

cases involving alleged Nazi war criminals;

(B) not less than $15,000,000 for the investigation

and prosecution of violations of title 17 of the United

States Code;

(C) not to exceed $20,000 to meet unforeseen

emergencies of a confidential character; and

(D) $5,000,000 for the investigation and prosecution

of violations of chapter 77 of title 18 of the United

States Code.

(5) Antitrust division.--For the Antitrust Division:

$144,451,000.

(6) United states attorneys.--For United States Attorneys:

$1,626,146,000.

(7) Federal bureau of investigation.--For the Federal Bureau

of Investigation: $5,761,237,000, which shall include not to

exceed $70,000 to meet unforeseen emergencies of a confidential

character.

(8) United states marshals service.--For the United States

Marshals Service: $800,255,000.

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(9) Federal prison system.--For the Federal Prison System,

including the National Institute of Corrections: $5,065,761,000.

(10) Drug enforcement administration.--For the Drug

Enforcement Administration: $1,716,173,000, which shall include

not to exceed $70,000 to meet unforeseen emergencies of a

confidential character.

(11) Bureau of alcohol, tobacco, firearms and explosives.--

For the Bureau of Alcohol, Tobacco, Firearms and Explosives:

$923,613,000.

(12) Fees and expenses of witnesses.--For Fees and Expenses

of Witnesses: $181,137,000, which shall include not to exceed

$8,000,000 for construction of protected witness safesites.

(13) Interagency crime and drug enforcement.--For

Interagency Crime and Drug Enforcement: $661,940,000 for

expenses not otherwise provided for, for the investigation and

prosecution of persons involved in organized crime drug

trafficking, except that any funds obligated from appropriations

authorized by this paragraph may be used under authorities

available to the organizations reimbursed from such funds.

(14) Foreign claims settlement commission.--For the Foreign

Claims Settlement Commission: $1,270,000.

(15) Community relations service.--For the Community

Relations Service: $9,759,000.

(16) Assets forfeiture fund.--For the Assets Forfeiture

Fund: $21,468,000 for expenses authorized by section 524 of

title 28, United States Code.

(17) United states parole commission.--For the United States

Parole Commission: $11,300,000.

(18) Federal detention trustee.--For the necessary expenses

of the Federal Detention Trustee: $1,222,000,000.

(19) Justice information sharing technology.--For necessary

expenses for information sharing technology, including planning,

development, and deployment: $181,490,000.

(20) Narrow band communications.--For the costs of

conversion to narrowband communications, including the cost for

operation and maintenance of Land Mobile Radio legacy systems:

$128,701,000.

(21) Administrative expenses for certain activities.--For

the administrative expenses of the Office of Justice Programs,

the Office on Violence Against Women, and Office of Community

Oriented Policing Services:

(A) $121,105,000 for the Office of Justice Programs.

(B) $14,172,000 for the Office on Violence Against

Women.

(C) $31,343,000 for the Office of Community Oriented

Policing Services.

SEC. 1102. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2007.

There are authorized to be appropriated for fiscal year 2007, to

carry out the activities of the Department of Justice (including any

bureau, office, board, division, commission, subdivision, unit, or other

component thereof), the following sums:

(1) General administration.--For General Administration:

$167,863,000.

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(2) Administrative review and appeals.--For Administrative

Review and Appeals: $224,937,000 for administration of clemency

petitions and for immigration-related activities.

(3) Office of inspector general.--For the Office of

Inspector General: $75,741,000, which shall include not to

exceed $10,000 to meet unforeseen emergencies of a confidential

character.

(4) General legal activities.--For General Legal Activities:

$706,847,000, which shall include--

(A) not less than $4,000,000 for the investigation

and prosecution of denaturalization and deportation

cases involving alleged Nazi war criminals;

(B) not less than $15,600,000 for the investigation

and prosecution of violations of title 17 of the United

States Code;

(C) not to exceed $20,000 to meet unforeseen

emergencies of a confidential character; and

(D) $5,000,000 for the investigation and prosecution

of violations of chapter 77 of title 18 of the United

States Code.

(5) Antitrust division.--For the Antitrust Division:

$150,229,000.

(6) United states attorneys.--For United States Attorneys:

$1,691,192,000.

(7) Federal bureau of investigation.--For the Federal Bureau

of Investigation: $5,991,686,000, which shall include not to

exceed $70,000 to meet unforeseen emergencies of a confidential

character.

(8) United states marshals service.--For the United States

Marshals Service: $832,265,000.

(9) Federal prison system.--For the Federal Prison System,

including the National Institute of Corrections: $5,268,391,000.

(10) Drug enforcement administration.--For the Drug

Enforcement Administration: $1,784,820,000, which shall include

not to exceed $70,000 to meet unforeseen emergencies of a

confidential character.

(11) Bureau of alcohol, tobacco, firearms and explosives.--

For the Bureau of Alcohol, Tobacco, Firearms and Explosives:

$960,558,000.

(12) Fees and expenses of witnesses.--For Fees and Expenses

of Witnesses: $188,382,000, which shall include not to exceed

$8,000,000 for construction of protected witness safesites.

(13) Interagency crime and drug enforcement.--For

Interagency Crime and Drug Enforcement: $688,418,000, for

expenses not otherwise provided for, for the investigation and

prosecution of persons involved in organized crime drug

trafficking, except that any funds obligated from appropriations

authorized by this paragraph may be used under authorities

available to the organizations reimbursed from such funds.

(14) Foreign claims settlement commission.--For the Foreign

Claims Settlement Commission: $1,321,000.

(15) Community relations service.--For the Community

Relations Service: $10,149,000.

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(16) Assets forfeiture fund.--For the Assets Forfeiture

Fund: $22,000,000 for expenses authorized by section 524 of

title 28, United States Code.

(17) United states parole commission.--For the United States

Parole Commission: $11,752,000.

(18) Federal detention trustee.--For the necessary expenses

of the Federal Detention Trustee: $1,405,300,000.

(19) Justice information sharing technology.--For necessary

expenses for information sharing technology, including planning,

development, and deployment: $188,750,000.

(20) Narrowband communications.--For the costs of conversion

to narrowband communications, including the cost for operation

and maintenance of Land Mobile Radio legacy systems:

$133,849,000.

(21) Administrative expenses for certain activities.--For

the administrative expenses of the Office of Justice Programs,

the Office on Violence Against Women, and the Office of

Community Oriented Policing Services:

(A) $125,949,000 for the Office of Justice Programs.

(B) $15,600,000 for the Office on Violence Against

Women.

(C) $32,597,000 for the Office of Community Oriented

Policing Services.

SEC. 1103. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2008.

There are authorized to be appropriated for fiscal year 2008, to

carry out the activities of the Department of Justice (including any

bureau, office, board, division, commission, subdivision, unit, or other

component thereof), the following sums:

(1) General administration.--For General Administration:

$174,578,000.

(2) Administrative review and appeals.--For Administrative

Review and Appeals: $233,934,000 for administration of clemency

petitions and for immigration-related activities.

(3) Office of inspector general.--For the Office of

Inspector General: $78,771,000, which shall include not to

exceed $10,000 to meet unforeseen emergencies of a confidential

character.

(4) General legal activities.--For General Legal Activities:

$735,121,000, which shall include--

(A) not less than $4,000,000 for the investigation

and prosecution of denaturalization and deportation

cases involving alleged Nazi war criminals;

(B) not less than $16,224,000 for the investigation

and prosecution of violations of title 17 of the United

States Code;

(C) not to exceed $20,000 to meet unforeseen

emergencies of a confidential character; and

(D) $5,000,000 for the investigation and prosecution

of violations of chapter 77 of title 18 of the United

States Code.

(5) Antitrust division.--For the Antitrust Division:

$156,238,000.

(6) United states attorneys.--For United States Attorneys:

$1,758,840,000.

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(7) Federal bureau of investigation.--For the Federal Bureau

of Investigation: $6,231,354,000, which shall include not to

exceed $70,000 to meet unforeseen emergencies of a confidential

character.

(8) United states marshals service.--For the United States

Marshals Service: $865,556,000.

(9) Federal prison system.--For the Federal Prison System,

including the National Institute of Corrections: $5,479,127,000.

(10) Drug enforcement administration.--For the Drug

Enforcement Administration: $1,856,213,000, which shall include

not to exceed $70,000 to meet unforeseen emergencies of a

confidential character.

(11) Bureau of alcohol, tobacco, firearms and explosives.--

For the Bureau of Alcohol, Tobacco, Firearms and Explosives:

$998,980,000.

(12) Fees and expenses of witnesses.--For Fees and Expenses

of Witnesses: $195,918,000, which shall include not to exceed

$8,000,000 for construction of protected witness safesites.

(13) Interagency crime and drug enforcement.--For

Interagency Crime and Drug Enforcement: $715,955,000, for

expenses not otherwise provided for, for the investigation and

prosecution of persons involved in organized crime drug

trafficking, except that any funds obligated from appropriations

authorized by this paragraph may be used under authorities

available to the organizations reimbursed from such funds.

(14) Foreign claims settlement commission.--For the Foreign

Claims Settlement Commission: $1,374,000.

(15) Community relations service.--For the Community

Relations Service: $10,555,000.

(16) Assets forfeiture fund.--For the Assets Forfeiture

Fund: $22,000,000 for expenses authorized by section 524 of

title 28, United States Code.

(17) United states parole commission.--For the United States

Parole Commission: $12,222,000.

(18) Federal detention trustee.--For the necessary expenses

of the Federal Detention Trustee: $1,616,095,000.

(19) Justice information sharing technology.--For necessary

expenses for information sharing technology, including planning,

development, and deployment: $196,300,000.

(20) Narrowband communications.--For the costs of conversion

to narrowband communications, including the cost for operation

and maintenance of Land Mobile Radio legacy systems:

$139,203,000.

(21) Administrative expenses for certain activities.--For

the administrative expenses of the Office of Justice Programs,

the Office on Violence Against Women, and the Office of

Community Oriented Policing Services:

(A) $130,987,000 for the Office of Justice Programs.

(B) $16,224,000 for the Office on Violence Against

Women.

(C) $33,901,000 for the Office of Community Oriented

Policing Services.

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SEC. 1104. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2009.

There are authorized to be appropriated for fiscal year 2009, to

carry out the activities of the Department of Justice (including any

bureau, office, board, division, commission, subdivision, unit, or other

component thereof), the following sums:

(1) General administration.--For General Administration:

$181,561,000.

(2) Administrative review and appeals.--For Administrative

Review and Appeals: $243,291,000 for administration of pardon

and clemency petitions and for immigration-related activities.

(3) Office of inspector general.--For the Office of

Inspector General: $81,922,000, which shall include not to

exceed $10,000 to meet unforeseen emergencies of a confidential

character.

(4) General legal activities.--For General Legal Activities:

$764,526,000, which shall include--

(A) not less than $4,000,000 for the investigation

and prosecution of denaturalization and deportation

cases involving alleged Nazi war criminals;

(B) not less than $16,872,000 for the investigation

and prosecution of violations of title 17 of the United

States Code;

(C) not to exceed $20,000 to meet unforeseen

emergencies of a confidential character; and

(D) $5,000,000 for the investigation and prosecution

of violations of chapter 77 of title 18 of the United

States Code.

(5) Antitrust division.--For the Antitrust Division:

$162,488,000.

(6) United states attorneys.--For United States Attorneys:

$1,829,194,000.

(7) Federal bureau of investigation.--For the Federal Bureau

of Investigation: $6,480,608,000, which shall include not to

exceed $70,000 to meet unforeseen emergencies of a confidential

character.

(8) United states marshals service.--For the United States

Marshals Service: $900,178,000.

(9) Federal prison system.--For the Federal Prison System,

including the National Institute of Corrections: $5,698,292,000.

(10) Drug enforcement administration.--For the Drug

Enforcement Administration: $1,930,462,000, which shall include

not to exceed $70,000 to meet unforeseen emergencies of a

confidential character.

(11) Bureau of alcohol, tobacco, firearms and explosives.--

For the Bureau of Alcohol, Tobacco, Firearms and Explosives:

$1,038,939,000.

(12) Fees and expenses of witnesses.--For Fees and Expenses

of Witnesses: $203,755,000, which shall include not to exceed

$8,000,000 for construction of protected witness safesites.

(13) Interagency crime and drug enforcement.--For

Interagency Crime and Drug Enforcement: $744,593,000, for

expenses not otherwise provided for, for the investigation and

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prosecution of persons involved in organized crime drug

trafficking, except that any funds obligated from appropriations

authorized by this paragraph may be used under authorities

available to the organizations reimbursed from such funds.

(14) Foreign claims settlement commission.--For the Foreign

Claims Settlement Commission: $1,429,000.

(15) Community relations service.--For the Community

Relations Service: $10,977,000.

(16) Assets forfeiture fund.--For the Assets Forfeiture

Fund: $22,000,000 for expenses authorized by section 524 of

title 28, United States Code.

(17) United states parole commission.--For the United States

Parole Commission: $12,711,000.

(18) Federal detention trustee.--For the necessary expenses

of the Federal Detention Trustee: $1,858,509,000.

(19) Justice information sharing technology.--For necessary

expenses for information sharing technology, including planning,

development, and deployment: $204,152,000.

(20) Narrowband communications.--For the costs of conversion

to narrowband communications, including the cost for operation

and maintenance of Land Mobile Radio legacy systems:

$144,771,000.

(21) Administrative expenses for certain activities.--For

the administrative expenses of the Office of Justice Programs,

the Office on Violence Against Women, and the Office of

Community Oriented Policing Services:

(A) $132,226,000 for the Office of Justice Programs.

(B) $16,837,000 for the Office on Violence Against

Women.

(C) $35,257,000 for the Office of Community Oriented

Policing Services.

SEC. 1105. <<NOTE: 28 USC 509 note.>> ORGANIZED RETAIL THEFT.

(a) <<NOTE: Establishment. Records.>> National Data.--(1) The

Attorney General and the Federal Bureau of Investigation, in

consultation with the retail community, shall establish a task force to

combat organized retail theft and provide expertise to the retail

community for the establishment of a national database or clearinghouse

housed and maintained in the private sector to track and identify where

organized retail theft type crimes are being committed in the United

Sates. The national database shall allow Federal, State, and local law

enforcement officials as well as authorized retail companies (and

authorized associated retail databases) to transmit information into the

database electronically and to review information that has been

submitted electronically.

(2) The Attorney General shall make available funds to provide for

the ongoing administrative and technological costs to federal law

enforcement agencies participating in the database project.

(3) The Attorney General through the Bureau of Justice Assistance in

the Office of Justice may make grants to help provide for the

administrative and technological costs to State and local law

enforcement agencies participating in the data base project.

(b) Authorization of Appropriations.--There is authorized to be

appropriated for each of fiscal years 2006 through 2009, $5,000,000 for

educating and training federal law enforcement regarding organized

retail theft, for investigating, apprehending and prosecuting

individuals engaged in organized retail theft, and

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for working with the private sector to establish and utilize the

database described in subsection (a).

(c) Definition of Organized Retail Theft.--For purposes of this

section, ``organized retail theft'' means--

(1) the violation of a State prohibition on retail

merchandise theft or shoplifting, if the violation consists of

the theft of quantities of items that would not normally be

purchased for personal use or consumption and for the purpose of

reselling the items or for reentering the items into commerce;

(2) the receipt, possession, concealment, bartering, sale,

transport, or disposal of any property that is know or should be

known to have been taken in violation of paragraph (1); or

(3) the coordination, organization, or recruitment of

persons to undertake the conduct described in paragraph (1) or

(2).

SEC. 1106. <<NOTE: 28 USC 509 note.>> UNITED STATES-MEXICO BORDER

VIOLENCE TASK FORCE.

(a) <<NOTE: Establishment.>> Task Force.--(1) The Attorney General

shall establish the United States-Mexico Border Violence Task Force in

Laredo, Texas, to combat drug and firearms trafficking, violence, and

kidnapping along the border between the United States and Mexico and to

provide expertise to the law enforcement and homeland security agencies

along the border between the United States and Mexico. The Task Force

shall include personnel from the Bureau of Alcohol, Tobacco, Firearms,

and Explosives, Immigration and Customs Enforcement, the Drug

Enforcement Administration, Customs and Border Protection, other Federal

agencies (as appropriate), the Texas Department of Public Safety, and

local law enforcement agencies.

(2) The Attorney General shall make available funds to provide for

the ongoing administrative and technological costs to Federal, State,

and local law enforcement agencies participating in the Task Force.

(b) Authorization of Appropriations.--There are authorized to be

appropriated $10,000,000 for each of the fiscal years 2006 through 2009,

for--

(1) the establishment and operation of the United States-

Mexico Border Violence Task Force; and

(2) the investigation, apprehension, and prosecution of

individuals engaged in drug and firearms trafficking, violence,

and kidnapping along the border between the United States and

Mexico.

SEC. 1107. <<NOTE: 28 USC 534 note.>> NATIONAL GANG INTELLIGENCE CENTER.

(a) <<NOTE: Records.>> Establishment.--The Attorney General shall

establish a National Gang Intelligence Center and gang information

database to be housed at and administered by the Federal Bureau of

Investigation to collect, analyze, and disseminate gang activity

information from--

(1) the Federal Bureau of Investigation;

(2) the Bureau of Alcohol, Tobacco, Firearms, and

Explosives;

(3) the Drug Enforcement Administration;

(4) the Bureau of Prisons;

(5) the United States Marshals Service;

(6) the Directorate of Border and Transportation Security of

the Department of Homeland Security;

(7) the Department of Housing and Urban Development;

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(8) State and local law enforcement;

(9) Federal, State, and local prosecutors;

(10) Federal, State, and local probation and parole offices;

(11) Federal, State, and local prisons and jails; and

(12) any other entity as appropriate.

(b) Information.--The Center established under subsection (a) shall

make available the information referred to in subsection (a) to--

(1) Federal, State, and local law enforcement agencies;

(2) Federal, State, and local corrections agencies and penal

institutions;

(3) Federal, State, and local prosecutorial agencies; and

(4) any other entity as appropriate.

(c) Annual Report.--The Center established under subsection (a)

shall annually submit to Congress a report on gang activity.

(d) Authorization of Appropriations.--There are authorized to be

appropriated to carry out this section $10,000,000 for fiscal year 2006

and for each fiscal year thereafter.

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.

(a) In General.--Part E of title I of the Omnibus Crime Control and

Safe Streets Act of 1968 is amended as follows:

(1) Subpart 1 of such part <<NOTE: 42 USC 3751 et seq.>> (42

U.S.C. 3751-3759) is repealed.

(2) Such part is further amended--

(A) by inserting before section 500 (42 U.S.C. 3750)

the following new heading:

``Subpart 1--Edward Byrne Memorial Justice Assistance Grant Program'';

(B) by amending section 500 to read as follows:

``SEC. 500. <<NOTE: 42 USC 3750.>> NAME OF PROGRAM.

``(a) In General.--The grant program established under this subpart

shall be known as the `Edward Byrne Memorial Justice Assistance Grant

Program'.

``(b) References to Former Programs.--(1) Any reference in a law,

regulation, document, paper, or other record of the United States to the

Edward Byrne Memorial State and Local Law Enforcement Assistance

Programs, or to the Local Government Law Enforcement Block Grants

program, shall be deemed to be a reference to the grant program referred

to in subsection (a).

``(2) Any reference in a law, regulation, document, paper, or other

record of the United States to section 506 of this Act as such section

was in effect on the date of the enactment of the Department of Justice

Appropriations Authorization Act, Fiscal

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Years 2006 through 2009, shall be deemed to be a reference to section

505(a) of this Act as amended by the Department of Justice

Appropriations Authorization Act, Fiscal Years 2006 through 2009.''; and

(C) by inserting after section 500 the following new

sections:

``SEC. 501. <<NOTE: 42 USC 3751.>> DESCRIPTION.

``(a) Grants Authorized.--

``(1) In general.--From amounts made available to carry out

this subpart, the Attorney General may, in accordance with the

formula established under section 505, make grants to States and

units of local government, for use by the State or unit of local

government to provide additional personnel, equipment, supplies,

contractual support, training, technical assistance, and

information systems for criminal justice, including for any one

or more of the following programs:

``(A) Law enforcement programs.

``(B) Prosecution and court programs.

``(C) Prevention and education programs.

``(D) Corrections and community corrections

programs.

``(E) Drug treatment and enforcement programs.

``(F) Planning, evaluation, and technology

improvement programs.

``(G) Crime victim and witness programs (other than

compensation).

``(2) Rule of construction.--Paragraph (1) shall be

construed to ensure that a grant under that paragraph may be

used for any purpose for which a grant was authorized to be used

under either or both of the programs specified in section

500(b), as those programs were in effect immediately before the

enactment of this paragraph.

``(b) Contracts and Subawards.--A State or unit of local government

may, in using a grant under this subpart for purposes authorized by

subsection (a), use all or a portion of that grant to contract with or

make one or more subawards to one or more--

``(1) neighborhood or community-based organizations that are

private and nonprofit;

``(2) units of local government; or

``(3) tribal governments.

``(c) Program Assessment Component; Waiver.--

``(1) Each program funded under this subpart shall contain a

program assessment component, developed pursuant to guidelines

established by the Attorney General, in coordination with the

National Institute of Justice.

``(2) The Attorney General may waive the requirement of

paragraph (1) with respect to a program if, in the opinion of

the Attorney General, the program is not of sufficient size to

justify a full program assessment.

``(d) Prohibited Uses.--Notwithstanding any other provision of this

Act, no funds provided under this subpart may be used, directly or

indirectly, to provide any of the following matters:

``(1) Any security enhancements or any equipment to any

nongovernmental entity that is not engaged in criminal justice

or public safety.

``(2) Unless the Attorney General certifies that

extraordinary and exigent circumstances exist that make the use

of

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such funds to provide such matters essential to the maintenance

of public safety and good order--

``(A) vehicles (excluding police cruisers), vessels

(excluding police boats), or aircraft (excluding police

helicopters);

``(B) luxury items;

``(C) real estate;

``(D) construction projects (other than penal or

correctional institutions); or

``(E) any similar matters.

``(e) Administrative Costs.--Not more than 10 percent of a grant

made under this subpart may be used for costs incurred to administer

such grant.

``(f) Period.--The period of a grant made under this subpart shall

be four years, except that renewals and extensions beyond that period

may be granted at the discretion of the Attorney General.

``(g) Rule of Construction.--Subparagraph (d)(1) shall not be

construed to prohibit the use, directly or indirectly, of funds provided

under this subpart to provide security at a public event, such as a

political convention or major sports event, so long as such security is

provided under applicable laws and procedures.

``SEC. 502. <<NOTE: 42 USC 3752.>> APPLICATIONS.

``To <<NOTE: Deadline.>> request a grant under this subpart, the

chief executive officer of a State or unit of local government shall

submit an application to the Attorney General within 90 days after the

date on which funds to carry out this subpart are appropriated for a

fiscal year, in such form as the Attorney General may require. Such

application shall include the following:

``(1) <<NOTE: Certification.>> A certification that Federal

funds made available under this subpart will not be used to

supplant State or local funds, but will be used to increase the

amounts of such funds that would, in the absence of Federal

funds, be made available for law enforcement activities.

``(2) An assurance that, not fewer than 30 days before the

application (or any amendment to the application) was submitted

to the Attorney General, the application (or amendment) was

submitted for review to the governing body of the State or unit

of local government (or to an organization designated by that

governing body).

``(3) <<NOTE: Public notice and comment.>> An assurance

that, before the application (or any amendment to the

application) was submitted to the Attorney General--

``(A) the application (or amendment) was made

public; and

``(B) an opportunity to comment on the application

(or amendment) was provided to citizens and to

neighborhood or community-based organizations, to the

extent applicable law or established procedure makes

such an opportunity available.

``(4) <<NOTE: Records.>> An assurance that, for each fiscal

year covered by an application, the applicant shall maintain and

report such data, records, and information (programmatic and

financial) as the Attorney General may reasonably require.

``(5) <<NOTE: Certification.>> A certification, made in a

form acceptable to the Attorney General and executed by the

chief executive officer

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of the applicant (or by another officer of the applicant, if

qualified under regulations promulgated by the Attorney

General), that--

``(A) the programs to be funded by the grant meet

all the requirements of this subpart;

``(B) all the information contained in the

application is correct;

``(C) there has been appropriate coordination with

affected agencies; and

``(D) the applicant will comply with all provisions

of this subpart and all other applicable Federal laws.

``SEC. 503. <<NOTE: 42 USC 3753.>> REVIEW OF APPLICATIONS.

``The Attorney General shall not finally disapprove any application

(or any amendment to that application) submitted under this subpart

without first affording the applicant reasonable notice of any

deficiencies in the application and opportunity for correction and

reconsideration.

``SEC. 504. <<NOTE: 42 USC 3754.>> RULES.

``The Attorney General shall issue rules to carry out this

subpart. <<NOTE: Deadline.>> The first such rules shall be issued not

later than one year after the date on which amounts are first made

available to carry out this subpart.

``SEC. 505. <<NOTE: 42 USC 3755.>> FORMULA.

``(a) Allocation Among States.--

``(1) In general.--Of the total amount appropriated for this

subpart, the Attorney General shall, except as provided in

paragraph (2), allocate--

``(A) 50 percent of such remaining amount to each

State in amounts that bear the same ratio of--

``(i) the total population of a State to--

``(ii) the total population of the United

States; and

``(B) 50 percent of such remaining amount to each

State in amounts that bear the same ratio of--

``(i) the average annual number of part 1

violent crimes of the Uniform Crime Reports of the

Federal Bureau of Investigation reported by such

State for the three most recent years reported by

such State to--

``(ii) the average annual number of such

crimes reported by all States for such years.

``(2) Minimum allocation.--If carrying out paragraph (1)

would result in any State receiving an allocation less than 0.25

percent of the total amount (in this paragraph referred to as a

`minimum allocation State'), then paragraph (1), as so carried

out, shall not apply, and the Attorney General shall instead--

``(A) allocate 0.25 percent of the total amount to

each State; and

``(B) using the amount remaining after carrying out

subparagraph (A), carry out paragraph (1) in a manner

that excludes each minimum allocation State, including

the population of and the crimes reported by such State.

``(b) Allocation Between States and Units of Local Government.--Of

the amounts allocated under subsection (a)--

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``(1) 60 percent shall be for direct grants to States, to be

allocated under subsection (c); and

``(2) 40 percent shall be for grants to be allocated under

subsection (d).

``(c) Allocation for State Governments.--

``(1) In general.--Of the amounts allocated under subsection

(b)(1), each State may retain for the purposes described in

section 501 an amount that bears the same ratio of--

``(A) total expenditures on criminal justice by the

State government in the most recently completed fiscal

year to--

``(B) the total expenditure on criminal justice by

the State government and units of local government

within the State in such year.

``(2) Remaining amounts.--Except as provided in subsection

(e)(1), any amounts remaining after the allocation required by

paragraph (1) shall be made available to units of local

government by the State for the purposes described in section

501.

``(d) Allocations to Local Governments.--

``(1) <<NOTE: Grants.>> In general.--Of the amounts

allocated under subsection (b)(2), grants for the purposes

described in section 501 shall be made directly to units of

local government within each State in accordance with this

subsection, subject to subsection (e).

``(2) Allocation.--

``(A) In general.--From the amounts referred to in

paragraph (1) with respect to a State (in this

subsection referred to as the `local amount'), the

Attorney General shall allocate to each unit of local

government an amount which bears the same ratio to such

share as the average annual number of part 1 violent

crimes reported by such unit to the Federal Bureau of

Investigation for the 3 most recent calendar years for

which such data is available bears to the number of part

1 violent crimes reported by all units of local

government in the State in which the unit is located to

the Federal Bureau of Investigation for such years.

``(B) Transitional rule.--Notwithstanding

subparagraph (A), for fiscal years 2006, 2007, and 2008,

the Attorney General shall allocate the local amount to

units of local government in the same manner that, under

the Local Government Law Enforcement Block Grants

program in effect immediately before the date of the

enactment of this section, the reserved amount was

allocated among reporting and nonreporting units of

local government.

``(3) Annexed units.--If a unit of local government in the

State has been annexed since the date of the collection of the

data used by the Attorney General in making allocations pursuant

to this section, the Attorney General shall pay the amount that

would have been allocated to such unit of local government to

the unit of local government that annexed it.

``(4) Resolution of disparate allocations.--(A)

Notwithstanding any other provision of this subpart, if--

``(i) <<NOTE: Certification.>> the Attorney General

certifies that a unit of local government bears more

than 50 percent of the costs of prosecution or

incarceration that arise with respect to part

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1 violent crimes reported by a specified geographically

constituent unit of local government; and

``(ii) but for this paragraph, the amount of funds

allocated under this section to--

``(I) any one such specified geographically

constituent unit of local government exceeds 150

percent of the amount allocated to the unit of

local government certified pursuant to clause (i);

or

``(II) more than one such specified

geographically constituent unit of local

government exceeds 400 percent of the amount

allocated to the unit of local government

certified pursuant to clause (i),

then in order to qualify for payment under this subsection, the

unit of local government certified pursuant to clause (i),

together with any such specified geographically constituent

units of local government described in clause (ii), shall submit

to the Attorney General a joint application for the aggregate of

funds allocated to such units of local government. Such

application shall specify the amount of such funds that are to

be distributed to each of the units of local government and the

purposes for which such funds are to be used. The units of local

government involved may establish a joint local advisory board

for the purposes of carrying out this paragraph.

``(B) In this paragraph, the term `geographically

constituent unit of local government' means a unit of local

government that has jurisdiction over areas located within the

boundaries of an area over which a unit of local government

certified pursuant to clause (i) has jurisdiction.

``(e) Limitation on Allocations to Units of Local Government.--

``(1) Maximum allocation.--No unit of local government shall

receive a total allocation under this section that exceeds such

unit's total expenditures on criminal justice services for the

most recently completed fiscal year for which data are

available. Any amount in excess of such total expenditures shall

be allocated proportionally among units of local government

whose allocations under this section do not exceed their total

expenditures on such services.

``(2) Allocations under $10,000.--If the allocation under

this section to a unit of local government is less than $10,000

for any fiscal year, the direct grant to the State under

subsection (c) shall be increased by the amount of such

allocation, to be distributed (for the purposes described in

section 501) among State police departments that provide

criminal justice services to units of local government and units

of local government whose allocation under this section is less

than $10,000.

``(3) Non-reporting units.--No allocation under this section

shall be made to a unit of local government that has not

reported at least three years of data on part 1 violent crimes

of the Uniform Crime Reports to the Federal Bureau of

Investigation within the immediately preceding 10 years.

``(f) Funds Not Used by the State.--If the Attorney General

determines, on the basis of information available during any grant

period, that any allocation (or portion thereof) under this section to a

State for such grant period will not be required, or that a State will

be unable to qualify or receive funds under this subpart, or that a

State chooses not to participate in the program established

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under this subpart, then such State's allocation (or portion thereof)

shall be awarded by the Attorney General to units of local government,

or combinations thereof, within such State, giving priority to those

jurisdictions with the highest annual number of part 1 violent crimes of

the Uniform Crime Reports reported by the unit of local government to

the Federal Bureau of Investigation for the three most recent calendar

years for which such data are available.

``(g) Special Rules for Puerto Rico.--

``(1) <<NOTE: Grants.>> All funds set aside for commonwealth

government.--Notwithstanding any other provision of this

subpart, the amounts allocated under subsection (a) to Puerto

Rico, 100 percent shall be for direct grants to the Commonwealth

government of Puerto Rico.

``(2) No local allocations.--Subsections (c) and (d) shall

not apply to Puerto Rico.

``(h) Units of Local Government in Louisiana.--In carrying out this

section with respect to the State of Louisiana, the term `unit of local

government' means a district attorney or a parish sheriff.

``SEC. 506. <<NOTE: 42 USC 3756.>> RESERVED FUNDS.

``(a) Of the total amount made available to carry out this subpart

for a fiscal year, the Attorney General shall reserve not more than--

``(1) $20,000,000, for use by the National Institute of

Justice in assisting units of local government to identify,

select, develop, modernize, and purchase new technologies for

use by law enforcement, of which $1,000,000 shall be for use by

the Bureau of Justice Statistics to collect data necessary for

carrying out this subpart; and

``(2) $20,000,000, to be granted by the Attorney General to

States and units of local government to develop and implement

antiterrorism training programs.

``(b) Of the total amount made available to carry out this subpart

for a fiscal year, the Attorney General may reserve not more than 5

percent, to be granted to 1 or more States or units of local government,

for 1 or more of the purposes specified in section 501, pursuant to his

determination that the same is necessary--

``(1) to combat, address, or otherwise respond to

precipitous or extraordinary increases in crime, or in a type or

types of crime; or

``(2) to prevent, compensate for, or mitigate significant

programmatic harm resulting from operation of the formula

established under section 505.

``SEC. 507. <<NOTE: 42 USC 3757.>> INTEREST-BEARING TRUST FUNDS.

``(a) Trust Fund Required.--A State or unit of local government

shall establish a trust fund in which to deposit amounts received under

this subpart.

``(b) Expenditures.--

``(1) In general.--Each amount received under this subpart

(including interest on such amount) shall be expended before the

date on which the grant period expires.

``(2) <<NOTE: Deadline.>> Repayment.--A State or unit of

local government that fails to expend an entire amount

(including interest on such

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amount) as required by paragraph (1) shall repay the unexpended

portion to the Attorney General not later than 3 months after

the date on which the grant period expires.

``(3) Reduction of future amounts.--If a State or unit of

local government fails to comply with paragraphs (1) and (2),

the Attorney General shall reduce amounts to be provided to that

State or unit of local government accordingly.

``(c) Repaid Amounts.--Amounts received as repayments under this

section shall be subject to section 108 of this title as if such amounts

had not been granted and repaid. Such amounts shall be deposited in the

Treasury in a dedicated fund for use by the Attorney General to carry

out this subpart. Such funds are hereby made available to carry out this

subpart.

``SEC. 508. <<NOTE: 42 USC 3758.>> AUTHORIZATION OF APPROPRIATIONS.

``There is authorized to be appropriated to carry out this subpart

$1,095,000,000 for fiscal year 2006 and such sums as may be necessary

for each of fiscal years 2007 through 2009.''.

(b) Repeals of Certain Authorities Relating to Byrne Grants.--

(1) Discretionary grants to public and private entities.--

Chapter A of subpart 2 of Part E of title I of the Omnibus Crime

Control and Safe Streets Act of 1968 (42 U.S.C. 3760-3762) is

repealed.

(2) Targeted grants to curb motor vehicle theft.--Subtitle B

of title I of the Anti Car Theft Act of 1992 (42 U.S.C. 3750a-

3750d) is repealed.

(c) Conforming Amendments.--

(1) Crime identification technology act.--Subsection

(c)(2)(G) of section 102 of the Crime Identification Technology

Act of 1998 (42 U.S.C. 14601) is amended by striking ``such as''

and all that follows through ``the M.O.R.E. program'' and

inserting ``such as the Edward Byrne Justice Assistance Grant

Program and the M.O.R.E. program''.

(2) Safe streets act.--Title I of the Omnibus Crime Control

and Safe Streets Act of 1968 is amended--

(A) in section 517 (42 U.S.C. 3763), in subsection

(a)(1), by striking ``pursuant to section 511 or 515''

and inserting ``pursuant to section 515'';

(B) in section 520 (42 U.S.C. 3766)--

(i) in subsection (a)(1), by striking ``the

program evaluations as required by section 501(c)

of this part'' and inserting ``program

evaluations'';

(ii) in subsection (a)(2), by striking

``evaluations of programs funded under section 506

(formula grants) and sections 511 and 515

(discretionary grants) of this part'' and

inserting ``evaluations of programs funded under

section 505 (formula grants) and section 515

(discretionary grants) of this part''; and

(iii) in subsection (b)(2), by striking

``programs funded under section 506 (formula

grants) and section 511 (discretionary grants)''

and inserting ``programs funded under section 505

(formula grants)'';

(C) in section 522 (42 U.S.C. 3766b)--

(i) in subsection (a), in the matter preceding

paragraph (1), by striking ``section 506'' and

inserting ``section 505''; and

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(ii) in subsection (a)(1), by striking ``an

assessment of the impact of such activities on

meeting the needs identified in the State strategy

submitted under section 503'' and inserting ``an

assessment of the impact of such activities on

meeting the purposes of subpart 1'';

(D) in section 801(b) (42 U.S.C. 3782(b)), in the

matter following paragraph (5)--

(i) by striking ``the purposes of section 501

of this title'' and inserting ``the purposes of

such subpart 1''; and

(ii) <<NOTE: Reports.>> by striking ``the

application submitted pursuant to section 503 of

this title.'' and inserting ``the application

submitted pursuant to section 502 of this title.

Such report shall include details identifying each

applicant that used any funds to purchase any

cruiser, boat, or helicopter and, with respect to

such applicant, specifying both the amount of

funds used by such applicant for each purchase of

any cruiser, boat, or helicopter and a

justification of each such purchase (and the

Bureau of Justice Assistance shall submit to the

Committee of the Judiciary of the House of

Representatives and the Committee of the Judiciary

of the Senate, promptly after preparation of such

report a written copy of the portion of such

report containing the information required by this

sentence).'';

(E) in section 808 (42 U.S.C. 3789), by striking

``the State office described in section 507 or 1408''

and inserting ``the State office responsible for the

trust fund required by section 507, or the State office

described in section 1408,'';

(F) in section 901 (42 U.S.C. 3791), in subsection

(a)(2), by striking ``for the purposes of section

506(a)'' and inserting ``for the purposes of section

505(a)'';

(G) in section 1502 (42 U.S.C. 3796bb-1)--

(i) in paragraph (1), by striking ``section

506(a)'' and inserting ``section 505(a)'';

(ii) in paragraph (2)--

(I) by striking ``section 503(a)''

and inserting ``section 502''; and

(II) by striking ``section 506'' and

inserting ``section 505'';

(H) in section 1602 (42 U.S.C. 3796cc-1), in

subsection (b), by striking ``The office designated

under section 507 of title I'' and inserting ``The

office responsible for the trust fund required by

section 507'';

(I) in section 1702 (42 U.S.C. 3796dd-1), in

subsection (c)(1), by striking ``and reflects

consideration of the statewide strategy under section

503(a)(1)''; and

(J) in section 1902 (42 U.S.C. 3796ff-1), in

subsection (e), by striking ``The Office designated

under section 507'' and inserting ``The office

responsible for the trust fund required by section

507''.

(d) <<NOTE: 42 USC 3750 note.>> Applicability.--The amendments made

by this section shall apply with respect to the first fiscal year

beginning after the date of the enactment of this Act and each fiscal

year thereafter.

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SEC. 1112. CLARIFICATION OF NUMBER OF RECIPIENTS WHO MAY BE SELECTED IN

A GIVEN YEAR TO RECEIVE PUBLIC SAFETY OFFICER MEDAL OF

VALOR.

Section 3(c) of the Public Safety Officer Medal of Valor Act of 2001

(42 U.S.C. 15202(c)) is amended by striking ``more than 5 recipients''

and inserting ``more than 5 individuals, or groups of individuals, as

recipients''.

SEC. 1113. CLARIFICATION OF OFFICIAL TO BE CONSULTED BY ATTORNEY GENERAL

IN CONSIDERING APPLICATION FOR EMERGENCY FEDERAL LAW

ENFORCEMENT ASSISTANCE.

Section 609M(b) of the Justice Assistance Act of 1984 (42 U.S.C.

10501(b)) is amended by striking ``the Director of the Office of Justice

Assistance'' and inserting ``the Assistant Attorney General for the

Office of Justice Programs''.

SEC. 1114. CLARIFICATION OF USES FOR REGIONAL INFORMATION SHARING SYSTEM

GRANTS.

Section 1301(b) of the Omnibus Crime Control and Safe Streets Act of

1968 (42 U.S.C. 3796h(b)), as most recently amended by section 701 of

the USA PATRIOT Act (Public Law 107-56; 115 Stat. 374), is amended--

(1) in paragraph (1), by inserting ``regional'' before

``information sharing systems'';

(2) by amending paragraph (3) to read as follows:

``(3) establishing and maintaining a secure

telecommunications system for regional information sharing

between Federal, State, tribal, and local law enforcement

agencies;''; and

(3) by striking ``(5)'' at the end of paragraph (4).

SEC. 1115. INTEGRITY AND ENHANCEMENT OF NATIONAL CRIMINAL RECORD

DATABASES.

(a) Duties of Director.--Section 302 of the Omnibus Crime Control

and Safe Streets Act of 1968 (42 U.S.C. 3732) is amended--

(1) in subsection (b), by inserting after the third sentence

the following new sentence: ``The Director shall be responsible

for the integrity of data and statistics and shall protect

against improper or illegal use or disclosure.'';

(2) by amending paragraph (19) of subsection (c) to read as

follows:

``(19) provide for improvements in the accuracy, quality,

timeliness, immediate accessibility, and integration of State

criminal history and related records, support the development

and enhancement of national systems of criminal history and

related records including the National Instant Criminal

Background Check System, the National Incident-Based Reporting

System, and the records of the National Crime Information

Center, facilitate State participation in national records and

information systems, and support statistical research for

critical analysis of the improvement and utilization of criminal

history records;''; and

(3) in subsection (d)--

(A) by striking ``and'' at the end of paragraph (4);

(B) by striking the period at the end of paragraph

(5) and inserting ``; and''; and

(C) by adding at the end the following:

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``(6) confer and cooperate with Federal statistical agencies

as needed to carry out the purposes of this part, including by

entering into cooperative data sharing agreements in conformity

with all laws and regulations applicable to the disclosure and

use of data.''.

(b) Use of Data.--Section 304 of such Act (42 U.S.C. 3735) is

amended by striking ``particular individual'' and inserting ``private

person or public agency''.

(c) Confidentiality of Information.--Section 812(a) of such Act (42

U.S.C. 3789g(a)) is amended by striking ``Except as provided by Federal

law other than this title, no'' and inserting ``No''.

SEC. 1116. EXTENSION OF MATCHING GRANT PROGRAM FOR LAW ENFORCEMENT ARMOR

VESTS.

Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe

Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking

``2007'' and inserting ``2009''.

CHAPTER 2--BUILDING COMMUNITY CAPACITY TO PREVENT, REDUCE, AND CONTROL

CRIME

SEC. 1121. OFFICE OF WEED AND SEED STRATEGIES.

(a) In General.--Part A of title I of the Omnibus Crime Control and

Safe Streets Act of 1968 is amended by inserting after section 102 (42

U.S.C. 3712) the following new sections:

``SEC. 103. <<NOTE: 42 USC 3712a.>> OFFICE OF WEED AND SEED STRATEGIES.

``(a) Establishment.--There is established within the Office an

Office of Weed and Seed Strategies, headed by a Director appointed by

the Attorney General.

``(b) Assistance.--The Director may assist States, units of local

government, and neighborhood and community-based organizations in

developing Weed and Seed strategies, as provided in section 104.

``(c) Authorization of Appropriations.--There is authorized to be

appropriated to carry out this section $60,000,000 for fiscal year 2006,

and such sums as may be necessary for each of fiscal years 2007, 2008,

and 2009, to remain available until expended.

``SEC. 104. <<NOTE: 42 USC 3712b.>> WEED AND SEED STRATEGIES.

``(a) In General.--From amounts made available under section 103(c),

the Director of the Office of Weed and Seed Strategies may implement

strategies, to be known as Weed and Seed strategies, to prevent,

control, and reduce violent crime, criminal drug-related activity, and

gang activity in designated Weed-and-Seed communities. Each such

strategy shall involve both of the following activities:

``(1) Weeding.--Activities, to be known as Weeding

activities, which shall include promoting and coordinating a

broad spectrum of community efforts (especially those of law

enforcement agencies and prosecutors) to arrest, and to sanction

or incarcerate, persons in that community who participate or

engage in violent crime, criminal drug-related activity, and

other crimes that threaten the quality of life in that

community.

``(2) Seeding.--Activities, to be known as Seeding

activities, which shall include promoting and coordinating a

broad spectrum of community efforts (such as drug abuse

education, mentoring, and employment counseling) to provide--

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``(A) human services, relating to prevention,

intervention, or treatment, for at-risk individuals and

families; and

``(B) community revitalization efforts, including

enforcement of building codes and development of the

economy.

``(b) Guidelines.--The Director shall issue guidelines for the

development and implementation of Weed and Seed strategies under this

section. The guidelines shall ensure that the Weed and Seed strategy for

a community referred to in subsection (a) shall--

``(1) be planned and implemented through and under the

auspices of a steering committee, properly established in the

community, comprised of--

``(A) in a voting capacity, representatives of--

``(i) appropriate law enforcement agencies;

and

``(ii) other public and private agencies, and

neighborhood and community-based organizations,

interested in criminal justice and community-based

development and revitalization in the community;

and

``(B) in a voting capacity, both--

``(i) the Drug Enforcement Administration's

special agent in charge for the jurisdiction

encompassing the community; and

``(ii) the United States Attorney for the

District encompassing the community;

``(2) describe how law enforcement agencies, other public

and private agencies, neighborhood and community-based

organizations, and interested citizens are to cooperate in

implementing the strategy; and

``(3) incorporate a community-policing component that shall

serve as a bridge between the Weeding activities under

subsection (a)(1) and the Seeding activities under subsection

(a)(2).

``(c) Designation.--For a community to be designated as a Weed-and-

Seed community for purposes of subsection (a)--

``(1) the United States Attorney for the District

encompassing the community must certify to the Director that--

``(A) the community suffers from consistently high

levels of crime or otherwise is appropriate for such

designation;

``(B) the Weed and Seed strategy proposed, adopted,

or implemented by the steering committee has a high

probability of improving the criminal justice system

within the community and contains all the elements

required by the Director; and

``(C) the steering committee is capable of

implementing the strategy appropriately; and

``(2) the community must agree to formulate a timely and

effective plan to independently sustain the strategy (or, at a

minimum, a majority of the best practices of the strategy) when

assistance under this section is no longer available.

``(d) Application.--An application for designation as a Weed-and-

Seed community for purposes of subsection (a) shall be submitted to the

Director by the steering committee of the community in such form, and

containing such information and assurances, as the Director may require.

The application shall propose--

``(1) a sustainable Weed and Seed strategy that includes--

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``(A) the active involvement of the United States

Attorney for the District encompassing the community,

the Drug Enforcement Administration's special agent in

charge for the jurisdiction encompassing the community,

and other Federal law enforcement agencies operating in

the vicinity;

``(B) a significant community-oriented policing

component; and

``(C) demonstrated coordination with complementary

neighborhood and community-based programs and

initiatives; and

``(2) a methodology with outcome measures and specific

objective indicia of performance to be used to evaluate the

effectiveness of the strategy.

``(e) Grants.--

``(1) In general.--In implementing a strategy for a

community under subsection (a), the Director may make grants to

that community.

``(2) Uses.--For each grant under this subsection, the

community receiving that grant may not use any of the grant

amounts for construction, except that the Assistant Attorney

General may authorize use of grant amounts for incidental or

minor construction, renovation, or remodeling.

``(3) Limitations.--A community may not receive grants under

this subsection (or fall within such a community)--

``(A) for a period of more than 10 fiscal years;

``(B) for more than 5 separate fiscal years, except

that the Assistant Attorney General may, in single

increments and only upon a showing of extraordinary

circumstances, authorize grants for not more than 3

additional separate fiscal years; or

``(C) in an aggregate amount of more than

$1,000,000, except that the Assistant Attorney General

may, upon a showing of extraordinary circumstances,

authorize grants for not more than an additional

$500,000.

``(4) Distribution.--In making grants under this subsection,

the Director shall ensure that--

``(A) to the extent practicable, the distribution of

such grants is geographically equitable and includes

both urban and rural areas of varying population and

area; and

``(B) priority is given to communities that clearly

and effectively coordinate crime prevention programs

with other Federal programs in a manner that addresses

the overall needs of such communities.

``(5) Federal share.--(A) Subject to subparagraph (B), the

Federal share of a grant under this subsection may not exceed 75

percent of the total costs of the projects described in the

application for which the grant was made.

``(B) The requirement of subparagraph (A)--

``(i) may be satisfied in cash or in kind; and

``(ii) may be waived by the Assistant Attorney

General upon a determination that the financial

circumstances affecting the applicant warrant a finding

that such a waiver is equitable.

``(6) Supplement, not supplant.--To receive a grant under

this subsection, the applicant must provide assurances that the

amounts received under the grant shall be used to supplement,

not supplant, non-Federal funds that would otherwise

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be available for programs or services provided in the community.

``SEC. 105. <<NOTE: 42 USC 3712c.>> INCLUSION OF INDIAN TRIBES.

``For purposes of sections 103 and 104, the term `State' includes an

Indian tribal government.''.

(b) <<NOTE: 42 USC 3712a note.>> Abolishment of Executive Office of

Weed and Seed; Transfers of Functions.--

(1) Abolishment.--The Executive Office of Weed and Seed is

abolished.

(2) Transfer.--There are hereby transferred to the Office of

Weed and Seed Strategies all functions and activities performed

immediately before the date of the enactment of this Act by the

Executive Office of Weed and Seed Strategies.

(c) <<NOTE: 42 USC 3712a note.>> Effective Date.--This section and

the amendments made by this section take effect 90 days after the date

of the enactment of this Act.

CHAPTER 3--ASSISTING VICTIMS OF CRIME

SEC. 1131. GRANTS TO LOCAL NONPROFIT ORGANIZATIONS TO IMPROVE OUTREACH

SERVICES TO VICTIMS OF CRIME.

Section 1404(c) of the Victims of Crime Act of 1984 (42 U.S.C.

10603(c)), as most recently amended by section 623 of the USA PATRIOT

Act (Public Law 107-56; 115 Stat. 372), is amended--

(1) in paragraph (1)--

(A) in the matter preceding subparagraph (A), by

striking the comma after ``Director'';

(B) in subparagraph (A), by striking ``and'' at the

end;

(C) in subparagraph (B), by striking the period at

the end and inserting ``; and''; and

(D) by adding at the end the following new

subparagraph:

``(C) for nonprofit neighborhood and community-based victim

service organizations and coalitions to improve outreach and

services to victims of crime.'';

(2) in paragraph (2)--

(A) in subparagraph (A)--

(i) by striking ``paragraph (1)(A)'' and

inserting ``paragraphs (1)(A) and (1)(C)''; and

(ii) by striking ``and'' at the end;

(B) in subparagraph (B), by striking the period at

the end and inserting ``; and''; and

(C) by adding at the end the following new

subparagraph:

``(C) not more than $10,000 shall be used for any single

grant under paragraph (1)(C).''.

SEC. 1132. CLARIFICATION AND ENHANCEMENT OF CERTAIN AUTHORITIES RELATING

TO CRIME VICTIMS FUND.

Section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601)

is amended as follows:

(1) Authority to accept gifts.--Subsection (b)(5) of such

section is amended by striking the period at the end and

inserting the following: ``, which the Director is hereby

authorized to accept for deposit into the Fund, except that the

Director is not hereby authorized to accept any such gift,

bequest, or donation that--

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``(A) attaches conditions inconsistent with

applicable laws or regulations; or

``(B) is conditioned upon or would require the

expenditure of appropriated funds that are not available

to the Office for Victims of Crime.''.

(2) Authority to replenish antiterrorism emergency

reserve.--Subsection (d)(5)(A) of such section is amended by

striking ``expended'' and inserting ``obligated''.

(3) Authority to make grants to indian tribes for victim

assistance programs.--Subsection (g) of such section is

amended--

(A) in paragraph (1), by striking ``, acting through

the Director,'';

(B) by redesignating paragraph (2) as paragraph (3);

and

(C) by inserting after paragraph (1) the following

new paragraph:

``(2) The Attorney General may use 5 percent of the funds available

under subsection (d)(2) (prior to distribution) for grants to Indian

tribes to establish child victim assistance programs, as appropriate.''.

SEC. 1133. AMOUNTS RECEIVED UNDER CRIME VICTIM GRANTS MAY BE USED BY

STATE FOR TRAINING PURPOSES.

(a) Crime Victim Compensation.--Section 1403(a)(3) of the Victims of

Crime Act of 1984 (42 U.S.C. 10602(a)(3)) is amended by inserting after

``may be used for'' the following: ``training purposes and''.

(b) Crime Victim Assistance.--Section 1404(b)(3) of such Act (42

U.S.C. 10603(b)(3)) is amended by inserting after ``may be used for''

the following: ``training purposes and''.

SEC. 1134. CLARIFICATION OF AUTHORITIES RELATING TO VIOLENCE AGAINST

WOMEN FORMULA AND DISCRETIONARY GRANT PROGRAMS.

(a) Clarification of State Grants.--Section 2007 of the Omnibus

Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1) is

amended--

(1) in subsection (c)(3)(A), by striking ``police'' and

inserting ``law enforcement''; and

(2) in subsection (d)--

(A) in the second sentence, by inserting after

``each application'' the following: ``submitted by a

State''; and

(B) in the third sentence, by striking ``An

application'' and inserting ``In addition, each

application submitted by a State or tribal government''.

(b) Change From Annual to Biennial Reporting.--Section 2009(b) of

such Act (42 U.S.C. 3796gg-3) is amended by striking ``Not later than''

and all that follows through ``the Attorney General shall submit'' and

inserting the following: ``Not later than one month after the end of

each even-numbered fiscal year, the Attorney General shall submit''.

SEC. 1135. CHANGE OF CERTAIN REPORTS FROM ANNUAL TO BIENNIAL.

(a) Stalking and Domestic Violence.--Section 40610 of the Violence

Against Women Act of 1994 (title IV of the Violent Crime Control and Law

Enforcement Act of 1994; 42 U.S.C. 14039) is

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amended by striking ``The Attorney General shall submit to the Congress

an annual report, beginning one year after the date of the enactment of

this Act, that provides'' and inserting ``Each even-numbered fiscal

year, the Attorney General shall submit to the Congress a biennial

report that provides''.

(b) Safe Havens for Children.--Subsection 1301(d)(l) of the Victims

of Trafficking and Violence Protection Act of 2000 (42 U.S.C.

10420(d)(l)) is amended in the matter preceding subparagraph (A) by

striking ``Not later than 1 year after the last day of the first fiscal

year commencing on or after the date of enactment of this Act, and not

later than 180 days after the last day of each fiscal year thereafter,''

and inserting ``Not later than 1 month after the end of each even-

numbered fiscal year,''.

(c) Stop Violence Against Women Formula Grants.--Subsection 2009(b)

of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C.

3796gg-3), is amended by striking ``Not later than'' and all that

follows through ``the Attorney General shall submit'' and inserting the

following: ``Not later than 1 month after the end of each even-numbered

fiscal year, the Attorney General shall submit''.

(d) Grants to Combat Violent Crimes Against Women on Campus.--

Subsection 826(d)(3) of the Higher Education Amendments Act of 1998 (20

U.S.C. 1152 (d)(3)) is amended by striking from ``Not'' through and

including ``under this section'' and inserting ``Not later than 1 month

after the end of each even-numbered fiscal year''.

(e) Transitional Housing Assistance Grants for Child Victims of

Domestic Violence, Stalking, or Sexual Assault.--Subsection 40299(f) of

the Violence Against Women Act of 1994 (42 U.S.C. 13975(f)) is amended

by striking ``shall annually prepare and submit to the Committee on the

Judiciary of the House of Representatives and the Committee on the

Judiciary of the Senate a report that contains a compilation of the

information contained in the report submitted under subsection (e) of

this section.'' and inserting ``shall prepare and submit to the

Committee on the Judiciary of the House of Representatives and the

Committee on the Judiciary of the Senate a report that contains a

compilation of the information contained in the report submitted under

subsection (e) of this section not later than one month after the end of

each even-numbered fiscal year.''.

SEC. 1136. <<NOTE: 42 USC 3743.>> GRANTS FOR YOUNG WITNESS ASSISTANCE.

(a) In General.--The Attorney General, acting through the Bureau of

Justice Assistance, may make grants to State and local prosecutors and

law enforcement agencies in support of juvenile and young adult witness

assistance programs.

(b) Use of Funds.--Grants made available under this section may be

used--

(1) to assess the needs of juvenile and young adult

witnesses;

(2) to develop appropriate program goals and objectives; and

(3) to develop and administer a variety of witness

assistance services, which includes--

(A) counseling services to young witnesses dealing

with trauma associated in witnessing a violent crime;

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(B) pre- and post-trial assistance for the youth and

their family;

(C) providing education services if the child is

removed from or changes their school for safety

concerns;

(D) protective services for young witnesses and

their families when a serious threat of harm from the

perpetrators or their associates is made; and

(E) community outreach and school-based initiatives

that stimulate and maintain public awareness and

support.

(c) Definitions.--In this section:

(1) The term ``juvenile'' means an individual who is age 17

or younger.

(2) The term ``young adult'' means an individual who is age

21 or younger but not a juvenile.

(3) The term ``State'' includes the District of Columbia,

the Commonwealth of Puerto Rico, the Virgin Islands, American

Samoa, Guam, and the Northern Mariana Islands.

(d) Authorization of Appropriations.--There are authorized to be

appropriated to carry out this section $3,000,000 for each of fiscal

years 2006 through 2009.

CHAPTER 4--PREVENTING CRIME

SEC. 1141. CLARIFICATION OF DEFINITION OF VIOLENT OFFENDER FOR PURPOSES

OF JUVENILE DRUG COURTS.

Section 2953(b) of the Omnibus Crime Control and Safe Streets Act of

1968 (42 U.S.C. 3797u-2(b)) is amended in the matter preceding paragraph

(1) by striking ``an offense that'' and inserting ``a felony-level

offense that''.

SEC. 1142. CHANGES TO DISTRIBUTION AND ALLOCATION OF GRANTS FOR DRUG

COURTS.

(a) Minimum Allocation Repealed.--Section 2957 of such Act (42

U.S.C. 3797u-6) is amended by striking subsection (b) and inserting the

following:

``(b) Technical Assistance and Training.--Unless one or more

applications submitted by any State or unit of local government within

such State (other than an Indian tribe) for a grant under this part has

been funded in any fiscal year, such State, together with eligible

applicants within such State, shall be provided targeted technical

assistance and training by the Community Capacity Development Office to

assist such State and such eligible applicants to successfully compete

for future funding under this part, and to strengthen existing State

drug court systems. In providing such technical assistance and training,

the Community Capacity Development Office shall consider and respond to

the unique needs of rural States, rural areas and rural communities.''.

(b) Authorization of Appropriations.--Section 1001(25)(A) of title I

of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C.

3793(25)(A)) is amended by adding at the end the following:

``(v) $70,000,000 for each of fiscal years

2007 and 2008.''.

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SEC. 1143. ELIGIBILITY FOR GRANTS UNDER DRUG COURT GRANTS PROGRAM

EXTENDED TO COURTS THAT SUPERVISE NON-OFFENDERS WITH

SUBSTANCE ABUSE PROBLEMS.

Section 2951(a)(1) of such Act (42 U.S.C. 3797u(a)(1)) is amended by

striking ``offenders with substance abuse problems'' and inserting

``offenders, and other individuals under the jurisdiction of the court,

with substance abuse problems''.

SEC. 1144. TERM OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM FOR

LOCAL FACILITIES.

Section 1904 of the Omnibus Crime Control and Safe Streets Act of

1968 (42 U.S.C. 3796ff-3) is amended by adding at the end the following

new subsection:

``(d) Definition.--In this section, the term `residential substance

abuse treatment program' means a course of individual and group

activities, lasting between 6 and 12 months, in residential treatment

facilities set apart from the general prison population--

``(1) directed at the substance abuse problems of the

prisoners;

``(2) intended to develop the prisoner's cognitive,

behavioral, social, vocational and other skills so as to solve

the prisoner's substance abuse and other problems; and

``(3) which may include the use of pharmacotherapies, where

appropriate, that may extend beyond the treatment period.''.

SEC. 1145. ENHANCED RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM FOR

STATE PRISONERS.

(a) Enhanced Drug Screenings Requirement.--Subsection (b) of section

1902 of the Omnibus Crime Control and Safe Streets Act of 1968 (42

U.S.C. 3796ff--1(b)) is amended to read as follows:

``(b) Substance Abuse Testing Requirement.--To be eligible to

receive funds under this part, a State must agree to implement or

continue to require urinalysis or other proven reliable forms of

testing, including both periodic and random testing--

``(1) of an individual before the individual enters a

residential substance abuse treatment program and during the

period in which the individual participates in the treatment

program; and

``(2) of an individual released from a residential substance

abuse treatment program if the individual remains in the custody

of the State.''.

(b) Aftercare Services Requirement.--Subsection (c) of such section

is amended--

(1) in the matter preceding paragraph (1), by striking

``eligibility for preference with after care component'' and

inserting ``aftercare services requirement''; and

(2) by amending paragraph (1) to read as follows:

``(1) To be eligible for funding under this part, a State

shall ensure that individuals who participate in the substance

abuse treatment program established or implemented with

assistance provided under this part will be provided with after

care services.''; and

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

``(4) After care services required by this subsection shall

be funded through funds provided for this part.''.

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(c) Priority for Partnerships With Community-Based Drug Treatment

Programs.--Section 1903 of such Act (42 U.S.C. 3796ff-2) is amended by

adding at the end the following new subsection:

``(e) Priority for Partnerships With Community-Based Drug Treatment

Programs.--In considering an application submitted by a State under

section 1902, the Attorney General shall give priority to an application

that involves a partnership between the State and a community-based drug

treatment program within the State.''.

SEC. 1146. RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM FOR FEDERAL

FACILITIES.

Section 3621(e) of title 18, United States Code, is amended--

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

``(4) Authorization of appropriations.--There are authorized

to carry out this subsection such sums as may be necessary for

each of fiscal years 2007 through 2011.''; and

(2) in paragraph (5)(A)--

(A) in clause (i) by striking ``and'' after the

semicolon;

(B) in clause (ii) by inserting ``and'' after the

semicolon; and

(C) by adding at the end the following:

``(iii) which may include the use of

pharmacoptherapies, if appropriate, that may

extend beyond the treatment period;''.

CHAPTER 5--OTHER MATTERS

SEC. 1151. CHANGES TO CERTAIN FINANCIAL AUTHORITIES.

(a) Certain Programs That Are Exempt From Paying States Interest on

Late Disbursements Also Exempted From Paying Charge to Treasury for

Untimely Disbursements.--Section 204(f) of Public Law 107-273 (116 Stat.

1776; 31 U.S.C. 6503 note) is amended--

(1) by striking ``section 6503(d)'' and inserting ``sections

3335(b) or 6503(d)''; and

(2) by striking ``section 6503'' and inserting ``sections

3335(b) or 6503''.

(b) Southwest Border Prosecutor Initiative Included Among Such

Exempted Programs.--Section 204(f) of such Act is further amended by

striking ``pursuant to section 501(a)'' and inserting ``pursuant to the

Southwest Border Prosecutor Initiative (as carried out pursuant to

paragraph (3) (117 Stat. 64) under the heading relating to Community

Oriented Policing Services of the Department of Justice Appropriations

Act, 2003 (title I of division B of Public Law 108-7), or as carried out

pursuant to any subsequent authority) or section 501(a)''.

(c) <<NOTE: Applicability. 28 USC 533 note.>> ATFE Undercover

Investigative Operations.--Section 102(b) of the Department of Justice

and Related Agencies Appropriations Act, 1993, as in effect pursuant to

section 815(d) of the Antiterrorism and Effective Death Penalty Act of

1996 shall apply with respect to the Bureau of Alcohol, Tobacco,

Firearms, and Explosives and the undercover investigative operations of

the Bureau on the same basis as such section applies with respect to any

other agency and the undercover investigative operations of such agency.

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SEC. 1152. COORDINATION DUTIES OF ASSISTANT ATTORNEY GENERAL.

(a) Coordinate and Support Office for Victims of Crime.--Section 102

of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C.

3712) is amended in subsection (a)(5) by inserting after ``the Bureau of

Justice Statistics,'' the following: ``the Office for Victims of

Crime,''.

(b) Setting Grant Conditions and Priorities.--Such section is

further amended in subsection (a)(6) by inserting ``, including placing

special conditions on all grants, and determining priority purposes for

formula grants'' before the period at the end.

SEC. 1153. SIMPLIFICATION OF COMPLIANCE DEADLINES UNDER SEX-OFFENDER

REGISTRATION LAWS.

(a) <<NOTE: 42 USC 14071 note.>> Compliance Period.--A State shall

not be treated, for purposes of any provision of law, as having failed

to comply with section 170101 (42 U.S.C. 14071) or 170102 (42 U.S.C.

14072) of the Violent Crime Control and Law Enforcement Act of 1994

until 36 months after the date of the enactment of this Act, except that

the Attorney General may grant an additional 24 months to a State that

is making good faith efforts to comply with such sections.

(b) Time for Registration of Current Address.--Subsection (a)(1)(B)

of such section 170101 is amended by striking ``unless such requirement

is terminated under'' and inserting ``for the time period specified

in''.

SEC. 1154. REPEAL OF CERTAIN PROGRAMS.

(a) Safe Streets Act Program.--The Criminal Justice Facility

Construction Pilot program (part F; 42 U.S.C. 3769-3769d) of title I of

the Omnibus Crime Control and Safe Streets Act of 1968 is repealed.

(b) Violent Crime Control and Law Enforcement Act Programs.--The

following provisions of the Violent Crime Control and Law Enforcement

Act of 1994 are repealed:

(1) Local crime prevention block grant program.--Subtitle B

of title III (42 U.S.C. 13751-13758).

(2) Assistance for delinquent and at-risk youth.--Subtitle G

of title III (42 U.S.C. 13801-13802).

(3) Improved training and technical automation.--Subtitle E

of title XXI (42 U.S.C. 14151).

(4) Other state and local aid.--Subtitle F <<NOTE: 18 USC

922 note.>> of title XXI (42 U.S.C. 14161).

SEC. 1155. ELIMINATION OF CERTAIN NOTICE AND HEARING REQUIREMENTS.

Part H of title I of the Omnibus Crime Control and Safe Streets Act

of 1968 is amended as follows:

(1) Notice and hearing on denial or termination of grant.--

Section 802 (42 U.S.C. 3783) of such part is amended--

(A) by striking subsections (b) and (c); and

(B) by striking ``(a)'' before ``Whenever,''.

(2) Finality of determinations.--Section 803 (42 U.S.C.

3784) of such part is amended--

(A) by striking ``, after reasonable notice and

opportunity for a hearing,''; and

(B) by striking ``, except as otherwise provided

herein''.

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(3) Repeal of appellate court review.--Section 804 (42

U.S.C. 3785) of such part is repealed.

SEC. 1156. AMENDED DEFINITIONS FOR PURPOSES OF OMNIBUS CRIME CONTROL AND

SAFE STREETS ACT OF 1968.

Section 901 of title I of the Omnibus Crime Control and Safe Streets

Act of 1968 (42 U.S.C. 3791) is amended as follows:

(1) Indian tribe.--Subsection (a)(3)(C) of such section is

amended by striking ``(as that term is defined in section 103 of

the Juvenile Justice and Delinquency Prevention Act of 1974 (42

U.S.C. 5603))''.

(2) Combination.--Subsection (a)(5) of such section is

amended by striking ``program or project'' and inserting

``program, plan, or project''.

(3) Neighborhood or community-based organizations.--

Subsection (a)(11) of such section is amended by striking

``which'' and inserting ``, including faith-based, that''.

(4) Indian tribe; private person.--Subsection (a) of such

section is further amended--

(A) in paragraph (24) by striking ``and'' at the

end;

(B) in paragraph (25) by striking the period at the

end and inserting a semicolon; and

(C) by adding at the end the following new

paragraphs:

``(26) the term `Indian Tribe' has the meaning given the

term `Indian tribe' in section 4(e) of the Indian Self-

Determination and Education Assistance Act (25 U.S.C. 450b(e));

and

``(27) the term `private person' means any individual

(including an individual acting in his official capacity) and

any private partnership, corporation, association, organization,

or entity (or any combination thereof).''.

SEC. 1157. CLARIFICATION OF AUTHORITY TO PAY SUBSISTENCE PAYMENTS TO

PRISONERS FOR HEALTH CARE ITEMS AND SERVICES.

Section 4006 of title 18, United States Code, is amended--

(1) in subsection (a) by inserting after ``The Attorney

General'' the following: ``or the Secretary of Homeland

Security, as applicable,''; and

(2) in subsection (b)(1)--

(A) by striking ``the Immigration and Naturalization

Service'' and inserting ``the Department of Homeland

Security'';

(B) by striking ``shall not exceed the lesser of the

amount'' and inserting ``shall be the amount billed, not

to exceed the amount'';

(C) by striking ``items and services'' and all that

follows through ``the Medicare program'' and inserting

``items and services under the Medicare program''; and

(D) by striking ``; or'' and all that follows

through the period at the end and inserting a period.

SEC. 1158. OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT.

(a) In General.--Part A of title I of the Omnibus Crime Control and

Safe Streets Act of 1968 is amended by adding after section 104, as

added by section 211 of this Act, the following new section:

``SEC. 105. <<NOTE: 42 USC 3712d.>> OFFICE OF AUDIT, ASSESSMENT, AND

MANAGEMENT.

``(a) Establishment.--

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``(1) In general.--There is established within the Office an

Office of Audit, Assessment, and Management, headed by a

Director appointed by the Attorney General. In carrying out the

functions of the Office, the Director shall be subject to the

authority, direction, and control of the Attorney General. Such

authority, direction, and control may be delegated only to the

Assistant Attorney General, without redelegation.

``(2) Purpose.--The purpose of the Office shall be to carry

out and coordinate program assessments of, take actions to

ensure compliance with the terms of, and manage information with

respect to, grants under programs covered by subsection (b). The

Director shall take special conditions of the grant into account

and consult with the office that issued those conditions to

ensure appropriate compliance.

``(3) Exclusivity.--The Office shall be the exclusive

element of the Department of Justice, other than the Inspector

General, performing functions and activities for the purpose

specified in paragraph (2). <<NOTE: Government

organization.>> There are hereby transferred to the Office all

functions and activities, other than functions and activities of

the Inspector General, for such purpose performed immediately

before the date of the enactment of this Act by any other

element of the Department.

``(b) Covered Programs.--The programs referred to in subsection (a)

are the following:

``(1) The program under part Q of this title.

``(2) Any grant program carried out by the Office of Justice

Programs.

``(3) Any other grant program carried out by the Department

of Justice that the Attorney General considers appropriate.

``(c) Program Assessments Required.--

``(1) <<NOTE: Grants.>> In general.--The Director shall

select grants awarded under the programs covered by subsection

(b) and carry out program assessments on such grants. In

selecting such grants, the Director shall ensure that the

aggregate amount awarded under the grants so selected represent

not less than 10 percent of the aggregate amount of money

awarded under all such grant programs.

``(2) Relationship to nij evaluations.--This subsection does

not affect the authority or duty of the Director of the National

Institute of Justice to carry out overall evaluations of

programs covered by subsection (b), except that such Director

shall consult with the Director of the Office in carrying out

such evaluations.

``(3) Timing of program assessments.--The program assessment

required by paragraph (1) of a grant selected under paragraph

(1) shall be carried out--

``(A) not later than the end of the grant period, if

the grant period is not more than 1 year; and

``(B) at the end of each year of the grant period,

if the grant period is more than 1 year.

``(d) Compliance Actions Required.--The Director shall take such

actions to ensure compliance with the terms of a grant as the Director

considers appropriate with respect to each grant that the Director

determines (in consultation with the head of the element of the

Department of Justice concerned), through a program

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assessment under subsection (a) or other means, is not in compliance

with such terms. In the case of a misuse of more than 1 percent of the

grant amount concerned, the Director shall, in addition to any other

action to ensure compliance that the Director considers appropriate,

ensure that the entity responsible for such misuse ceases to receive any

funds under any program covered by subsection (b) until such entity

repays to the Attorney General an amount equal to the amounts misused.

The Director may, in unusual circumstances, grant relief from this

requirement to ensure that an innocent party is not punished.

``(e) <<NOTE: Establishment.>> Grant Management System.--The

Director shall establish and maintain, in consultation with the chief

information officer of the Office, a modern, automated system for

managing all information relating to the grants made under the programs

covered by subsection (b).

``(f) Availability of Funds.--Not to exceed 3 percent of all funding

made available for a fiscal year for the programs covered by subsection

(b) shall be reserved for the Office of Audit, Assessment and Management

for the activities authorized by this section.''.

(b) <<NOTE: 42 USC 3712d note.>> Effective Date.--This section and

the amendment made by this section take effect 90 days after the date of

the enactment of this Act.

SEC. 1159. COMMUNITY CAPACITY DEVELOPMENT OFFICE.

(a) In General.--Part A of title I of the Omnibus Crime Control and

Safe Streets Act of 1968 is amended by adding after section 105, as

added by section 248 of this Act, the following new section:

``SEC. 106. <<NOTE: 42 USC 3712e.>> COMMUNITY CAPACITY DEVELOPMENT

OFFICE.

``(a) Establishment.--

``(1) In general.--There is established within the Office a

Community Capacity Development Office, headed by a Director

appointed by the Attorney General. In carrying out the functions

of the Office, the Director shall be subject to the authority,

direction, and control of the Attorney General. Such authority,

direction, and control may be delegated only to the Assistant

Attorney General, without redelegation.

``(2) Purpose.--The purpose of the Office shall be to

provide training to actual and prospective participants under

programs covered by section 105(b) to assist such participants

in understanding the substantive and procedural requirements for

participating in such programs.

``(3) Exclusivity.--The Office shall be the exclusive

element of the Department of Justice performing functions and

activities for the purpose specified in paragraph

(2). <<NOTE: Government organization.>> There are hereby

transferred to the Office all functions and activities for such

purpose performed immediately before the date of the enactment

of this Act by any other element of the Department. This does

not preclude a grant-making office from providing specialized

training and technical assistance in its area of expertise.

``(b) Means.--The Director shall, in coordination with the heads of

the other elements of the Department, carry out the purpose of the

Office through the following means:

``(1) Promoting coordination of public and private efforts

and resources within or available to States, units of local

government, and neighborhood and community-based organizations.

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``(2) Providing information, training, and technical

assistance.

``(3) Providing support for inter- and intra-agency task

forces and other agreements and for assessment of the

effectiveness of programs, projects, approaches, or practices.

``(4) Providing in the assessment of the effectiveness of

neighborhood and community-based law enforcement and crime

prevention strategies and techniques, in coordination with the

National Institute of Justice.

``(5) Any other similar means.

``(c) Locations.--Training referred to in subsection (a) shall be

provided on a regional basis to groups of such participants. In a case

in which remedial training is appropriate, as recommended by the

Director or the head of any element of the Department, such training may

be provided on a local basis to a single such participant.

``(d) Best Practices.--The Director shall--

``(1) identify grants under which clearly beneficial

outcomes were obtained, and the characteristics of those grants

that were responsible for obtaining those outcomes; and

``(2) incorporate those characteristics into the training

provided under this section.

``(e) Availability of Funds.--not to exceed 3 percent of all funding

made available for a fiscal year for the programs covered by section

105(b) shall be reserved for the Community Capacity Development Office

for the activities authorized by this section.''.

(b) <<NOTE: 42 USC 3712e note.>> Effective Date.--This section and

the amendment made by this section take effect 90 days after the date of

the enactment of this Act.

SEC. 1160. OFFICE OF APPLIED LAW ENFORCEMENT TECHNOLOGY.

(a) In General.--Part A of title I of the Omnibus Crime Control and

Safe Streets Act of 1968 is amended by adding after section 106, as

added by section 249 of this Act, the following new section:

``SEC. 107. <<NOTE: 42 USC 3712f.>> DIVISION OF APPLIED LAW ENFORCEMENT

TECHNOLOGY.

``(a) Establishment.--There is established within the Office of

Science and Technology, the Division of Applied Law Enforcement

Technology, headed by an individual appointed by the Attorney General.

The purpose of the Division shall be to provide leadership and focus to

those grants of the Department of Justice that are made for the purpose

of using or improving law enforcement computer systems.

``(b) Duties.--In carrying out the purpose of the Division, the head

of the Division shall--

``(1) establish clear minimum standards for computer systems

that can be purchased using amounts awarded under such grants;

and

``(2) ensure that recipients of such grants use such systems

to participate in crime reporting programs administered by the

Department, such as Uniform Crime Reports or the National

Incident-Based Reporting System.''.

(b) <<NOTE: 42 USC 3712f note.>> Effective Date.--This section and

the amendment made by this section take effect 90 days after the date of

the enactment of this Act.

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SEC. 1161. AVAILABILITY OF FUNDS FOR GRANTS.

(a) In General.--Part A of title I of the Omnibus Crime Control and

Safe Streets Act of 1968 is amended by adding after section 107, as

added by section 250 of this Act, the following new section:

``SEC. 108. <<NOTE: 42 USC 3712g.>> AVAILABILITY OF FUNDS.

``(a) Period for Awarding Grant Funds.--

``(1) In general.--Unless otherwise specifically provided in

an authorization, DOJ grant funds for a fiscal year shall remain

available to be awarded and distributed to a grantee only in

that fiscal year and the three succeeding fiscal years, subject

to paragraphs (2) and (3). DOJ grant funds not so awarded and

distributed shall revert to the Treasury.

``(2) Treatment of reprogrammed funds.--DOJ grant funds for

a fiscal year that are reprogrammed in a later fiscal year shall

be treated for purposes of paragraph (1) as DOJ grant funds for

such later fiscal year.

``(3) Treatment of deobligated funds.--If DOJ grant funds

were obligated and then deobligated, the period of availability

that applies to those grant funds under paragraph (1) shall be

extended by a number of days equal to the number of days from

the date on which those grant funds were obligated to the date

on which those grant funds were deobligated.

``(b) Period for Expending Grant Funds.--DOJ grant funds for a

fiscal year that have been awarded and distributed to a grantee may be

expended by that grantee only in the period permitted under the terms of

the grant. DOJ grant funds not so expended shall revert to the Treasury.

``(c) Definition.--In this section, the term `DOJ grant funds'

means, for a fiscal year, amounts appropriated for activities of the

Department of Justice in carrying out grant programs for that fiscal

year.

``(d) Applicability.--This section applies to DOJ grant funds for

fiscal years beginning with fiscal year 2006.''.

(b) <<NOTE: 42 USC 3712g note.>> Effective Date.--This section and

the amendment made by this section take effect 90 days after the date of

the enactment of this Act.

SEC. 1162. <<NOTE: 42 USC 3715a.>> CONSOLIDATION OF FINANCIAL MANAGEMENT

SYSTEMS OF OFFICE OF JUSTICE PROGRAMS.

(a) Consolidation of Accounting Activities and Procurement

Activities.--The Assistant Attorney General of the Office of Justice

Programs, in coordination with the Chief Information Officer and Chief

Financial Officer of the Department of Justice, shall ensure that--

(1) all accounting activities for all elements of the Office

of Justice Programs are carried out under the direct management

of the Office of the Comptroller; and

(2) all procurement activities for all elements of the

Office are carried out under the direct management of the Office

of Administration.

(b) <<NOTE: Effective date.>> Further Consolidation of Procurement

Activities.--The Assistant Attorney General, in coordination with the

Chief Information Officer and Chief Financial Officer of the Department

of Justice, shall ensure that, on and after September 30, 2008--

(1) all procurement activities for all elements of the

Office are carried out through a single management office; and

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(2) all contracts and purchase orders used in carrying out

those activities are processed through a single procurement

system.

(c) <<NOTE: Effective date.>> Consolidation of Financial Management

Systems.--The Assistant Attorney General, in coordination with the Chief

Information Officer and Chief Financial Officer of the Department of

Justice, shall ensure that, on and after September 30, 2010, all

financial management activities (including human resources, payroll, and

accounting activities, as well as procurement activities) of all

elements of the Office are carried out through a single financial

management system.

(d) Achieving Compliance.--

(1) Schedule.--The Assistant Attorney General shall

undertake a scheduled consolidation of operations to achieve

compliance with the requirements of this section.

(2) <<NOTE: Deadlines.>> Specific requirements.--With

respect to achieving compliance with the requirements of--

(A) subsection (a), the consolidation of operations

shall be initiated not later than 90 days after the date

of the enactment of this Act; and

(B) subsections (b) and (c), the consolidation of

operations shall be initiated not later than September

30, 2006, and shall be carried out by the Office of

Administration, in consultation with the Chief

Information Officer and the Office of Audit, Assessment,

and Management.

SEC. 1163. AUTHORIZATION AND CHANGE OF COPS PROGRAM TO SINGLE GRANT

PROGRAM.

(a) In General.--Section 1701 of title I of the Omnibus Crime

Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended--

(1) by amending subsection (a) to read as follows:

``(a) Grant Authorization.--The Attorney General shall carry out a

single grant program under which the Attorney General makes grants to

States, units of local government, Indian tribal governments, other

public and private entities, and multi-jurisdictional or regional

consortia for the purposes described in subsection (b).'';

(2) by striking subsections (b) and (c);

(3) by redesignating subsection (d) as subsection (b), and

in that subsection--

(A) by striking ``additional grant projects.--Grants

made under subsection (a) may include programs,

projects, and other activities to--'' and inserting

``uses of grant amounts.--The purposes for which grants

made under subsection (a) may be made are--'';

(B) by redesignating paragraphs (1) through (12) as

paragraphs (6) through (17), respectively;

(C) by inserting before paragraph (6) (as so

redesignated) the following new paragraphs:

``(1) rehire law enforcement officers who have been laid off

as a result of State and local budget reductions for deployment

in community-oriented policing;

``(2) hire and train new, additional career law enforcement

officers for deployment in community-oriented policing across

the Nation;

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``(3) procure equipment, technology, or support systems, or

pay overtime, to increase the number of officers deployed in

community-oriented policing;

``(4) award grants to pay for offices hired to perform

intelligence, anti-terror, or homeland security duties;''; and

(D) by amending paragraph (9) (as so redesignated)

to read as follows:

``(9) develop new technologies, including interoperable

communications technologies, modernized criminal record

technology, and forensic technology, to assist State and local

law enforcement agencies in reorienting the emphasis of their

activities from reacting to crime to preventing crime and to

train law enforcement officers to use such technologies;'';

(4) by redesignating subsections (e) through (k) as

subsections (c) through (i), respectively; and

(5) in subsection (c) (as so redesignated) by striking

``subsection (i)'' and inserting ``subsection (g)''.

(b) Conforming Amendment.--Section 1702 of title I of such Act (42

U.S.C. 3796dd-1) is amended in subsection (d)(2) by striking ``section

1701(d)'' and inserting ``section 1701(b)''.

(c) Authorization of Appropriations.--Section 1001(a)(11) of title I

of such Act (42 U.S.C. 3793(a)(11)) is amended--

(1) in subparagraph (A) by striking ``expended--'' and all

that follows through ``2000'' and inserting ``expended

$1,047,119,000 for each of fiscal years 2006 through 2009''; and

(2) in subparagraph (B)--

(A) by striking ``section 1701(f)'' and inserting

``section 1701(d)''; and

(B) by striking the third sentence.

SEC. 1164. CLARIFICATION OF PERSONS ELIGIBLE FOR BENEFITS UNDER PUBLIC

SAFETY OFFICERS' DEATH BENEFITS PROGRAMS.

(a) Persons Eligible for Death Benefits.--Section 1204 of the

Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b), as

most recently amended by section 2(a) of the Mychal Judge Police and

Fire Chaplains Public Safety Officers' Benefit Act of 2002 (Public Law

107-196; 116 Stat. 719), is amended--

(1) by redesignating paragraphs (7) and (8) as paragraphs

(8) and (9), respectively;

(2) by inserting after paragraph (6) the following new

paragraph:

``(7) `member of a rescue squad or ambulance crew' means an

officially recognized or designated public employee member of a

rescue squad or ambulance crew;''; and

(3) in paragraph (4) by striking ``and'' and all that

follows through the end and inserting a semicolon.

(4) in paragraph (6) by striking ``enforcement of the laws''

and inserting ``enforcement of the criminal laws (including

juvenile delinquency).''.

(b) Clarification of Limitation on Payments in Non-Civilian Cases.--

Section 1202(5) of such Act (42 U.S.C. 3796a(5)) is amended by inserting

``with respect'' before ``to any individual''.

(c) Waiver of Collection in Certain Cases.--Section 1201 of such Act

(42 U.S.C. 3796) is amended by adding at the end the following:

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``(m) The Bureau may suspend or end collection action on an amount

disbursed pursuant to a statute enacted retroactively or otherwise

disbursed in error under subsection (a) or (c), where such collection

would be impractical, or would cause undue hardship to a debtor who

acted in good faith.''.

(d) Designation of Beneficiary.--Section 1201(a)(4) of such Act (42

U.S.C. 3796(a)(4)) is amended to read as follows:

``(4) if there is no surviving spouse or surviving child--

``(A) in the case of a claim made on or after the

date that is 90 days after the date of the enactment of

this subparagraph, to the individual designated by such

officer as beneficiary under this section in such

officer's most recently executed designation of

beneficiary on file at the time of death with such

officer's public safety agency, organization, or unit,

provided that such individual survived such officer; or

``(B) if there is no individual qualifying under

subparagraph (A), to the individual designated by such

officer as beneficiary under such officer's most

recently executed life insurance policy on file at the

time of death with such officer's public safety agency,

organization, or unit, provided that such individual

survived such officer; or''.

(e) Confidentiality.--Section 1201(1)(a) of such Act (42 U.S.C.

3796(a)) is amended by adding at the end the following:

``(6) The public safety agency, organization, or unit

responsible for maintaining on file an executed designation of

beneficiary or recently executed life insurance policy pursuant

to paragraph (4) shall maintain the confidentiality of such

designation or policy in the same manner as it maintains

personnel or other similar records of the officer.''.

SEC. 1165. PRE-RELEASE AND POST-RELEASE PROGRAMS FOR JUVENILE OFFENDERS.

Section 1801(b) of the Omnibus Crime Control and Safe Streets Act of

1968 (42 U.S.C. 3796ee(b)) is amended--

(1) in paragraph (15) by striking ``or'' at the end;

(2) in paragraph (16) by striking the period at the end and

inserting ``; or''; and

(3) by adding at the end the following:

``(17) establishing, improving, and coordinating pre-release

and post-release systems and programs to facilitate the

successful reentry of juvenile offenders from State or local

custody in the community.''.

SEC. 1166. <<NOTE: 42 USC 3796ee-10.>> REAUTHORIZATION OF JUVENILE

ACCOUNTABILITY BLOCK GRANTS.

Section 1810(a) of the Omnibus Crime Control and Safe Streets Act of

1968 (42 U.S.C. 3796gg-10(a)) is amended by striking ``2002 through

2005'' and inserting ``2006 through 2009''.

SEC. 1167. SEX OFFENDER MANAGEMENT.

Section 40152 of the Violent Crime Control and Law Enforcement Act

of 1994 (42 U.S.C. 13941) is amended by striking subsection (c) and

inserting the following:

``(c) Authorization of Appropriations.--There are authorized to be

appropriated to carry out this section $5,000,000 for each of fiscal

years 2006 through 2010.''.

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SEC. 1168. <<NOTE: 42 USC 3796ee-2.>> EVIDENCE-BASED APPROACHES.

Section 1802 of the Omnibus Crime Control and Safe Streets Act of

1968 is amended--

(1) in subsection (a)(1)(B) by inserting ``, including the

extent to which evidence-based approaches are utilized'' after

``part''; and

(2) in subsection (b)(1)(A)(ii) by inserting ``, including

the extent to which evidence-based approaches are utilized''

after ``part''.

SEC. 1169. REAUTHORIZATION OF MATCHING GRANT PROGRAM FOR SCHOOL

SECURITY.

(a) In General.--Section 2705 of the Omnibus Crime Control and Safe

Streets Act of 1968 (42 U.S.C. 3797e) is amended by striking ``2003''

and inserting ``2009''.

(b) Program to Remain Under COPS Office.--Section 2701 of the

Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a) is

amended in subsection (a) by inserting after ``The Attorney General''

the following: ``, acting through the Office of Community Oriented

Policing Services,''.

SEC. 1170. TECHNICAL AMENDMENTS TO AIMEE'S LAW.

Section 2001 of division C, Public Law 106-386 (42 U.S.C. 13713), is

amended--

(1) in each of subsections (b), (c)(1), (c)(2), (c)(3),

(e)(1), and (g) by striking the first upper-case letter after

the heading and inserting a lower case letter of such letter and

the following: ``Pursuant to regulations promulgated by the

Attorney General hereunder,'';

(2) in subsection (c), paragraphs (1) and (2), respectively,

by--

(A) striking ``a State'', the first place it

appears, and inserting ``a criminal-records-reporting

State''; and

(B) striking ``(3),'' and all that follows through

``subsequent offense'' and inserting ``(3), it may,

under subsection (d), apply to the Attorney General for

$10,000, for its related apprehension and prosecution

costs, and $22,500 per year (up to a maximum of 5

years), for its related incarceration costs with both

amounts for costs adjusted annually for the rate of

inflation'';

(3) in subsection (c)(3), by--

(A) striking ``if--'' and inserting ``unless--'';

(B) striking--

(i) ``average'';

(ii) ``individuals convicted of the offense

for which,''; and

(iii) ``convicted by the State is''; and

(C) inserting ``not'' before ``less'' each place it

appears.

(4) in subsections (d) and (e), respectively, by striking

``transferred'';

(5) in subsection (e)(1), by--

(A) inserting ``pursuant to section 506 of the

Omnibus Crime Control and Safe Streets Act of 1968''

before ``that''; and

(B) striking the last sentence and inserting ``No

amount described under this section shall be subject to

section 3335(b) or 6503(d) of title 31, United States

Code''.;

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(6) in subsection (i)(1), by striking ``State-'' and

inserting ``State (where practicable)-''; and

(7) by striking subsection (i)(2) and inserting:

``(2) Report.--The Attorney General shall submit to

Congress--

``(A) a report, by not later than 6 months after the

date of enactment of this Act, that provides national

estimates of the nature and extent of recidivism (with

an emphasis on interstate recidivism) by State inmates

convicted of murder, rape, and dangerous sexual

offenses;

``(B) a report, by not later than October 1, 2007,

and October 1 of each year thereafter, that provides

statistical analysis and criminal history profiles of

interstate recidivists identified in any State

applications under this section; and

``(C) reports, at regular intervals not to exceed

every five years, that include the information described

in paragraph (1).''.

Subtitle C--MISCELLANEOUS PROVISIONS

SEC. 1171. TECHNICAL AMENDMENTS RELATING TO PUBLIC LAW 107-56.

(a) Striking Surplus Words.--

(1) Section 2703(c)(1) of title 18, United States Code, is

amended by striking ``or'' at the end of subparagraph (C).

(2) Section 1960(b)(1)(C) of title 18, United States Code,

is amended by striking ``to be used to be used'' and inserting

``to be used''.

(b) Punctuation and Grammar Corrections.--Section 2516(1)(q) of

title 18, United States Code, is amended--

(1) by striking the semicolon after the first close

parenthesis; and

(2) by striking ``sections'' and inserting ``section''.

(c) Cross Reference Correction.--Section 322 of Public Law 107-56

is <<NOTE: 28 USC 2466 and note.>> amended, effective on the date of the

enactment of that section, by striking ``title 18'' and inserting

``title 28''.

SEC. 1172. MISCELLANEOUS TECHNICAL AMENDMENTS.

(a) Table of Sections Omission.--The table of sections at the

beginning of chapter 203 of title 18, United States Code, is amended by

inserting after the item relating to section 3050 the following new

item:

``3051. Powers of Special Agents of Bureau of Alcohol, Tobacco,

Firearms, and Explosives''.

(b) Repeal of Duplicative Program.--Section 316 of Part A of the

Runaway and Homeless Youth Act (42 U.S.C. 5712d), as added by section

40155 of the Violent Crime Control and Law Enforcement Act of 1994

(Public Law 103-322; 108 Stat. 1922), is repealed.

(c) Repeal of Provision Relating to Unauthorized Program.--Section

20301 of Public Law 103-322 <<NOTE: 8 USC 1231 note.>> is amended by

striking subsection (c).

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SEC. 1173. <<NOTE: 28 USC 530c note.>> USE OF FEDERAL TRAINING

FACILITIES.

(a) Federal Training Facilities.--Unless authorized in writing by

the Attorney General, or the Assistant Attorney General for

Administration, if so delegated by the Attorney General, the Department

of Justice (and each entity within it) shall use for any predominantly

internal training or conference meeting only a facility that does not

require a payment to a private entity for use of the facility.

(b) Annual Report.--The Attorney General shall prepare an annual

report to the Chairmen and ranking minority members of the Committees on

the Judiciary of the Senate and of the House of Representatives that

details each training and conference meeting that requires specific

authorization under subsection (a). The report shall include an

explanation of why the facility was chosen, and a breakdown of any

expenditures incurred in excess of the cost of conducting the training

or meeting at a facility that did not require such authorization.

SEC. 1174. <<NOTE: 28 USC 509.>> PRIVACY OFFICER.

(a) <<NOTE: Designation.>> In General.--The Attorney General shall

designate a senior official in the Department of Justice to assume

primary responsibility for privacy policy.

(b) Responsibilities.--The responsibilities of such official shall

include advising the Attorney General regarding--

(1) appropriate privacy protections, relating to the

collection, storage, use, disclosure, and security of personally

identifiable information, with respect to the Department's

existing or proposed information technology and information

systems;

(2) privacy implications of legislative and regulatory

proposals affecting the Department and involving the collection,

storage, use, disclosure, and security of personally

identifiable information;

(3) implementation of policies and procedures, including

appropriate training and auditing, to ensure the Department's

compliance with privacy-related laws and policies, including

section 552a of title 5, United States Code, and Section 208 of

the E-Government Act of 2002 (Public Law 107-347);

(4) ensuring that adequate resources and staff are devoted

to meeting the Department's privacy-related functions and

obligations;

(5) appropriate notifications regarding the Department's

privacy policies and privacy-related inquiry and complaint

procedures; and

(6) privacy-related reports from the Department to Congress

and the President.

(c) Review of Privacy Related Functions, Resources, and Report.--

Within 120 days of his designation, the privacy official shall prepare a

comprehensive report to the Attorney General and to the Committees on

the Judiciary of the House of Representatives and of the Senate,

describing the organization and resources of the Department with respect

to privacy and related information management functions, including

access, security, and records management, assessing the Department's

current and future needs relating to information privacy issues, and

making appropriate recommendations regarding the Department's

organizational structure and personnel.

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(d) Annual Report.--The privacy official shall submit a report to

the Committees on the Judiciary of the House of Representatives and of

the Senate on an annual basis on activities of the Department that

affect privacy, including a summary of complaints of privacy violations,

implementation of section 552a of title 5, United States Code, internal

controls, and other relevant matters.

SEC. 1175. <<NOTE: Reports. 28 USC 581 note.>> BANKRUPTCY CRIMES.

The Director of the Executive Office for United States Trustees

shall prepare an annual report to the Congress detailing--

(1) the number and types of criminal referrals made by the

United States Trustee Program;

(2) the outcomes of each criminal referral;

(3) for any year in which the number of criminal referrals

is less than for the prior year, an explanation of the decrease;

and

(4) the United States Trustee Program's efforts to prevent

bankruptcy fraud and abuse, particularly with respect to the

establishment of uniform internal controls to detect common,

higher risk frauds, such as a debtor's failure to disclose all

assets.

SEC. 1176. <<NOTE: 28 USC 509 note.>> REPORT TO CONGRESS ON STATUS OF

UNITED STATES PERSONS OR RESIDENTS DETAINED ON SUSPICION OF

TERRORISM.

Not less often than once every 12 months, the Attorney General shall

submit to Congress a report on the status of United States persons or

residents detained, as of the date of the report, on suspicion of

terrorism. The report shall--

(1) specify the number of persons or residents so detained;

and

(2) specify the standards developed by the Department of

Justice for recommending or determining that a person should be

tried as a criminal defendant or should be designated as an

enemy combatant.

SEC. 1177. INCREASED PENALTIES AND EXPANDED JURISDICTION FOR SEXUAL

ABUSE OFFENSES IN CORRECTIONAL FACILITIES.

(a) Expanded Jurisdiction.--The following provisions of title 18,

United States Code, are each amended by inserting ``or in any prison,

institution, or facility in which persons are held in custody by

direction of or pursuant to a contract or agreement with the Attorney

General'' after ``in a Federal prison,'':

(1) Subsections (a) and (b) of section 2241.

(2) The first sentence of subsection (c) of section 2241.

(3) Section 2242.

(4) Subsections (a) and (b) of section 2243.

(5) Subsections (a) and (b) of section 2244.

(b) Increased Penalties.--

(1) Sexual abuse of a ward.--Section 2243(b) of such title

is amended by striking ``one year'' and inserting ``five

years''.

(2) Abusive sexual contact.--Section 2244 of such title is

amended by striking ``six months'' and inserting ``two years''

in each of subsections (a)(4) and (b).

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SEC. 1178. EXPANDED JURISDICTION FOR CONTRABAND OFFENSES IN CORRECTIONAL

FACILITIES.

Section 1791(d)(4) of title 18, United States Code, is amended by

inserting ``or any prison, institution, or facility in which persons are

held in custody by direction of or pursuant to a contract or agreement

with the Attorney General'' after ``penal facility''.

SEC. 1179. MAGISTRATE JUDGE'S AUTHORITY TO CONTINUE PRELIMINARY HEARING.

The second sentence of section 3060(c) of title 18, United States

Code, is amended to read as follows: ``In the absence of such consent of

the accused, the judge or magistrate judge may extend the time limits

only on a showing that extraordinary circumstances exist and justice

requires the delay.''.

SEC. 1180. TECHNICAL CORRECTIONS RELATING TO STEROIDS.

Section 102(41)(A) of the Controlled Substances Act (21 U.S.C.

802(41)(A)), as amended by the Anabolic Steroid Control Act of 2004

(Public law 108-358), is amended by--

(1) striking clause (xvii) and inserting the following:

``(xvii) 13b-ethyl-17b-hydroxygon-4-en-3-one;''; and

(2) striking clause (xliv) and inserting the following:

``(xliv) stanozolol (17a-methyl-17b-hydroxy-[5a]-androst-2-

eno[3,2-c]-pyrazole);''.

SEC. 1181. PRISON RAPE COMMISSION EXTENSION.

Section 7 of the Prison Rape Elimination Act of 2003 (42 U.S.C.

15606) is amended in subsection (d)(3)(A) by striking ``2 years'' and

inserting ``3 years''.

SEC. 1182. LONGER STATUTE OF LIMITATION FOR HUMAN TRAFFICKING-RELATED

OFFENSES.

(a) In General.--Chapter 213 of title 18, United States Code, is

amended by adding at the end the following new section:

``Sec. 3298. Trafficking-related offenses

``No person shall be prosecuted, tried, or punished for any non-

capital offense or conspiracy to commit a non-capital offense under

section 1581 (Peonage; Obstructing Enforcement), 1583 (Enticement into

Slavery), 1584 (Sale into Involuntary Servitude), 1589 (Forced Labor),

1590 (Trafficking with Respect to Peonage, Slavery, Involuntary

Servitude, or Forced Labor), or 1592 (Unlawful Conduct with Respect to

Documents in furtherance of Trafficking, Peonage, Slavery, Involuntary

Servitude, or Forced Labor) of this title or under section 274(a) of the

Immigration and Nationality Act unless the indictment is found or the

information is instituted not later than 10 years after the commission

of the offense.''.

(b) Clerical Amendment.--The table of sections at the beginning of

such chapter is amended by adding at the end the following new item:

``3298. Trafficking-related offenses''.

(c) Modification of Statute Applicable to Offense Against

Children.--Section 3283 of title 18, United States Code, is amended by

inserting ``, or for ten years after the offense, whichever is longer''

after ``of the child''.

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SEC. 1183. USE OF CENTER FOR CRIMINAL JUSTICE TECHNOLOGY.

(a) In General.--The Attorney General may use the services of the

Center for Criminal Justice Technology, a nonprofit ``center of

excellence'' that provides technology assistance and expertise to the

criminal justice community.

(b) Authorization of Appropriations.--There are authorized to be

appropriated to the Attorney General to carry out this section the

following amounts, to remain available until expended:

(1) $7,500,000 for fiscal year 2006.

(2) $7,500,000 for fiscal year 2007.

(3) $10,000,000 for fiscal year 2008.

SEC. 1184. SEARCH GRANTS.

(a) In General.--Pursuant to subpart 1 of part E of title I of the

Omnibus Crime Control and Safe Streets Act of 1968, the Attorney General

may make grants to SEARCH, the National Consortium for Justice

Information and Statistics, to carry out the operations of the National

Technical Assistance and Training Program.

(b) Authorization of Appropriations.--There are authorized to be

appropriated to the Attorney General to carry out this section

$4,000,000 for each of fiscal years 2006 through 2009.

SEC. 1185. REAUTHORIZATION OF LAW ENFORCEMENT TRIBUTE ACT.

Section 11001 of Public Law 107-273 (42 U.S.C. 15208; 116 Stat.

1816) is amended in subsection (i) by striking ``2006'' and inserting

``2009''.

SEC. 1186. AMENDMENT REGARDING BULLYING AND GANGS.

Paragraph (13) of section 1801(b) of the Omnibus Crime Control and

Safe Streets Act of 1968 (42 U.S.C. 3796ee(b)) is amended to read as

follows:

``(13) establishing and maintaining accountability-based

programs that are designed to enhance school safety, which

programs may include research-based bullying, cyberbullying, and

gang prevention programs;''.

SEC. 1187. TRANSFER OF PROVISIONS RELATING TO THE BUREAU OF ALCOHOL,

TOBACCO, FIREARMS, AND EXPLOSIVES.

(a) Organizational Provision.--Part II of title 28, United States

Code, is amended by adding at the end the following new chapter:

``CHAPTER 40A--BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES

``Sec.

``599A. Bureau of Alcohol, Tobacco, Firearms, and Explosives

``599B. Personnel management demonstration project''.

(b) Transfer of Provisions.--The section heading for, and

subsections (a), (b), (c)(1), and (c)(3) of, section 1111, and section

1115, of the Homeland Security Act of 2002 (6 U.S.C. 531(a), (b),

(c)(1), and (c)(3), and 533) <<NOTE: 28 USC 599A, 599B.>> are hereby

transferred to, and added at the end of chapter 40A of such title, as

added by subsection (a) of this section.

(c) Conforming Amendments.--

(1) Such section 1111 <<NOTE: 28 USC 599A.>> is amended--

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(A) by striking the section heading and inserting

the following:

``Sec. 599A. Bureau of alcohol, tobacco, firearms, and Explosives'';

and

(B) in subsection (b)(2), by inserting ``of section

1111 of the Homeland Security Act of 2002 (as enacted on

the date of the enactment of such Act)'' after

``subsection (c)'',

and such section heading and such subsections (as so amended)

shall constitute section 599A of such title.

(2) Such section 1115 <<NOTE: 28 USC 599B.>> is amended by

striking the section heading and inserting the following:

``Sec. 599B. Personnel Management demonstration project'';

and such section (as so amended) shall constitute section 599B

of such title.

(d) Clerical Amendment.--The chapter analysis for such part is

amended by adding at the end the following new item:

``40A. Bureau of Alcohol, Tobacco, Firearms, and Explosives

2599A''...........................................................

SEC. 1188. REAUTHORIZE THE GANG RESISTANCE EDUCATION AND TRAINING

PROJECTS PROGRAM.

Section 32401(b) of the Violent Crime Control Act of 1994 (42 U.S.C.

13921(b)) is amended by striking paragraphs (1) through (6) and

inserting the following:

``(1) $20,000,000 for fiscal year 2006;

``(2) $20,000,000 for fiscal year 2007;

``(3) $20,000,000 for fiscal year 2008;

``(4) $20,000,000 for fiscal year 2009; and

``(5) $20,000,000 for fiscal year 2010.''.

SEC. 1189. NATIONAL TRAINING CENTER.

(a) In General.--The Attorney General may use the services of the

National Training Center in Sioux City, Iowa, to utilize a national

approach to bring communities and criminal justice agencies together to

receive training to control the growing national problem of

methamphetamine, poly drugs and their associated crimes. The National

Training Center in Sioux City, Iowa, seeks a comprehensive approach to

control and reduce methamphetamine trafficking, production and usage

through training.

(b) Authorization of Appropriations.--There are authorized to be

appropriated to the Attorney General to carry out this section the

following amounts, to remain available until expended:

(1) $2,500,000 for fiscal year 2006.

(2) $3,000,000 for fiscal year 2007.

(3) $3,000,000 for fiscal year 2008.

(4) $3,000,000 for fiscal year 2009.

SEC. 1190. SENSE OF CONGRESS RELATING TO ``GOOD TIME'' RELEASE.

It is the sense of Congress that it is important to study the

concept of implementing a ``good time'' release program for non-violent

criminals in the Federal prison system.

SEC. 1191. PUBLIC EMPLOYEE UNIFORMS.

(a) In General.--Section 716 of title 18, United States Code, is

amended--

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(1) by striking ``police badge'' each place it appears in

subsections (a) and (b) and inserting ``official insignia or

uniform'';

(2) in each of paragraphs (2) and (4) of subsection (a), by

striking ``badge of the police'' and inserting ``official

insignia or uniform'';

(3) in subsection (b)--

(A) by striking ``the badge'' and inserting ``the

insignia or uniform'';

(B) by inserting ``is other than a counterfeit

insignia or uniform and'' before ``is used or is

intended to be used''; and

(C) by inserting ``is not used to mislead or

deceive, or'' before ``is used or intended'';

(4) in subsection (c)--

(A) by striking ``and'' at the end of paragraph (1);

(B) by striking the period at the end of paragraph

(2) and inserting ``; and'';

(C) by adding at the end the following:

``(3) the term `official insignia or uniform' means an

article of distinctive clothing or insignia, including a badge,

emblem or identification card, that is an indicium of the

authority of a public employee;

``(4) the term `public employee' means any officer or

employee of the Federal Government or of a State or local

government; and

``(5) the term `uniform' means distinctive clothing or other

items of dress, whether real or counterfeit, worn during the

performance of official duties and which identifies the wearer

as a public agency employee.''; and

(5) by adding at the end the following:

``(d) It is a defense to a prosecution under this section that the

official insignia or uniform is not used or intended to be used to

mislead or deceive, or is a counterfeit insignia or uniform and is used

or is intended to be used exclusively--

``(1) for a dramatic presentation, such as a theatrical,

film, or television production; or

``(2) for legitimate law enforcement purposes.''; and

(6) in the heading for the section, by striking ``police

badges'' and inserting ``public employee insignia and uniform''.

(b) Conforming Amendment to Table of Sections.--The item in the

table of sections at the beginning of chapter 33 of title 18, United

States Code, relating to section 716 is amended by striking ``Police

badges'' and inserting ``Public employee insignia and uniform''.

(c) <<NOTE: 28 USC 994 note.>> Direction to Sentencing Commission.--

The United States Sentencing Commission is directed to make appropriate

amendments to sentencing guidelines, policy statements, and official

commentary to assure that the sentence imposed on a defendant who is

convicted of a Federal offense while wearing or displaying insignia and

uniform received in violation of section 716 of title 18, United States

Code, reflects the gravity of this aggravating factor.

SEC. 1192. OFFICIALLY APPROVED POSTAGE.

Section 475 of title 18, United States Code, is amended by adding at

the end the following: ``Nothing in this section applies

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to evidence of postage payment approved by the United States Postal

Service.''.

SEC. 1193. <<NOTE: Grants.>> AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.

In addition to any other amounts authorized by law, there are

authorized to be appropriated for grants to the American Prosecutors

Research Institute under section 214A of the Victims of Child Abuse Act

of 1990 (42 U.S.C. 13003) $7,500,000 for each of fiscal years 2006

through 2010.

SEC. 1194. <<NOTE: Hurricanes Katrina and Rita.>> ASSISTANCE TO COURTS.

The chief judge of each United States district court is encouraged

to cooperate with requests from State and local authorities whose

operations have been significantly disrupted as a result of Hurricane

Katrina or Hurricane Rita to provide accommodations in Federal

facilities for State and local courts to conduct their proceedings.

SEC. 1195. STUDY AND REPORT ON CORRELATION BETWEEN SUBSTANCE ABUSE AND

DOMESTIC VIOLENCE AT DOMESTIC VIOLENCE SHELTERS.

The Secretary of Health and Human Services shall carry out a study

on the correlation between a perpetrator's drug and alcohol abuse and

the reported incidence of domestic violence at domestic violence

shelters. The study shall cover fiscal years 2006 through 2008. Not

later than February 2009, the Secretary shall submit to Congress a

report on the results of the study.

SEC. 1196. REAUTHORIZATION OF STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.

(a) Authorization of Appropriations.--Section 241(i)(5) of the

Immigration and Nationality Act (8 U.S.C. 1231(i)(5)) is amended by

striking ``appropriated'' and all that follows through the period and

inserting the following: ``appropriated to carry out this subsection--

``(A) $750,000,000 for fiscal year 2006;

``(B) $850,000,000 for fiscal year 2007; and

``(C) $950,000,000 for each of the fiscal years 2008

through 2011.''.

(b) Limitation on Use of Funds.--Section 241(i)(6) of the

Immigration and Nationality Act (8 U.S.C. 1231(i)(6)) is amended to read

as follows:

``(6) Amounts appropriated pursuant to the authorization of

appropriations in paragraph (5) that are distributed to a State

or political subdivision of a State, including a municipality,

may be used only for correctional purposes.''.

(c) Study and Report on State and Local Assistance in Incarcerating

Undocumented Criminal Aliens.--

(1) In general.--Not later than 1 year after the date of the

enactment of this Act, the Inspector General of the United

States Department of Justice shall perform a study, and report

to the Committee on the Judiciary of the United States House of

Representatives and the Committee on the Judiciary of the United

States Senate on the following:

(A) Whether there are States, or political

subdivisions of a State, that have received compensation

under section 241(i) of the Immigration and Nationality

Act (8 U.S.C. 1231(i)) and are not fully cooperating in

the Department

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of Homeland Security's efforts to remove from the United

States undocumented criminal aliens (as defined in

paragraph (3) of such section).

(B) Whether there are States, or political

subdivisions of a State, that have received compensation

under section 241(i) of the Immigration and Nationality

Act (8 U.S.C. 1231(i)) and that have in effect a policy

that violates section 642 of the Illegal Immigration

Reform and Immigrant Responsibility Act of 1996 (8

U.S.C. 1373).

(C) The number of criminal offenses that have been

committed by aliens unlawfully present in the United

States after having been apprehended by States or local

law enforcement officials for a criminal offense and

subsequently being released without being referred to

the Department of Homeland Security for removal from the

United States.

(D) The number of aliens described in subparagraph

(C) who were released because the State or political

subdivision lacked space or funds for detention of the

alien.

(2) Identification.--In the report submitted under paragraph

(1), the Inspector General of the United States Department of

Justice--

(A) shall include a list identifying each State or

political subdivision of a State that is determined to

be described in subparagraph (A) or (B) of paragraph

(1); and

(B) shall include a copy of any written policy

determined to be described in subparagraph (B).

SEC. 1197. EXTENSION OF CHILD SAFETY PILOT PROGRAM.

Section 108 of the PROTECT Act (42 U.S.C. 5119a note) is amended--

(1) in subsection (a)--

(A) in paragraph (2)(B), by striking ``A volunteer

organization in a participating State may not submit

background check requests under paragraph (3).'';

(B) in paragraph (3)--

(i) in subparagraph (A), by striking ``a 30-

month'' and inserting ``a 60-month'';

(ii) in subparagraph (A), by striking

``100,000'' and inserting ``200,000''; and

(iii) by striking subparagraph (B) and

inserting the following:

``(B) Participating organizations.--

``(i) Eligible organizations.--Eligible

organizations include--

``(I) the Boys and Girls Clubs of

America;

``(II) the MENTOR/National Mentoring

Partnership;

``(III) the National Council of

Youth Sports; and

``(IV) any nonprofit organization

that provides care, as that term is

defined in section 5 of the National

Child Protection Act of 1993 (42 U.S.C.

5119c), for children.

``(ii) Pilot program.--The eligibility of an

organization described in clause (i)(IV) to

participate in the pilot program established under

this section

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shall be determined by the National Center for

Missing and Exploited Children, with the rejection

or concurrence within 30 days of the Attorney

General, according to criteria established by such

Center, including the potential number of

applicants and suitability of the organization to

the intent of this section. If the Attorney

General fails to reject or concur within 30 days,

the determination of the National Center for

Missing and Exploited Children shall be

conclusive.'';

(iv) by striking subparagraph (C) and

inserting the following:

``(C) Applicants from participating organizations.--

Participating organizations may request background

checks on applicants for positions as volunteers and

employees who will be working with children or

supervising volunteers.'';

(v) in subparagraph (D), by striking ``the

organizations described in subparagraph (C)'' and

inserting ``participating organizations''; and

(vi) in subparagraph (F), by striking ``14

business days'' and inserting ``10 business

days'';

(2) in subsection (c)(1), by striking ``and 2005'' and

inserting ``through 2008''; and

(3) in subsection (d)(1), by adding at the end the

following:

``(O) The extent of participation by eligible

organizations in the state pilot program.''.

SEC. 1198. TRANSPORTATION AND SUBSISTENCE FOR SPECIAL SESSIONS OF

DISTRICT COURTS.

(a) Transportation and Subsistence.--Section 141(b) of title 28,

United States Code, as added by section 2(b) of Public Law 109-63, is

amended by adding at the end the following:

``(5) If a district court issues an order exercising its authority

under paragraph (1), the court shall direct the United States marshal of

the district where the court is meeting to furnish transportation and

subsistence to the same extent as that provided in sections 4282 and

4285 of title 18.''.

(b) Authorization of Appropriations.--There are authorized to be

appropriated such sums as may be necessary to carry out paragraph (5) of

section 141(b) of title 28, United States Code, as added by subsection

(a) of this section.

SEC. 1199. <<NOTE: 42 USC 13751 note.>> YOUTH VIOLENCE REDUCTION

DEMONSTRATION PROJECTS.

(a) Establishment of Youth Violence Reduction Demonstration

Projects.--

(1) <<NOTE: Grants.>> In general.--The Attorney General

shall make up to 5 grants for the purpose of carrying out Youth

Violence Demonstration Projects to reduce juvenile and young

adult violence, homicides, and recidivism among high-risk

populations.

(2) Eligible entities.--An entity is eligible for a grant

under paragraph (1) if it is a unit of local government or a

combination of local governments established by agreement for

purposes of undertaking a demonstration project.

(b) Selection of Grant Recipients.--

(1) Awards.--The Attorney General shall award grants for

Youth Violence Reduction Demonstration Projects on a competitive

basis.

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(2) Amount of awards.--No single grant award made under

subsection (a) shall exceed $15,000,000 per fiscal year.

(3) Application.--An application for a grant under paragraph

(1) shall be submitted to the Attorney General in such a form,

and containing such information and assurances, as the Attorney

General may require, and at a minimum shall propose--

(A) a program strategy targeting areas with the

highest incidence of youth violence and homicides;

(B) outcome measures and specific objective indicia

of performance to assess the effectiveness of the

program; and

(C) a plan for evaluation by an independent third

party.

(4) Distribution.--In making grants under this section, the

Attorney General shall ensure the following:

(A) No less than 1 recipient is a city with a

population exceeding 1,000,000 and an increase of at

least 30 percent in the aggregated juvenile and young

adult homicide victimization rate during calendar year

2005 as compared to calendar year 2004.

(B) No less than one recipient is a nonmetropolitan

county or group of counties with per capita arrest rates

of juveniles and young adults for serious violent

offenses that exceed the national average for

nonmetropolitan counties by at least 5 percent.

(5) Criteria.--In making grants under this section, the

Attorney General shall give preference to entities operating

programs that meet the following criteria:

(A) A program focusing on--

(i) reducing youth violence and homicides,

with an emphasis on juvenile and young adult

probationers and other juveniles and young adults

who have had or are likely to have contact with

the juvenile justice system;

(ii) fostering positive relationships between

program participants and supportive adults in the

community; and

(iii) accessing comprehensive supports for

program participants through coordinated community

referral networks, including job opportunities,

educational programs, counseling services,

substance abuse programs, recreational

opportunities, and other services.

(B) A program goal of almost daily contacts with and

supervision of participating juveniles and young adults

through small caseloads and a coordinated team approach

among case managers drawn from the community, probation

officers, and police officers.

(C) The use of existing structures, local government

agencies, and nonprofit organizations to operate the

program.

(D) Inclusion in program staff of individuals who

live or have lived in the community in which the program

operates; have personal experiences or cultural

competency that build credibility in relationships with

program participants; and will serve as a case manager,

intermediary, and mentor.

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(E) Fieldwork and neighborhood outreach in

communities where the young violent offenders live,

including support of the program from local public and

private organizations and community members.

(F) Imposition of graduated probation sanctions to

deter violent and criminal behavior.

(G) A record of program operation and effectiveness

evaluation over a period of at least five years prior to

the date of enactment of this Act.

(H) A program structure that can serve as a model

for other communities in addressing the problem of youth

violence and juvenile and young adult recidivism.

(c) Authorized Activities.--Amounts paid to an eligible entity under

a grant award may be used for the following activities:

(1) Designing and enhancing program activities.

(2) Employing and training personnel.

(3) Purchasing or leasing equipment.

(4) Providing services and training to program participants

and their families.

(5) Supporting related law enforcement and probation

activities, including personnel costs.

(6) Establishing and maintaining a system of program

records.

(7) Acquiring, constructing, expanding, renovating, or

operating facilities to support the program.

(8) Evaluating program effectiveness.

(9) Undertaking other activities determined by the Attorney

General as consistent with the purposes and requirements of the

demonstration program.

(d) Evaluation and Reports.--

(1) Independent evaluation.--The Attorney General may use up

to $500,000 of funds appropriated annually under this such

section to--

(A) prepare and implement a design for interim and

overall evaluations of performance and progress of the

funded demonstration projects;

(B) provide training and technical assistance to

grant recipients; and

(C) disseminate broadly the information generated

and lessons learned from the operation of the

demonstration projects.

(2) Reports to congress.--Not later than 120 days after the

last day of each fiscal year for which 1 or more demonstration

grants are awarded, the Attorney General shall submit to

Congress a report which shall include--

(A) a summary of the activities carried out with

such grants;

(B) an assessment by the Attorney General of the

program carried out; and

(C) such other information as the Attorney General

considers appropriate.

(e) Federal Share.--

(1) In general.--The Federal share of a grant awarded under

this Act shall not exceed 90 percent of the total program costs.

(2) Non-federal share.--The non-Federal share of such cost

may be provided in cash or in-kind.

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(f) Definitions.--In this section:

(1) Unit of local government.--The term ``unit of local

government'' means a county, township, city, or political

subdivision of a county, township, or city, that is a unit of

local government as determined by the Secretary of Commerce for

general statistical purposes.

(2) Juvenile.--The term ``juvenile'' means an individual who

is 17 years of age or younger.

(3) Young adult.--The term ``young adult'' means an

individual who is 18 through 24 years of age.

(g) Authorization of Appropriations.--There are authorized to be

appropriated to carry out this section $50,000,000 for fiscal year 2007

and such sums as may be necessary for each of fiscal years 2008 through

2009, to remain available until expended.

Approved January 5, 2006.