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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 of Justice Reauthorization Act of 2005''.

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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

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

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

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,

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

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)--

(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

``(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

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:

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(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,

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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--

(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

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``(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

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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--

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``(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

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.

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``(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.''.

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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--

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(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.

``(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

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,

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

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

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--

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``(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

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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--

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``(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--

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``(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--

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``(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;

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``(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.

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(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:

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``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

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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

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,

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

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

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

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

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

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--

``(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

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

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

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.--

(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

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.

(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

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

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

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

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

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)--

``(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

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

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.

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

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).

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.

(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.