

105TH CONGRESS
2^D SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

_____ introduced the following bill; which was referred to the Committee
on _____

A BILL

To prevent violence against women, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Violence Against Women Act of 1998”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—CONTINUING THE COMMITMENT OF THE VIOLENCE
AGAINST WOMEN ACT

Subtitle A—Law Enforcement and Prosecution Grants To Combat Violence
Against Women

- Sec. 101. Reauthorization.
- Sec. 102. Technical amendments.
- Sec. 103. State coalition grants.

Subtitle B—National Domestic Violence Hotline

- Sec. 111. Reauthorization.
- Sec. 112. Technical amendments.

Subtitle C—Battered Women’s Shelters and Services

- Sec. 121. Short title.
- Sec. 122. Authorization of appropriations for family violence prevention and services.
- Sec. 123. FVPSA improvements.

Subtitle D—Community Initiatives

- Sec. 131. Grants for community initiatives.

Subtitle E—Education and Training for Judges and Court Personnel

- Sec. 141. Reauthorization.

Subtitle F—Grants To Encourage Arrest Policies

- Sec. 151. Definitions.
- Sec. 152. Reauthorization.
- Sec. 153. Technical amendment.

Subtitle G—Rural Domestic Violence and Child Abuse Enforcement

- Sec. 161. Reauthorization.
- Sec. 162. Technical amendments.

Subtitle H—National Stalker and Domestic Violence Reduction

- Sec. 171. Technical amendments.
- Sec. 172. Reauthorization.

Subtitle I—Federal Victims’ Counselors

- Sec. 181. Reauthorization.

Subtitle J—Education and Prevention Grants To Reduce Sexual Abuse of
Runaway, Homeless, and Street Youth

- Sec. 191. Reauthorization.
- Sec. 192. Dissemination of information.

Subtitle K—Victims of Child Abuse Programs

- Sec. 191–1. Reauthorization of court-appointed special advocate program.
- Sec. 191–2. Reauthorization of child abuse training programs for judicial personnel and practitioners.
- Sec. 191–3. Reauthorization of grants for televised testimony.
- Sec. 191–4. Dissemination of information.

TITLE II—LIMITING THE EFFECTS OF VIOLENCE ON CHILDREN

Sec. 201. Findings.

Subtitle A—Safe Havens for Children

Sec. 211. Purposes.

Sec. 212. Grants to provide for supervised visitation centers.

Subtitle B—Violence Against Women Prevention Among Youth in Schools

Sec. 221. Grants for violence against women prevention among youth.

Subtitle C—Family Safety

Sec. 231. Short title.

Sec. 232. Findings and purposes.

Sec. 233. Defense to criminal custodial interference or parental abduction charge or claim.

Sec. 234. Full faith and credit given to child custody determinations.

Subtitle D—Domestic Violence and Children

Sec. 241. Child custody, child abuse, and victims of domestic violence.

Subtitle E—Child Abuse Accountability

Sec. 251. Short title.

Sec. 252. Amendments to title I of the Employee Retirement Income Security Act of 1974.

Sec. 253. Amendments to the Internal Revenue Code of 1986.

Sec. 254. Effective date.

TITLE III—SEXUAL ASSAULT PREVENTION

Subtitle A—Rape Prevention Education

Sec. 301. Transfer of rape prevention and education program.

Sec. 302. Technical amendment to Public Law 103–322.

Subtitle B—Standards, Practice, and Training for Sexual Assault Examinations

Sec. 311. Short title.

Sec. 312. Standards, practice, and training for sexual assault examinations.

Subtitle C—Prevention of Custodial Sexual Assault by Correctional Staff

Sec. 331. Short title.

Sec. 332. Findings.

Sec. 333. Establishment of prevention program.

Sec. 334. Prohibited sexual conduct by correctional staff.

Sec. 335. National sexual contact hotline for prisoners.

Sec. 336. Definitions.

Subtitle D—Hate Crimes Prevention

Sec. 341. Short title.

Sec. 342. Findings.

Sec. 343. Definition of hate crime.

- Sec. 344. Prohibition of certain acts of violence.
- Sec. 345. Duties of Federal Sentencing Commission.
- Sec. 346. Grant program.
- Sec. 347. Authorization for additional personnel to assist State and local law enforcement.
- Sec. 348. Severability.

TITLE IV—DOMESTIC VIOLENCE PREVENTION

Subtitle A—Domestic Violence Victims' Housing

- Sec. 401. Short title.
- Sec. 402. Authorization of appropriations.
- Sec. 403. Use of amounts for housing assistance for victims of domestic violence.
- Sec. 404. Definitions relating to domestic violence.
- Sec. 405. Other definitions.

Subtitle B—Full Faith and Credit for Protection Orders

- Sec. 411. Full faith and credit for protection orders.
- Sec. 412. Grant program.

Subtitle C—Victims of Abuse Insurance Protection

- Sec. 421. Short title.
- Sec. 422. Definitions.
- Sec. 423. Discriminatory acts prohibited.
- Sec. 424. Insurance protocols for subjects of abuse.
- Sec. 425. Reasons for adverse actions.
- Sec. 426. Life insurance.
- Sec. 427. Subrogation without consent prohibited.
- Sec. 428. Enforcement.
- Sec. 429. Effective date.

Subtitle D—National Summit on Sports and Violence

- Sec. 431. Sense of the Congress that a national summit of sports, political, community, and media leaders should be promptly convened to develop a multifaceted action plan to deter acts of violence, especially domestic violence and sexual assault.

Subtitle E—Keeping Firearms From Intoxicated Persons

- Sec. 441. Prohibition against transfer of a firearm to, and possession of a firearm by, a person who is intoxicated.

Subtitle F—Access to Safety and Advocacy

- Sec. 451. Short title.
- Sec. 452. Purpose.
- Sec. 453. Grants to improve access to the justice system.
- Sec. 454. Application.
- Sec. 455. Funding.
- Sec. 456. Provision of technical assistance and training.
- Sec. 457. Evaluation of access to safety and advocacy grants.
- Sec. 458. Definitions.

Subtitle G—Federal Witness Protection for Victims of Domestic Violence

Sec. 461. Witness protection.

TITLE V—VIOLENCE AGAINST WOMEN IN THE MILITARY SYSTEM

Subtitle A—Civilian Jurisdiction for Crimes of Sexual Assault and Domestic Violence

Sec. 501. Criminal offenses committed outside the United States by persons accompanying the Armed Forces.

Sec. 502. Records of military justice actions.

Subtitle B—Transitional Compensation and Health Care for Abused Dependents of Members of the Armed Forces

Sec. 511. Transitional compensation.

Sec. 512. Health benefits.

TITLE VI—PREVENTING VIOLENCE AGAINST WOMEN IN TRADITIONALLY UNDERSERVED COMMUNITIES

Subtitle A—Older Women's Protection From Violence

Sec. 601. Short title.

Sec. 602. Findings.

CHAPTER I—VIOLENCE AGAINST WOMEN ACT

Sec. 603–1. Reference.

Sec. 603–2. Programs.

CHAPTER II—FAMILY VIOLENCE PREVENTION AND SERVICES ACT

Sec. 604–1. Reference.

Sec. 604–2. Domestic violence services for older women.

Sec. 604–3. State grants.

Sec. 604–4. Demonstration grants.

CHAPTER III—OLDER AMERICANS ACT OF 1965

Sec. 605–1. Reference.

Sec. 605–2. Research about the sexual abuse of older women.

Sec. 605–3. Long-term care ombudsman program.

Sec. 605–4. Training for health professionals on screening for elder abuse.

Sec. 605–5. Domestic violence shelters for older women.

Sec. 605–6. Elder abuse prevention program.

Sec. 605–7. Domestic violence and older women.

Subtitle B—Protection Against Violence and Abuse for Women With Disabilities

Sec. 611. Short title.

Sec. 612. Findings.

Sec. 613. Omnibus Crime Control and Safe Streets Act of 1968.

Sec. 614. Public Health and Human Services Act.

Sec. 615. Family Violence Prevention and Services Act.

Sec. 616. Violence Against Women Act.

Sec. 617. Training programs for social service and health providers.

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- Sec. 618. Training for health professionals on screening for abuse of women with disabilities.
- Sec. 619. Research about sexual abuse and violence against women with disabilities.
- Sec. 619–1. Grants for technical assistance.

Subtitle C—Battered Immigrant Women

- Sec. 621. Short title.
- Sec. 622. Findings and purposes.
- Sec. 623. Cancellation of removal and adjustment of status for certain nonpermanent residents.
- Sec. 624. General classes of aliens ineligible to receive visas and excluded from admission.
- Sec. 625. Procedure for granting immigrant status.
- Sec. 626. General classes of deportable aliens.
- Sec. 627. Adjustment of status of nonimmigrant to that of person admitted for permanent residence.
- Sec. 628. Removal proceedings.
- Sec. 629. Married persons and employees of certain nonprofit organizations.
- Sec. 630. Work authorization.
- Sec. 631. Records maintained on individuals.
- Sec. 632. Welfare and public benefits for aliens.
- Sec. 633. Legal services corporation.
- Sec. 634. Violence against women.
- Sec. 635. Powers of immigration officers and employees.
- Sec. 636. Effective date.

Subtitle D—Conforming Amendments to the Violence Against Women Act

- Sec. 641. Law enforcement and prosecution grants.
- Sec. 642. Family Violence Prevention and Services Act.

TITLE VII—VIOLENCE AGAINST WOMEN IN THE WORKPLACE

- Sec. 701. Findings.

Subtitle A—National Clearinghouse on Domestic Violence and Sexual Assault and the Workplace Grant

- Sec. 711. National clearinghouse on domestic violence and sexual assault and the workplace grant.

Subtitle B—Victims' Employment Rights

- Sec. 721. Short title.
- Sec. 722. Purposes.
- Sec. 723. Discrimination.
- Sec. 724. Enforcement.
- Sec. 725. Attorney's fees.
- Sec. 726. Defenses.

Subtitle C—Workplace Violence Against Women Prevention Tax Credit

- Sec. 731. Short title.
- Sec. 732. Credit for costs to employers of implementing workplace safety programs to combat violence against women.

Subtitle D—Battered Women’s Employment Protection

- Sec. 741. Short title and reference.
- Sec. 742. Purposes.
- Sec. 743. Unemployment compensation.
- Sec. 744. Entitlement to leave for domestic violence.
- Sec. 745. Entitlement to leave for Federal employees for domestic violence.
- Sec. 746. Existing leave useable for domestic violence.
- Sec. 747. Effect on other laws and employment benefits.
- Sec. 748. Effective date.

Subtitle E—Education and Training Grants To Promote Responses to
Violence Against Women

- Sec. 751. Education and training grants to promote appropriate responses to violence against women in the context of welfare reform.

Subtitle F—Workers’ Compensation

- Sec. 761. Sense of Congress regarding workplace violence against women and workers’ compensation.

TITLE VIII—EDUCATIONAL INSTITUTIONS AND VIOLENCE
AGAINST WOMEN

Subtitle A—Grants To Reduce Violent Crimes Against Women on Campus

- Sec. 801. Grants to combat violent crimes against women on campuses.
- Sec. 802. National baseline study on university campus procedures in case of a report of sexual assault.

Subtitle B—Student Safety

- Sec. 811. Short title; references.
- Sec. 812. Disclosure of crimes reported and daily crime log.
- Sec. 813. Exemption of allegations of criminal activity from education records definition.
- Sec. 814. Program participation agreement enforcement.
- Sec. 815. Report on model programs.

Subtitle C—Violence Against Women Training for Health Professions

- Sec. 821. Short title.
- Sec. 822. Establishment, for certain health professions programs, of provisions regarding domestic violence and sexual assault.

Subtitle D—Campus Hate Crimes Right to Know

- Sec. 831. Disclosure.

TITLE IX—VIOLENCE AGAINST WOMEN EDUCATION,
PREVENTION, AND INTERVENTION RESEARCH

- Sec. 901. Findings.

1 SEC. 2. DEFINITIONS.

2 For purposes of this Act—

1 (1) DOMESTIC VIOLENCE.—The term “domestic
2 violence” includes acts or threats of violence, not in-
3 cluding acts of self-defense, committed by a current
4 or former spouse of the victim, by a person with
5 whom the victim shares a child in common, by a per-
6 son who is cohabitating with or has cohabitated with
7 the victim, by a person who is or has been in a con-
8 tinuing social relationship of a romantic or intimate
9 nature with the victim, by a person similarly situ-
10 ated to a spouse of the victim under the domestic or
11 family violence laws of the jurisdiction, or by any
12 other person against a victim who is protected from
13 that person’s acts under the domestic or family vio-
14 lence laws of the jurisdiction.

15 (2) SEXUAL ASSAULT.—The term “sexual as-
16 sault” means any conduct proscribed by chapter
17 109A of title 18, United States Code, whether or not
18 the conduct occurs in the special maritime and terri-
19 torial jurisdiction of the United States or in a Fed-
20 eral prison and includes both assaults committed by
21 offenders who are strangers to the victim and as-
22 saults committed by offenders who are known to the
23 victim or related by blood or marriage to the victim.

24 (3) STALKING.—The term “stalking” means
25 engaging in a course of conduct directed at a spe-

1 cific person that would cause a reasonable person to
2 fear death or bodily injury to himself or herself or
3 a member of his or her immediate family, when the
4 person engaging in such conduct has knowledge or
5 should have knowledge that the specific person will
6 be placed in reasonable fear of death or bodily injury
7 to himself or herself or a member of his or her im-
8 mediate family and when the conduct induces fear in
9 the specific person of bodily injury to himself or her-
10 self or a member of his or her immediate family.

11 **TITLE I—CONTINUING THE COM-**
12 **MITMENT OF THE VIOLENCE**
13 **AGAINST WOMEN ACT**

14 **Subtitle A—Law Enforcement and**
15 **Prosecution Grants To Combat**
16 **Violence Against Women**

17 **SEC. 101. REAUTHORIZATION.**

18 Section 1001(a)(18) of the Omnibus Crime Control
19 and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)) is
20 amended—

21 (1) by striking “and” at the end of subpara-
22 graph (E);

23 (2) by striking the period at the end of sub-
24 paragraph (F) and inserting “; and”; and

1 (3) by inserting after subparagraph (F) the fol-
2 lowing:

3 “(G) \$185,000,000 for fiscal year 2001;

4 “(H) \$185,000,000 for fiscal year 2002; and

5 “(I) \$185,000,000 for fiscal year 2003.”.

6 **SEC. 102. TECHNICAL AMENDMENTS.**

7 (a) Section 2002(c)(3) of the Omnibus Crime Control
8 and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1(c)(3))
9 is amended to read as follows:

10 “(3) up to 20 percent to be allocated to law en-
11 forcement, up to 20 percent to prosecution grants,
12 at least 35 percent to victims’ services, and at least
13 10 percent to State court systems; and”.

14 (b) Section 2002(e) of the Omnibus Crime Control
15 and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1(e))
16 is amended by adding at the end the following new para-
17 graph:

18 “(3) REALLOTMENT OF FUNDS.—

19 “(A) If, at the end of the 9th month of
20 any fiscal year for which funds are appropriated
21 under section 1001(a)(18), the amounts made
22 available are unspent or unobligated, such
23 unspent or unobligated funds shall be reallocated
24 to the current fiscal year recipients in the vic-
25 tim services area pursuant to section

1 2002(c)(3)) proportionate to their original allot-
2 ment for the current fiscal year.

3 “(B) For the first 2 fiscal years following
4 the effective date of this Act, the Attorney Gen-
5 eral may waive the qualification requirements of
6 section 2002(c), at the request of the State and
7 with the support of law enforcement, prosecu-
8 tion, and victims services grantees currently
9 funded under this section, if the reallocation of
10 funds among law enforcement, prosecution, vic-
11 tims’ services and State court systems man-
12 dated by this Act adversely impacts victims of
13 sexual assault, domestic violence, and stalking,
14 due to the reduction of funds to programs and
15 services funded under this section in the prior
16 fiscal year.”.

17 (c) Section 2001(b) of the Omnibus Crime Control
18 and Safe Streets Act of 1968 (42 U.S.C. 3796gg(b)) is
19 amended—

20 (1) by striking “and” at the end of paragraph
21 (6); and

22 (2) by redesignating paragraph (7) as para-
23 graph (8) and by inserting after paragraph (6) the
24 following new paragraph:

1 “(7) developing, enlarging, or strengthening
2 programs, including training for State, local, and
3 tribal judges and court personnel, addressing violent
4 crimes against women, including sexual assault, do-
5 mestic violence, and stalking; and”.

6 (d) Section 2002 of Omnibus Crime Control and Safe
7 Streets Act of 1968 (42 U.S.C. 3796gg-1) is amended—

8 (1) by inserting after subsection (d) the follow-
9 ing new subsection:

10 “(e) MONITORING AND COMPLIANCE.—The Attorney
11 General shall deny applications—

12 “(1) that do not meet the requirements set
13 forth in subsections (c) and (d); and

14 “(2) for failure to provide documentation, in-
15 cluding memoranda of understanding, contract, or
16 other document of any collaborative efforts with
17 other agencies or organizations.”; and

18 (2) by redesignating subsections (e), (f), (g),
19 and (h) as subsections (f), (g), (h), and (i), respec-
20 tively.

21 (e) Section 2003(8) of Omnibus Crime Control and
22 Safe Streets Act of 1968 (42 U.S.C. 3796gg-2(8)) is
23 amended by striking “assisting domestic violence or sexual
24 assault victims through the legal process” and inserting
25 “providing advocacy and assistance for victims seeking

1 legal, social, and health care services”, and inserting be-
2 fore the period the following: “, except that such term
3 shall not include programs or activities that are targeted
4 primarily for offenders”.

5 **SEC. 103. STATE COALITION GRANTS.**

6 Section 2001 of the Omnibus Crime Control and Safe
7 Streets Act of 1968 (42 U.S.C. 3796gg) is amended by
8 inserting after subsection (b) the following new subsection:

9 “(c)(1) PURPOSE.—The Attorney General shall make
10 grants to each of the State domestic violence and sexual
11 assault coalitions in the State for the purposes of coordi-
12 nating State victim services activities, and collaborating
13 and coordinating with Federal, State, and local entities
14 engaged in violence against women activities. In no case
15 will such awards preclude the State domestic violence and
16 sexual assault coalitions from receiving grants under Part
17 T of this Act to fulfill the purposes described in section
18 2001.

19 “(2) GRANTS TO STATE COALITIONS.—The Attorney
20 General shall make grants to each of the State domestic
21 violence coalitions, as determined by the Secretary of the
22 Department of Health and Human Services through the
23 Family Violence Prevention Services Act (42 U.S.C.
24 10410 et seq.), and the State sexual assault coalition as
25 determined by the Secretary of Health and Human Serv-

1 ices under the Public Health Service Act. In States in
2 which there exists a combined domestic violence and sex-
3 ual assault coalition, each component shall be eligible for
4 the awards for sexual assault and domestic violence activi-
5 ties, respectively.

6 “(3) ALLOTMENT.—The Attorney General shall make
7 grants under paragraph (2) to each State domestic vio-
8 lence and sexual assault coalition equal to 5 percent of
9 the amount appropriated for such fiscal year in section
10 1001(a)(18). The domestic violence and sexual assault co-
11 alition in each State, the District of Columbia, the Com-
12 monwealth of Puerto Rico, and the combined United
13 States Territories shall receive an amount equal to $\frac{1}{5}$ ³
14 of amount appropriated under this section for each fiscal
15 year. For purposes of this section, the term ‘combined
16 United States Territories’ means Guam, American Samoa,
17 the United States Virgin Islands, the Northern Mariana
18 Islands, and the Trust Territory of the Pacific Islands and
19 shall not receive less than 1.5 percent of the funds appro-
20 priated for each fiscal year.”.

1 **Subtitle B—National Domestic**
2 **Violence Hotline**

3 **SEC. 111. REAUTHORIZATION.**

4 Section 316(f)(1) of the Family Violence Prevention
5 and Services Act (42 U.S.C. 10416(f)(1)) is amended to
6 read as follows:

7 “(1) IN GENERAL.—There are authorized to be
8 appropriated to carry out the purposes of this sec-
9 tion—

10 “(A) \$1,600,000 for fiscal year 1999;

11 “(B) \$1,800,000 for fiscal year 2000;

12 “(C) \$2,000,000 for fiscal year 2001;

13 “(D) \$2,000,000 for fiscal year 2002; and

14 “(E) \$2,000,000 for fiscal year 2003.”.

15 **SEC. 112. TECHNICAL AMENDMENTS.**

16 Section 316 of the Family Violence Prevention and
17 Services Act (42 U.S.C. 10416) is amended by redesignat-
18 ing subsection (f) (as modified herein) as subsection (g)
19 and by inserting after subsection (e) the following new
20 subsection:

21 “(f) Within 90 days after the date of the enactment
22 of this subtitle, all entities receiving funds pursuant to ac-
23 tivities under 42 U.S.C. 10416(a) shall prepare and sub-
24 mit a report to the Secretary that evaluates the effective-
25 ness of the use of amounts received under such grants by

1 such grantee and containing such other information as the
2 Secretary may prescribe. The Secretary shall publish any
3 such reports and provide at least 90 days for notice and
4 opportunity for public comment prior to awarding or re-
5 newing any such grants.

6 **Subtitle C—Battered Women’s**
7 **Shelters and Services**

8 **SEC. 121. SHORT TITLE.**

9 This subtitle may be cited as the “Battered Women’s
10 Shelters and Services Act”.

11 **SEC. 122. AUTHORIZATION OF APPROPRIATIONS FOR FAM-**
12 **ILY VIOLENCE PREVENTION AND SERVICES.**

13 Section 310(a) of the Family Violence Prevention and
14 Services Act (42 U.S.C. 10409(a)) is amended to read as
15 follows:

16 “(a) IN GENERAL.—There are authorized to be ap-
17 propriated to carry out this title—

18 “(1) \$50,000,000 for fiscal year 1996;

19 “(2) \$60,000,000 for fiscal year 1997;

20 “(3) \$70,000,000 for fiscal year 1998;

21 “(4) \$120,000,000 for fiscal year 1999;

22 “(5) \$160,000,000 for fiscal year 2000;

23 “(6) \$200,000,000 for fiscal year 2001;

24 “(7) \$260,000,000 for fiscal year 2002; and

25 “(8) \$260,000,000 for fiscal year 2003.”.

1 **SEC. 123. FVPSA IMPROVEMENTS.**

2 (a) Section 304(a) of the Family Violence Prevention
3 and Services Act (42 U.S.C. 10403(a)) is amended—

4 (1) by inserting after “grant authorized under
5 section 10402(a) of this title” the following:
6 “\$500,000, with the remaining funds to be allotted
7 to each State in”;

8 (2) by striking paragraph (1) and redesignating
9 paragraph (2) as paragraph (1);

10 (3) by striking all after paragraph (2).

11 (b) Section 304(d) of the Family Violence Prevention
12 and Services Act (42 U.S.C. 10403(d)) is amended—

13 (1) by inserting after “to such State in grants
14 under section 10402(a)” the following: “or Indian
15 tribe and tribal organization under section
16 10402(b)”;

17 (2) by inserting after “failure of such State”
18 the following: “or Indian tribe and tribal organiza-
19 tion, or other entity”;

20 (3) by inserting after “such amount to States”
21 the following: “or Indian tribes and tribal organiza-
22 tions”;

23 (4) by inserting after “which meet such require-
24 ments” the following: “proportionate to the original
25 allocation made under section 10402(a) or (b), re-
26 spectively”; and

1 (5) by redesignating paragraph (2) as para-
2 graph (3) and adding a new paragraph (2) after
3 paragraph (1) to read as follows:

4 “(2) If, at the end of the sixth month of any
5 fiscal year for which sums are appropriated under
6 section 10409 of this title, the amount allotted to an
7 entity has not been made available to such entity in
8 grants under sections 10407 and 10410 of this title
9 because of the failure of such entity to meet the re-
10 quirements for a grant or because the limitation on
11 expenditure has been reached, then the Secretary
12 shall reallocate such amount to States and Indian tribes
13 and tribal organizations that meet such require-
14 ments proportionate to the original allocation under
15 section 10402(a) or (b), respectively.”

16 (c) Section 308(a)(2) of the Family Violence Preven-
17 tion and Services Act (42 U.S.C. 10407(a)(2)) is amended
18 by adding “on providing training and technical assistance”
19 after “focusing.”, and by adding at the end the following:
20 “The Secretary may award grants to nonprofit, non-
21 governmental organizations for technical assistance and
22 training initiatives on the subject identified in subsection
23 (c), provided such initiatives do not duplicate the work of
24 the entities funded under subsection (c) and provided that

1 total amounts awarded for such initiatives do not exceed
2 \$500,000.”

3 (d) Section 308(e) of the Family Violence Prevention
4 and Services Act (42 U.S.C. 10407(e)) is amended by add-
5 ing “on emerging issues in domestic violence service, pre-
6 vention, or law and” after “service providers, and”, delet-
7 ing “domestic violence service, prevention, or law” after
8 “following areas”, and by adding new paragraphs (8), (9),
9 and (10) as follows:

10 “(8) Providing technical assistance and training
11 to local domestic violence programs that provide
12 shelter and/or related assistance.

13 “(9) Improving access to services, information,
14 training within Indian tribes and tribal agencies.

15 “(10) Responding to emerging issues in the
16 field of domestic violence that the Secretary may
17 identify in consultation with advocates representing
18 local programs providing shelter or related assist-
19 ance, State domestic violence coalitions, and national
20 domestic violence organizations.”

21 (e) Section 308(e) of the Family Violence Prevention
22 and Services Act (42 U.S.C. 10407(e)) is amended by add-
23 ing a new paragraph following new paragraph (10) as fol-
24 lows: “Nothing in this section shall prohibit the Secretary

1 from making multiple grants to any nonprofit, nongovern-
2 mental entity to fulfill the purposes of this section.”

3 (f) Section 310(c) of the Family Violence Prevention
4 and Services Act (42 U.S.C. 10409(c)) is amended by add-
5 ing after “for each fiscal year,” and before “5 percent
6 shall” the following: “the lesser of \$7,500,000 or”.

7 (g) Section 310(d) of the Family Violence Prevention
8 and Services Act (42 U.S.C. 10409(d)) is amended by
9 striking “not less than” and inserting “the lesser of
10 \$22,000,000 or” and by adding at the end the following:
11 “At such time as the appropriation under this subsection
12 exceeds \$11,000,000, the Secretary shall designate that
13 of the amounts appropriated under this subsection up to
14 20 percent of such funds shall be made available in the
15 amounts necessary to State domestic violence coalitions
16 for the specific purpose of providing technical assistance,
17 training and direct assistance in the following areas or
18 other priorities that may be determined by the Secretary
19 in consultation with State domestic violence coalitions and
20 programs that provide shelter and/or related assistance.

21 (1) MODEL LEADERSHIP GRANTS FOR DOMES-
22 TIC VIOLENCE INTERVENTION IN UNDERSERVED
23 COMMUNITIES.—The Secretary shall award grants of
24 up to 3 years to not more than 10 State domestic
25 violence coalitions and not more than 10 local do-

1 mestic violence programs providing shelter or related
2 assistance to develop model strategies to address do-
3 mestic violence in underserved populations as de-
4 fined in 42 U.S.C. 37966gg-2(7). Such grants shall
5 be made to assess the needs of underserved popu-
6 lations in the State; build collaborative relationships
7 with community-based organizations serving under-
8 served populations; and develop and implement
9 model community intervention strategies to decrease
10 the incidence of domestic violence in underserved
11 populations.

12 (A) ELIGIBILITY.—To be eligible for a 1-
13 year model leadership grant under this para-
14 graph, an applicant shall demonstrate—

15 (i) a plan for assessing the needs of
16 underserved populations and identifying a
17 specific population for development of an
18 intervention strategy in year 1 of the
19 grant; and

20 (ii) inclusion of representatives from
21 community-based organizations in under-
22 served communities in planning, designing,
23 and disseminating the needs assessment
24 instruments.

1 (B) ELIGIBILITY FOR CONTINUED FUND-
2 ING.—To be eligible for continued funding of
3 up to 2 additional years, an applicant shall pro-
4 vide—

5 (i) a plan for implementing the model
6 strategies which includes collaborative
7 partnerships with community-based organi-
8 zations within the underserved populations
9 identified; and

10 (ii) a plan; for disseminating the
11 model strategy throughout the State or to
12 other States during year 3 of the grant.

13 (C) PRIORITY FOR COLLABORATIVE FUND-
14 ING.—In awarding grants under this section,
15 the Secretary shall give preference to State do-
16 mestic violence coalitions and local domestic vio-
17 lence shelters and programs that submit appli-
18 cations in collaboration with community-based
19 organizations serving underserved populations.
20 A grant may not be made under this subsection
21 in an amount less than \$100,000 for each fiscal
22 year.

23 (2) DIRECT EMERGENCY ASSISTANCE TO VIC-
24 TIMS OF DOMESTIC VIOLENCE.—The Secretary shall
25 award grants to each State domestic violence coali-

1 tion for the purpose of administering an emergency
2 assistance fund for victims of domestic violence.
3 Funds received under this paragraph may be used
4 only to provide emergency assistance directly to vic-
5 tims of domestic violence who are in the process of
6 fleeing an abusive situation. Emergency assistance
7 shall include transportation, housing, and other ex-
8 penses associated with relocation. Funds shall be re-
9 quested by domestic violence shelters and programs
10 on behalf of victims.

11 (A) APPLICATION.—Prior to receipt of
12 emergency assistance funds under this section,
13 the State domestic violence coalition shall pro-
14 vide to the Secretary—

15 (i) a detailed description of the proc-
16 ess for receiving and reviewing applications
17 for emergency assistance;

18 (ii) a detailed description of the proc-
19 ess for notifying domestic violence shelters
20 and programs about the availability of
21 emergency assistance funds;

22 (iii) an application form that includes
23 the type of assistance requested; a state-
24 ment of need for the funds; a statement
25 about the impact of the funds on the vic-

1 tim's ability to escape domestic violence,
2 and other such information that would be
3 helpful in disbursing emergency assistance
4 funds; and

5 (iv) the process used to make pay-
6 ments to recipients.

7 (B) REPORTING.—The State domestic vio-
8 lence coalition shall file an annual report to the
9 Secretary describing the distribution of funds to
10 victims of domestic violence by type and
11 amount of assistance provided.

12 (3) TECHNICAL ASSISTANCE AND TRAINING
13 FOR STATE AND LOCAL DOMESTIC VIOLENCE PRO-
14 GRAMS.—The Secretary shall award grants to a
15 State domestic violence coalition or coalitions for the
16 purpose of providing training and technical assist-
17 ance for State domestic violence coalitions and other
18 nonprofit, nongovernmental State and local domestic
19 violence programs. Funds received under this section
20 shall be used to provide funding for regional training
21 and technical assistance initiatives to be developed
22 and implemented by a nonprofit, nongovernmental
23 State domestic violence coalition or coalitions within
24 each of the regions administered by the Department
25 of Health and Human Services. Funds shall be used

1 to prioritize, plan, and implement solutions to re-
2 gional problems experienced by domestic violence
3 coalitions and programs providing shelter and/or re-
4 lated assistance within the region.

5 (A) ELIGIBILITY.—To be eligible for fund-
6 ing the grantee shall have the support of the
7 majority of State domestic violence coalitions
8 within the region and shall have its principal
9 place of operation within the region. Nothing in
10 this section shall prohibit domestic violence pro-
11 grams within Indian tribes from receiving tech-
12 nical assistance and training under this grant
13 program. Grantees shall be encouraged to work
14 in collaboration with domestic violence advo-
15 cates and organizations outside of the region
16 and with the national resource center and spe-
17 cial issue resource centers established in this
18 title to provide expertise in delivering training
19 and technical assistance within the region.

20 (B) REPORTING.—The grantee State do-
21 mestic violence coalition or coalitions shall file
22 an annual report to the Secretary describing
23 the recipients and the type of technical assist-
24 ance received.

1 (h) Section 308(e) of the Family Violence Prevention
2 and Services Act (42 U.S.C. 10407(e)) is amended by add-
3 ing at the end the following: “Within 90 days after the
4 date of the enactment of this subtitle, all entities receiving
5 funds pursuant to activities under 42 U.S.C. 10407(a)
6 shall prepare and submit a report to the Secretary that
7 evaluates the effectiveness of the use of amounts received
8 under such grants by such grantee and containing such
9 other information as the Secretary may prescribe. The
10 Secretary shall publish any such reports and provide at
11 least 90 days for notice and opportunity for public com-
12 ment prior to awarding or renewing any such grants.”.

13 (i) Section 307(a) of the Family Violence Prevention
14 and Services Act (42 U.S.C. 10402(a)) is amended by
15 adding at the end the following:

16 “(3) The Secretary shall deny any application that
17 fails to provide documentation, including memoranda of
18 understanding, of the specific involvement of the State do-
19 mestic violence coalition and other knowledgeable individ-
20 uals and interested organizations, in the development of
21 the State’s application.”.

1 **Subtitle D—Community Initiatives**

2 **SEC. 131. GRANTS FOR COMMUNITY INITIATIVES.**

3 (a) Section 318(h) of the Family Violence Prevention
4 and Services Act (42 U.S.C. 10418(h)) is amended to read
5 as follows:

6 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this sec-
8 tion—

9 “(1) \$8,000,000 for fiscal year 1999;

10 “(2) \$9,000,000 for fiscal year 2000;

11 “(3) \$10,000,000 for fiscal year 2001;

12 “(4) \$11,000,000 for fiscal year 2002; and

13 “(5) \$12,000,000 for fiscal year 2003.”.

14 (b) Section 318(I) of the Family Violence Prevention
15 and Services Act (42 U.S.C. 10418(I)) is amended—

16 (1) by inserting “(1)” after “REGULATIONS.—
17 ”;

18 (2) by striking the period at the end of sub-
19 section (i)(1) (as so redesignated) and inserting “;
20 and”; and

21 (3) by inserting after subsection (i)(1) (as so
22 redesignated) the following:

23 “(2) The Secretary shall annually compile and
24 broadly disseminate (including through electronic
25 publication) information about the use of funds and

1 about the projects funded under this subtitle, includ-
2 ing any evaluations of the projects and information
3 to enable replication and adoption of the strategies
4 identified in the projects. Such dissemination shall
5 target other community-based programs, including
6 domestic violence and sexual assault programs.”

7 **Subtitle E—Education and Train-**
8 **ing for Judges and Court Per-**
9 **sonnel**

10 **SEC. 141. REAUTHORIZATION.**

11 (a) GRANTS FOR EDUCATION AND TRAINING FOR
12 JUDGES AND COURT PERSONNEL IN STATE COURTS.—

13 (1) Section 40412 of the Equal Justice for Women in the
14 Courts Act of 1994 (42 U.S.C. 13992) is amended—

15 (A) by striking “and” at the end of paragraph
16 (18);

17 (B) by striking the period at the end of para-
18 graph (19); and

19 (C) by inserting after paragraph (19) the fol-
20 lowing:

21 “(20) the issues raised by domestic violence in
22 determining custody and visitation, including how to
23 protect the safety of the child and of a parent who
24 is not a predominant aggressor of domestic violence,
25 the legitimate reasons parents may report domestic

1 violence, the ways domestic violence may relate to an
2 abuser's desire to seek custody, and evaluating ex-
3 pert testimony in custody and visitation determina-
4 tions involving domestic violence;

5 “(21) the issues raised by child sexual assault
6 in determining custody and visitation, including how
7 to protect the safety of the child, the legitimate rea-
8 sons parents may report child sexual assault, and
9 evaluating expert testimony in custody and visitation
10 determinations involving child sexual assault, includ-
11 ing the current scientifically-accepted and empiri-
12 cally valid research on child sexual assault; and

13 “(22) the extent to which addressing domestic
14 violence and victim safety contributes to the efficient
15 administration of justice.”.

16 (2) Section 40414(a) of the Equal Justice for Women
17 in the Courts Act of 1994 (42 U.S.C. 13994(a)) is amend-
18 ed by inserting “and \$1,500,000 for each of the fiscal
19 years 1999 through 2003” after “1996”.

20 (b) GRANTS FOR EDUCATION AND TRAINING FOR
21 JUDGES AND COURT PERSONNEL IN FEDERAL
22 COURTS.—(1) Section 40421(d) of the Equal Justice for
23 Women in the Courts Act of 1994 (42 U.S.C. 14001(d))
24 is amended to read as follows:

1 “(d) MODEL PROGRAMS.—The Federal Judicial Cen-
2 ter, in carrying out section 620(b)(3) of title 28, United
3 States Code, shall include in the educational programs it
4 prepares, including the training programs for newly ap-
5 pointed judges, information on the aspects of the topics
6 listed in section 40412 (42 U.S.C. 13992) that pertain
7 to issues within the jurisdiction of the Federal courts, and
8 shall prepare materials necessary to implement this sub-
9 section.”.

10 (2) Section 40422(2) of the Equal Justice for Women
11 in the Courts Act of 1994 (42 U.S.C. 14002(2)) is amend-
12 ed by inserting “and \$500,000 for each of the fiscal years
13 1999 through 2003” after “1996”.

14 (c) TECHNICAL AMENDMENTS TO THE EQUAL JUS-
15 TICE FOR WOMEN IN THE COURTS ACT.—

16 (1) ENSURING COLLABORATION WITH DOMES-
17 TIC VIOLENCE AND SEXUAL ASSAULT PROGRAMS.—
18 Section 40413 of the Equal Justice for Women in
19 the Courts Act (42 U.S.C. 13993) is amended by
20 adding the words “, including national, State, and
21 local domestic violence and sexual assault programs
22 and coalitions” after “victim advocates.”

23 (2) PARTICIPATION OF TRIBAL COURTS IN
24 STATE TRAINING AND EDUCATION PROGRAMS.—Sec-
25 tion 40411 of the Equal Justice for Women in the

1 Courts Act (42 U.S.C. 13991) is amended by adding
2 at the end the following: “Nothing shall preclude the
3 attendance of tribal judges and court personnel at
4 programs funded under this section for use by
5 States in training judges and court personnel on the
6 laws of the States.”

7 (3) USE OF FUNDS FOR DISSEMINATION OF
8 MODEL PROGRAMS.—Section 40414 of the Equal
9 Justice for Women in the Courts Act (42 U.S.C.
10 13994) is amended by adding at the end the follow-
11 ing:

12 “(c) The State Justice Institute may use up to 5 per-
13 cent of the funds appropriated under this section for annu-
14 ally compiling and broadly disseminating (including
15 through electronic publication) information about the use
16 of funds and about the projects funded under this section,
17 including any evaluations of the projects and information
18 to enable the replication and adoption of the projects.”

19 **Subtitle F—Grants To Encourage**
20 **Arrest Policies**

21 **SEC. 151. DEFINITIONS.**

22 Section 2105(1) of the Omnibus Crime Control and
23 Safe Streets Act of 1968 (42 U.S.C. 3796hh-4(1)) is
24 amended to read as follows:

1 “(1) the term ‘domestic violence’ includes acts
2 or threats of violence, committed by a current or
3 former spouse of the victim, by a person with whom
4 the victim shares a child in common, by a person
5 who is cohabitating with or has cohabitated with the
6 victim, by a person who is or has been in a continu-
7 ing social relationship of a romantic or intimate na-
8 ture with the victim, by a person similarly situated
9 to a spouse of the victim under the domestic or fam-
10 ily violence laws of the jurisdiction, or by any other
11 person against a victim who is protected from that
12 person’s acts under the domestic or family violence
13 laws of the jurisdiction. It does not include acts of
14 self-defense.”.

15 **SEC. 152. REAUTHORIZATION.**

16 Section 1001(a)(19) of the Omnibus Crime Control
17 and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is
18 amended—

19 (1) by striking “and” at the end of subpara-
20 graph (B);

21 (2) by striking the period at the end of sub-
22 paragraph (C) and inserting a semicolon; and

23 (3) by inserting after subparagraph (C) the fol-
24 lowing:

25 “(D) \$63,000,000 for fiscal year 1999;

1 “(E) \$67,000,000 for fiscal year 2000;
2 “(F) \$70,000,000 for fiscal year 2001;
3 “(G) \$70,000,000 for fiscal year 2002; and
4 “(H) \$70,000,000 for fiscal year 2003.”.

5 **SEC. 153. TECHNICAL AMENDMENT.**

6 Section 2101 of the Omnibus Crime Control and Safe
7 Streets Act of 1968 (42 U.S.C. 3796hh) is amended by
8 adding the following:

9 “(d) DISBURSEMENT.—At least 5 percent of the
10 funds appropriated under this section shall be used for
11 grants to Indian tribal governments.”.

12 **Subtitle G—Rural Domestic Vio-**
13 **lence and Child Abuse Enforce-**
14 **ment**

15 **SEC. 161. REAUTHORIZATION.**

16 Section 40295(c)(1) of the Safe Homes for Women
17 Act of 1994 (12 U.S.C. 13971(c)(1)) is amended—

18 (1) by striking “and” at the end of subpara-
19 graph (B);

20 (2) by striking the period at the end of sub-
21 paragraph (C) and inserting “; and”; and

22 (3) by inserting after subparagraph (C) the fol-
23 lowing:

24 “(D) \$35,000,000 for each of the fiscal
25 years 1999, 2000, 2001, 2002, and 2003.”.

1 **SEC. 162. TECHNICAL AMENDMENTS.**

2 Section 40295(c) of the Safe Homes for Women Act
3 of 1994 (12 U.S.C. 13971(c)) is amended by adding the
4 following:

5 “(3) DISBURSEMENT.—At least 5 percent of
6 the funds appropriated under this subtitle shall be
7 used for grants to Indian tribal governments.”.

8 **Subtitle H—National Stalker and**
9 **Domestic Violence Reduction**

10 **SEC. 171. TECHNICAL AMENDMENTS.**

11 Section 40602(a) of the Safe Homes for Women Act
12 of 1994 (42 U.S.C. 14031(a)) is amended by inserting
13 “and implement” after “improve”.

14 **SEC. 172. REAUTHORIZATION.**

15 Section 40603 of the Safe Homes for Women Act of
16 1994 (42 U.S.C. 14032) is amended—

17 (1) by striking “and” at the end of paragraph
18 (2);

19 (2) by striking the period at the end of para-
20 graph (3) and inserting “; and”; and

21 (3) by inserting after paragraph (3) the follow-
22 ing:

23 “(4) \$3,000,000 for each of the fiscal years
24 1999, 2000, 2001, 2002, and 2003.”

1 **Subtitle I—Federal Victims’**
2 **Counselors**

3 **SEC. 181. REAUTHORIZATION.**

4 Section 40114 of the Safe Streets for Women Act of
5 1994 is amended to read as follows: “There are authorized
6 to be appropriated for the United States Attorneys for the
7 purpose of appointing Victim/Witness Counselors for the
8 prosecution of sex crimes and domestic violence crimes
9 where applicable (such as the District of Columbia)
10 \$1,000,000 for each of the fiscal years 1999, 2000, 2001,
11 2002, and 2003.”

12 **Subtitle J—Education and Preven-**
13 **tion Grants To Reduce Sexual**
14 **Abuse of Runaway, Homeless,**
15 **and Street Youth**

16 **SEC. 191. REAUTHORIZATION.**

17 Section 316(c) of part A of the Runaway and Home-
18 less Youth Act (42 U.S.C. 5712d(c)) is amended—

19 (1) by striking “and” at the end of paragraph

20 (2);

21 (2) by striking the period at the end of para-
22 graph (3) and inserting a semicolon; and

23 (3) by inserting after paragraph (3) the follow-
24 ing:

1 “(4) \$22,000,000 for each of the fiscal years
2 1999, 2000, 2001, 2002, and 2003.”

3 **SEC. 192. DISSEMINATION OF INFORMATION.**

4 Section 316 of part A of the Runaway and Homeless
5 Youth Act (42 U.S.C. 5712d) is amended by redesignating
6 subsection (d) as subsection (e) and by inserting the fol-
7 lowing new subsection:

8 “(d) The Secretary shall annually compile and broad-
9 ly disseminate (including through electronic publication)
10 information about the use of funds and about the projects
11 funded under this subtitle, including any evaluations of
12 the projects and information to enable replication and
13 adoption of the strategies identified in the projects. Such
14 dissemination shall target community-based programs, in-
15 cluding domestic violence and sexual assault programs.”

16 **Subtitle K—Victims of Child Abuse**
17 **Programs**

18 **SEC. 191-1. REAUTHORIZATION OF COURT-APPOINTED SPE-**
19 **CIAL ADVOCATE PROGRAM.**

20 Section 218(a) of the Victims of Child Abuse Act of
21 1990 (42 U.S.C. 13014(a)) is amended—

22 (1) by striking “and” at the end of paragraph

23 (4);

24 (2) by striking the period at the end of para-

25 graph (5) and inserting a semicolon; and

1 (3) by inserting after paragraph (5) the follow-
2 ing:

3 “(6) \$12,000,000 for each of the fiscal years
4 2001, 2002, and 2003.”

5 **SEC. 191-2. REAUTHORIZATION OF CHILD ABUSE TRAINING**
6 **PROGRAMS FOR JUDICIAL PERSONNEL AND**
7 **PRACTITIONERS.**

8 Section 224(a) of the Victims of Child Abuse Act of
9 1990 (42 U.S.C. 13024(a)) is amended—

10 (1) by striking “and” at the end of paragraph
11 (4);

12 (2) by striking the period at the end of para-
13 graph (5) and inserting a semicolon; and

14 (3) by inserting after paragraph (5) the follow-
15 ing:

16 “(6) \$2,300,000 for each of the fiscal years
17 2001, 2002, and 2003.”

18 **SEC. 191-3. REAUTHORIZATION OF GRANTS FOR TELE-**
19 **VIDE TESTIMONY.**

20 Section 1001(a)(7) of title I of the Omnibus Crime
21 Control and Safe Streets Act of 1968 (42 U.S.C.
22 3793(a)(7)) is amended—

23 (1) by striking “and” at the end of subpara-
24 graph (D);

1 (2) by striking the period at the end of sub-
2 paragraph (E) and inserting a semicolon; and

3 (3) by inserting after subparagraph (E) the fol-
4 lowing:

5 “(F) \$1,000,000 for each of the fiscal
6 years 2001, 2002, and 2003.”

7 **SEC. 191-4. DISSEMINATION OF INFORMATION.**

8 Section 40156 of the Violence Against Women Act
9 of 1994 is amended by redesignating subsection (d) as
10 subsection (e) and by adding the following new subsection:

11 “(d) The Secretary shall annually compile and broad-
12 ly disseminate (including through electronic publication)
13 information about the use of funds and about the projects
14 funded under this section, including any evaluations of the
15 projects and information to enable replication and adop-
16 tion of the strategies identified in the projects. Such dis-
17 semination shall target community-based programs, in-
18 cluding domestic violence and sexual assault programs.”