

One Hundred Ninth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the third day of January, two thousand and six*

An Act

To make technical corrections to the Violence Against Women and Department
of Justice Reauthorization Act of 2005.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

**SECTION 1. UNIVERSAL GRANT CONDITIONS AND DEFINITIONS OF
THE VIOLENCE AGAINST WOMEN ACT OF 2005.**

(a) SHORT TITLE.—Section 1 of the Violence Against Women
and Department of Justice Reauthorization Act of 2005 is amended
by—

- (1) inserting “(a) IN GENERAL.—” before “This”; and
- (2) adding at the end the following:

“(b) SEPARATE SHORT TITLES.—Section 3 and titles I through
IX of this Act may be cited as the ‘Violence Against Women
Reauthorization Act of 2005’. Title XI of this Act may be cited
as the ‘Department of Justice Appropriations Authorization Act
of 2005’.”.

(b) CLARIFY EFFECTIVE DATES.—The Violence Against Women
Act and Department of Justice Reauthorization Act of 2005 (Public
Law 109–162) is amended by adding after section 3 the following
new section:

“SEC. 4. EFFECTIVE DATE OF SPECIFIC SECTIONS.

“Notwithstanding any other provision of this Act or any other
law, sections 101, 102 (except the amendment to section 2101(d)
of the Omnibus Crime Control and Safe Streets Act of 1968 included
in that section), 103, 121, 203, 204, 205, 304, 306, 602, 906, and
907 of this Act shall not take effect until the beginning of fiscal
year 2007.”.

(c) ENSURE COMPREHENSIVE DEFINITIONAL SECTION.—

(1) CRIMES ON CAMPUSES.—Section 304 of the Violence
Against Women and Department of Justice Reauthorization
Act of 2005 (Public Law 109–162) is amended by adding at
the end the following:

“(g) DEFINITIONS AND GRANT CONDITIONS.—In this section the
definitions and grant conditions in section 40002 of the Violence
Against Women Act of 1994 shall apply.”.

(2) OUTREACH TO UNDERSERVED POPULATIONS.—Section 120
of the Violence Against Women and Department of Justice
Reauthorization Act of 2005 (Public Law 109–162) is amended
by adding at the end the following:

“(i) DEFINITIONS AND GRANT CONDITIONS.—In this section the
definitions and grant conditions in section 40002 of the Violence
Against Women Act of 1994 shall apply.”.

(3) CULTURAL SERVICES.—Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) is amended by adding at the end the following:

“(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 shall apply.”.

(d) CORRECT DEFINITION OF SEXUAL ASSAULT.—Section 40002(a)(23) of the Violence Against Women Act of 1994, as added by section 3 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), is amended by striking “prescribed” and inserting “proscribed”.

(e) TRIBAL DEFINITIONS.—Section 40002(a) of the Violence Against Women Act of 1994, as added by section 3 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), is amended—

(1) in paragraph (1), by striking “Alaskan” and inserting “Alaska Native”;

(2) by redesignating paragraphs (31) through (36) as paragraphs (32) through (37), respectively; and

(3) by adding after paragraph (30) the following:

“(31) TRIBAL NONPROFIT ORGANIZATION.—The term ‘tribal nonprofit organization’ means—

“(A) a victim services provider that has as its primary purpose to assist Native victims of domestic violence, dating violence, sexual assault, or stalking; and

“(B) staff and leadership of the organization must include persons with a demonstrated history of assisting American Indian or Alaska Native victims of domestic violence, dating violence, sexual assault, or stalking.”.

(f) CLARIFY MATCHING PROVISION IN THE UNIVERSAL GRANT CONDITION.—Section 40002(b) of the Violence Against Women Act of 1994, as added by section 3 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), is amended by striking paragraph (1) and inserting the following:

“(1) MATCH.—No matching funds shall be required for any grant or subgrant made under this Act for—

“(A) any tribe, territory, or victim service provider;

or

“(B) any other entity, including a State, that—

“(i) petitions for a waiver of any match condition imposed by the Attorney General or the Secretaries of Health and Human Services or Housing and Urban Development; and

“(ii) whose petition for waiver is determined by the Attorney General or the Secretaries of Health and Human Services or Housing and Urban Development to have adequately demonstrated the financial need of the petitioning entity.”.

SEC. 2. TITLE I—LAW ENFORCEMENT TOOLS.

(a) DUPLICATE PROVISION.—Title I of the Violence Against Women Act of 2005 (Public Law 109–162) is amended by striking section 108.

(b) **AUTHORIZATION PERIOD.**—Section 1167 of the Violence Against Women Act of 2005 is amended by striking “2006 through 2010” and inserting “2007 through 2011”.

(c) **DEFINITION OF SPOUSE OF INTIMATE PARTNER.**—Section 2266(7)(A) of title 18, United States Code, is amended by striking clause (ii) and inserting the following:

“(ii) section 2261A—

“(I) a spouse or former spouse of the target of the stalking, a person who shares a child in common with the target of the stalking, and a person who cohabits or has cohabited as a spouse with the target of the stalking; or

“(II) a person who is or has been in a social relationship of a romantic or intimate nature with the target of the stalking, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.”.

(d) **STRIKE REPEATED SECTIONS.**—The Violence Against Women and Department of Justice Reauthorization Act of 2005 is amended by striking sections 1134 and 1135.

(e) **CONDITIONS ON TECHNICAL ASSISTANCE.**—Section 40002(b)(11) of the Violence Against Women Act of 1994 is amended by inserting before “If there” the following: “Of the total amounts appropriated under this title, not less than 3 percent and up to 8 percent, unless otherwise noted, shall be available for providing training and technical assistance relating to the purposes of this title to improve the capacity of the grantees, subgrantees, and other entities.”.

(f) **REMOVE THE TECHNICAL ASSISTANCE PROVISION IN STOP AND GRANTS TO ENCOURAGE ARREST.**—The Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) in section 2007, by striking subsection (i), as added by section 101 of the Violence Against Women and Department of Justice Reauthorization Act of 2005; and

(2) by striking section 2106, as added by section 102 of the Violence Against Women and Department of Justice Reauthorization Act of 2005.

(g) **CORRECT STOP GRANT ALLOCATION.**—Section 2007 (b)(2) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–1), as amended by section 101 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, is amended by striking “and the coalitions for combined Territories of the United States” and inserting “the coalition for Guam, the coalition for American Samoa, the coalition for the United States Virgin Islands, and the coalition for the Commonwealth of the Northern Mariana Islands.”.

(h) **UNDERSERVED POPULATIONS REPORT.**—Section 120(g) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 is amended by striking “, every 18 months,”.

(i) **CORRECT DEFINITION OF DATING PARTNER.**—Section 2266(10) of title 18, United States Code, as amended by section 116 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, is further amended by striking “and the existence of such a relationship” and inserting “. The existence of such a relationship is”.

(j) ALTER COMPLIANCE TIME FOR FORENSIC EXAM CERTIFICATION.—Section 2010(d) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–4(d)) as added by section 101 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, is amended by—

(1) striking “Nothing” and inserting “(1) IN GENERAL.—”; and

(2) inserting at the end the following:

“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of the Violence Against Women and Department of Justice Reauthorization Act of 2005 to come into compliance with this subsection.”.

(k) CORRECT UNDERSERVED POPULATIONS GRANT PROGRAM.—Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) is amended—

(1) in subsection (a)(1), by inserting at the end the following: “The requirements of the grant programs identified in paragraph (2) shall not apply to this new grant program.”; and

(2) in subsection (b)(2) by striking the period and inserting “, including—

“(A) working with State and local governments and social service agencies to develop and enhance effective strategies to provide culturally and linguistically specific services to victims of domestic violence, dating violence, sexual assault, and stalking;

“(B) increasing communities’ capacity to provide culturally and linguistically specific resources and support for victims of domestic violence, dating violence, sexual assault, and stalking crimes and their families;

“(C) strengthening criminal justice interventions, by providing training for law enforcement, prosecution, courts, probation, and correctional facilities on culturally and linguistically specific responses to domestic violence, dating violence, sexual assault, and stalking;

“(D) enhancing traditional services to victims of domestic violence, dating violence, sexual assault, and stalking through the leadership of culturally and linguistically specific programs offering services to victims of domestic violence, dating violence, sexual assault, and stalking;

“(E) working in cooperation with the community to develop education and prevention strategies highlighting culturally and linguistically specific issues and resources regarding victims of domestic violence, dating violence, sexual assault, and stalking;

“(F) providing culturally and linguistically specific programs for children exposed to domestic violence, dating violence, sexual assault, and stalking;

“(G) providing culturally and linguistically specific resources and services that address the safety, economic, housing, and workplace needs of victims of domestic violence, dating violence, sexual assault, or stalking, including emergency assistance; or

“(H) examining the dynamics of culture and its impact on victimization and healing.”.

(I) **FIX ALLOCATION ISSUE IN STOP GRANTS.**—Subparagraphs (A) and (B) of section 2007(c)(3) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–1(c)(3) (A) and (B)) are amended to read as follows:

“(A) not less than 25 percent shall be allocated for law enforcement and not less than 25 percent shall be allocated for prosecutors;

“(B) not less than 30 percent shall be allocated for victims services of which at least 10 percent shall be distributed to culturally specific community-based organizations; and”.

(m) **CORRECT GAO STUDY.**—Section 119(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) is amended by striking “of domestic violence.” and inserting “of these respective crimes.”.

(n) **PROTECTION ORDER CORRECTION.**—Section 106(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) is amended by striking “the registration or filing of a protection order” and inserting “the registration, filing of a petition for, or issuance of a protection order, restraining order or injunction”.

SEC. 3. TITLE II—IMPROVED SERVICES.

(a) **SEXUAL ASSAULT SERVICES INTO VAWA.**—Section 202 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) is repealed.

(b) **SEXUAL ASSAULT SERVICES PROGRAM.**—The Violence Against Women Act of 1994 (Public Law 103–322) is amended by adding at the end the following:

“Subtitle P—Sexual Assault Services

“SEC. 41601. SEXUAL ASSAULT SERVICES PROGRAM.

“(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

“(C) those collaterally affected by the victimization, except for the perpetrator of such victimization; and

“(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.

“(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 all the States and the territories. The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.

“(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 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 $\frac{1}{56}$ 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.

“(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 non-profit tribal organizations for the operation of sexual assault programs or projects in Indian tribal lands 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 to remain available until expended 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. 4. TITLE III—YOUNG VICTIMS.

(a) CORRECT CITATION IN SECTION 41204.—Section 41204(f)(2) of the Violence Against Women Act of 1994 (42 U.S.C. 14043c–3) is amended by striking “(b)(4)(D)” and inserting “(b)(4)”.

(b) CORRECT CAMPUS GRANT PROGRAM’S PURPOSE AREAS.—Section 304(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) is amended by striking the first sentence and inserting “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, and to train campus administrators, campus security personnel, and personnel serving on campus disciplinary or judicial boards on such policies, protocols, and services.”.

(c) CORRECTION.—In section 758(c)(1)(A) of the Public Health Services Act (42 U.S.C. 294h(c)(1)(A)), insert “experiencing” after “to individuals who are” and before “or who have experienced”.

(d) CAMPUS REPORTING REQUIREMENT.—Section 304(d)(2)(A) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 is amended by striking “biennial”.

SEC. 5. TITLE VI—HOUSING AMENDMENTS.

(a) **AMENDMENTS TO COLLABORATIVE GRANT PROGRAM.**—Section 41404 of the Violence Against Women Act of 1994 (as added by Public Law 109–162; 119 Stat. 3033) is amended—

(1) in subsection (a)(1) by striking “of Children” and inserting “for Children”; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in the heading, by striking “(1) IN GENERAL.—”; and

(ii) by adding at the end “Such activities, services, or programs—”;

(B) in paragraph (2), by striking “(2) ACTIVITIES, SERVICES, PROGRAMS.—Such activities, services, or programs described in paragraph (1)” and inserting “(1)”;

(C) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and

(D) in paragraph (3), as so redesignated, by striking “paragraph (3)” and inserting “paragraph (2)”.

(b) **TECHNICAL AMENDMENTS TO STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT.**—Section 423(a)(8) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11383(a)(8)) is amended—

(1) in the first sentence of subparagraph (A), by striking “subsection” and inserting “section”; and

(2) in subparagraph (B)(ii), by striking “or ‘victim service providers’”.

(c) **TECHNICAL AMENDMENT TO VIOLENCE AGAINST WOMEN ACT OF 2005.**—Section 606 of the Violence Against Women Act of 2005 (Public Law 104–162; 119 Stat. 3041) is amended in the heading by striking “VOUCHER”.

(d) **SELECTION OF TENANTS.**—Section 8(d)(1)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(A)) is amended to read as follows:

“(A) the selection of tenants shall be the function of the owner, subject to the annual contributions contract between the Secretary and the agency, except that with respect to the certificate and moderate rehabilitation programs only, for the purpose of selecting families to be assisted, the public housing agency may establish local preferences, consistent with the public housing agency plan submitted under section 5A (42 U.S.C. 1437c–1) by the public housing agency 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 if the applicant otherwise qualifies for assistance or admission;”.

(e) **TECHNICAL AMENDMENTS TO HOUSING ASSISTANCE PROGRAM.**—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(1) in subsection (c)(9)(C), by striking clause (ii) and inserting the following:

“(ii) Notwithstanding clause (i) or any Federal, State, or local law to the contrary, an owner or manager may bifurcate a lease under this section, or remove a household member from a lease under this section, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate

occupancy rights, 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. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by Federal, State, and local law for the termination of leases or assistance under the relevant program of HUD-assisted housing.”;

(2) in subsection (d)(1)(B)(iii), by striking subclause (II) and inserting the following:

“(II) Notwithstanding subclause (I) or any Federal, State, or local law to the contrary, a public housing agency may terminate assistance to, or an owner or manager may bifurcate a lease under this section, or remove a household member from a lease under this section, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, 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. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by Federal, State, and local law for the termination of leases or assistance under the relevant program of HUD-assisted housing.”;

(3) in subsection (f)—

(A) in paragraph (9), by striking “; and” and inserting a semicolon;

(B) in paragraph (10)(A)(i), by striking “; and” and inserting “; or”; and

(C) in paragraph (11)(B), by striking “blood and marriage” and inserting “blood or marriage”;

(4) in subsection (o)—

(A) in the second sentence of paragraph (6)(B)—

(i) by striking “by” after “denial of program assistance”;

(ii) by striking “for admission for” and inserting “for admission or”; and

(iii) by striking “admission, and that nothing” and inserting “admission. Nothing”;

(B) in paragraph (7)(D)—

(i) by striking clause (ii) and inserting the following:

“(ii) LIMITATION.—Notwithstanding clause (i) or any Federal, State, or local law to the contrary, a public housing agency may terminate assistance to, or an owner or manager may bifurcate a lease under this section, or remove a household member from a lease under this section, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, 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. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by Federal, State, and local law for the termination of leases or assistance under the relevant program of HUD-assisted housing.”;

(ii) in clause (iii), by striking “access to control” and inserting “access or control”; and

(iii) in clause (v), by striking “terminate,” and inserting “terminate”; and

(C) in paragraph (20)(D)(ii), by striking “distribution” and inserting “distribution or”; and

(5) in subsection (ee)(1)—

(A) in subparagraph (A), by striking “the owner, manager, or public housing agency requests such certification” and inserting “the individual receives a request for such certification from the owner, manager, or public housing agency”;

(B) in subparagraph (B)—

(i) by striking “the owner, manager, public housing agency, or assisted housing provider has requested such certification in writing” and inserting “the individual has received a request in writing for such certification for the owner, manager, or public housing agency”;

(ii) by striking “manager, public housing” and inserting “manager or public housing” each place that term appears; and

(iii) by striking “, or assisted housing provider” each place that term appears;

(C) in subparagraph (C), by striking “sexual assault,”;

(D) in subparagraph (D), by striking “sexual assault,”;

and

(E) in subparagraph (E)—

(i) by striking “manager, public housing” and inserting “manager or public housing” each place that term appears; and

(ii) by striking “, or assisted housing provider” each place that term appears.

(f) TECHNICAL AMENDMENT TO SECTION 6 OF UNITED STATES HOUSING ACT OF 1937.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(1) in subsection (l)(6), by striking subparagraph (B) and inserting the following: “(B) notwithstanding subparagraph (A) or any Federal, State, or local law to the contrary, a public housing agency may bifurcate a lease under this section, or remove a household member from a lease under this section, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, 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 and such eviction, removal, termination of occupancy

rights, or termination of assistance shall be effected in accordance with the procedures prescribed by Federal, State, and local law for the termination of leases or assistance under the relevant program of HUD-assisted housing;” and

(2) in subsection (u)—

(A) in paragraph (1)(A), by striking “the public housing agency requests such certification” and inserting “the individual receives a request for such certification from the public housing agency”;

(B) in paragraph (1)(B), by striking “the public housing agency has requested such certification in writing” and inserting “the individual has received a request in writing for such certification from the public housing agency”; and

(C) in paragraph (3)(D)(ii), by striking “blood and marriage” and inserting “blood or marriage”.

SEC. 6. TITLE VIII—IMMIGRATION AND NATIONALITY ACT.

(a) PETITIONS FOR IMMIGRANT STATUS.—Section 204(a)(1)(D)(v) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(D)(v)) is amended by inserting “or (B)(iii)” after “(A)(iv)”.

(b) INADMISSIBLE ALIENS.—Section 212 of such Act (8 U.S.C. 1182) is amended—

(1) in subsection (a)—

(A) in paragraph (4)(C)(i)—

(i) in subclause (II), by striking “, or” at the end and inserting a semicolon; and

(ii) by adding at the end the following:

“(III) classification or status as a VAWA self-petitioner; or”;

(B) in paragraph (6)(A)(ii), by amending subclause (I) to read as follows:

“(I) the alien is a VAWA self-petitioner;”;

(C) in paragraph (9)(C)(ii), by striking “the Attorney General has consented” and all that follows through “United States.” and inserting the following: “the Secretary of Homeland Security has consented to the alien’s reapplying for admission.

“(iii) WAIVER.—The Secretary of Homeland Security may waive the application of clause (i) in the case of an alien who is a VAWA self-petitioner if there is a connection between—

“(I) the alien’s battering or subjection to extreme cruelty; and

“(II) the alien’s removal, departure from the United States, reentry or reentries into the United States; or attempted reentry into the United States.”;

(2) in subsection (g)(1), by amending subparagraph (C) to read as follows:

“(C) is a VAWA self-petitioner;”;

(3) in subsection (h)(1), by amending subparagraph (C) to read as follows:

“(C) the alien is a VAWA self-petitioner; and”;

(4) in subsection (i)(1), by striking “an alien granted classification under clause (iii) or (iv) of section 204(a)(1)(A) or clause (ii) or (iii) of section 204(a)(1)(B)” and inserting “a VAWA self-petitioner”.

(c) DEPORTABLE ALIENS.—Section 237(a)(1)(H)(ii) of such Act (8 U.S.C. 1227(a)(1)(H)(ii)) is amended to read as follows:

“(ii) is a VAWA self-petitioner.”.

(d) REMOVAL.—Section 239(e)(2)(B) of such Act (8 U.S.C. 1229(e)(2)(B)) is amended by striking “(V)” and inserting “(U)”.

(e) CANCELLATION OF REMOVAL.—Section 240A(b)(4)(B) of such Act (8 U.S.C. 1229b(b)(4)(B)) is amended by striking “they were applications filed under section 204(a)(1)(A)(iii), (A)(iv), (B)(ii), or (B)(iii) for purposes of section 245 (a) and (c).” and inserting “the applicants were VAWA self-petitioners.”.

(f) ADJUSTMENT OF STATUS.—Section 245 of such Act (8 U.S.C. 1255) is amended—

(1) in subsection (a), by striking “under subparagraph (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of section 204(a)(1) or” and inserting “as a VAWA self-petitioner”; and

(2) in subsection (c), by striking “under subparagraph (A)(iii), (A)(iv), (A)(v), (A)(vi), (B)(ii), (B)(iii), or (B)(iv) of section 204(a)(1)” and inserting “as a VAWA self-petitioner”.

(g) IMMIGRATION OFFICERS.—Section 287 of such Act (8 U.S.C. 1357) is amended by redesignating subsection (i) as subsection (h).

(h) PENALTIES FOR DISCLOSURE OF INFORMATION.—Section 384(a)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(2)) is amended by striking “clause (iii) or (iv)” and all that follows and inserting “paragraph (15)(T), (15)(U), or (51) of section 101(a) of the Immigration and Nationality Act or section 240A(b)(2) of such Act.”.

SEC. 7. TITLE IX—INDIAN WOMEN.

(a) OMNIBUS CRIME CONTROL AND SAFE STREETS.—

(1) GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN.—Part T of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(A) by redesignating the second section 2007 (42 U.S.C. 3796gg–10) (relating to grants to Indian tribal governments), as added by section 906 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, as section 2015;

(B) by redesignating the second section 2008 (42 U.S.C. 3796gg–11) (relating to a tribal deputy), as added by section 907 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, as section 2016; and

(C) by moving those sections so as to appear at the end of the part.

(2) STATE GRANT AMOUNTS.—Section 2007(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–1(b)), as amended by section 906(b) of the Violence Against Women and Department of Justice Reauthorization Act of 2005, is amended by striking paragraph (1) and inserting the following:

“(1) 10 percent shall be available for grants under the program authorized by section 2015, which shall not otherwise be subject to the requirements of this part (other than section 2008).”.

(3) GRANTS TO INDIAN TRIBAL GOVERNMENTS.—Section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968, as added by section 906 of the Violence Against Women and

Department of Justice Reauthorization Act of 2005 (as redesignated by paragraph (1)(A)), is amended—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking “and tribal organizations” and inserting “or authorized designees of Indian tribal governments”;

(ii) in paragraph (6), by striking “and” at the end;

(iii) in paragraph (7), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(8) provide legal assistance necessary to provide effective aid to victims of domestic violence, dating violence, stalking, or sexual assault who are seeking relief in legal matters arising as a consequence of that abuse or violence, at minimal or no cost to the victims.”; and

(B) by striking subsection (c).

(4) TRIBAL DEPUTY RESPONSIBILITIES.—Section 2016(b)(1)(I) of the Omnibus Crime Control and Safe Streets Act of 1968 (as redesignated by paragraph (1)(B)) is amended by inserting after “technical assistance” the following: “that is developed and provided by entities having expertise in tribal law, customary practices, and Federal Indian law”.

(5) GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.—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) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—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 by section 2015.

“(2) APPLICABILITY OF PART.—The requirements of this part shall not apply to funds allocated for the program described in paragraph (1).”.

(b) RURAL DOMESTIC VIOLENCE.—

(1) IN GENERAL.—Section 40295(d) of the Safe Homes for Women Act of 1994 (42 U.S.C. 13971(d)), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, is amended by striking paragraph (1) and inserting the following:

“(1) ALLOTMENT FOR INDIAN TRIBES.—

“(A) IN GENERAL.—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 by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).

“(B) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in subparagraph (A).”.

(2) CONFORMING AMENDMENT.—Section 906 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 is amended by—

(A) striking subsection (d); and

(B) redesignating subsections (e) through (g) as subsections (d) through (f), respectively.

(c) VIOLENCE AGAINST WOMEN ACT OF 1994.—

(1) TRANSITIONAL HOUSING ASSISTANCE.—Section 40299(g) of the Violence Against Women Act of 1994 (42 U.S.C. 13975(g)), as amended by sections 602 and 906 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, is amended—

(A) in paragraph (3)(C), by striking clause (i) and inserting the following:

“(i) INDIAN TRIBES.—

“(I) IN GENERAL.—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 by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).

“(II) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in subclause (I).”; and

(B) by striking paragraph (4).

(2) COURT TRAINING AND IMPROVEMENTS.—Section 41006 of the Violence Against Women Act of 1994 (42 U.S.C. 14043a–3), as added by section 105 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, is amended by striking subsection (c) and inserting the following:

“(c) SET ASIDE.—

“(1) IN GENERAL.—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 by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”.

(d) VIOLENCE AGAINST WOMEN ACT OF 2000.—

(1) LEGAL ASSISTANCE FOR VICTIMS.—Section 1201(f) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(f)), as amended by sections 103 and 906 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, is amended—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking “10 percent” and inserting “3 percent”;

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following:

“(B) TRIBAL GOVERNMENT PROGRAM.—

“(i) IN GENERAL.—Not less than 7 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).

“(ii) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in clause (i).”; and

(B) by striking paragraph (4).

(2) **SAFE HAVENS FOR CHILDREN.**—Section 1301 of the Violence Against Women Act of 2000 (42 U.S.C. 10420), as amended by sections 906 and 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005, is amended—

(A) in subsection (e)(2)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) by striking subsection (f) and inserting the following:

“(f) **ALLOTMENT FOR INDIAN TRIBES.**—

“(1) **IN GENERAL.**—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 by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10).

“(2) **APPLICABILITY OF PART.**—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”.

SEC. 8. TITLE XI—DEPARTMENT OF JUSTICE.

(a) **ORGANIZED RETAIL THEFT.**—Section 1105(a)(3) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 509 note) is amended by striking “The Attorney General through the Bureau of Justice Assistance in the Office of Justice may” and inserting “The Director of the Bureau of Justice Assistance of the Office of Justice Programs may”.

(b) **FORMULAS AND REPORTING.**—Sections 1134 and 1135 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 3108), and the amendments made by such sections, are repealed.

(c) **GRANTS FOR YOUNG WITNESS ASSISTANCE.**—Section 1136(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3743(a)) is amended by striking “The Attorney General, acting through the Bureau of Justice Assistance, may” and inserting “The Director of the Bureau of Justice Assistance of the Office of Justice Programs may”.

(d) **USE OF FEDERAL TRAINING FACILITIES.**—Section 1173 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 530c note) is amended—

(1) in subsection (a), by inserting “or for meals, lodging, or other expenses related to such internal training or conference meeting” before the period; and

(2) in subsection (b), by striking “that requires specific authorization” and inserting “authorized”.

(e) **OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT.**—Part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by redesignating the section 105 titled “**OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT**” as section 109 and transferring such section to the end of such part A.

(f) **COMMUNITY CAPACITY DEVELOPMENT OFFICE.**—Section 106 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712e) is amended by striking “section 105(b)” each place such term appears and inserting “section 103(b)”.

(g) AVAILABILITY OF FUNDS.—Section 108(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712g(b)) is amended by striking “revert to the Treasury” and inserting “be deobligated”.

(h) DELETION OF DUPLICATIVE REFERENCE TO TRIBAL GOVERNMENTS.—Section 501(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(b)) is amended—

- (1) in paragraph (1), by inserting “or” after the semicolon;
- (2) in paragraph (2), by striking “; or” and inserting a period; and
- (3) by striking paragraph (3).

(i) APPLICATIONS FOR BYRNE GRANTS.—Section 502 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3752) is amended in the matter preceding paragraph (1), by striking “90 days” and inserting “120 days”.

(j) MATCHING GRANT PROGRAM FOR SCHOOL SECURITY.—Part AA of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a et seq.) is amended—

- (1) in section 2701(a), by striking “The Attorney General, acting through the Office of Community Oriented Policing Services,” and inserting “The Director of the Office of Community Oriented Policing Services (in this section referred to as the ‘Director’);” and
- (2) by striking “Attorney General” each place such term appears and inserting “Director”.

(k) FUNDING.—Section 1101 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) is amended—

- (1) in paragraph (8), by striking “\$800,255,000” and inserting “\$809,372,000”;
- (2) in paragraph (11), by striking “\$923,613,000” and inserting “\$935,817,000”;
- (3) in paragraph (12), by striking “\$8,000,000” and inserting “\$10,000,000”; and
- (4) in paragraph (14), by striking “\$1,270,000” and inserting “\$1,303,000”.

(l) DRUG COURTS TECHNICAL ASSISTANCE AND TRAINING.—Section 2957(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797u–6(b)) is amended by striking “Community Capacity Development Office” each place such term appears and inserting “Bureau of Justice Assistance”.

(m) AIMEE’S LAW.—Section 2001(e)(1) of division C of Public Law 106–386 (42 U.S.C. 13713(e)(1)) is amended by striking “section 506 of the Omnibus Crime Control and Safe Streets Act of 1968” and inserting “section 505 of the Omnibus Crime Control and Safe Streets Act of 1968”.

(n) EFFECTIVE DATES.—

- (1) OFFICE OF WEED AND FEED STRATEGIES.—Section 1121(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3712a note) is amended by striking “90 days after the date of the enactment of this Act” and inserting “with respect to appropriations for fiscal year 2007 and for each fiscal year thereafter”.

(2) SUBSTANCE ABUSE TREATMENT.—

- (A) IN GENERAL.—Chapter 4 of subtitle B of title XI of the Violence Against Women and Department of Justice

Reauthorization Act of 2005 (Public Law 109–162; 3110) is amended by adding at the end the following:

“SEC. 1147. EFFECTIVE DATE.

“The amendments made by sections 1144 and 1145 shall take effect on October 1, 2006.”.

(B) CONFORMING AMENDMENT.—The table of contents in section 2 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 106–162; 119 Stat. 2960) is amended by inserting after the item relating to section 1146 the following:

“Sec. 1147. Effective date.”.

(3) OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT.—Section 1158(b) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3712d note) is amended to read as follows:

“(b) EFFECTIVE DATE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), section 109 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712d) shall take effect on April 5, 2006.

“(2) CERTAIN PROVISIONS.—Subsections (c), (d), and (e) of section 109 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712d) shall take effect on October 1, 2006.”.

(4) OFFICE OF APPLIED LAW ENFORCEMENT TECHNOLOGY.—

(A) IN GENERAL.—Section 1160(b) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3712f note) is amended by striking “90 days after the date of the enactment of this Act” and inserting “on October 1, 2006”.

(B) AVAILABILITY OF FUNDS.—Section 1161(b) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3712g note) is amended by striking “90 days after the date of the enactment of this Act” and inserting “on October 1, 2006”.

(5) EVIDENCE-BASED APPROACHES.—Section 1168 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 3122) is amended—

(A) by striking “Section 1802” and inserting the following:

“(a) IN GENERAL.—Section 1802”; and

(B) by adding at the end the following:

“(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2006.”.

(6) STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.—Section 1196 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 3130) is amended by adding at the end the following:

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“(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 2006.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*