

In the House of Representatives, U. S.,

December 8, 2010.

Resolved, That the bill from the Senate (S. 3817) entitled “An Act to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “CAPTA Reauthorization*
3 *Act of 2010”.*

4 ***TITLE I—CHILD ABUSE PREVEN-***
5 ***TION AND TREATMENT ACT***

6 ***SEC. 101. FINDINGS.***

7 *Section 2 of the Child Abuse Prevention and Treat-*
8 *ment Act (42 U.S.C. 5101 note) is amended—*

9 *(1) by striking paragraph (1) and inserting the*
10 *following:*

11 *“(1) in fiscal year 2008, approximately 772,000*
12 *children were found by States to be victims of child*
13 *abuse and neglect;”;*

1 (2) *in paragraph (2)—*

2 (A) *in subparagraph (A), by inserting “and*
3 *close to 1/3 of all child maltreatment-related fa-*
4 *talities in fiscal year 2008 were attributed to ne-*
5 *glect alone” after “maltreatment”; and*

6 (B) *in subparagraph (B)—*

7 (i) *by striking “60 percent” and in-*
8 *serting “71 percent”;*

9 (ii) *by striking “2001” and inserting*
10 *“fiscal year 2008”;*

11 (iii) *by striking “19 percent” and in-*
12 *serting “16 percent”;*

13 (iv) *by striking “10 percent” and in-*
14 *serting “9 percent”; and*

15 (v) *by striking “and 7 percent suffered*
16 *emotional maltreatment” and inserting “, 7*
17 *percent suffered psychological maltreatment,*
18 *2 percent experienced medical neglect, and 9*
19 *percent were victims of other forms of mal-*
20 *treatment”;*

21 (3) *in paragraph (3)—*

22 (A) *in subparagraph (A) by inserting “or*
23 *neglect” after “abuse”;*

1 (B) in subparagraph (B), by striking
2 “2001, an estimated 1,300” and inserting “fiscal
3 year 2008, an estimated 1,740”; and

4 (C) in subparagraph (C)—

5 (i) by inserting “in fiscal year 2008,”
6 after “(C)”;

7 (ii) by striking “41 percent” and in-
8 serting “45 percent”;

9 (iii) by striking “85 percent” and in-
10 serting “72 percent”;

11 (iv) by striking “6 years” and insert-
12 ing “4 years”; and

13 (v) by striking “abuse” each place it
14 appears and inserting “maltreatment”;

15 (4) in paragraph (4)(B), by striking “slightly”
16 and all that follows and inserting “approximately 37
17 percent of victims of child abuse did not receive post-
18 investigation services in fiscal year 2008;”;

19 (5) by redesignating paragraphs (5) through (13)
20 as paragraphs (6) through (11) and (13) through
21 (15), respectively;

22 (6) by inserting after paragraph (4) of this sec-
23 tion the following:

24 “(5) African-American children, American In-
25 dian children, Alaska Native children, and children of

1 *multiple races and ethnicities experience the highest*
2 *rates of child abuse or neglect;”;*

3 *(7) in paragraph (6), as redesignated by para-*
4 *graph (5) of this section—*

5 *(A) in subparagraph (A), by inserting “do-*
6 *mestic violence services,” after “mental health;”;*
7 *and*

8 *(B) by amending subparagraph (E) to read*
9 *as follows:*

10 *“(E) recognizes the diversity of ethnic, cul-*
11 *tural, and religious beliefs and traditions that*
12 *may impact child rearing patterns, while not al-*
13 *lowing the differences in those beliefs and tradi-*
14 *tions to enable abuse or neglect;”;*

15 *(8) by inserting after paragraph (11), as redesi-*
16 *gnated by paragraph (5) of this section, the following:*

17 *“(12) because both child maltreatment and do-*
18 *mestic violence occur in up to 60 percent of the fami-*
19 *lies in which either is present, States and commu-*
20 *nities should adopt assessments and intervention pro-*
21 *cedures aimed at enhancing the safety both of children*
22 *and victims of domestic violence;”;*

23 *(9) in paragraphs (14) and (15), as redesignated*
24 *by paragraph (5) of this section, by striking “Federal*

1 *government” and inserting “Federal Government”;*
 2 *and*

3 *(10) in paragraph (14), as redesignated by para-*
 4 *graph (5) of this section, by inserting “and” at the*
 5 *end.*

6 ***Subtitle A—General Program***

7 ***SEC. 111. ADVISORY BOARD.***

8 *Section 102 of the Child Abuse Prevention and Treat-*
 9 *ment Act (42 U.S.C. 5102) is amended—*

10 *(1) in subsection (c)—*

11 *(A) in paragraph (4), by striking “medicine*
 12 *(including pediatrics)” and inserting “health*
 13 *care providers (including pediatricians)”;*

14 *(B) in paragraph (12), by striking “and”;*

15 *(C) in paragraph (13), by striking the pe-*
 16 *riod and inserting “; and”; and*

17 *(D) by adding at the end the following:*

18 *“(14) Indian tribes or tribal organizations.”;*

19 *and*

20 *(2) in subsection (f)—*

21 *(A) in paragraph (1), by inserting “tribal,”*
 22 *after “State,” each place such term appears; and*

23 *(B) in paragraph (2)—*

1 (i) by striking “abuse or neglect
2 which” and inserting “child abuse or ne-
3 glect which”; and

4 (ii) by striking “Federal and State”
5 and inserting “Federal, State, and tribal”.

6 **SEC. 112. NATIONAL CLEARINGHOUSE.**

7 Section 103 of the Child Abuse Prevention and Treat-
8 ment Act (42 U.S.C. 5104) is amended—

9 (1) in subsection (a), by inserting “and neglect”
10 before the period;

11 (2) in subsection (b)—

12 (A) by redesignating paragraphs (2)
13 through (5) as paragraphs (4) through (7), re-
14 spectively;

15 (B) by striking paragraph (1) and inserting
16 the following:

17 “(1) maintain, coordinate, and disseminate in-
18 formation on effective programs, including private
19 and community-based programs, that have dem-
20 onstrated success with respect to the prevention, as-
21 sessment, identification, and treatment of child abuse
22 or neglect and hold the potential for broad-scale im-
23 plementation and replication;

1 “(2) maintain, coordinate, and disseminate in-
2 formation on the medical diagnosis and treatment of
3 child abuse and neglect;

4 “(3) maintain and disseminate information on
5 best practices relating to differential response;”;

6 (C) in paragraph (4), as redesignated by
7 subparagraph (A) of this paragraph, by insert-
8 ing “and disseminate” after “maintain”;

9 (D) in paragraph (5), as redesignated by
10 subparagraph (A) of this paragraph—

11 (i) in subparagraph (B), by inserting
12 “(42 U.S.C. 5105 note)” before the semi-
13 colon; and

14 (ii) in subparagraph (C), by striking
15 “alcohol or drug” and inserting “sub-
16 stance”;

17 (E) in subparagraph (C) of paragraph (6),
18 as redesignated by subparagraph (A) of this
19 paragraph, by striking “and” at the end;

20 (F) in subparagraph (B) of paragraph (7),
21 as redesignated by subparagraph (A) of this
22 paragraph, by striking “and child welfare per-
23 sonnel.” and inserting “child welfare, substance
24 abuse treatment services, and domestic violence
25 services personnel; and”; and

1 (G) by adding at the end the following:

2 “(8) collect and disseminate information, in con-
3 junction with the National Resource Centers author-
4 ized in section 310(b) of the Family Violence Preven-
5 tion and Services Act, on effective programs and best
6 practices for developing and carrying out collabora-
7 tion between entities providing child protective serv-
8 ices and entities providing domestic violence serv-
9 ices.”; and

10 (3) in subsection (c)(1)—

11 (A) by striking subparagraph (B) and in-
12 serting the following:

13 “(B) consult with the head of each agency
14 involved with child abuse and neglect on the de-
15 velopment of the components for information col-
16 lection and management of such clearinghouse
17 and on the mechanisms for the sharing of such
18 information with other Federal agencies and
19 clearinghouses;”;

20 (B) in subparagraph (C)—

21 (i) in the matter preceding clause (i),
22 by inserting “tribal,” after “State,”;

23 (ii) in clause (i), by striking “and” at
24 the end; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(iii) information about the incidence
4 and characteristics of child abuse and ne-
5 glect in circumstances in which domestic vi-
6 olence is present; and

7 “(iv) information about the incidence
8 and characteristics of child abuse and ne-
9 glect in cases related to substance abuse;”;
10 and

11 (C) in subparagraph (F), by striking
12 “abused or neglected children” and inserting
13 “victims of child abuse or neglect”.

14 **SEC. 113. RESEARCH AND ASSISTANCE ACTIVITIES.**

15 (a) *RESEARCH*.—Section 104(a) of the Child Abuse
16 *Prevention and Treatment Act (42 U.S.C. 5105(a))* is
17 amended—

18 (1) in paragraph (1)—

19 (A) in the matter preceding subparagraph
20 (A), by striking “from abuse or neglect and to
21 improve the well-being of abused or neglected
22 children” and inserting “from child abuse or ne-
23 glect and to improve the well-being of victims of
24 child abuse or neglect”;

1 (B) in subparagraph (B), by striking
2 “abuse and neglect on” and inserting “child
3 abuse and neglect on”;

4 (C) by redesignating subparagraphs (C),
5 (D), (E), (F), (G), (H), and (I), as subpara-
6 graphs (D), (E), (F), (H), (J), (N), and (O), re-
7 spectively;

8 (D) by inserting after subparagraph (B) the
9 following:

10 “(C) effective approaches to improving the
11 relationship and attachment of infants and tod-
12 dlers who experience child abuse or neglect with
13 their parents or primary caregivers in cir-
14 cumstances where reunification is appropriate;”;

15 (E) in subparagraph (D), as redesignated
16 by subparagraph (C) of this paragraph, by in-
17 serting “and neglect” before the semicolon;

18 (F) in subparagraph (E), as redesignated
19 by subparagraph (C) of this paragraph—

20 (i) by inserting “, including best prac-
21 tices to meet the needs of special popu-
22 lations,” after “best practices”; and

23 (ii) by striking “(12)” and inserting
24 “(14)”;

1 (G) by inserting after subparagraph (F), as
2 redesignated by subparagraph (C) of this para-
3 graph, the following:

4 “(G) effective practices and programs to im-
5 prove activities such as identification, screening,
6 medical diagnosis, forensic diagnosis, health
7 evaluations, and services, including activities
8 that promote collaboration between—

9 “(i) the child protective service system;
10 and

11 “(ii)(I) the medical community, in-
12 cluding providers of mental health and de-
13 velopmental disability services; and

14 “(II) providers of early childhood
15 intervention services and special education
16 for children who have been victims of child
17 abuse or neglect;”;

18 (H) by inserting after subparagraph (H), as
19 redesignated by subparagraph (C) of this para-
20 graph, the following:

21 “(I) effective collaborations, between the
22 child protective system and domestic violence
23 service providers, that provide for the safety of
24 children exposed to domestic violence and their
25 nonabusing parents and that improve the inves-

1 *tigations, interventions, delivery of services, and*
2 *treatments provided for such children and fami-*
3 *lies;”;*

4 *(I) in subparagraph (J), as redesignated by*
5 *subparagraph (C) of this paragraph, by striking*
6 *“low income” and inserting “low-income”;*

7 *(J) by inserting after subparagraph (J), as*
8 *redesignated by subparagraph (C) of this para-*
9 *graph, the following:*

10 *“(K) the impact of child abuse and neglect*
11 *on the incidence and progression of disabilities;*

12 *“(L) the nature and scope of effective prac-*
13 *tices relating to differential response, including*
14 *an analysis of best practices conducted by the*
15 *States;*

16 *“(M) child abuse and neglect issues facing*
17 *Indians, Alaska Natives, and Native Hawaiians,*
18 *including providing recommendations for im-*
19 *proving the collection of child abuse and neglect*
20 *data from Indian tribes and Native Hawaiian*
21 *communities;”;*

22 *(K) in subparagraph (N), as redesignated*
23 *by subparagraph (C) of this paragraph, by strik-*
24 *ing “clauses (i) through (xi) of subparagraph*

1 (H)” and inserting “clauses (i) through (x) of
2 subparagraph (O)”;

3 (L) in subparagraph (O), as redesignated
4 by subparagraph (C) of this paragraph—

5 (i) in clauses (i) and (ii), by inserting
6 “and neglect” after “abuse”;

7 (ii) in clause (v), by striking “child
8 abuse have” and inserting “child abuse and
9 neglect have”;

10 (iii) by striking “and” at the end of
11 clause (ix);

12 (iv) by redesignating clause (x) as
13 clause (xi);

14 (v) by inserting after clause (ix), the
15 following:

16 “(x) the extent to which reports of sus-
17 pected or known instances of child abuse or
18 neglect involving a potential combination of
19 jurisdictions, such as intrastate, interstate,
20 Federal-State, and State-Tribal, are being
21 screened out solely on the basis of the cross-
22 jurisdictional complications; and”;

23 (vi) in clause (xi), as redesignated by
24 clause (iv), by striking “abuse” and insert-
25 ing “child abuse and neglect”; and

1 (2) *in paragraph (2), by striking “subpara-*
2 *graphs” and all that follows and inserting “clauses*
3 *(i) through (xi) of paragraph (1)(O).”;*

4 (3) *in paragraph (3), by striking “Keeping Chil-*
5 *dren and Families Safe Act of 2003” and inserting*
6 *“CAPTA Reauthorization Act of 2010”;*

7 (4) *in paragraph (4)—*

8 (A) *by striking “(A) The” and inserting the*
9 *following:*

10 “(A) *IN GENERAL.—The*”; and

11 (B) *in subparagraph (B)—*

12 (i) *by striking all that precedes “later”*
13 *and inserting the following:*

14 “(B) *PUBLIC COMMENT.—Not*”;

15 (ii) *by striking “than 2” and inserting*
16 *“than 1”; and*

17 (iii) *by striking “Keeping Children*
18 *and Families Safe Act of 2003” and insert-*
19 *ing “CAPTA Reauthorization Act of 2010”;*
20 *and*

21 (5) *by adding at the end the following:*

22 “(4) *STUDY ON SHAKEN BABY SYNDROME.—The*
23 *Secretary shall conduct a study that—*

24 “(A) *identifies data collected on shaken*
25 *baby syndrome;*

1 “(B) determines the feasibility of collecting
2 uniform, accurate data from all States regard-
3 ing—

4 “(i) incidence rates of shaken baby
5 syndrome;

6 “(ii) characteristics of perpetrators of
7 shaken baby syndrome, including age, gen-
8 der, relation to victim, access to prevention
9 materials and resources, and history of sub-
10 stance abuse, domestic violence, and mental
11 illness; and

12 “(iii) characteristics of victims of shak-
13 en baby syndrome, including gender, date of
14 birth, date of injury, date of death (if appli-
15 cable), and short- and long-term injuries
16 sustained.”.

17 (b) *TECHNICAL ASSISTANCE*.—Section 104(b) of the
18 *Child Abuse Prevention and Treatment Act (42 U.S.C.*
19 *5105(b))* is amended—

20 (1) in paragraph (1), by inserting “and pro-
21 viders of mental health, substance abuse treatment,
22 and domestic violence prevention services” after “dis-
23 abilities”; and

24 (2) in paragraph (3)(B)—

1 (A) by striking “and child welfare per-
2 sonnel” and inserting “child welfare, substance
3 abuse, and domestic violence services personnel”;
4 and

5 (B) by striking “subjected to abuse.” and
6 inserting “subjected to, or whom the personnel
7 suspect have been subjected to, child abuse or ne-
8 glect.”.

9 (c) *PEER REVIEW FOR GRANTS AND CONTRACTS.*—
10 Section 104(d) of the Child Abuse Prevention and Treat-
11 ment Act (42 U.S.C. 5105(d)) is amended—

12 (1) in paragraph (1)—

13 (A) by striking subparagraph (A) and in-
14 serting the following:

15 “(A) *IN GENERAL.*—To enhance the quality
16 and usefulness of research in the field of child
17 abuse and neglect, the Secretary shall, in con-
18 sultation with experts in the field and other Fed-
19 eral agencies, establish a formal, rigorous, and
20 meritorious peer review process for purposes of
21 evaluating and reviewing applications for assist-
22 ance through a grant or contract under this sec-
23 tion and determining the relative merits of the
24 project for which such assistance is requested.”;
25 and

1 (B) by striking subparagraph (B) and in-
2 serting the following:

3 “(B) MEMBERS.—In establishing the proc-
4 ess required by subparagraph (A), the Secretary
5 shall only appoint to the peer review panels
6 members who—

7 “(i) are experts in the field of child
8 abuse and neglect or related disciplines,
9 with appropriate expertise related to the ap-
10 plications to be reviewed; and

11 “(ii) are not individuals who are offi-
12 cers or employees of the Administration for
13 Children and Families.

14 “(C) MEETINGS.—The peer review panels
15 shall meet as often as is necessary to facilitate
16 the expeditious review of applications for grants
17 and contracts under this section, but shall meet
18 not less often than once a year.

19 “(D) CRITERIA AND GUIDELINES.—The Sec-
20 retary shall ensure that the peer review panel
21 utilizes scientifically valid review criteria and
22 scoring guidelines in the review of the applica-
23 tions for grants and contracts.”; and

24 (2) in paragraph (3)—

1 (A) by striking “(A) *The*” and inserting the
2 *following*:

3 “(A) *MERITORIOUS PROJECTS.—The*”; and
4 (B) in subparagraph (B), by striking all
5 that precedes “*the instance*” and inserting the
6 *following*:

7 “(B) *EXPLANATION.—In*”.

8 (d) *DEMONSTRATION PROGRAMS AND PROJECTS.—*
9 *Section 104(e) of the Child Abuse Prevention and Treat-*
10 *ment Act (42 U.S.C. 5105(e)) is amended—*

11 (1) *in the matter preceding paragraph (1)—*

12 (A) by striking “*States or*” and inserting
13 “*entities that are States, Indian tribes or tribal*
14 *organizations, or*”; and

15 (B) by striking “*such agencies or organiza-*
16 *tions*” and inserting “*such entities*”;

17 (2) *in paragraph (1)(B), by striking “safely fa-*
18 *cilitate the*” and inserting “*facilitate the safe*”; and

19 (3) *in paragraph (2)—*

20 (A) by inserting “*child care and early*
21 *childhood education and care providers,*” after
22 “*in cooperation with*”; and

23 (B) by striking “*preschool*” and inserting
24 “*preschools,*”.

1 **SEC. 114. GRANTS TO STATES, INDIAN TRIBES OR TRIBAL**
 2 **ORGANIZATIONS, AND PUBLIC OR PRIVATE**
 3 **AGENCIES AND ORGANIZATIONS.**

4 *Section 105 of the Child Abuse Prevention and Treat-*
 5 *ment Act (42 U.S.C. 5106) is amended—*

6 (1) *in the heading, by striking “STATES” and*
 7 *inserting “STATES, INDIAN TRIBES OR TRIBAL*
 8 *ORGANIZATIONS,”;*

9 (2) *in subsection (a)—*

10 (A) *in the matter preceding paragraph*

11 (1)—

12 (i) *by striking “States,” and inserting*
 13 *“entities that are States, Indian tribes or*
 14 *tribal organizations, or”;* and

15 (ii) *by striking “such agencies or orga-*
 16 *nizations” and inserting “such entities”;*

17 (B) *in paragraph (1)—*

18 (i) *in the matter preceding subpara-*
 19 *graph (A), by striking “this section” and*
 20 *inserting “this subsection”;*

21 (ii) *in subparagraph (A)—*

22 (I) *by inserting “health care,” be-*
 23 *fore “medicine,”;*

24 (II) *by inserting “child care,”*
 25 *after “education,”; and*

1 (III) by inserting “and neglect”
2 before the semicolon;

3 (iii) in subparagraph (B), by inserting
4 a comma after “youth”;

5 (iv) in subparagraph (D)—

6 (I) by striking “support the en-
7 hancement of linkages between” and
8 inserting “enhance linkages among”;

9 (II) by striking “including phys-
10 ical” and all that follows through
11 “partnerships” and inserting “entities
12 providing physical and mental health
13 services, community resources, and de-
14 velopmental disability agencies, to im-
15 prove screening, forensic diagnosis, and
16 health and developmental evaluations,
17 and for partnerships”; and

18 (III) by striking “offer creative
19 approaches to using” and inserting
20 “support the coordinated use of”;

21 (v) by redesignating subparagraphs
22 (E) through (J) as subparagraphs (F), (G),
23 and (I) through (L), respectively;

24 (vi) by inserting after subparagraph
25 (D) the following:

1 “(E) for the training of personnel in best
2 practices to meet the unique needs of children
3 with disabilities, including promoting inter-
4 agency collaboration;”;

5 (vii) by inserting after subparagraph
6 (G), as redesignated by clause (v) of this
7 subparagraph, the following:

8 “(H) for the training of personnel in child-
9 hood development including the unique needs of
10 children under age 3;”;

11 (viii) in subparagraph (J), as redesign-
12 ated by clause (v) of this subparagraph, by
13 striking “and other public and private wel-
14 fare agencies” and inserting “other public
15 and private welfare agencies, and agencies
16 that provide early intervention services”;

17 (ix) in subparagraph (K), as redesign-
18 ated by clause (v) of this subparagraph, by
19 striking “and” at the end;

20 (x) in subparagraph (L), as redesign-
21 ated by clause (v) of this subparagraph—

22 (I) by striking “disabled infants”
23 each place it appears and inserting
24 “infants or toddlers with disabilities”;
25 and

1 (II) by striking the period and in-
2 serting “; and”; and

3 (xi) by adding at the end the following:

4 “(M) for the training of personnel in best
5 practices relating to the provision of differential
6 response.”;

7 (C) in paragraph (2)(C), by striking
8 “where” and inserting “when”;

9 (D) in paragraph (3), by inserting “, lead-
10 ership,” after “mutual support”;

11 (E) in paragraph (4), by striking all that
12 precedes “Secretary” and inserting the following:
13 “(4) KINSHIP CARE.—The”;

14 (F) in paragraph (4), by striking “in not
15 more than 10 States”;

16 (G) in paragraph (5)—

17 (i) in the paragraph heading—

18 (I) by striking “BETWEEN” and
19 inserting “AMONG”; and

20 (II) by striking “AND DEVELOP-
21 MENTAL DISABILITIES” and inserting
22 “SUBSTANCE ABUSE, DEVELOPMENTAL
23 DISABILITIES, AND DOMESTIC VIO-
24 LENCE SERVICE”;

1 (ii) by striking “between” and insert-
2 ing “among”;

3 (iii) by striking “mental health” and
4 all that follows through “, for” and insert-
5 ing “mental health, substance abuse, devel-
6 opmental disabilities, and domestic violence
7 service agencies, and entities that carry out
8 community-based programs, for”; and

9 (iv) by striking “help assure” and in-
10 serting “ensure”; and

11 (H) by inserting after paragraph (5) the
12 following:

13 “(6) COLLABORATIONS BETWEEN CHILD PROTEC-
14 TIVE SERVICE ENTITIES AND DOMESTIC VIOLENCE
15 SERVICE ENTITIES.—The Secretary may award
16 grants to public or private agencies and organizations
17 under this section to develop or expand effective col-
18 laborations between child protective service entities
19 and domestic violence service entities to improve col-
20 laborative investigation and intervention procedures,
21 provision for the safety of the nonabusing parent in-
22 volved and children, and provision of services to chil-
23 dren exposed to domestic violence that also support
24 the caregiving role of the non-abusing parent.”; and

25 (3) in subsection (b)(4)—

1 (1) *in the matter preceding paragraph (1), by*
2 *striking “based on” and all that follows through “18*
3 *in” and inserting “from allotments made under sub-*
4 *section (f) for”;*

5 (2) *in paragraph (1), by striking “abuse and ne-*
6 *glect” and inserting “child abuse or neglect”;*

7 (3) *in paragraph (2)—*

8 (A) *in subparagraph (A), by inserting “,*
9 *intra-agency, interstate, and intrastate” after*
10 *“interagency”; and*

11 (B) *in subparagraph (B)(i), by striking*
12 *“abuse and neglect” and inserting “child abuse*
13 *or neglect”;*

14 (4) *in paragraph (4), by inserting “, including*
15 *the use of differential response” after “protocols”;*

16 (5) *in paragraph (6)—*

17 (A) *in subparagraph (A) by inserting “, in-*
18 *cluding the use of differential response,” after*
19 *“strategies”;*

20 (B) *in subparagraph (B), by striking “and”*
21 *at the end;*

22 (C) *in subparagraph (C), by striking*
23 *“workers” and all that follows and inserting*
24 *“workers; and”;* and

25 (D) *by adding at the end the following:*

1 “(D) training in early childhood, child, and
2 adolescent development;”;

3 (6) by striking paragraphs (8) and (9) and in-
4 serting the following:

5 “(8) developing, facilitating the use of, and im-
6 plementing research-based strategies and training
7 protocols for individuals mandated to report child
8 abuse and neglect;”;

9 (7) by redesignating paragraphs (10) through
10 (14) as paragraphs (9) through (13), respectively;

11 (8) in paragraph (9), as redesignated by para-
12 graph (7) of this subsection—

13 (A) in subparagraph (B), by striking “and”
14 at the end;

15 (B) in subparagraph (C), by adding “and”
16 at the end; and

17 (C) by adding at the end the following:

18 “(D) the use of differential response in pre-
19 venting child abuse and neglect;”;

20 (9) in paragraph (10), as redesignated by para-
21 graph (7) of this subsection, by inserting “, including
22 the use of differential response” before the semicolon;

23 (10) in paragraph (12), as redesignated by para-
24 graph (7) of this subsection, by striking “or” at the
25 end;

1 (11) in paragraph (13), as redesignated by para-
2 graph (7) of this subsection—

3 (A) by striking “supporting and enhanc-
4 ing” and all that follows through “community-
5 based programs” and inserting “supporting and
6 enhancing interagency collaboration among pub-
7 lic health agencies, agencies in the child protec-
8 tive service system, and agencies carrying out
9 private community-based programs—”;

10 (B) by striking “to provide” and inserting
11 the following:

12 “(A) to provide”;

13 (C) by striking “systems) and” and insert-
14 ing “systems), and the use of differential re-
15 sponse; and”;

16 (D) by striking “to address” and inserting
17 the following:

18 “(B) to address”;

19 (E) by striking “abused or neglected” and
20 inserting “victims of child abuse or neglect;”and

21 (F) by striking the period at the end and
22 inserting “; or”; and

23 (12) by adding at the end the following:

1 “(14) developing and implementing procedures
2 for collaboration among child protective services, do-
3 mestic violence services, and other agencies in—

4 “(A) investigations, interventions, and the
5 delivery of services and treatment provided to
6 children and families, including the use of dif-
7 ferential response, where appropriate; and

8 “(B) the provision of services that assist
9 children exposed to domestic violence, and that
10 also support the caregiving role of their non-
11 abusing parents.”.

12 (c) *ELIGIBILITY REQUIREMENTS.*—Section 106(b) of
13 the Child Abuse Prevention and Treatment Act (42 U.S.C.
14 5106a(b)) is amended—

15 (1) by striking paragraph (1) and inserting the
16 following:

17 “(1) *STATE PLAN.*—

18 “(A) *IN GENERAL.*—To be eligible to receive
19 a grant under this section, a State shall submit
20 to the Secretary a State plan that specifies the
21 areas of the child protective services system de-
22 scribed in subsection (a) that the State will ad-
23 dress with amounts received under the grant.

24 “(B) *DURATION OF PLAN.*—Each State plan
25 shall—

1 “(i) remain in effect for the duration
2 of the State’s participation under this sec-
3 tion; and

4 “(ii) be periodically reviewed and re-
5 vised as necessary by the State to reflect
6 changes in the State’s strategies and pro-
7 grams under this section.

8 “(C) *ADDITIONAL INFORMATION.*—*The State*
9 *shall provide notice to the Secretary—*

10 “(i) of any substantive changes, includ-
11 ing any change to State law or regulations,
12 relating to the prevention of child abuse and
13 neglect that may affect the eligibility of the
14 State under this section; and

15 “(ii) of any significant changes in how
16 funds provided under this section are used
17 to support activities described in this sec-
18 tion, which may differ from the activities
19 described in the current State application.”;

20 (2) in paragraph (2)—

21 (A) by redesignating subparagraphs (A)
22 through (D) as subparagraphs (B) through (E),
23 respectively;

24 (B) by striking the matter preceding sub-
25 paragraph (B), as redesignated by subparagraph

1 (A) of this paragraph, and inserting the fol-
2 lowing:

3 “(2) CONTENTS.—A State plan submitted under
4 paragraph (1) shall contain a description of the ac-
5 tivities that the State will carry out using amounts
6 received under the grant to achieve the objectives of
7 this title, including—

8 “(A) an assurance that the State plan, to
9 the maximum extent practicable, is coordinated
10 with the State plan under part B of title IV of
11 the Social Security Act (42 U.S.C. 621 et seq.)
12 relating to child welfare services and family
13 preservation and family support services;”;

14 (C) in subparagraph (B), as redesignated
15 by subparagraph (A) of this paragraph—

16 (i) in the matter preceding clause (i)—

17 (I) by striking “chief executive of-
18 ficer” and inserting “Governor”; and

19 (II) by striking “Statewide” and
20 inserting “statewide”;

21 (ii) by amending clause (i) to read as
22 follows:

23 “(i) provisions or procedures for an in-
24 dividual to report known and suspected in-
25 stances of child abuse and neglect, including

1 *a State law for mandatory reporting by in-*
2 *dividuals required to report such in-*
3 *stances;”;*

4 *(iii) in clause (ii)—*

5 *(I) in the matter preceding sub-*
6 *clause (I)—*

7 *(aa) by inserting “with”*
8 *after “born”; and*

9 *(bb) by inserting “or a Fetal*
10 *Alcohol Spectrum Disorder,” after*
11 *“drug exposure;” and*

12 *(II) in subclause (I), by inserting*
13 *“or neglect” before the semicolon;*

14 *(iv) in clause (iii), by inserting “, or*
15 *a Fetal Alcohol Spectrum Disorder” before*
16 *the semicolon;*

17 *(v) in clause (v), by inserting “, in-*
18 *cluding the use of differential response,”*
19 *after “procedures”;*

20 *(vi) in clause (vi)—*

21 *(I) by striking “the abused or ne-*
22 *glected child” and inserting “a victim*
23 *of child abuse or neglect”; and*

24 *(II) by striking “abuse or neglect”*
25 *and inserting “child abuse or neglect”;*

1 (vii) in clause (ix), by striking “abuse
2 and neglect” and inserting “child abuse and
3 neglect”;

4 (viii) in clause (xi), by striking “or ne-
5 glect” and inserting “and neglect”;

6 (ix) in clause (xiii)—

7 (I) by striking “an abused or ne-
8 glected child” and inserting “a victim
9 of child abuse or neglect”; and

10 (II) by inserting “including
11 training in early childhood, child, and
12 adolescent development,” after “to the
13 role,”;

14 (x) in clause (xv)(II), by striking
15 “abuse or neglect” and inserting “child
16 abuse or neglect”;

17 (xi) in clause (xviii), by striking
18 “abuse and” and inserting “abuse or”;

19 (xii) in clause (xvi)—

20 (I) in subclause (III), by striking
21 “; or” and inserting “;”; and

22 (II) by adding at the end the fol-
23 lowing:

1 “(V) to have committed sexual
2 abuse against the surviving child or
3 another child of such parent; or

4 “(VI) to be required to register
5 with a sex offender registry under sec-
6 tion 113(a) of the Adam Walsh Child
7 Protection and Safety Act of 2006 (42
8 U.S.C. 16913(a));”;

9 (xiii) in clause (xxi), by striking “Act;
10 and” and inserting “Act (20 U.S.C. 1431 et
11 seq.);”;

12 (xiv) in clause (xxvi)—

13 (I) by striking “not later” through
14 “2003,”;

15 (II) by inserting “that meet the
16 requirements of section 471(a)(20) of
17 the Social Security Act (42 U.S.C.
18 671(a)(20))” after “checks”; and

19 (III) by adding “and” at the end;
20 and

21 (xv) by adding at the end the fol-
22 lowing:

23 “(xxiii) provisions for systems of tech-
24 nology that support the State child protec-
25 tive service system described in subsection

1 (a) and track reports of child abuse and ne-
2 glect from intake through final disposi-
3 tion;”;

4 (D) in subparagraph (C), as redesignated
5 by subparagraph (A) of this paragraph—

6 (i) by striking “disabled infants with”
7 each place it appears and inserting “infants
8 with disabilities who have”; and

9 (ii) in clause (iii), by striking “life
10 threatening” and inserting “life-threat-
11 ening”;

12 (E) in subparagraph (D), as redesignated
13 by subparagraph (A) of this paragraph—

14 (i) in clause (ii), by striking “and” at
15 the end;

16 (ii) in clause (iii), by striking “and”
17 at the end;

18 (iii) by adding at the end the fol-
19 lowing:

20 “(iv) policies and procedures encour-
21 aging the appropriate involvement of fami-
22 lies in decisionmaking pertaining to chil-
23 dren who experienced child abuse or neglect;

24 “(v) policies and procedures that pro-
25 mote and enhance appropriate collaboration

1 among child protective service agencies, do-
2 mestic violence service agencies, substance
3 abuse treatment agencies, and other agencies
4 in investigations, interventions, and the de-
5 livery of services and treatment provided to
6 children and families affected by child abuse
7 or neglect, including children exposed to do-
8 mestic violence, where appropriate; and

9 “(vi) policies and procedures regarding
10 the use of differential response, as applica-
11 ble;”;

12 (F) in subparagraph (E), as redesignated
13 by subparagraph (A) of this paragraph—

14 (i) by inserting “(42 U.S.C. 621 et
15 seq.)” after “Act”; and

16 (ii) by striking the period at the end
17 and inserting a semicolon;

18 (G) by inserting after subparagraph (E), as
19 redesignated by subparagraph (A) of this para-
20 graph, the following:

21 “(F) an assurance or certification that pro-
22 grams and training conducted under this title
23 address the unique needs of unaccompanied
24 homeless youth, including access to enrollment
25 and support services and that such youth are eli-

1 gible for under parts B and E of title IV of the
2 Social Security Act (42 U.S.C. 621 et seq., 670
3 et seq.) and meet the requirements of the McKin-
4 ney-Vento Homeless Assistance Act (42 U.S.C.
5 11301 et seq.); and

6 “(G) an assurance that the State, in devel-
7 oping the State plan described in paragraph (1),
8 has collaborated with community-based preven-
9 tion agencies and with families affected by child
10 abuse or neglect.”; and

11 (H) in the last sentence, by striking “sub-
12 paragraph (A)” and inserting “subparagraph
13 (B)”;

14 (3) in paragraph (3), by striking “paragraph
15 (2)(A)” and inserting “paragraph (2)(B)”.

16 (d) *CITIZEN REVIEW PANELS*.—Section 106(c) of the
17 Child Abuse Prevention and Treatment Act (42 U.S.C.
18 5106a(c)) is amended—

19 (1) in paragraph (2), by inserting before the pe-
20 riod the following: “, and may include adult former
21 victims of child abuse or neglect”; and

22 (2) in paragraph (4)(A)(iii)(I), by inserting
23 “(42 U.S.C. 670 et seq.)” before the semicolon.

1 (e) *ANNUAL STATE DATA REPORTS.—Section 106(d)*
2 *of the Child Abuse Prevention and Treatment Act (42*
3 *U.S.C. 5106a(d)) is amended—*

4 (1) *in paragraph (1), by striking “as abused or*
5 *neglected” and inserting “as victims of child abuse or*
6 *neglect”;*

7 (2) *in paragraph (4), by inserting “, including*
8 *use of differential response,” after “services”;*

9 (3) *by striking paragraph (7) and inserting the*
10 *following:*

11 “(7)(A) *The number of child protective service*
12 *personnel responsible for the—*

13 “(i) *intake of reports filed in the previous*
14 *year;*

15 “(ii) *screening of such reports;*

16 “(iii) *assessment of such reports; and*

17 “(iv) *investigation of such reports.*

18 “(B) *The average caseload for the workers de-*
19 *scribed in subparagraph (A).”;*

20 (4) *in paragraph (9), by striking “abuse or ne-*
21 *glect” and inserting “child abuse or neglect”;*

22 (5) *by striking paragraph (10) and inserting the*
23 *following:*

24 “(10) *For child protective service personnel re-*
25 *sponsible for intake, screening, assessment, and inves-*

1 *tigation of child abuse and neglect reports in the*
2 *State—*

3 *“(A) information on the education, quali-*
4 *fications, and training requirements established*
5 *by the State for child protective service profes-*
6 *sionals, including for entry and advancement in*
7 *the profession, including advancement to super-*
8 *visory positions;*

9 *“(B) data on the education, qualifications,*
10 *and training of such personnel;*

11 *“(C) demographic information of the child*
12 *protective service personnel; and*

13 *“(D) information on caseload or workload*
14 *requirements for such personnel, including re-*
15 *quirements for average number and maximum*
16 *number of cases per child protective service work-*
17 *er and supervisor.”;*

18 *(6) in paragraph (11), by striking “and neglect”*
19 *and inserting “or neglect”; and*

20 *(7) by adding at the end the following:*

21 *“(15) The number of children referred to a child*
22 *protective services system under subsection*
23 *(b)(2)(B)(ii).*

24 *“(16) The number of children determined to be*
25 *eligible for referral, and the number of children re-*

1 ferred, under subsection (b)(2)(B)(xxi), to agencies
 2 providing early intervention services under part C of
 3 the Individuals with Disabilities Education Act (20
 4 U.S.C. 1431 et seq.).”.

5 (f) ANNUAL REPORT.—Section 106(e) of the Child
 6 Abuse Prevention and Treatment Act (42 U.S.C. 5106a(e))
 7 is amended by inserting “and neglect” before the period.

8 (g) FORMULA.—Section 106 of the Child Abuse Preven-
 9 tion and Treatment Act (42 U.S.C. 5106a) is amended by
 10 adding at the end the following:

11 “(f) ALLOTMENTS.—

12 “(1) DEFINITIONS.—In this subsection:

13 “(A) FISCAL YEAR 2009 GRANT FUNDS.—The
 14 term ‘fiscal year 2009 grant funds’ means the
 15 amount appropriated under section 112 for fiscal
 16 year 2009, and not reserved under section
 17 112(a)(2).

18 “(B) GRANT FUNDS.—The term ‘grant
 19 funds’ means the amount appropriated under
 20 section 112 for a fiscal year and not reserved
 21 under section 112(a)(2).

22 “(C) STATE.—The term ‘State’ means each
 23 of the several States, the District of Columbia,
 24 and the Commonwealth of Puerto Rico.

1 “(D) *TERRITORY.*—*The term ‘territory’*
2 *means Guam, American Samoa, the United*
3 *States Virgin Islands, and the Commonwealth of*
4 *the Northern Mariana Islands.*

5 “(2) *IN GENERAL.*—*Except as otherwise provided*
6 *in this section, the Secretary shall make allotments to*
7 *each State and territory that applies for a grant*
8 *under this section in an amount equal to the sum*
9 *of—*

10 “(A) \$50,000; and

11 “(B) *an amount that bears the same rela-*
12 *tionship to any grant funds remaining after all*
13 *such States and territories have received \$50,000,*
14 *as the number of children under the age of 18 in*
15 *the State or territory bears to the number of such*
16 *children in all States and territories that apply*
17 *for such a grant.*

18 “(3) *ALLOTMENTS FOR DECREASED APPROPRIA-*
19 *TION YEARS.*—*In the case where the grant funds for*
20 *a fiscal year are less than the fiscal year 2009 grant*
21 *funds, the Secretary shall ratably reduce each of the*
22 *allotments under paragraph (2) for such fiscal year.*

23 “(4) *ALLOTMENTS FOR INCREASED APPROPRIA-*
24 *TION YEARS.*—

1 “(A) *MINIMUM ALLOTMENTS TO STATES*
2 *FOR INCREASED APPROPRIATIONS YEARS.*—*In*
3 *any fiscal year for which the grant funds exceed*
4 *the fiscal year 2009 grant funds by more than*
5 *\$1,000,000, the Secretary shall adjust the allot-*
6 *ments under paragraph (2), as necessary, such*
7 *that no State that applies for a grant under this*
8 *section receives an allotment in an amount that*
9 *is less than—*

10 “(i) \$100,000, for a fiscal year in
11 *which the grant funds exceed the fiscal year*
12 *2009 grant funds by more than \$1,000,000*
13 *but less than \$2,000,000;*

14 “(ii) \$125,000, for a fiscal year in
15 *which the grant funds exceed the fiscal year*
16 *2009 grant funds by at least \$2,000,000 but*
17 *less than \$3,000,000; and*

18 “(iii) \$150,000, for a fiscal year in
19 *which the grant funds exceed the fiscal year*
20 *2009 grant funds by at least \$3,000,000.*

21 “(B) *ALLOTMENT ADJUSTMENT.*—*In the*
22 *case of a fiscal year for which subparagraph (A)*
23 *applies and the grant funds are insufficient to*
24 *satisfy the requirements of such subparagraph*
25 *(A), paragraph (2), and paragraph (5), the Sec-*

1 retary shall, subject to paragraph (5), ratably re-
 2 duce the allotment of each State for which the al-
 3 lotment under paragraph (2) is an amount that
 4 exceeds the applicable minimum under subpara-
 5 graph (A), as necessary to ensure that each State
 6 receives the applicable minimum allotment
 7 under subparagraph (A).

8 “(5) *HOLD HARMLESS.*—Notwithstanding para-
 9 graphs (2) and (4), except as provided in paragraph
 10 (3), no State or territory shall receive a grant under
 11 this section in an amount that is less than the
 12 amount such State or territory received under this
 13 section for fiscal year 2009.”.

14 **SEC. 116. GRANTS TO STATES FOR PROGRAMS RELATING**
 15 **TO THE INVESTIGATION AND PROSECUTION**
 16 **OF CHILD ABUSE AND NEGLECT CASES.**

17 Section 107 of the Child Abuse Prevention and Treat-
 18 ment Act (42 U.S.C. 5106c) is amended—

19 (1) in subsection (a)—

20 (A) by striking paragraphs (1) and (2) and
 21 inserting the following:

22 “(1) the assessment and investigation of sus-
 23 pected child abuse and neglect cases, including cases
 24 of suspected child sexual abuse and exploitation, in a

1 *manner that limits additional trauma to the child*
2 *and the child’s family;*

3 *“(2) the assessment and investigation of cases of*
4 *suspected child abuse-related fatalities and suspected*
5 *child neglect-related fatalities;”;*

6 *(B) in paragraph (3), by striking “particu-*
7 *larly” and inserting “including”; and*

8 *(C) in paragraph (4)—*

9 *(i) by striking “the handling” and in-*
10 *serting “the assessment and investigation”;*

11 *and*

12 *(ii) by striking “victims of abuse” and*
13 *inserting “suspected victims of child abuse”;*

14 *(2) in subsection (b)(1), by striking “section*
15 *107(b)” and inserting “section 106(b)”;*

16 *(3) in subsection (c)(1)—*

17 *(A) in subparagraph (G), by striking “and”*
18 *at the end;*

19 *(B) in subparagraph (H), by striking the*
20 *period and inserting a semicolon; and*

21 *(C) by adding at the end the following:*

22 *“(I) adult former victims of child abuse or*
23 *neglect; and*

24 *“(J) individuals experienced in working*
25 *with homeless children and youths (as defined in*

1 *section 725 of the McKinney-Vento Homeless As-*
2 *stance Act (42 U.S.C. 11434a).”;*

3 *(4) in subsection (d)(1)—*

4 *(A) by striking “particularly” and insert-*
5 *ing “including”; and*

6 *(B) by inserting “intrastate,” before “inter-*
7 *state”;*

8 *(5) in subsection (e)(1)—*

9 *(A) in subparagraph (A)—*

10 *(i) by striking “particularly” and in-*
11 *serting “including”; and*

12 *(ii) by inserting “intrastate,” before*
13 *“interstate”;*

14 *(B) in subparagraph (B)—*

15 *(i) by inserting a comma after*
16 *“model”; and*

17 *(ii) by striking “improve the rate” and*
18 *all that follows through “child sexual abuse*
19 *cases” and inserting the following: “improve*
20 *the prompt and successful resolution of civil*
21 *and criminal court proceedings or enhance*
22 *the effectiveness of judicial and administra-*
23 *tive action in child abuse and neglect cases,*
24 *particularly child sexual abuse and exploi-*
25 *tation cases, including the enhancement of*

1 performance of court-appointed attorneys
2 and guardians ad litem for children”; and
3 (C) in subparagraph (C)—

4 (i) by inserting a comma after “proto-
5 cols”;

6 (ii) by inserting “, which may include
7 those children involved in reports of child
8 abuse or neglect with a potential combina-
9 tion of jurisdictions, such as intrastate,
10 interstate, Federal-State, and State-Tribal,”
11 after “protection for children”;

12 (iii) by striking “from abuse” and in-
13 serting “from child abuse and neglect”; and

14 (iv) by striking “particularly” and in-
15 serting “including”; and

16 (6) in subsection (f), by inserting “(42 U.S.C.
17 10603a)” after “1984”.

18 **SEC. 117. MISCELLANEOUS REQUIREMENTS.**

19 Section 108(d) of the Child Abuse Prevention and
20 Treatment Act (42 U.S.C. 5106d(d)) is amended to read
21 as follows:

22 “(d) SENSE OF CONGRESS.—It is the sense of Congress
23 that the Secretary should encourage all States and public
24 and private entities that receive assistance under this title
25 to—

1 “(1) ensure that children and families with lim-
2 ited English proficiency who participate in programs
3 under this title are provided with materials and serv-
4 ices through such programs in an appropriate lan-
5 guage other than English; and

6 “(2) ensure that individuals with disabilities
7 who participate in programs under this title are pro-
8 vided with materials and services through such pro-
9 grams that are appropriate to their disabilities.”.

10 **SEC. 118. REPORTS.**

11 (a) *IN GENERAL.*—Section 110 of the Child Abuse Pre-
12 vention and Treatment Act (42 U.S.C. 5106f) is amended
13 by striking subsections (a) and (b) and inserting the fol-
14 lowing:

15 “(a) *COORDINATION EFFORTS.*—Not later than 1 year
16 after the date of enactment of the CAPTA Reauthorization
17 Act of 2010, the Secretary shall submit to the Committee
18 on Education and Labor of the House of Representatives
19 and the Committee on Health, Education, Labor, and Pen-
20 sions of the Senate a report on efforts to coordinate the ob-
21 jectives and activities of agencies and organizations that are
22 responsible for programs and activities related to child
23 abuse and neglect. Not later than 3 years after that date
24 of enactment, the Secretary shall submit to those committees
25 a second report on such efforts during the 3-year period

1 following that date of enactment. Not later than 5 years
2 after that date of enactment, the Secretary shall submit to
3 those committees a third report on such efforts during the
4 5-year period following that date of enactment.

5 “(b) *EFFECTIVENESS OF STATE PROGRAMS AND*
6 *TECHNICAL ASSISTANCE.*—Not later than 2 years after the
7 date of enactment of the CAPTA Reauthorization Act of
8 2010 and every 2 years thereafter, the Secretary shall sub-
9 mit to the Committee on Education and Labor of the House
10 of Representatives and the Committee on Health, Edu-
11 cation, Labor, and Pensions of the Senate a report evalu-
12 ating the effectiveness of programs receiving assistance
13 under section 106 in achieving the objectives of section
14 106.”.

15 (b) *STUDY AND REPORT RELATING TO CITIZEN RE-*
16 *VIEW PANELS.*—Section 110(c) of the Child Abuse Preven-
17 tion and Treatment Act (42 U.S.C. 5106f(c)) is amended
18 to read as follows:

19 “(c) *STUDY AND REPORT RELATING TO CITIZEN RE-*
20 *VIEW PANELS.*—

21 “(1) *IN GENERAL.*—The Secretary shall conduct
22 a study to determine the effectiveness of citizen review
23 panels, established under section 106(c), in achieving
24 the stated function of such panels under section
25 106(c)(4)(A) of—

1 “(A) *examining the policies, procedures,*
2 *and practices of State and local child protection*
3 *agencies; and*

4 “(B) *evaluating the extent to which such*
5 *State and local child protection agencies are ful-*
6 *filling their child protection responsibilities, as*
7 *described in clauses (i) through (iii) of section*
8 *106(c)(4)(A).*

9 “(2) *CONTENT OF STUDY.—The study described*
10 *in paragraph (1) shall be completed in a manner*
11 *suited to the unique design of citizen review panels,*
12 *including consideration of the variability among the*
13 *panels within and between States. The study shall in-*
14 *clude the following:*

15 “(A) *Data describing the membership, orga-*
16 *nizational structure, operation, and administra-*
17 *tion of all citizen review panels and the total*
18 *number of such panels in each State.*

19 “(B) *A detailed summary of the extent to*
20 *which collaboration and information-sharing oc-*
21 *currs between citizen review panels and State*
22 *child protective services agencies or any other en-*
23 *tities or State agencies. The summary shall in-*
24 *clude a description of the outcomes that result*
25 *from collaboration and information sharing.*

1 “(C) *Evidence of the adherence and respon-*
2 *siveness to the reporting requirements under sec-*
3 *tion 106(c)(6) by citizen review panels and*
4 *States.*

5 “(3) *REPORT.—Not later than 2 years after the*
6 *date of enactment of the CAPTA Reauthorization Act*
7 *of 2010, the Secretary shall submit to the Committee*
8 *on Health, Education, Labor, and Pensions of the*
9 *Senate and the Committee on Education and Labor*
10 *of the House of Representatives a report that contains*
11 *the results of the study conducted under paragraph*
12 *(1).”.*

13 (c) *STUDY AND REPORT RELATING TO IMMUNITY*
14 *FROM PROSECUTION FOR PROFESSIONAL CONSULTATION IN*
15 *SUSPECTED AND KNOWN INSTANCES OF CHILD ABUSE AND*
16 *NEGLECT.—Section 110 of the Child Abuse Prevention and*
17 *Treatment Act (42 U.S.C. 5106f) is amended by adding at*
18 *the end the following:*

19 “(d) *STUDY AND REPORT RELATING TO IMMUNITY*
20 *FROM PROSECUTION FOR PROFESSIONAL CONSULTATION IN*
21 *SUSPECTED AND KNOWN INSTANCES OF CHILD ABUSE AND*
22 *NEGLECT.—*

23 “(1) *STUDY.—The Secretary shall complete a*
24 *study, in consultation with experts in the provision*
25 *of healthcare, law enforcement, education, and local*

1 *child welfare administration, that examines how pro-*
2 *visions for immunity from prosecution under State*
3 *and local laws and regulations facilitate and inhibit*
4 *individuals cooperating, consulting, or assisting in*
5 *making good faith reports, including mandatory re-*
6 *ports, of suspected or known instances of child abuse*
7 *or neglect.*

8 “(2) *REPORT.*—*Not later than 1 year after the*
9 *date of the enactment of the CAPTA Reauthorization*
10 *Act of 2010, the Secretary shall submit to the Com-*
11 *mittee on Health, Education, Labor, and Pensions of*
12 *the Senate and the Committee on Education and*
13 *Labor of the House of Representatives a report that*
14 *contains the results of the study conducted under*
15 *paragraph (1) and any recommendations for statu-*
16 *tory or regulatory changes the Secretary determines*
17 *appropriate. Such report may be submitted electroni-*
18 *cally.*”.

19 **SEC. 119. DEFINITIONS.**

20 *Section 111 of the Child Abuse Prevention and Treat-*
21 *ment Act (42 U.S.C. 5106g) is amended—*

22 *(1) in paragraph (5)—*

23 *(A) by inserting “except as provided in sec-*
24 *tion 106(f),” after “(5)”;*

25 *(B) by inserting “and” after “Samoa,”; and*

1 (C) by striking “and the Trust Territory of
2 the Pacific Islands”;

3 (2) in paragraph (6)(C), by striking the period
4 and inserting a semicolon; and

5 (3) by adding at the end the following:

6 “(7) the term ‘Alaska Native’ has the meaning
7 given the term ‘Native’ in section 3 of the Alaska Na-
8 tive Claims Settlement Act (43 U.S.C. 1602);

9 “(8) the term ‘infant or toddler with a disability’
10 has the meaning given the term in section 632 of the
11 Individuals with Disabilities Education Act (20
12 U.S.C. 1432);

13 “(9) the terms ‘Indian’, ‘Indian tribe’, and ‘trib-
14 al organization’ have the meanings given the terms in
15 section 4 of the Indian Self-Determination and Edu-
16 cation Assistance Act (25 U.S.C. 450b);

17 “(10) the term ‘Native Hawaiian’ has the mean-
18 ing given the term in section 7207 of the Elementary
19 and Secondary Education Act of 1965 (20 U.S.C.
20 7517); and

21 “(11) the term ‘unaccompanied homeless youth’
22 means an individual who is described in paragraphs
23 (2) and (6) of section 725 of the McKinney-Vento
24 Homeless Assistance Act (42 U.S.C. 11434a).”.

1 **SEC. 120. AUTHORIZATION OF APPROPRIATIONS.**

2 *Section 112(a)(1) of the Child Abuse Prevention and*
 3 *Treatment Act (42 U.S.C. 5106h(a)(1)) is amended—*

4 *(1) by striking “2004” and inserting “2010”;*
 5 *and*

6 *(2) by striking “2005 through 2008” and insert-*
 7 *ing “2011 through 2015”.*

8 **SEC. 121. RULE OF CONSTRUCTION.**

9 *Section 113(a)(2) of the Child Abuse Prevention and*
 10 *Treatment Act (42 U.S.C. 5106i(a)(2)) is amended by strik-*
 11 *ing “abuse or neglect” and inserting “child abuse or ne-*
 12 *glect”.*

13 **Subtitle B—Community-Based**
 14 **Grants for the Prevention of**
 15 **Child Abuse or Neglect**

16 **SEC. 131. TITLE HEADING.**

17 *The title heading of title II of the Child Abuse Preven-*
 18 *tion and Treatment Act (42 U.S.C. 5116) is amended to*
 19 *read as follows:*

20 **“TITLE II—COMMUNITY-BASED**
 21 **GRANTS FOR THE PREVEN-**
 22 **TION OF CHILD ABUSE AND**
 23 **NEGLECT”.**

24 **SEC. 132. PURPOSE AND AUTHORITY.**

25 *Section 201 of the Child Abuse Prevention and Treat-*
 26 *ment Act (42 U.S.C. 5116) is amended—*

1 (1) by striking subsection (a)(1) and inserting
2 the following:

3 “(1) to support community-based efforts to de-
4 velop, operate, expand, enhance, and coordinate ini-
5 tiatives, programs, and activities to prevent child
6 abuse and neglect and to support the coordination of
7 resources and activities, to better strengthen and sup-
8 port families to reduce the likelihood of child abuse
9 and neglect; and”;

10 (2) in subsection (b)—

11 (A) in the matter preceding paragraph (1),
12 by striking “hereafter”;

13 (B) in paragraph (1)—

14 (i) in the matter preceding subpara-
15 graph (A)—

16 (I) by inserting a comma after
17 “expanding”; and

18 (II) by striking “(through net-
19 works where appropriate)”;

20 (ii) in subparagraph (E), by inserting
21 before the semicolon the following: “, includ-
22 ing access to such resources and opportuni-
23 ties for unaccompanied homeless youth”;
24 and

1 (iii) by striking subparagraph (G) and
2 inserting the following:

3 “(G) demonstrate a commitment to involv-
4 ing parents in the planning and program imple-
5 mentation of the lead agency and entities car-
6 rying out local programs funded under this title,
7 including involvement of parents of children
8 with disabilities, parents who are individuals
9 with disabilities, racial and ethnic minorities,
10 and members of other underrepresented or under-
11 served groups; and”;

12 (C) in paragraph (2), by inserting after
13 “children and families” the following: “, includ-
14 ing unaccompanied homeless youth,”;

15 (D) in paragraph (3)—

16 (i) by inserting “substance abuse treat-
17 ment services, domestic violence services,”
18 after “mental health services,”;

19 (ii) by striking “family resource and
20 support program” and inserting “commu-
21 nity-based child abuse and neglect preven-
22 tion program”; and

23 (iii) by striking “community-based
24 family resource and support program” and

1 *inserting “community-based child abuse*
2 *and neglect prevention programs”;* and

3 *(E) in paragraph (4)—*

4 *(i) by inserting “and reporting” after*
5 *“information management”;*

6 *(ii) by striking the comma after “pre-*
7 *vention-focused”;* and

8 *(iii) by striking “(through networks*
9 *where appropriate)”.*

10 **SEC. 133. ELIGIBILITY.**

11 *Section 202 of the Child Abuse Prevention and Treat-*
12 *ment Act (42 U.S.C. 5116a) is amended—*

13 *(1) in paragraph (1)—*

14 *(A) by striking “chief executive officer” each*
15 *place it appears and inserting “Governor”;* and

16 *(B) by inserting a comma after “enhance”;*

17 *(2) in paragraphs (1), (2), and (3), by striking*
18 *“(through networks where appropriate)” each place it*
19 *appears;*

20 *(3) in paragraphs (2) and (3), in the matter*
21 *preceding subparagraph (A), by striking “chief execu-*
22 *tive officer” and inserting “Governor”;* and

23 *(4) in paragraph (2)—*

1 (A) in subparagraphs (A) and (B), by in-
 2 serting “adult former victims of child abuse or
 3 neglect,” after “parents,”; and

4 (B) in subparagraph (C), by inserting a
 5 comma after “State”.

6 **SEC. 134. AMOUNT OF GRANT.**

7 Section 203(b)(1) of the Child Abuse Prevention and
 8 Treatment Act (42 U.S.C. 5116b(b)(1))—

9 (1) in subparagraph (A), by striking all that
 10 precedes “70” and inserting the following:

11 “(A) 70 PERCENT.—”; and

12 (2) in subparagraph (B), by striking all that
 13 precedes “30” and inserting the following:

14 “(B) 30 PERCENT.—”.

15 **SEC. 135. APPLICATION.**

16 Section 205 of the Child Abuse Prevention and Treat-
 17 ment Act (42 U.S.C. 5116d) is amended—

18 (1) in paragraphs (1) and (2), by striking
 19 “(through networks where appropriate)”;

20 (2) in paragraph (2)—

21 (A) by striking “and how family resource
 22 and support” and inserting “, including how
 23 community-based child abuse and neglect preven-
 24 tion”; and

1 (B) by striking “services provided” and in-
2 serting “programs provided”;

3 (3) in paragraph (4), by inserting a comma
4 after “operation”;

5 (4) in paragraph (6)—

6 (A) by striking “an assurance that the State
7 has the” and inserting “a description of the
8 State’s”; and

9 (B) by striking “consumers and” and in-
10 serting “consumers, of family advocates, and of
11 adult former victims of child abuse or neglect,”;

12 (5) in paragraph (7), by inserting a comma
13 after “expansion”;

14 (6) in paragraph (8)—

15 (A) by striking “and activities”; and

16 (B) by inserting after “homelessness,” the
17 following: “unaccompanied homeless youth,”;

18 (7) in paragraph (9), by inserting a comma
19 after “training”; and

20 (8) in paragraph (11), by inserting a comma
21 after “procedures”.

22 **SEC. 136. LOCAL PROGRAM REQUIREMENTS.**

23 (a) *IN GENERAL.*—Section 206(a) of the Child Abuse
24 Prevention and Treatment Act (42 U.S.C. 5116e(a)) is
25 amended—

1 (1) *in the matter preceding paragraph (1), by*
2 *inserting a comma after “expand”;*

3 (2) *in paragraph (1)—*

4 (A) *by striking “parents and” and inserting*
5 *“parents,”; and*

6 (B) *by inserting “in meaningful roles” be-*
7 *fore the semicolon;*

8 (3) *in paragraph (2)—*

9 (A) *by striking “a strategy to provide, over*
10 *time,” and inserting “a comprehensive strategy*
11 *to provide”;*

12 (B) *by striking “family centered” and in-*
13 *serting “family-centered”; and*

14 (C) *by striking “and parents with young*
15 *children,” and inserting “, to parents with*
16 *young children, and to parents who are adult*
17 *former victims of domestic violence or child*
18 *abuse or neglect,”;*

19 (4) *in paragraph (3)—*

20 (A) *by striking all that precedes subpara-*
21 *graph (C) and inserting the following:*

22 “(3)(A) *provide for core child abuse and neglect*
23 *prevention services, which may be provided directly*
24 *by the local recipient of the grant funds or through*

1 *grants or agreements with other local agencies, such*
 2 *as—*

3 “(i) *parent education, mutual support and*
 4 *self help, and parent leadership services;*

5 “(ii) *respite care services;*

6 “(iii) *outreach and followup services, which*
 7 *may include voluntary home visiting services;*
 8 *and*

9 “(iv) *community and social service refer-*
 10 *rals; and”;* *and*

11 *(B) in subparagraph (C)—*

12 *(i) in the matter preceding clause (i),*
 13 *by striking “(C)” and inserting “(B) pro-*
 14 *vide”;*

15 *(ii) by striking clause (ii) and insert-*
 16 *ing the following:*

17 “(ii) *child care, early childhood edu-*
 18 *cation and care, and intervention services;”;*

19 “(iii) *in clause (iii), by inserting “and*
 20 *parents who are individuals with disabil-*
 21 *ities” before the semicolon;*

22 “(iv) *in clause (v), by striking “scho-*
 23 *lastic tutoring” and inserting “academic*
 24 *tutoring”;*

1 (v) in clause (vii), by striking “and”
2 after the semicolon;

3 (vi) in clause (viii), by adding “and”
4 after the semicolon;

5 (vii) by adding at the end the fol-
6 lowing:

7 “(ix) domestic violence service pro-
8 grams that provide services and treatment
9 to children and their non-abusing care-
10 givers.”; and

11 (viii) in clause (v), by striking “scho-
12 lastic tutoring” and inserting “academic
13 tutoring”;

14 (5) in paragraph (5), by striking “family re-
15 source and support program” and inserting “child
16 abuse and neglect prevention program”; and

17 (6) in paragraph (6), by inserting a comma
18 after “operation”.

19 (b) *TECHNICAL AMENDMENT.*—Section 206(b) of the
20 *Child Abuse Prevention and Treatment Act (42 U.S.C.*
21 *5116e(b)) is amended—*

22 (1) by striking “low income” and inserting “low-
23 income”; and

1 (2) by striking “family resource and support
2 programs” and inserting “child abuse and neglect
3 prevention programs.”.

4 **SEC. 137. CONFORMING AMENDMENTS.**

5 Section 207 of the Child Abuse Prevention and Treat-
6 ment Act (42 U.S.C. 5119f) is amended—

7 (1) in paragraph (1), by inserting a comma
8 after “operation”;

9 (2) in paragraph (2), by inserting “which de-
10 scription shall specify whether those services are sup-
11 ported by research” after “section 202”;

12 (3) in paragraph (4)—

13 (A) by striking “section 205(3)” and insert-
14 ing “section 204(3)”; and

15 (B) by inserting a comma after “oper-
16 ation”;

17 (4) in paragraph (6)—

18 (A) by inserting a comma after “local”; and

19 (B) by inserting a comma after “expan-
20 sion”; and

21 (5) in paragraph (7), by striking “the results”
22 and all that follows and inserting “the results of eval-
23 uation, or the outcomes of monitoring, conducted
24 under the State program to demonstrate the effective-

1 *ness of activities conducted under this title in meeting*
 2 *the purposes of the program; and”.*

3 **SEC. 138. NATIONAL NETWORK FOR COMMUNITY-BASED**
 4 **FAMILY RESOURCE PROGRAMS.**

5 *Section 208 of the Child Abuse Prevention and Treat-*
 6 *ment Act (42 U.S.C. 5116g) is amended—*

7 (1) *in paragraph (1), by inserting a comma*
 8 *after “operate”;*

9 (2) *in paragraph (2), by inserting a comma*
 10 *after “operate”; and*

11 (3) *in paragraph (4), by inserting a comma*
 12 *after “operate”.*

13 **SEC. 139. DEFINITIONS.**

14 *Section 209 of the Child Abuse Prevention and Treat-*
 15 *ment Act (42 U.S.C. 5116h) is amended—*

16 (1) *by striking paragraph (1);*

17 (2) *by redesignating paragraphs (2), (3), and (5)*
 18 *as paragraphs (1) through (3), respectively; and*

19 (3) *in paragraph (3), as so redesignated—*

20 (A) *in the matter preceding subparagraph*
 21 (A), *by inserting “, including the services of cri-*
 22 *sis nurseries,” after “short term care services”;*

23 (B) *in subparagraphs (A) and (B), by strik-*
 24 *ing “abuse or neglect” and inserting “child abuse*
 25 *or neglect”; and*

1 (C) in subparagraph (C), by striking
2 “have” and all that follows and inserting “have
3 disabilities or chronic or terminal illnesses.”.

4 **SEC. 140. AUTHORIZATION OF APPROPRIATIONS.**

5 Section 210 of the Child Abuse Prevention and Treat-
6 ment Act (42 U.S.C. 5116i) is amended—

7 (1) by striking “2004” and inserting “2010”;

8 and

9 (2) by striking “2005 through 2008” and insert-
10 ing “2011 through 2015”.

11 **SEC. 141. REDESIGNATION.**

12 Title II of the Child Abuse Prevention and Treatment
13 Act (42 U.S.C. 5116 et seq.) is amended by redesignating
14 sections 205 through 210 as sections 204 through 209, re-
15 spectively.

16 **SEC. 142. TRANSFER OF DEFINITIONS.**

17 (a) *GENERAL DEFINITIONS.*—The Child Abuse Preven-
18 tion and Treatment Act (42 U.S.C. 5101 et seq.) is amended
19 by inserting after section 2 the following:

20 **“SEC. 3. GENERAL DEFINITIONS.**

21 *“In this Act—*

22 *“(1) the term ‘child’ means a person who has not*
23 *attained the lesser of—*

24 *“(A) the age of 18; or*

1 “(B) except in the case of sexual abuse, the
2 age specified by the child protection law of the
3 State in which the child resides;

4 “(2) the term ‘child abuse and neglect’ means, at
5 a minimum, any recent act or failure to act on the
6 part of a parent or caretaker, which results in death,
7 serious physical or emotional harm, sexual abuse or
8 exploitation, or an act or failure to act which pre-
9 sents an imminent risk of serious harm;

10 “(3) the term ‘child with a disability’ means a
11 child with a disability as defined in section 602 of the
12 Individuals with Disabilities Education Act (20
13 U.S.C. 1401), or an infant or toddler with a dis-
14 ability as defined in section 632 of such Act (20
15 U.S.C. 1432);

16 “(4) the term ‘Governor’ means the chief execu-
17 tive officer of a State;

18 “(5) the terms ‘Indian’, ‘Indian tribe’, and ‘trib-
19 al organization’ have the meanings given the terms in
20 section 4 of the Indian Self-Determination and Edu-
21 cation Assistance Act (25 U.S.C. 450b);

22 “(6) the term ‘Secretary’ means the Secretary of
23 Health and Human Services;

24 “(7) except as provided in section 106(f), the
25 term ‘State’ means each of the several States, the Dis-

1 *trict of Columbia, the Commonwealth of Puerto Rico,*
2 *the Virgin Islands, Guam, American Samoa, and the*
3 *Commonwealth of the Northern Mariana Islands; and*

4 “(8) the term ‘unaccompanied homeless youth’
5 means an individual who is described in paragraphs
6 (2) and (6) of section 725 of the McKinney-Vento
7 Homeless Assistance Act (42 U.S.C. 11434a).”.

8 (b) *CONFORMING AMENDMENTS.*—Section 111 of the
9 *Child Abuse Prevention and Treatment Act (42 U.S.C.*
10 *5106g), as amended by section 119, is further amended—*

11 (1) *by striking paragraphs (1), (2), (3), (5), (9),*
12 *and (11) of section 111;*

13 (2) *by redesignating paragraphs (7), (8), and*
14 *(10) as paragraphs (1), (2), and (3), respectively, and*
15 *inserting the paragraphs before paragraph (4);*

16 (3) *in paragraph (3), as so redesignated, by*
17 *striking “and” at the end;*

18 (4) *in paragraph (4), by adding “and” at the*
19 *end; and*

20 (5) *by redesignating paragraph (6) as para-*
21 *graph (5).*

1 **Subtitle C—Conforming**
 2 **Amendments**

3 **SEC. 151. AMENDMENTS TO TABLE OF CONTENTS.**

4 *The table of contents in section 1(b) of the Child Abuse*
 5 *Prevention and Treatment Act is amended—*

6 (1) *by inserting after the item relating to section*
 7 2 *the following:*

 “*Sec. 3. General definitions.*”;

8 (2) *by amending the item relating to section 105*
 9 *to read as follows:*

 “*Sec. 105. Grants to States, Indian tribes or tribal organizations, and public or*
 private agencies and organizations.”;

10 (3) *by amending the item relating to section 106*
 11 *to read as follows:*

 “*Sec. 106. Grants to States for child abuse or neglect prevention and treatment*
 programs.”;

12 (4) *by striking the item relating to the title head-*
 13 *ing of title II and inserting the following:*

 “*TITLE II—COMMUNITY-BASED GRANTS FOR THE PREVENTION OF*
 CHILD ABUSE OR NEGLECT”;

14 *and*

15 (5) *by striking the items relating to sections 204*
 16 *through 210 and inserting the following:*

 “*Sec. 204. Application.*”

 “*Sec. 205. Local program requirements.*”

 “*Sec. 206. Performance measures.*”

 “*Sec. 207. National network for community-based family resource programs.*”

 “*Sec. 208. Definitions.*”

 “*Sec. 209. Authorization of appropriations.*”

1 **TITLE II—FAMILY VIOLENCE**
 2 **PREVENTION AND SERVICES**
 3 **ACT**

4 **SEC. 201. FAMILY VIOLENCE PREVENTION AND SERVICES.**

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

7 **“TITLE III—FAMILY VIOLENCE**
 8 **PREVENTION AND SERVICES**

9 **“SEC. 301. SHORT TITLE; PURPOSE.**

10 *“(a) SHORT TITLE.—This title may be cited as the*
 11 *‘Family Violence Prevention and Services Act’.*

12 *“(b) PURPOSE.—It is the purpose of this title to—*

13 *“(1) assist States and Indian tribes in efforts to*
 14 *increase public awareness about, and primary and*
 15 *secondary prevention of, family violence, domestic vi-*
 16 *olence, and dating violence;*

17 *“(2) assist States and Indian tribes in efforts to*
 18 *provide immediate shelter and supportive services for*
 19 *victims of family violence, domestic violence, or dat-*
 20 *ing violence, and their dependents;*

21 *“(3) provide for a national domestic violence*
 22 *hotline;*

23 *“(4) provide for technical assistance and train-*
 24 *ing relating to family violence, domestic violence, and*
 25 *dating violence programs to States and Indian tribes,*

1 *local public agencies (including law enforcement*
2 *agencies, courts, and legal, social service, and health*
3 *care professionals in public agencies), nonprofit pri-*
4 *vate organizations (including faith-based and chari-*
5 *table organizations, community-based organizations,*
6 *and voluntary associations), tribal organizations, and*
7 *other persons seeking such assistance and training.*

8 **“SEC. 302. DEFINITIONS.**

9 *“In this title:*

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

14 *“(2) DATING VIOLENCE.—The term ‘dating vio-*
15 *lence’ has the meaning given such term in section*
16 *40002(a) of the Violence Against Women Act of 1994*
17 *(42 U.S.C. 13925(a)).*

18 *“(3) DOMESTIC VIOLENCE.—The term ‘domestic*
19 *violence’ has the meaning given such term in section*
20 *40002(a) of the Violence Against Women Act of 1994*
21 *(42 U.S.C. 13925(a)).*

22 *“(4) FAMILY VIOLENCE.—The term ‘family vio-*
23 *lence’ means any act or threatened act of violence, in-*
24 *cluding any forceful detention of an individual,*
25 *that—*

1 “(A) results or threatens to result in phys-
2 ical injury; and

3 “(B) is committed by a person against an-
4 other individual (including an elderly indi-
5 vidual) to or with whom such person—

6 “(i) is related by blood;

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

9 “(iii) is or was lawfully residing.

10 “(5) *INDIAN; INDIAN TRIBE; TRIBAL ORGANIZA-*
11 *TION.—The terms ‘Indian’, ‘Indian tribe’, and ‘tribal*
12 *organization’ have the meanings given such terms in*
13 *section 4 of the Indian Self-Determination and Edu-*
14 *cation Assistance Act (25 U.S.C. 450b).*

15 “(6) *NATIVE HAWAIIAN.—The term ‘Native Ha-*
16 *waiian’ has the meaning given the term in section*
17 *7207 of the Elementary and Secondary Education*
18 *Act of 1965 (20 U.S.C. 7517).*

19 “(7) *PERSONALLY IDENTIFYING INFORMATION.—*
20 *The term ‘personally identifying information’ has the*
21 *meaning given the term in section 40002(a) of the Vi-*
22 *olence Against Women Act of 1994 (42 U.S.C.*
23 *13925(a)).*

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

1 “(9) *SHELTER*.—The term ‘shelter’ means the
2 provision of temporary refuge and supportive services
3 in compliance with applicable State law (including
4 regulation) governing the provision, on a regular
5 basis, of shelter, safe homes, meals, and supportive
6 services to victims of family violence, domestic vio-
7 lence, or dating violence, and their dependents.

8 “(10) *STATE*.—The term ‘State’ means each of
9 the several States, the District of Columbia, the Com-
10 monwealth of Puerto Rico, and, except as otherwise
11 provided, Guam, American Samoa, the United States
12 Virgin Islands, and the Commonwealth of the North-
13 ern Mariana Islands.

14 “(11) *STATE DOMESTIC VIOLENCE COALITION*.—
15 The term ‘State Domestic Violence Coalition’ means
16 a statewide nongovernmental nonprofit private do-
17 mestic violence organization that—

18 “(A) has a membership that includes a ma-
19 jority of the primary-purpose domestic violence
20 service providers in the State;

21 “(B) has board membership that is rep-
22 resentative of primary-purpose domestic violence
23 service providers, and which may include rep-
24 resentatives of the communities in which the
25 services are being provided in the State;

1 “(C) has as its purpose to provide edu-
2 cation, support, and technical assistance to such
3 service providers to enable the providers to estab-
4 lish and maintain shelter and supportive services
5 for victims of domestic violence and their de-
6 pendants; and

7 “(D) serves as an information clearing-
8 house, primary point of contact, and resource
9 center on domestic violence for the State and
10 supports the development of policies, protocols,
11 and procedures to enhance domestic violence
12 intervention and prevention in the State.

13 “(12) *SUPPORTIVE SERVICES*.—The term ‘sup-
14 portive services’ means services for adult and youth
15 victims of family violence, domestic violence, or dat-
16 ing violence, and dependents exposed to family vio-
17 lence, domestic violence, or dating violence, that are
18 designed to—

19 “(A) meet the needs of such victims of fam-
20 ily violence, domestic violence, or dating vio-
21 lence, and their dependents, for short-term, tran-
22 sitional, or long-term safety; and

23 “(B) provide counseling, advocacy, or as-
24 sistance for victims of family violence, domestic

1 *violence, or dating violence, and their depend-*
 2 *ents.*

3 “(13) *TRIBALLY DESIGNATED OFFICIAL.*—*The*
 4 *term ‘tribally designated official’ means an indi-*
 5 *vidual designated by an Indian tribe, tribal organiza-*
 6 *tion, or nonprofit private organization authorized by*
 7 *an Indian tribe, to administer a grant under section*
 8 *309.*

9 “(14) *UNDERSERVED POPULATIONS.*—*The term*
 10 *‘underserved populations’ has the meaning given the*
 11 *term in section 40002(a) of the Violence Against*
 12 *Women Act of 1994 (42 U.S.C. 13925(a)). For the*
 13 *purposes of this title, the Secretary has the same au-*
 14 *thority to determine whether a population is an un-*
 15 *derserved population as the Attorney General has*
 16 *under that section 40002(a).*

17 **“SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

18 “(a) *FORMULA GRANTS TO STATES.*—

19 “(1) *IN GENERAL.*—*There is authorized to be ap-*
 20 *propriated to carry out sections 301 through 312,*
 21 *\$175,000,000 for each of fiscal years 2011 through*
 22 *2015.*

23 “(2) *ALLOCATIONS.*—

24 “(A) *FORMULA GRANTS TO STATES.*—

1 “(i) *RESERVATION OF FUNDS.*—For
2 any fiscal year for which the amounts ap-
3 propriated under paragraph (1) exceed
4 \$130,000,000, not less than 25 percent of
5 such excess funds shall be made available to
6 carry out section 312.

7 “(ii) *FORMULA GRANTS.*—Of the
8 amounts appropriated under paragraph (1)
9 for a fiscal year and not reserved under
10 clause (i), not less than 70 percent shall be
11 used for making grants under section
12 306(a).

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

18 “(C) *TECHNICAL ASSISTANCE AND TRAINING*
19 *CENTERS.*—Of the amounts appropriated under
20 paragraph (1) for a fiscal year and not reserved
21 under subparagraph (A)(i), not less than 6 per-
22 cent shall be used by the Secretary for making
23 grants under section 310.

24 “(D) *GRANTS FOR STATE DOMESTIC VIO-*
25 *LENCE COALITIONS.*—Of the amounts appro-

1 *priated under paragraph (1) for a fiscal year*
2 *and not reserved under subparagraph (A)(i), not*
3 *less than 10 percent of such amounts shall be*
4 *used by the Secretary for making grants under*
5 *section 311.*

6 *“(E) ADMINISTRATION, EVALUATION AND*
7 *MONITORING.—Of the amount appropriated*
8 *under paragraph (1) for a fiscal year and not*
9 *reserved under subparagraph (A)(i), not more*
10 *than 2.5 percent shall be used by the Secretary*
11 *for evaluation, monitoring, and other adminis-*
12 *trative costs under this title.*

13 *“(b) NATIONAL DOMESTIC VIOLENCE HOTLINE.—*
14 *There is authorized to be appropriated to carry out section*
15 *313 \$3,500,000 for each of fiscal years 2011 through 2015.*

16 *“(c) DOMESTIC VIOLENCE PREVENTION ENHANCE-*
17 *MENT AND LEADERSHIP THROUGH ALLIANCES.—There is*
18 *authorized to be appropriated to carry out section 314*
19 *\$6,000,000 for each of fiscal years 2011 through 2015.*

20 **“SEC. 304. AUTHORITY OF SECRETARY.**

21 *“(a) AUTHORITIES.—In order to carry out the provi-*
22 *sions of this title, the Secretary is authorized to—*

23 *“(1) appoint and fix the compensation of such*
24 *personnel as are necessary;*

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

5 “(3) make grants to eligible entities or enter into
6 contracts with for-profit or nonprofit nongovern-
7 mental entities and establish reporting requirements
8 for such grantees and contractors;

9 “(4) prescribe such regulations and guidance as
10 are reasonably necessary in order to carry out the ob-
11 jectives and provisions of this title, including regula-
12 tions and guidance on implementing new grant con-
13 ditions established or provisions modified by amend-
14 ments made to this title by the CAPTA Reauthoriza-
15 tion Act of 2010, to ensure accountability and trans-
16 parency of the actions of grantees and contractors, or
17 as determined by the Secretary to be reasonably nec-
18 essary to carry out this title; and

19 “(5) coordinate programs within the Department
20 of Health and Human Services, and seek to coordi-
21 nate those programs with programs administered by
22 other Federal agencies, that involve or affect efforts to
23 prevent family violence, domestic violence, and dating
24 violence or the provision of assistance for adult and

1 *youth victims of family violence, domestic violence, or*
2 *dating violence.*

3 “(b) *ADMINISTRATION.*—*The Secretary shall—*

4 “(1) *assign 1 or more employees of the Depart-*
5 *ment of Health and Human Services to carry out the*
6 *provisions of this title, including carrying out evalua-*
7 *tion and monitoring under this title, which employees*
8 *shall, prior to such appointment, have expertise in the*
9 *field of family violence and domestic violence preven-*
10 *tion and services and, to the extent practicable, have*
11 *expertise in the field of dating violence;*

12 “(2) *provide technical assistance in the conduct*
13 *of programs for the prevention and treatment of fam-*
14 *ily violence, domestic violence, and dating violence;*

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

19 “(A) *consulting with experts and program*
20 *providers within the family violence, domestic*
21 *violence, and dating violence field to identify*
22 *gaps in research and knowledge, establish re-*
23 *search priorities, and disseminate research find-*
24 *ings;*

1 “(B) collecting and reporting data on the
2 provision of family violence, domestic violence,
3 and dating violence services, including assistance
4 and programs supported by Federal funds made
5 available under this title and by other govern-
6 mental or nongovernmental sources of funds; and

7 “(C) coordinating family violence, domestic
8 violence, and dating violence research efforts
9 within the Department of Health and Human
10 Services with relevant research administered or
11 carried out by other Federal agencies and other
12 researchers, including research on the provision
13 of assistance for adult and youth victims of fam-
14 ily violence, domestic violence, or dating vio-
15 lence; and

16 “(4) support the development and implementa-
17 tion of effective policies, protocols, and programs
18 within the Department and at other Federal agencies
19 that address the safety and support needs of adult
20 and youth victims of family violence, domestic vio-
21 lence, or dating violence.

22 “(c) REPORTS.—Every 2 years, the Secretary shall re-
23 view and evaluate the activities conducted by grantees, sub-
24 grantees, and contractors under this title and the effective-
25 ness of the programs administered pursuant to this title,

1 *and submit a report containing the evaluation to the Com-*
2 *mittee on Education and Labor of the House of Representa-*
3 *tives and the Committee on Health, Education, Labor, and*
4 *Pensions of the Senate. Such report shall also include a*
5 *summary of the documentation provided to the Secretary*
6 *through performance reports submitted under section*
7 *306(d). The Secretary shall make publicly available on the*
8 *Department of Health and Human Services website the*
9 *evaluation reports submitted to Congress under this sub-*
10 *section, including the summary of the documentation pro-*
11 *vided to the Secretary under section 306(d).*

12 **“SEC. 305. ALLOTMENT OF FUNDS.**

13 “(a) *IN GENERAL.—From the sums appropriated*
14 *under section 303 and available for grants to States under*
15 *section 306(a) for any fiscal year—*

16 “(1) *Guam, American Samoa, the United States*
17 *Virgin Islands, and the Commonwealth of the North-*
18 *ern Mariana Islands shall each be allotted not less*
19 *than $\frac{1}{8}$ of 1 percent of the amounts available for*
20 *grants under section 306(a) for the fiscal year for*
21 *which the allotment is made; and*

22 “(2) *each State shall be allotted for a grant*
23 *under section 306(a), \$600,000, with the remaining*
24 *funds to be allotted to each State in an amount that*
25 *bears the same ratio to such remaining funds as the*

1 *population of such State bears to the population of all*
2 *States.*

3 “(b) *POPULATION.*—*For the purpose of this section, the*
4 *population of each State, and the total population of all*
5 *the States, shall be determined by the Secretary on the basis*
6 *of the most recent census data available to the Secretary,*
7 *and the Secretary shall use for such purpose, if available,*
8 *the annual interim current census data produced by the*
9 *Secretary of Commerce pursuant to section 181 of title 13,*
10 *United States Code.*

11 “(c) *RATABLE REDUCTION.*—*If the sums appropriated*
12 *under section 303 for any fiscal year and available for*
13 *grants to States under section 306(a) are not sufficient to*
14 *pay in full the total amounts that all States are entitled*
15 *to receive under subsection (a) for such fiscal year, then*
16 *the maximum amounts that all States are entitled to receive*
17 *under subsection (a) for such fiscal year shall be ratably*
18 *reduced. In the event that additional funds become available*
19 *for making such grants for any fiscal year during which*
20 *the preceding sentence is applicable, such reduced amounts*
21 *shall be increased on the same basis as they were reduced.*

22 “(d) *REALLOTMENT.*—*If, at the end of the sixth month*
23 *of any fiscal year for which sums are appropriated under*
24 *section 303, the amount allotted to a State has not been*
25 *made available to such State in a grant under section*

1 306(a) because of the failure of such State to meet the re-
2 quirements for such a grant, then the Secretary shall reallocate
3 such amount to States that meet such requirements.

4 “(e) *CONTINUED AVAILABILITY OF FUNDS.*—All funds
5 allotted to a State for a fiscal year under this section, and
6 made available to such State in a grant under section
7 306(a), shall remain available for obligation by the State
8 until the end of the following fiscal year. All such funds
9 that are not obligated by the State by the end of the fol-
10 lowing fiscal year shall be made available to the Secretary
11 for discretionary activities under section 314. Such funds
12 shall remain available for obligation, and for expenditure
13 by a recipient of the funds under section 314, for not more
14 than 1 year from the date on which the funds are made
15 available to the Secretary.

16 “(f) *DEFINITION.*—In subsection (a)(2), the term
17 ‘State’ does not include any jurisdiction specified in sub-
18 section (a)(1).

19 **“SEC. 306. FORMULA GRANTS TO STATES.**

20 “(a) *FORMULA GRANTS TO STATES.*—The Secretary
21 shall award grants to States in order to assist in supporting
22 the establishment, maintenance, and expansion of programs
23 and projects—

24 “(1) to prevent incidents of family violence, do-
25 mestic violence, and dating violence;

1 “(2) to provide immediate shelter, supportive
2 services, and access to community-based programs for
3 victims of family violence, domestic violence, or dat-
4 ing violence, and their dependents; and

5 “(3) to provide specialized services for children
6 exposed to family violence, domestic violence, or dat-
7 ing violence, underserved populations, and victims
8 who are members of racial and ethnic minority popu-
9 lations.

10 “(b) *ADMINISTRATIVE EXPENSES*.—

11 “(1) *ADMINISTRATIVE COSTS*.—Each State may
12 use not more than 5 percent of the grant funds for
13 State administrative costs.

14 “(2) *SUBGRANTS TO ELIGIBLE ENTITIES*.—The
15 State shall use the remainder of the grant funds to
16 make subgrants to eligible entities for approved pur-
17 poses as described in section 308.

18 “(c) *GRANT CONDITIONS*.—

19 “(1) *APPROVED ACTIVITIES*.—In carrying out
20 the activities under this title, grantees and sub-
21 grantees may collaborate with and provide informa-
22 tion to Federal, State, local, and tribal public offi-
23 cials and agencies, in accordance with limitations on
24 disclosure of confidential or private information as
25 described in paragraph (5), to develop and implement

1 *policies to reduce or eliminate family violence, domes-*
2 *tic violence, and dating violence.*

3 “(2) *DISCRIMINATION PROHIBITED.*—

4 “(A) *APPLICATION OF CIVIL RIGHTS PROVI-*
5 *SIONS.*—*For the purpose of applying the prohibi-*
6 *tions against discrimination on the basis of age*
7 *under the Age Discrimination Act of 1975 (42*
8 *U.S.C. 6101 et seq.), on the basis of disability*
9 *under section 504 of the Rehabilitation Act of*
10 *1973 (29 U.S.C. 794), on the basis of sex under*
11 *title IX of the Education Amendments of 1972*
12 *(20 U.S.C. 1681 et seq.), or on the basis of race,*
13 *color, or national origin under title VI of the*
14 *Civil Rights Act of 1964 (42 U.S.C. 2000d et*
15 *seq.), programs and activities funded in whole or*
16 *in part with funds made available under this*
17 *title are considered to be programs and activities*
18 *receiving Federal financial assistance.*

19 “(B) *PROHIBITION ON DISCRIMINATION ON*
20 *BASIS OF SEX, RELIGION.*—

21 “(i) *IN GENERAL.*—*No person shall on*
22 *the ground of sex or religion be excluded*
23 *from participation in, be denied the benefits*
24 *of, or be subject to discrimination under,*
25 *any program or activity funded in whole or*

1 *in part with funds made available under*
2 *this title. Nothing in this title shall require*
3 *any such program or activity to include*
4 *any individual in any program or activity*
5 *without taking into consideration that indi-*
6 *vidual's sex in those certain instances where*
7 *sex is a bona fide occupational qualification*
8 *or programmatic factor reasonably nec-*
9 *essary to the normal or safe operation of*
10 *that particular program or activity.*

11 “(ii) *ENFORCEMENT.*—*The Secretary*
12 *shall enforce the provisions of clause (i) in*
13 *accordance with section 602 of the Civil*
14 *Rights Act of 1964 (42 U.S.C. 2000d-1).*
15 *Section 603 of such Act (42 U.S.C. 2000d-*
16 *2) shall apply with respect to any action*
17 *taken by the Secretary to enforce such*
18 *clause.*

19 “(iii) *CONSTRUCTION.*—*This subpara-*
20 *graph shall not be construed as affecting*
21 *any legal remedy provided under any other*
22 *provision of law.*

23 “(C) *ENFORCEMENT AUTHORITIES OF SEC-*
24 *RETARY.*—*Whenever the Secretary finds that a*
25 *State, Indian tribe, or other entity that has re-*

1 *ceived financial assistance under this title has*
2 *failed to comply with a provision of law referred*
3 *to in subparagraph (A), with subparagraph (B),*
4 *or with an applicable regulation (including one*
5 *prescribed to carry out subparagraph (B)), the*
6 *Secretary shall notify the chief executive officer*
7 *of the State involved or the tribally designated*
8 *official of the tribe involved and shall request*
9 *such officer or official to secure compliance. If,*
10 *within a reasonable period of time, not to exceed*
11 *60 days, the chief executive officer or official fails*
12 *or refuses to secure compliance, the Secretary*
13 *may—*

14 *“(i) refer the matter to the Attorney*
15 *General with a recommendation that an ap-*
16 *propriate civil action be instituted;*

17 *“(ii) exercise the powers and functions*
18 *provided by title VI of the Civil Rights Act*
19 *of 1964 (42 U.S.C. 2000d et seq.), the Age*
20 *Discrimination Act of 1975 (42 U.S.C.*
21 *6101 et seq.), sections 504 and 505 of the*
22 *Rehabilitation Act of 1973 (29 U.S.C. 794,*
23 *794(a)), or title IX of the Education*
24 *Amendments of 1972 (20 U.S.C. 1681 et*
25 *seq.), as may be applicable; or*

1 “(iii) take such other action as may be
2 provided by law.

3 “(D) ENFORCEMENT AUTHORITY OF ATTOR-
4 NEY GENERAL.—When a matter is referred to the
5 Attorney General pursuant to subparagraph
6 (C)(i), or whenever the Attorney General has rea-
7 son to believe that a State, an Indian tribe, or
8 an entity described in subparagraph (C) is en-
9 gaged in a pattern or practice in violation of a
10 provision of law referred to in subparagraph (A)
11 or in violation of subparagraph (B), the Attor-
12 ney General may bring a civil action in any ap-
13 propriate district court of the United States for
14 such relief as may be appropriate, including in-
15 junctive relief.

16 “(3) INCOME ELIGIBILITY STANDARDS.—No in-
17 come eligibility standard may be imposed upon indi-
18 viduals with respect to eligibility for assistance or
19 services supported with funds appropriated to carry
20 out this title. No fees may be levied for assistance or
21 services provided with funds appropriated to carry
22 out this title.

23 “(4) MATCH.—No grant shall be made under this
24 section to any entity other than a State or an Indian
25 tribe unless the entity agrees that, with respect to the

1 *costs to be incurred by the entity in carrying out the*
2 *program or project for which the grant is awarded,*
3 *the entity will make available (directly or through do-*
4 *nations from public or private entities) non-Federal*
5 *contributions in an amount that is not less than \$1*
6 *for every \$5 of Federal funds provided under the*
7 *grant. The non-Federal contributions required under*
8 *this paragraph may be in cash or in kind.*

9 “(5) *NONDISCLOSURE OF CONFIDENTIAL OR PRI-*
10 *VATE INFORMATION.—*

11 “(A) *IN GENERAL.—In order to ensure the*
12 *safety of adult, youth, and child victims of fam-*
13 *ily violence, domestic violence, or dating vio-*
14 *lence, and their families, grantees and sub-*
15 *grantees under this title shall protect the con-*
16 *fidentiality and privacy of such victims and*
17 *their families.*

18 “(B) *NONDISCLOSURE.—Subject to subpara-*
19 *graphs (C), (D), and (E), grantees and sub-*
20 *grantees shall not—*

21 “(i) *disclose any personally identifying*
22 *information collected in connection with*
23 *services requested (including services uti-*
24 *lized or denied), through grantees’ and sub-*
25 *grantees’ programs; or*

1 “(ii) reveal personally identifying in-
2 formation without informed, written, rea-
3 sonably time-limited consent by the person
4 about whom information is sought, whether
5 for this program or any other Federal or
6 State grant program, which consent—

7 “(I) shall be given by—

8 “(aa) the person, except as
9 provided in item (bb) or (cc);

10 “(bb) in the case of an
11 unemancipated minor, the minor
12 and the minor’s parent or guard-
13 ian; or

14 “(cc) in the case of an indi-
15 vidual with a guardian, the indi-
16 vidual’s guardian; and

17 “(II) may not be given by the
18 abuser or suspected abuser of the minor
19 or individual with a guardian, or the
20 abuser or suspected abuser of the other
21 parent of the minor.

22 “(C) *RELEASE*.—If release of information
23 described in subparagraph (B) is compelled by
24 statutory or court mandate—

1 “(i) grantees and subgrantees shall
2 make reasonable attempts to provide notice
3 to victims affected by the release of the in-
4 formation; and

5 “(ii) grantees and subgrantees shall
6 take steps necessary to protect the privacy
7 and safety of the persons affected by the re-
8 lease of the information.

9 “(D) INFORMATION SHARING.—Grantees
10 and subgrantees may share—

11 “(i) nonpersonally identifying infor-
12 mation, in the aggregate, regarding services
13 to their clients and demographic nonperson-
14 ally identifying information in order to
15 comply with Federal, State, or tribal re-
16 porting, evaluation, or data collection re-
17 quirements;

18 “(ii) court-generated information and
19 law enforcement-generated information con-
20 tained in secure, governmental registries for
21 protective order enforcement purposes; and

22 “(iii) law enforcement- and prosecu-
23 tion-generated information necessary for
24 law enforcement and prosecution purposes.

1 “(E) *OVERSIGHT.*—Nothing in this para-
2 graph shall prevent the Secretary from disclosing
3 grant activities authorized in this title to the
4 Committee on Education and Labor of the House
5 of Representatives and the Committee on Health,
6 Education, Labor, and Pensions of the Senate
7 and exercising congressional oversight authority.
8 In making all such disclosures, the Secretary
9 shall protect the confidentiality of individuals
10 and omit personally identifying information, in-
11 cluding location information about individuals
12 and shelters.

13 “(F) *STATUTORILY PERMITTED REPORTS OF*
14 *ABUSE OR NEGLIGENCE.*—Nothing in this para-
15 graph shall prohibit a grantee or subgrantee
16 from reporting abuse and neglect, as those terms
17 are defined by law, where mandated or expressly
18 permitted by the State or Indian tribe involved.

19 “(G) *PREEMPTION.*—Nothing in this para-
20 graph shall be construed to supersede any provi-
21 sion of any Federal, State, tribal, or local law
22 that provides greater protection than this para-
23 graph for victims of family violence, domestic vi-
24 olence, or dating violence.

1 “(H) *CONFIDENTIALITY OF LOCATION.*—*The*
2 *address or location of any shelter facility assisted*
3 *under this title that otherwise maintains a con-*
4 *fidential location shall, except with written au-*
5 *thorization of the person or persons responsible*
6 *for the operation of such shelter, not be made*
7 *public.*

8 “(6) *SUPPLEMENT NOT SUPPLANT.*—*Federal*
9 *funds made available to a State or Indian tribe under*
10 *this title shall be used to supplement and not sup-*
11 *plant other Federal, State, tribal, and local public*
12 *funds expended to provide services and activities that*
13 *promote the objectives of this title.*

14 “(d) *REPORTS AND EVALUATION.*—*Each grantee shall*
15 *submit an annual performance report to the Secretary at*
16 *such time as shall be reasonably required by the Secretary.*
17 *Such performance report shall describe the grantee and sub-*
18 *grantee activities that have been carried out with grant*
19 *funds made available under subsection (a) or section 309,*
20 *contain an evaluation of the effectiveness of such activities,*
21 *and provide such additional information as the Secretary*
22 *may reasonably require.*

23 “**SEC. 307. STATE APPLICATION.**

24 “(a) *APPLICATION.*—

1 “(1) *IN GENERAL.*—*The chief executive officer of*
2 *a State seeking funds under section 306(a) or a trib-*
3 *ally designated official seeking funds under section*
4 *309(a) shall submit an application to the Secretary*
5 *at such time and in such manner as the Secretary*
6 *may reasonably require.*

7 “(2) *CONTENTS.*—*Each such application shall—*

8 “(A) *provide a description of the procedures*
9 *that have been developed to ensure compliance*
10 *with the provisions of sections 306(c) and*
11 *308(d);*

12 “(B) *provide, with respect to funds de-*
13 *scribed in paragraph (1), assurances that—*

14 “(i) *not more than 5 percent of such*
15 *funds will be used for administrative costs;*

16 “(ii) *the remaining funds will be dis-*
17 *tributed to eligible entities as described in*
18 *section 308(a) for approved activities as de-*
19 *scribed in section 308(b); and*

20 “(iii) *in the distribution of funds by a*
21 *State under section 308(a), the State will*
22 *give special emphasis to the support of com-*
23 *munity-based projects of demonstrated effec-*
24 *tiveness, that are carried out by nonprofit*
25 *private organizations and that—*

1 “(I) have as their primary pur-
2 pose the operation of shelters for vic-
3 tims of family violence, domestic vio-
4 lence, and dating violence, and their
5 dependents; or

6 “(II) provide counseling, advo-
7 cacy, and self-help services to victims
8 of family violence, domestic violence,
9 and dating violence, and their depend-
10 ents;

11 “(C) in the case of an application submitted
12 by a State, provide an assurance that there will
13 be an equitable distribution of grants and grant
14 funds within the State and between urban and
15 rural areas within such State;

16 “(D) in the case of an application sub-
17 mitted by a State, provide an assurance that the
18 State will consult with and provide for the par-
19 ticipation of the State Domestic Violence Coali-
20 tion in the planning and monitoring of the dis-
21 tribution of grants to eligible entities as de-
22 scribed in section 308(a) and the administration
23 of the grant programs and projects;

24 “(E) describe how the State or Indian tribe
25 will involve community-based organizations,

1 *whose primary purpose is to provide culturally*
2 *appropriate services to underserved populations,*
3 *including how such community-based organiza-*
4 *tions can assist the State or Indian tribe in ad-*
5 *ressing the unmet needs of such populations;*

6 “(F) *describe how activities and services*
7 *provided by the State or Indian tribe are de-*
8 *signed to reduce family violence, domestic vio-*
9 *lence, and dating violence, including how funds*
10 *will be used to provide shelter, supportive serv-*
11 *ices, and prevention services in accordance with*
12 *section 308(b);*

13 “(G) *specify the State agency or tribally*
14 *designated official to be designated as responsible*
15 *for the administration of programs and activi-*
16 *ties relating to family violence, domestic vio-*
17 *lence, and dating violence, that are carried out*
18 *by the State or Indian tribe under this title, and*
19 *for coordination of related programs within the*
20 *jurisdiction of the State or Indian tribe;*

21 “(H) *provide an assurance that the State or*
22 *Indian tribe has a law or procedure to bar an*
23 *abuser from a shared household or a household of*
24 *the abused person, which may include eviction*
25 *laws or procedures, where appropriate; and*

1 “(I) meet such requirements as the Sec-
2 retary reasonably determines are necessary to
3 carry out the objectives and provisions of this
4 title.

5 “(b) APPROVAL OF APPLICATION.—

6 “(1) IN GENERAL.—The Secretary shall approve
7 any application that meets the requirements of sub-
8 section (a) and section 306. The Secretary shall not
9 disapprove any application under this subsection un-
10 less the Secretary gives the applicant reasonable no-
11 tice of the Secretary’s intention to disapprove and a
12 6-month period providing an opportunity for correc-
13 tion of any deficiencies.

14 “(2) CORRECTION OF DEFICIENCIES.—The Sec-
15 retary shall give such notice, within 45 days after the
16 date of submission of the application, if any of the
17 provisions of subsection (a) or section 306 have not
18 been satisfied in such application. If the State or In-
19 dian tribe does not correct the deficiencies in such ap-
20 plication within the 6-month period following the re-
21 ceipt of the Secretary’s notice, the Secretary shall
22 withhold payment of any grant funds under section
23 306 to such State or under section 309 to such Indian
24 tribe until such date as the State or Indian tribe pro-

1 *vides documentation that the deficiencies have been*
2 *corrected.*

3 *“(3) STATE OR TRIBAL DOMESTIC VIOLENCE CO-*
4 *ALITION PARTICIPATION IN DETERMINATIONS OF COM-*
5 *PLIANCE.—State Domestic Violence Coalitions, or*
6 *comparable coalitions for Indian tribes, shall be per-*
7 *mitted to participate in determining whether grantees*
8 *for corresponding States or Indian tribes are in com-*
9 *pliance with subsection (a) and section 306(c), except*
10 *that no funds made available under section 311 shall*
11 *be used to challenge a determination about whether a*
12 *grantee is in compliance with, or to seek the enforce-*
13 *ment of, the requirements of this title.*

14 *“(4) FAILURE TO REPORT; NONCONFORMING EX-*
15 *PENDITURES.—The Secretary shall suspend funding*
16 *for an approved application if the applicant fails to*
17 *submit an annual performance report under section*
18 *306(d), or if funds are expended for purposes other*
19 *than those set forth in section 306(b), after following*
20 *the procedures set forth in paragraphs (1), (2), and*
21 *(3).*

22 **“SEC. 308. SUBGRANTS AND USES OF FUNDS.**

23 *“(a) SUBGRANTS.—A State that receives a grant under*
24 *section 306(a) shall use grant funds described in section*
25 *306(b)(2) to provide subgrants to eligible entities for pro-*

1 *grams and projects within such State, that is designed to*
2 *prevent incidents of family violence, domestic violence, and*
3 *dating violence by providing immediate shelter and sup-*
4 *portive services for adult and youth victims of family vio-*
5 *lence, domestic violence, or dating violence (and their de-*
6 *pendents), and that may provide prevention services to pre-*
7 *vent future incidents of family violence, domestic violence,*
8 *and dating violence.*

9 “(b) *USE OF FUNDS.—*

10 “(1) *IN GENERAL.—Funds awarded to eligible*
11 *entities under subsection (a) shall be used to provide*
12 *shelter, supportive services, or prevention services to*
13 *adult and youth victims of family violence, domestic*
14 *violence, or dating violence, and their dependents,*
15 *which may include—*

16 “(A) *provision, on a regular basis, of imme-*
17 *diate shelter and related supportive services to*
18 *adult and youth victims of family violence, do-*
19 *mestic violence, or dating violence, and their de-*
20 *pendents, including paying for the operating and*
21 *administrative expenses of the facilities for such*
22 *shelter;*

23 “(B) *assistance in developing safety plans,*
24 *and supporting efforts of victims of family vio-*
25 *lence, domestic violence, or dating violence to*

1 *make decisions related to their ongoing safety*
2 *and well-being;*

3 “(C) *provision of individual and group*
4 *counseling, peer support groups, and referral to*
5 *community-based services to assist family vio-*
6 *lence, domestic violence, and dating violence vic-*
7 *tims, and their dependents, in recovering from*
8 *the effects of the violence;*

9 “(D) *provision of services, training, tech-*
10 *nical assistance, and outreach to increase aware-*
11 *ness of family violence, domestic violence, and*
12 *dating violence and increase the accessibility of*
13 *family violence, domestic violence, and dating vi-*
14 *olence services;*

15 “(E) *provision of culturally and linguis-*
16 *tically appropriate services;*

17 “(F) *provision of services for children ex-*
18 *posed to family violence, domestic violence, or*
19 *dating violence, including age-appropriate coun-*
20 *seling, supportive services, and services for the*
21 *nonabusing parent that support that parent’s*
22 *role as a caregiver, which may, as appropriate,*
23 *include services that work with the nonabusing*
24 *parent and child together;*

1 “(G) provision of advocacy, case manage-
2 ment services, and information and referral serv-
3 ices, concerning issues related to family violence,
4 domestic violence, or dating violence intervention
5 and prevention, including—

6 “(i) assistance in accessing related
7 Federal and State financial assistance pro-
8 grams;

9 “(ii) legal advocacy to assist victims
10 and their dependents;

11 “(iii) medical advocacy, including pro-
12 vision of referrals for appropriate health
13 care services (including mental health, alco-
14 hol, and drug abuse treatment), but which
15 shall not include reimbursement for any
16 health care services;

17 “(iv) assistance locating and securing
18 safe and affordable permanent housing and
19 homelessness prevention services;

20 “(v) provision of transportation, child
21 care, respite care, job training and employ-
22 ment services, financial literacy services
23 and education, financial planning, and re-
24 lated economic empowerment services; and

1 “(vi) parenting and other educational
2 services for victims and their dependents;
3 and

4 “(H) prevention services, including outreach
5 to underserved populations.

6 “(2) SHELTER AND SUPPORTIVE SERVICES.—Not
7 less than 70 percent of the funds distributed by a
8 State under subsection (a) shall be distributed to enti-
9 ties for the primary purpose of providing immediate
10 shelter and supportive services to adult and youth vic-
11 tims of family violence, domestic violence, or dating
12 violence, and their dependents, as described in para-
13 graph (1)(A). Not less than 25 percent of the funds
14 distributed by a State under subsection (a) shall be
15 distributed to entities for the purpose of providing
16 supportive services and prevention services as de-
17 scribed in subparagraphs (B) through (H) of para-
18 graph (1).

19 “(c) ELIGIBLE ENTITIES.—To be eligible to receive a
20 subgrant from a State under this section, an entity shall
21 be—

22 “(1) a local public agency, or a nonprofit pri-
23 vate organization (including faith-based and chari-
24 table organizations, community-based organizations,
25 tribal organizations, and voluntary associations), that

1 *assists victims of family violence, domestic violence,*
2 *or dating violence, and their dependents, and has a*
3 *documented history of effective work concerning fam-*
4 *ily violence, domestic violence, or dating violence; or*

5 *“(2) a partnership of 2 or more agencies or orga-*
6 *nizations that includes—*

7 *“(A) an agency or organization described in*
8 *paragraph (1); and*

9 *“(B) an agency or organization that has a*
10 *demonstrated history of serving populations in*
11 *their communities, including providing cul-*
12 *turally appropriate services.*

13 *“(d) CONDITIONS.—*

14 *“(1) DIRECT PAYMENTS TO VICTIMS OR DEPEND-*
15 *ANTS.—No funds provided under this title may be*
16 *used as direct payment to any victim of family vio-*
17 *lence, domestic violence, or dating violence, or to any*
18 *dependent of such victim.*

19 *“(2) VOLUNTARILY ACCEPTED SERVICES.—Re-*
20 *ceipt of supportive services under this title shall be*
21 *voluntary. No condition may be applied for the re-*
22 *ceipt of emergency shelter as described in subsection*
23 *(b)(1)(A).*

1 **“SEC. 309. GRANTS FOR INDIAN TRIBES.**

2 “(a) *GRANTS AUTHORIZED.*—*The Secretary, in con-*
3 *sultation with tribal governments pursuant to Executive*
4 *Order No. 13175 (25 U.S.C. 450 note) and in accordance*
5 *with section 903 of the Violence Against Women and De-*
6 *partment of Justice Reauthorization Act of 2005 (42 U.S.C.*
7 *14045d), shall continue to award grants for Indian tribes*
8 *from amounts appropriated under section 303(a)(2)(B) to*
9 *carry out this section.*

10 “(b) *ELIGIBLE ENTITIES.*—*To be eligible to receive a*
11 *grant under this section, an entity shall be an Indian tribe,*
12 *or a tribal organization or nonprofit private organization*
13 *authorized by an Indian tribe. An Indian tribe shall have*
14 *the option to authorize a tribal organization or a nonprofit*
15 *private organization to submit an application and admin-*
16 *ister the grant funds awarded under this section.*

17 “(c) *CONDITIONS.*—*Each recipient of such a grant*
18 *shall comply with requirements that are consistent with the*
19 *requirements applicable to grantees under section 306.*

20 “(d) *GRANTEE APPLICATION.*—*To be eligible to receive*
21 *a grant under this section, an entity shall submit an appli-*
22 *cation to the Secretary under section 307 at such time, in*
23 *such manner, and containing such information as the Sec-*
24 *retary determines to be essential to carry out the objectives*
25 *and provisions of this title. The Secretary shall approve any*

1 *application that meets requirements consistent with the re-*
2 *quirements of section 306(c) and section 307(a).*

3 “(e) *USE OF FUNDS.*—*An amount provided under a*
4 *grant to an eligible entity shall be used for the services de-*
5 *scribed in section 308(b).*

6 **“SEC. 310. NATIONAL RESOURCE CENTERS AND TRAINING**
7 **AND TECHNICAL ASSISTANCE CENTERS.**

8 “(a) *PURPOSE AND GRANTS AUTHORIZED.*—

9 “(1) *PURPOSE.*—*The purpose of this section is to*
10 *provide resource information, training, and technical*
11 *assistance relating to the objectives of this title to im-*
12 *prove the capacity of individuals, organizations, gov-*
13 *ernmental entities, and communities to prevent fam-*
14 *ily violence, domestic violence, and dating violence*
15 *and to provide effective intervention services.*

16 “(2) *GRANTS AUTHORIZED.*—*From the amounts*
17 *appropriated under this title and reserved under sec-*
18 *tion 303(a)(2)(C), the Secretary—*

19 “(A) *shall award grants to eligible entities*
20 *for the establishment and maintenance of—*

21 “(i) *2 national resource centers (as*
22 *provided for in subsection (b)(1)); and*

23 “(ii) *at least 7 special issue resource*
24 *centers addressing key areas of domestic vio-*

1 *lence, and intervention and prevention (as*
2 *provided for in subsection (b)(2)); and*

3 *“(B) may award grants, to—*

4 *“(i) State resource centers to reduce*
5 *disparities in domestic violence in States*
6 *with high proportions of Indian (including*
7 *Alaska Native) or Native Hawaiian popu-*
8 *lations (as provided for in subsection*
9 *(b)(3)); and*

10 *“(ii) support training and technical*
11 *assistance that address emerging issues re-*
12 *lated to family violence, domestic violence,*
13 *or dating violence, to entities demonstrating*
14 *related expertise.*

15 *“(b) DOMESTIC VIOLENCE RESOURCE CENTERS.—*

16 *“(1) NATIONAL RESOURCE CENTERS.—In accord-*
17 *ance with subsection (a)(2), the Secretary shall award*
18 *grants to eligible entities for—*

19 *“(A) a National Resource Center on Domes-*
20 *tic Violence, which shall—*

21 *“(i) offer a comprehensive array of*
22 *technical assistance and training resources*
23 *to Federal, State, and local governmental*
24 *agencies, domestic violence service providers,*
25 *community-based organizations, and other*

1 *professionals and interested parties, related*
2 *to domestic violence service programs and*
3 *research, including programs and research*
4 *related to victims and their children who*
5 *are exposed to domestic violence; and*

6 *“(ii) maintain a central resource li-*
7 *brary in order to collect, prepare, analyze,*
8 *and disseminate information and statistics*
9 *related to—*

10 *“(I) the incidence and prevention*
11 *of family violence and domestic vio-*
12 *lence; and*

13 *“(II) the provision of shelter, sup-*
14 *portive services, and prevention serv-*
15 *ices to adult and youth victims of do-*
16 *mestic violence (including services to*
17 *prevent repeated incidents of violence);*
18 *and*

19 *“(B) a National Indian Resource Center*
20 *Addressing Domestic Violence and Safety for In-*
21 *dian Women, which shall—*

22 *“(i) offer a comprehensive array of*
23 *technical assistance and training resources*
24 *to Indian tribes and tribal organizations,*
25 *specifically designed to enhance the capacity*

1 *of the tribes and organizations to respond to*
2 *domestic violence and the findings of section*
3 *901 of the Violence Against Women and De-*
4 *partment of Justice Reauthorization Act of*
5 *2005 (42 U.S.C. 3796gg–10 note);*

6 “(ii) *enhance the intervention and pre-*
7 *vention efforts of Indian tribes and tribal*
8 *organizations to respond to domestic vio-*
9 *lence and increase the safety of Indian*
10 *women in support of the purposes of section*
11 *902 of the Violence Against Women and De-*
12 *partment of Justice Reauthorization Act of*
13 *2005 (42. U.S.C. 3796gg–10 note); and*

14 “(iii) *coordinate activities with other*
15 *Federal agencies, offices, and grantees that*
16 *address the needs of Indians (including*
17 *Alaska Natives), and Native Hawaiians*
18 *that experience domestic violence, including*
19 *the Office of Justice Services at the Bureau*
20 *of Indian Affairs, the Indian Health Service*
21 *of the Department of Health and Human*
22 *Services, and the Office on Violence Against*
23 *Women of the Department of Justice.*

24 “(2) *SPECIAL ISSUE RESOURCE CENTERS.—In*
25 *accordance with subsection (a)(2)(A)(ii), the Sec-*

1 *retary shall award grants to eligible entities for spe-*
2 *cial issue resource centers, which shall be national in*
3 *scope and shall provide information, training, and*
4 *technical assistance to State and local domestic vio-*
5 *lence service providers. Each special issue resource*
6 *center shall focus on enhancing domestic violence*
7 *intervention and prevention efforts in at least one of*
8 *the following areas:*

9 *“(A) The response of the criminal and civil*
10 *justice systems to domestic violence victims,*
11 *which may include the response to the use of the*
12 *self-defense plea by domestic violence victims and*
13 *the issuance and use of protective orders.*

14 *“(B) The response of child protective service*
15 *agencies to victims of domestic violence and their*
16 *dependents and child custody issues in domestic*
17 *violence cases.*

18 *“(C) The response of the interdisciplinary*
19 *health care system to victims of domestic violence*
20 *and access to health care resources for victims of*
21 *domestic violence.*

22 *“(D) The response of mental health systems,*
23 *domestic violence service programs, and other re-*
24 *lated systems and programs to victims of domes-*

1 *tic violence and to their children who are ex-*
2 *posed to domestic violence.*

3 “(E) *In the case of 3 specific resource cen-*
4 *ters, enhancing domestic violence intervention*
5 *and prevention efforts for victims of domestic vi-*
6 *olence who are members of racial and ethnic mi-*
7 *nority groups, to enhance the cultural and lin-*
8 *guistic relevancy of service delivery, resource uti-*
9 *lization, policy, research, technical assistance,*
10 *community education, and prevention initia-*
11 *tives.*

12 “(3) *STATE RESOURCE CENTERS TO REDUCE*
13 *TRIBAL DISPARITIES.—*

14 “(A) *IN GENERAL.—In accordance with*
15 *subsection (a)(2), the Secretary may award*
16 *grants to eligible entities for State resource cen-*
17 *ters, which shall provide statewide information,*
18 *training, and technical assistance to Indian*
19 *tribes, tribal organizations, and local domestic*
20 *violence service organizations serving Indians*
21 *(including Alaska Natives) or Native Hawaiians,*
22 *in a culturally sensitive and relevant manner.*

23 “(B) *REQUIREMENTS.—An eligible entity*
24 *shall use a grant provided under this para-*
25 *graph—*

1 “(i) to offer a comprehensive array of
2 *technical assistance and training resources*
3 *to Indian tribes, tribal organizations, and*
4 *providers of services to Indians (including*
5 *Alaska Natives) or Native Hawaiians, spe-*
6 *cifically designed to enhance the capacity of*
7 *the tribes, organizations, and providers to*
8 *respond to domestic violence, including of-*
9 *fering the resources in States in which the*
10 *population of Indians (including Alaska*
11 *Natives) or Native Hawaiians exceeds 2.5*
12 *percent of the total population of the State;*

13 “(ii) to coordinate all projects and ac-
14 *tivities with the national resource center de-*
15 *scribed in paragraph (1)(B), including*
16 *projects and activities that involve working*
17 *with nontribal State and local governments*
18 *to enhance their capacity to understand the*
19 *unique needs of Indians (including Alaska*
20 *Natives) and Native Hawaiians; and*

21 “(iii) to provide comprehensive com-
22 *munity education and domestic violence*
23 *prevention initiatives in a culturally sen-*
24 *sitive and relevant manner.*

25 “(c) *ELIGIBILITY.*—

1 “(1) *IN GENERAL.*—*To be eligible to receive a*
2 *grant under subsection (b)(1)(A) or subparagraph*
3 *(A), (B), (C), or (D) of subsection (b)(2), an entity*
4 *shall be a nonprofit private organization that focuses*
5 *primarily on domestic violence and that—*

6 “(A) *provides documentation to the Sec-*
7 *retary demonstrating experience working directly*
8 *on issues of domestic violence, and (in the case*
9 *of an entity seeking a grant under subsection*
10 *(b)(2)) demonstrating experience working di-*
11 *rectly in the corresponding specific special issue*
12 *area described in subsection (b)(2);*

13 “(B) *includes on the entity’s advisory board*
14 *representatives who are from domestic violence*
15 *service programs and who are geographically*
16 *and culturally diverse; and*

17 “(C) *demonstrates the strong support of do-*
18 *mestic violence service programs from across the*
19 *Nation for the entity’s designation as a national*
20 *resource center or a special issue resource center,*
21 *as appropriate.*

22 “(2) *NATIONAL INDIAN RESOURCE CENTER.*—*To*
23 *be eligible to receive a grant under subsection*
24 *(b)(1)(B), an entity shall be a tribal organization or*
25 *a nonprofit private organization that focuses pri-*

1 *marily on issues of domestic violence within Indian*
2 *tribes and that submits documentation to the Sec-*
3 *retary demonstrating—*

4 *“(A) experience working with Indian tribes*
5 *and tribal organizations to respond to domestic*
6 *violence and the findings of section 901 of the Vi-*
7 *olence Against Women and Department of Jus-*
8 *tice Reauthorization Act of 2005 (42 U.S.C.*
9 *3796gg–10 note);*

10 *“(B) experience providing Indian tribes and*
11 *tribal organizations with assistance in devel-*
12 *oping tribally-based prevention and intervention*
13 *services addressing domestic violence and safety*
14 *for Indian women consistent with the purposes of*
15 *section 902 of the Violence Against Women and*
16 *Department of Justice Reauthorization Act of*
17 *2005 (42 U.S.C. 3796gg–10 note);*

18 *“(C) strong support for the entity’s designa-*
19 *tion as the National Indian Resource Center Ad-*
20 *dressing Domestic Violence and Safety for In-*
21 *Indian Women from advocates working within In-*
22 *Indian tribes to address domestic violence and the*
23 *safety of Indian women;*

24 *“(D) a record of demonstrated effectiveness*
25 *in assisting Indian tribes and tribal organiza-*

1 *tions with prevention and intervention services*
2 *addressing domestic violence; and*

3 *“(E) the capacity to serve Indian tribes (in-*
4 *cluding Alaska Native villages and regional and*
5 *village corporations) across the United States.*

6 *“(3) SPECIAL ISSUE RESOURCE CENTERS CON-*
7 *CERNED WITH RACIAL AND ETHNIC MINORITY*
8 *GROUPS.—To be eligible to receive a grant under sub-*
9 *section (b)(2)(E), an entity shall be an entity that—*

10 *“(A) is a nonprofit private organization*
11 *that focuses primarily on issues of domestic vio-*
12 *lence in a racial or ethnic community, or is a*
13 *public or private nonprofit educational institu-*
14 *tion that has a domestic violence institute, cen-*
15 *ter, or program related to culturally specific*
16 *issues in domestic violence; and*

17 *“(B)(i) has documented experience in the*
18 *areas of domestic violence prevention and serv-*
19 *ices, and experience relevant to the specific racial*
20 *or ethnic population to which information,*
21 *training, technical assistance, and outreach*
22 *would be provided under the grant;*

23 *“(ii) demonstrates the strong support, of ad-*
24 *vocates from across the Nation who are working*
25 *to address domestic violence; and*

1 “(iii) has a record of demonstrated effective-
2 ness in enhancing the cultural and linguistic rel-
3 evancy of service delivery.

4 “(4) STATE RESOURCE CENTERS TO REDUCE
5 TRIBAL DISPARITIES.—To be eligible to receive a
6 grant under subsection (b)(3), an entity shall—

7 “(A)(i) be located in a State in which the
8 population of Indians (including Alaska Na-
9 tives) or Native Hawaiians exceeds 10 percent of
10 the total population of the State; or

11 “(ii) be an Indian tribe, tribal organiza-
12 tion, or Native Hawaiian organization that fo-
13 cuses primarily on issues of domestic violence
14 among Indians or Native Hawaiians, or an in-
15 stitution of higher education; and

16 “(B) demonstrate the ability to serve all re-
17 gions of the State, including underdeveloped
18 areas and areas that are geographically distant
19 from population centers.

20 “(d) REPORTS AND EVALUATION.—Each entity receiv-
21 ing a grant under this section shall submit a performance
22 report to the Secretary annually and in such manner as
23 shall be reasonably required by the Secretary. Such per-
24 formance report shall describe the activities that have been
25 carried out with such grant funds, contain an evaluation

1 *of the effectiveness of the activities, and provide such addi-*
 2 *tional information as the Secretary may reasonably re-*
 3 *quire.*

4 **“SEC. 311. GRANTS TO STATE DOMESTIC VIOLENCE COALI-**
 5 **TIONS.**

6 “(a) *GRANTS.*—*The Secretary shall award grants for*
 7 *the funding of State Domestic Violence Coalitions.*

8 “(b) *ALLOTMENT OF FUNDS.*—

9 “(1) *IN GENERAL.*—*From the amount appro-*
 10 *propriated under section 303(a)(2)(D) for each fiscal*
 11 *year, the Secretary shall allot to each of the 50 States,*
 12 *the District of Columbia, the Commonwealth of Puer-*
 13 *to Rico, and each of the covered territories an amount*
 14 *equal to $\frac{1}{56}$ of the amount so appropriated for such*
 15 *fiscal year.*

16 “(2) *DEFINITION.*—*For purposes of this sub-*
 17 *section, the term ‘covered territories’ means Guam,*
 18 *American Samoa, the United States Virgin Islands,*
 19 *and the Commonwealth of the Northern Mariana Is-*
 20 *lands.*

21 “(c) *APPLICATION.*—*Each State Domestic Violence Co-*
 22 *alition desiring a grant under this section shall submit an*
 23 *application to the Secretary at such time, in such manner,*
 24 *and containing such information as the Secretary deter-*
 25 *mines to be essential to carry out the objectives of this sec-*

1 *tion. The application submitted by the coalition for the*
2 *grant shall provide documentation of the coalition’s work,*
3 *satisfactory to the Secretary, demonstrating that the coal-*
4 *ition—*

5 “(1) *meets all of the applicable requirements set*
6 *forth in this title; and*

7 “(2) *demonstrates the ability to conduct appro-*
8 *priately all activities described in this section, as in-*
9 *dicated by—*

10 “(A) *documented experience in admin-*
11 *istering Federal grants to conduct the activities*
12 *described in subsection (d); or*

13 “(B) *a documented history of active partici-*
14 *ipation in the activities described in paragraphs*
15 *(1), (3), (4), and (5) of subsection (d) and a*
16 *demonstrated capacity to conduct the activities*
17 *described in subsection (d)(2).*

18 “(d) *USE OF FUNDS.—A coalition that receives a*
19 *grant under this section shall use the grant funds for ad-*
20 *ministration and operations to further the purposes of fam-*
21 *ily violence, domestic violence, and dating violence inter-*
22 *vention and prevention, through activities that shall in-*
23 *clude—*

24 “(1) *working with local family violence, domestic*
25 *violence, and dating violence service programs and*

1 *providers of direct services to encourage appropriate*
2 *and comprehensive responses to family violence, do-*
3 *mestic violence, and dating violence against adults or*
4 *youth within the State involved, including providing*
5 *training and technical assistance and conducting*
6 *State needs assessments;*

7 *“(2) participating in planning and monitoring*
8 *the distribution of subgrants and subgrant funds*
9 *within the State under section 308(a);*

10 *“(3) working in collaboration with service pro-*
11 *viders and community-based organizations to address*
12 *the needs of family violence, domestic violence, and*
13 *dating violence victims, and their dependents, who*
14 *are members of racial and ethnic minority popu-*
15 *lations and underserved populations;*

16 *“(4) collaborating with and providing informa-*
17 *tion to entities in such fields as housing, health care,*
18 *mental health, social welfare, or business to support*
19 *the development and implementation of effective poli-*
20 *cies, protocols, and programs that address the safety*
21 *and support needs of adult and youth victims of fam-*
22 *ily violence, domestic violence, or dating violence;*

23 *“(5) encouraging appropriate responses to cases*
24 *of family violence, domestic violence, or dating vio-*

1 *lence against adults or youth, including by working*
2 *with judicial and law enforcement agencies;*

3 *“(6) working with family law judges, criminal*
4 *court judges, child protective service agencies, and*
5 *children’s advocates to develop appropriate responses*
6 *to child custody and visitation issues in cases of child*
7 *exposure to family violence, domestic violence, or dat-*
8 *ing violence and in cases in which—*

9 *“(A) family violence, domestic violence, or*
10 *dating violence is present; and*

11 *“(B) child abuse is present;*

12 *“(7) providing information to the public about*
13 *prevention of family violence, domestic violence, and*
14 *dating violence, including information targeted to un-*
15 *derserved populations; and*

16 *“(8) collaborating with Indian tribes and tribal*
17 *organizations (and corresponding Native Hawaiian*
18 *groups or communities) to address the needs of In-*
19 *dian (including Alaska Native) and Native Hawaiian*
20 *victims of family violence, domestic violence, or dat-*
21 *ing violence, as applicable in the State.*

22 *“(e) LIMITATION ON USE OF FUNDS.—A coalition that*
23 *receives a grant under this section shall not be required to*
24 *use funds received under this title for the purposes described*
25 *in paragraph (5) or (6) of subsection (d) if the coalition*

1 *provides an annual assurance to the Secretary that the coa-*
2 *lition is—*

3 “(1) *using funds received under section*
4 *2001(c)(1) of the Omnibus Crime Control and Safe*
5 *Streets Act of 1968 (42 U.S.C. 3796gg(c)(1)) for such*
6 *purposes; and*

7 “(2) *coordinating the activities carried out by*
8 *the coalition under subsection (d) with the State’s ac-*
9 *tivities under part T of title I of the Omnibus Crime*
10 *Control and Safe Streets Act of 1968 (42 U.S.C.*
11 *3796gg et seq.) that address those purposes.*

12 “(f) *PROHIBITION ON LOBBYING.—No funds made*
13 *available to entities under this section shall be used, directly*
14 *or indirectly, to influence the issuance, amendment, or rev-*
15 *ocation of any executive order or similar promulgation by*
16 *any Federal, State, or local agency, or to undertake to influ-*
17 *ence the passage or defeat of any legislation by Congress,*
18 *or by any State or local legislative body, or State proposals*
19 *by initiative petition, except that the representatives of the*
20 *entity may testify or make other appropriate communica-*
21 *tion—*

22 “(1) *when formally requested to do so by a legis-*
23 *lative body, a committee, or a member of the body or*
24 *committee; or*

1 *under paragraph (1) for periods of not more than 2*
2 *years. If the Secretary determines that an entity has*
3 *received such a grant and been successful in meeting*
4 *the objectives of the grant application submitted*
5 *under subsection (c), the Secretary may renew the*
6 *grant for 1 additional period of not more than 2*
7 *years.*

8 *“(b) ELIGIBLE ENTITIES.—To be eligible to receive a*
9 *grant under this section, an entity shall be a local agency,*
10 *a nonprofit private organization (including faith-based and*
11 *charitable organizations, community-based organizations,*
12 *and voluntary associations), or a tribal organization, with*
13 *a demonstrated record of serving victims of family violence,*
14 *domestic violence, or dating violence and their children.*

15 *“(c) APPLICATION.—An entity seeking a grant under*
16 *this section shall submit an application to the Secretary*
17 *at such time, in such manner, and containing such infor-*
18 *mation as the Secretary may reasonably require, includ-*
19 *ing—*

20 *“(1) a description of how the entity will*
21 *prioritize the safety of, and confidentiality of infor-*
22 *mation about—*

23 *“(A) victims of family violence, victims of*
24 *domestic violence, and victims of dating violence;*
25 *and*

1 “(B) children of victims described in sub-
2 paragraph (A);

3 “(2) a description of how the entity will provide
4 developmentally appropriate and age-appropriate
5 services, and culturally and linguistically appro-
6 priate services, to the victims and children; and

7 “(3) a description of how the entity will ensure
8 that professionals working with the children receive
9 the training and technical assistance appropriate and
10 relevant to the unique needs of children exposed to
11 family violence, domestic violence, or dating violence.

12 “(d) USE OF FUNDS.—An entity that receives a grant
13 under this section for a family violence, domestic violence,
14 and dating violence service or community-based program
15 described in subsection (a)—

16 “(1) shall use the funds made available through
17 the grant—

18 “(A) to provide direct counseling, appro-
19 priate services consistent with subsection (c)(2),
20 or advocacy on behalf of victims of family vio-
21 lence, domestic violence, or dating violence and
22 their children, including coordinating services
23 with services provided by the child welfare sys-
24 tem;

1 “(B) to provide services for nonabusing par-
2 ents to support those parents’ roles as caregivers
3 and their roles in responding to the social, emo-
4 tional, and developmental needs of their children;
5 and

6 “(C) where appropriate, to provide the serv-
7 ices described in this subsection while working
8 with such a nonabusing parent and child to-
9 gether; and

10 “(2) may use the funds made available through
11 the grant—

12 “(A) to provide early childhood development
13 and mental health services;

14 “(B) to coordinate activities with and pro-
15 vide technical assistance to community-based or-
16 ganizations serving victims of family violence,
17 domestic violence, or dating violence or children
18 exposed to family violence, domestic violence, or
19 dating violence; and

20 “(C) to provide additional services and re-
21 ferrals to services for children, including child
22 care, transportation, educational support, respite
23 care, supervised visitation, or other necessary
24 services.

1 *the availability of appropriations for each fiscal year to*
2 *make the payments.*

3 “(d) *APPLICATION.—To be eligible to receive a grant*
4 *under this section, an entity shall submit an application*
5 *to the Secretary that shall—*

6 “(1) *contain such agreements, assurances, and*
7 *information, be in such form, and be submitted in*
8 *such manner, as the Secretary shall prescribe;*

9 “(2) *include a complete description of the appli-*
10 *cant’s plan for the operation of a national domestic*
11 *violence hotline, including descriptions of—*

12 “(A) *the training program for hotline per-*
13 *sonnel, including technology training to ensure*
14 *that all persons affiliated with the hotline are*
15 *able to effectively operate any technological sys-*
16 *tems used by the hotline;*

17 “(B) *the hiring criteria and qualifications*
18 *for hotline personnel;*

19 “(C) *the methods for the creation, mainte-*
20 *nance, and updating of a resource database;*

21 “(D) *a plan for publicizing the availability*
22 *of the hotline;*

23 “(E) *a plan for providing service to non-*
24 *English speaking callers, including service*

1 *through hotline personnel who have non-English*
2 *language capability;*

3 “(F) a plan for facilitating access to the
4 hotline by persons with hearing impairments;
5 and

6 “(G) a plan for providing assistance and
7 referrals to youth victims of domestic violence
8 and for victims of dating violence who are mi-
9 nors, which may be carried out through a na-
10 tional teen dating violence hotline;

11 “(3) demonstrate that the applicant has recog-
12 nized expertise in the area of family violence, domes-
13 tic violence, or dating violence and a record of high
14 quality service to victims of family violence, domestic
15 violence, or dating violence, including a demonstra-
16 tion of support from advocacy groups and State Do-
17 mestic Violence Coalitions;

18 “(4) demonstrate that the applicant has the ca-
19 pacity and the expertise to maintain a domestic vio-
20 lence hotline and a comprehensive database of service
21 providers;

22 “(5) demonstrate the ability to provide informa-
23 tion and referrals for callers, directly connect callers
24 to service providers, and employ crisis interventions

1 *meeting the standards of family violence, domestic vi-*
2 *olence, and dating violence providers;*

3 *“(6) demonstrate that the applicant has a com-*
4 *mitment to diversity and to the provision of services*
5 *to underserved populations, including to ethnic, ra-*
6 *cial, and non-English speaking minorities, in addi-*
7 *tion to older individuals and individuals with dis-*
8 *abilities;*

9 *“(7) demonstrate that the applicant complies*
10 *with nondisclosure requirements as described in sec-*
11 *tion 306(c)(5) and follows comprehensive quality as-*
12 *urance practices; and*

13 *“(8) contain such other information as the Sec-*
14 *retary may require.*

15 *“(e) HOTLINE ACTIVITIES.—*

16 *“(1) IN GENERAL.—An entity that receives a*
17 *grant under this section for activities described, in*
18 *whole or in part, in subsection (a) shall use funds*
19 *made available through the grant to establish and op-*
20 *erate a 24-hour, national, toll-free telephone hotline to*
21 *provide information and assistance to adult and*
22 *youth victims of family violence, domestic violence, or*
23 *dating violence, and other individuals described in*
24 *subsection (a).*

1 “(2) *ACTIVITIES.*—*In establishing and operating*
2 *the hotline, the entity—*

3 “(A) *shall contract with a carrier for the*
4 *use of a toll-free telephone line;*

5 “(B) *shall employ, train (including pro-*
6 *viding technology training), and supervise per-*
7 *sonnel to answer incoming calls, provide coun-*
8 *seling and referral services for callers on a 24-*
9 *hour-a-day basis, and directly connect callers to*
10 *service providers;*

11 “(C) *shall assemble and maintain a data-*
12 *base of information relating to services for adult*
13 *and youth victims of family violence, domestic*
14 *violence, or dating violence to which callers may*
15 *be referred throughout the United States, includ-*
16 *ing information on the availability of shelters*
17 *and supportive services for victims of family vio-*
18 *lence, domestic violence, or dating violence;*

19 “(D) *shall widely publicize the hotline*
20 *throughout the United States, including to poten-*
21 *tial users;*

22 “(E) *shall provide assistance and referrals*
23 *to meet the needs of underserved populations and*
24 *individuals with disabilities;*

1 “(F) shall provide assistance and referrals
2 for youth victims of domestic violence and for
3 victims of dating violence who are minors, which
4 may be carried out through a national teen dat-
5 ing violence hotline;

6 “(G) may provide appropriate assistance
7 and referrals for family and household members
8 of victims of family violence, domestic violence,
9 or dating violence, and persons affected by the
10 victimization described in subsection (a); and

11 “(H) at the discretion of the hotline oper-
12 ator, may provide assistance, or referrals for
13 counseling or intervention, for identified adult
14 and youth perpetrators, including self-identified
15 perpetrators, of family violence, domestic vio-
16 lence, or dating violence, but shall not be re-
17 quired to provide such assistance or referrals in
18 any circumstance in which the hotline operator
19 fears the safety of a victim may be impacted by
20 an abuser or suspected abuser.

21 “(f) *REPORTS AND EVALUATION.*—The entity receiving
22 a grant under this section shall submit a performance re-
23 port to the Secretary at such time as shall be reasonably
24 required by the Secretary. Such performance report shall
25 describe the activities that have been carried out with such

1 *grant funds, contain an evaluation of the effectiveness of*
2 *such activities, and provide such additional information as*
3 *the Secretary may reasonably require.*

4 **“SEC. 314. DOMESTIC VIOLENCE PREVENTION ENHANCE-**
5 **MENT AND LEADERSHIP THROUGH ALLI-**
6 **ANCES (DELTA).**

7 *“(a) IN GENERAL.—The Secretary shall enter into co-*
8 *operative agreements with State Domestic Violence Coali-*
9 *tions for the purposes of establishing, operating, and main-*
10 *taining local community projects to prevent family vio-*
11 *lence, domestic violence, and dating violence, including vio-*
12 *lence committed by and against youth, using a coordinated*
13 *community response model and through prevention and*
14 *education programs.*

15 *“(b) TERM.—The Secretary shall enter into a coopera-*
16 *tive agreement under this section for a period of not more*
17 *than 5 fiscal years.*

18 *“(c) CONDITIONS ON PAYMENT.—The provision of pay-*
19 *ments under a cooperative agreement under this section*
20 *shall be subject to—*

21 *“(1) annual approval by the Secretary; and*

22 *“(2) the availability of appropriations for each*
23 *fiscal year to make the payments.*

1 “(d) *ELIGIBILITY.*—*To be eligible to enter into a coop-*
2 *erative agreement under this section, an organization*
3 *shall—*

4 “(1) *be a State Domestic Violence Coalition; and*

5 “(2) *include representatives of pertinent sectors*
6 *of the local community, which may include—*

7 “(A) *health care providers and State or*
8 *local health departments;*

9 “(B) *the education community;*

10 “(C) *the faith-based community;*

11 “(D) *the criminal justice system;*

12 “(E) *family violence, domestic violence, and*
13 *dating violence service program advocates;*

14 “(F) *human service entities such as State*
15 *child services divisions;*

16 “(G) *business and civic leaders; and*

17 “(H) *other pertinent sectors.*

18 “(e) *APPLICATIONS.*—*An organization that desires to*
19 *enter into a cooperative agreement under this section shall*
20 *submit to the Secretary an application, in such form and*
21 *in such manner as the Secretary shall require, that—*

22 “(1) *demonstrates the capacity of the applicant,*
23 *who may enter into a partnership with a local family*
24 *violence, domestic violence, or dating violence service*

1 *provider or community-based organization, to under-*
2 *take the project involved;*

3 *“(2) demonstrates that the project will include a*
4 *coordinated community response to improve and ex-*
5 *pend prevention strategies through increased commu-*
6 *nication and coordination among all affected sectors*
7 *of the local community;*

8 *“(3) includes a complete description of the appli-*
9 *cant’s plan for the establishment and implementation*
10 *of the coordinated community response, including a*
11 *description of—*

12 *“(A) the method to be used for identification*
13 *and selection of an administrative committee*
14 *made up of persons knowledgeable about com-*
15 *prehensive family violence, domestic violence,*
16 *and dating violence prevention planning to over-*
17 *see the project, hire staff, assure compliance with*
18 *the project outline, and secure annual evaluation*
19 *of the project;*

20 *“(B) the method to be used for identifica-*
21 *tion and selection of project staff and a project*
22 *evaluator;*

23 *“(C) the method to be used for identification*
24 *and selection of a project council consisting of*

1 *representatives of the community sectors listed in*
2 *subsection (d)(2); and*

3 “(D) *the method to be used for identifica-*
4 *tion and selection of a steering committee con-*
5 *sisting of representatives of the various commu-*
6 *nity sectors who will chair subcommittees of the*
7 *project council, each of which will focus on 1 of*
8 *the sectors;*

9 “(4) *demonstrates that the applicant has experi-*
10 *ence in providing, or the capacity to provide, preven-*
11 *tion-focused training and technical assistance;*

12 “(5) *demonstrates that the applicant has the ca-*
13 *capacity to carry out collaborative community initia-*
14 *tives to prevent family violence, domestic violence,*
15 *and dating violence; and*

16 “(6) *contains such other information, agree-*
17 *ments, and assurances as the Secretary may require.*

18 “(f) *GEOGRAPHICAL DISPERSION.—The Secretary*
19 *shall enter into cooperative agreements under this section*
20 *with organizations in States geographically dispersed*
21 *throughout the Nation.*

22 “(g) *USE OF FUNDS.—*

23 “(1) *IN GENERAL.—An organization that enters*
24 *into a cooperative agreement under subsection (a)*
25 *shall use the funds made available through the agree-*

1 *ment to establish, operate, and maintain comprehen-*
2 *sive family violence, domestic violence, and dating vi-*
3 *olence prevention programming.*

4 “(2) *TECHNICAL ASSISTANCE, EVALUATION AND*
5 *MONITORING.—The Secretary may use a portion of*
6 *the funds provided under this section to—*

7 “(A) *provide technical assistance;*

8 “(B) *monitor the performance of organiza-*
9 *tions carrying out activities under the coopera-*
10 *tive agreements; and*

11 “(C) *conduct an independent evaluation of*
12 *the program carried out under this section.*

13 “(3) *REQUIREMENTS.—In establishing and oper-*
14 *ating a project under this section, an eligible organi-*
15 *zation shall—*

16 “(A) *establish protocols to improve and ex-*
17 *pand family violence, domestic violence, and dat-*
18 *ing violence prevention and intervention strate-*
19 *gies within affected community sectors described*
20 *in subsection (d)(2);*

21 “(B) *develop comprehensive prevention*
22 *plans to coordinate prevention efforts with other*
23 *community sectors;*

24 “(C) *provide for periodic evaluation of the*
25 *project, and analysis to assist in replication of*

1 *the prevention strategies used in the project in*
2 *other communities, and submit a report under*
3 *subsection (h) that contains the evaluation and*
4 *analysis;*

5 “(D) *develop, replicate, or conduct com-*
6 *prehensive, evidence-informed primary preven-*
7 *tion programs that reduce risk factors and pro-*
8 *mote protective factors that reduce the likelihood*
9 *of family violence, domestic violence, and dating*
10 *violence, which may include—*

11 “(i) *educational workshops and semi-*
12 *nars;*

13 “(ii) *training programs for profes-*
14 *sionals;*

15 “(iii) *the preparation of informational*
16 *material;*

17 “(iv) *developmentally appropriate edu-*
18 *cation programs;*

19 “(v) *other efforts to increase awareness*
20 *of the facts about, or to help prevent, family*
21 *violence, domestic violence, and dating vio-*
22 *lence; and*

23 “(vi) *the dissemination of information*
24 *about the results of programs conducted*
25 *under this subparagraph;*

1 “(E) utilize evidence-informed prevention
2 program planning; and

3 “(F) recognize, in applicable cases, the
4 needs of underserved populations, racial and lin-
5 guistic populations, and individuals with dis-
6 abilities.

7 “(h) *REPORTS AND EVALUATION.*—Each organization
8 entering into a cooperative agreement under this section
9 shall submit a performance report to the Secretary at such
10 time as shall be reasonably required by the Secretary. Such
11 performance report shall describe activities that have been
12 carried out with the funds made available through the
13 agreement, contain an evaluation of the effectiveness of such
14 activities, and provide such additional information as the
15 Secretary may reasonably require. The Secretary shall
16 make the evaluations received under this subsection publicly
17 available on the Department of Health and Human Serv-
18 ices website. The reports shall also be submitted to the Com-
19 mittee on Education and Labor of the House of Representa-
20 tives and the Committee on Health, Education, Labor, and
21 Pensions of the Senate.”.

22 **SEC. 202. AMENDMENTS TO OTHER LAWS.**

23 (a) *TITLE 11, UNITED STATES CODE.*—Section
24 707(b)(2)(A)(ii)(I) of title 11, United States Code, is
25 amended in the 4th sentence by striking “section 309 of the

1 *Family Violence Prevention and Services Act*” and insert-
2 ing “section 302 of the *Family Violence Prevention and*
3 *Services Act*”.

4 (b) *INDIVIDUALS WITH DISABILITIES EDUCATION*
5 *ACT*.—Section 635(c)(2)(G) of the *Individuals with Dis-*
6 *abilities Education Act* (20 U.S.C. 1435(c)(2)(G)) is
7 amended by striking “section 320 of the *Family Violence*
8 *Prevention and Services Act*” and inserting “section 302
9 of the *Family Violence Prevention and Services Act*”.

10 (c) *OMNIBUS CRIME CONTROL AND SAFE STREETS*
11 *ACT OF 1968*.—Section 2001(c)(2)(A) of the *Omnibus*
12 *Crime Control and Safe Streets Act of 1968* (42 U.S.C.
13 3796gg(c)(2)(A)) is amended by striking “through the *Fam-*
14 *ily Violence Prevention and Services Act* (42 U.S.C. 10410
15 *et seq.*)” and inserting “under section 311 of the *Family*
16 *Violence Prevention and Services Act*”.

17 (d) *VIOLENCE AGAINST WOMEN ACT OF 1994*.—Sec-
18 tion 40002(a)(26) of the *Violence Against Women Act of*
19 *1994* (42 U.S.C. 13925(a)(26)) is amended by striking
20 “under the *Family Violence Prevention and Services Act*
21 (42 U.S.C. 10410(b))” and inserting “under sections 302
22 and 311 of the *Family Violence Prevention and Services*
23 *Act*”.

24 (e) *VIOLENT CRIME CONTROL AND LAW ENFORCE-*
25 *MENT ACT OF 1994*.—The portion of section 310004(d) of

1 *the Violent Crime Control and Law Enforcement Act of*
 2 *1994 (42 U.S.C. 14214(d)) that pertains to the definition*
 3 *of the term “prevention program” is amended—*

4 (1) *in paragraph (20), by striking “section*
 5 *40211” and inserting “section 313 of the Family Vio-*
 6 *lence Prevention and Services Act (relating to a hot-*
 7 *line)”;*

8 (2) *in paragraph (22), by striking “section*
 9 *40241” and inserting “sections 301 through 312 of the*
 10 *Family Violence Prevention and Services Act”;* and

11 (3) *in paragraph (24), by striking “section*
 12 *40261” and inserting “section 314 of the Family Vio-*
 13 *lence Prevention and Services Act (relating to com-*
 14 *munity projects to prevent family violence, domestic*
 15 *violence, and dating violence)”.*

16 **TITLE III—CHILD ABUSE PRE-**
 17 **VENTION AND TREATMENT**
 18 **AND ADOPTION REFORM ACT**
 19 **OF 1978**

20 **SEC. 301. CHILD ABUSE PREVENTION AND TREATMENT AND**
 21 **ADOPTION REFORM.**

22 (a) *FINDINGS.—Section 201 of the Child Abuse Pre-*
 23 *vention and Treatment and Adoption Reform Act of 1978*
 24 *(42 U.S.C. 5111) is amended—*

1 (1) *by striking subsection (a) and inserting the*
2 *following:*

3 “(a) *FINDINGS.—Congress finds that—*

4 “(1) *on the last day of fiscal year 2009, some*
5 *424,000 children were living in temporary foster fam-*
6 *ily homes or other foster care settings;*

7 “(2) *most children in foster care are victims of*
8 *child abuse or neglect by their biological parents and*
9 *their entry into foster care brought them the addi-*
10 *tional trauma of separation from their homes and*
11 *often their communities;*

12 “(3) *on average, children entering foster care*
13 *have more physical and mental health needs than do*
14 *children in the general population, and some require*
15 *intensive services because the children entering foster*
16 *care—*

17 “(A) *were born to mothers who did not re-*
18 *ceive prenatal care;*

19 “(B) *were born with life-threatening condi-*
20 *tions or disabilities;*

21 “(C) *were born addicted to alcohol or other*
22 *drugs; or*

23 “(D) *have HIV/AIDS;*

24 “(4) *each year, thousands of children in foster*
25 *care, regardless of their age, the size of the sibling*

1 *group they are a part of, their racial or ethnic status,*
2 *their medical condition, or any physical, mental or*
3 *emotional disability they may have, are in need of*
4 *placement with permanent, loving, adoptive families;*

5 *“(5)(A) States have made important strides in*
6 *increasing the number of children who are placed in*
7 *permanent homes with adoptive parents and in re-*
8 *ducing the length of time children wait for such a*
9 *placement; and*

10 *“(B) many thousands of children, however, still*
11 *remain in institutions or foster homes solely because*
12 *of legal and other barriers to such a placement;*

13 *“(6)(A) on the last day of fiscal year 2009, there*
14 *were 115,000 children waiting for adoption;*

15 *“(B) children waiting for adoption have had pa-*
16 *rental rights of all living parents terminated or the*
17 *children have a permanency goal of adoption;*

18 *“(C)(i) the average age of children adopted with*
19 *public child welfare agency involvement during fiscal*
20 *year 2009 was a little more than 6 years; and*

21 *“(ii) the average age of children waiting for*
22 *adoption on the last day of that fiscal year was a lit-*
23 *tle more than 8 years of age and more than 30,000*
24 *of those children were 12 years of age or older; and*

1 “(D)(i) 25 percent of the children adopted with
2 public child welfare agency involvement during fiscal
3 year 2009 were African-American; and

4 “(ii) 30 percent of the children waiting for adop-
5 tion on the last day of fiscal year 2009 were African-
6 American;

7 “(7) adoption may be the best alternative for as-
8 suring the healthy development of children placed in
9 foster care;

10 “(8) there are qualified persons seeking to adopt
11 such children who are unable to do so because of bar-
12 riers to their placement and adoption; and

13 “(9) in order both to enhance the stability of and
14 love in the home environments of such children and
15 to avoid wasteful expenditures of public funds, such
16 children—

17 “(A) should not have medically indicated
18 treatment withheld from them; or

19 “(B) be maintained in foster care or insti-
20 tutions when adoption is appropriate and fami-
21 lies can be found for such children.”; and

22 (2) in subsection (b)—

23 (A) in the matter preceding paragraph (1),
24 by inserting “older children, minority children,
25 and” after “particularly”; and

1 (B) by striking paragraph (2) and inserting
2 the following:

3 “(2) maintain an Internet-based national adop-
4 tion information exchange system to—

5 “(A) bring together children who would ben-
6 efit from adoption and qualified prospective
7 adoptive parents who are seeking such children;

8 “(B) conduct national recruitment efforts in
9 order to reach prospective parents for children
10 awaiting adoption; and

11 “(C) connect placement agencies, prospec-
12 tive adoptive parents, and adoptive parents to
13 resources designed to reduce barriers to adoption,
14 support adoptive families, and ensure perma-
15 nency; and”.

16 (b) *INFORMATION AND SERVICES*.—Section 203 of the
17 Child Abuse Prevention and Treatment and Adoption Re-
18 form Act of 1978 (42 U.S.C. 5113) is amended—

19 (1) in subsection (a), by striking all that follows
20 “facilitate the adoption of” and inserting “older chil-
21 dren, minority children, and children with special
22 needs, particularly infants and toddlers with disabil-
23 ities who have life-threatening conditions, and serv-
24 ices to families considering adoption of children with
25 special needs.”;

1 (2) *in subsection (b)—*

2 (A) *in paragraph (1)—*

3 (i) *by striking “and” after “regarding*
4 *adoption” and inserting a comma; and*

5 (ii) *by inserting “, and post-legal*
6 *adoption services” after “adoption assist-*
7 *ance programs”;*

8 (B) *in paragraph (2), by inserting “, in-*
9 *cluding efforts to promote the adoption of older*
10 *children, minority children, and children with*
11 *special needs” after “national level”;*

12 (C) *in paragraph (7)—*

13 (i) *by striking “study the efficacy of*
14 *States contracting with” and inserting “in-*
15 *crease the effective use of”;*

16 (ii) *by striking the comma after “orga-*
17 *nizations)” and inserting “by States,”;*

18 (iii) *by inserting a comma after “in-*
19 *stitutions”;* and

20 (iv) *by inserting “, including assisting*
21 *in efforts to work with organizations that*
22 *promote the placement of older children, mi-*
23 *nority children, and children with special*
24 *needs” after “children for adoption”;*

25 (D) *in paragraph (9)—*

1 (i) in subparagraph (B), by striking
2 “and” at the end;

3 (ii) in subparagraph (C), by adding
4 “and” after the semicolon at the end; and

5 (iii) by adding at the end the fol-
6 lowing:

7 “(D) identify best practices to reduce adop-
8 tion disruption and termination;”; and

9 (E) in paragraph (10)—

10 (i) in the matter preceding subpara-
11 graph (A), by inserting “tribal child welfare
12 agencies,” after “local government entities,”;
13 and

14 (ii) in subparagraph (A)—

15 (I) in clause (ii), by inserting “,
16 including developing and using proce-
17 dures to notify family and relatives
18 when a child enters the child welfare
19 system” before the semicolon at the
20 end;

21 (II) by redesignating clauses (vii)
22 and (viii) as clauses (viii) and (ix), re-
23 spectively; and

24 (III) by inserting after clause (vi)
25 the following:

1 “(vii) education and training of pro-
2 spective adoptive or adoptive parents;” and

3 (3) in subsection (d)—

4 (A) in paragraph (1), by striking the second
5 sentence and all that follows; and

6 (B) in paragraph (2)—

7 (i) in subparagraph (A)—

8 (I) in the second sentence, by in-
9 serting “, consistent with the purpose
10 of this title” after “by the Secretary”;
11 and

12 (II) by striking the third sentence
13 and inserting the following: “Each ap-
14 plication shall contain information
15 that—

16 “(i) describes how the State plans to
17 improve the placement rate of children in
18 permanent homes;

19 “(ii) describes the methods the State,
20 prior to submitting the application, has
21 used to improve the placement of older chil-
22 dren, minority children, and children with
23 special needs, who are legally free for adop-
24 tion;

1 “(iii) describes the evaluation the State
2 plans to conduct, to identify the effectiveness
3 of programs and methods of placement
4 under this subsection, and submit to the
5 Secretary; and

6 “(iv) describes how the State plans to
7 coordinate activities under this subsection
8 with relevant activities under section 473 of
9 the Social Security Act (42 U.S.C. 673).”;

10 (ii) in subparagraph (B)(i), by insert-
11 ing “older children, minority children, and”
12 after “successful placement of”; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(C) EVALUATION.—The Secretary shall
16 compile the results of evaluations submitted by
17 States (described in subparagraph (A)(iii)) and
18 submit a report containing the compiled results
19 to the appropriate committees of Congress.”.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
21 205 of the Child Abuse Prevention and Treatment and
22 Adoption Reform Act of 1978 (42 U.S.C. 5115) is amend-
23 ed—

24 (1) in subsection (a)—

1 (A) by striking “2004” and inserting
2 “2010”; and

3 (B) by striking “2005 through 2008” and
4 inserting “2011 through 2015”;

5 (2) by redesignating subsection (b) as subsection
6 (c); and

7 (3) by inserting after subsection (a) the fol-
8 lowing:

9 “(b) Not less than 30 percent and not more than 50
10 percent of the funds appropriated under subsection (a) shall
11 be allocated for activities under subsections (b)(10) and (c)
12 of section 203.”.

13 **TITLE IV—ABANDONED INFANTS**
14 **ASSISTANCE ACT OF 1988**

15 **SEC. 401. ABANDONED INFANTS ASSISTANCE.**

16 (a) *FINDINGS.*—Section 2 of the Abandoned Infants
17 Assistance Act of 1988 (42 U.S.C. 5117aa) is amended—

18 (1) in paragraph (4), by striking “including
19 those” and all that follows through “‘AIDS’” and in-
20 serting “including those with HIV/AIDS”; and

21 (2) in paragraph (5), by striking “acquired im-
22 mune deficiency syndrome” and inserting “HIV/
23 AIDS”.

1 (b) *REPEAL.*—*Title II of the Abandoned Infants As-*
2 *sistance Act of 1988 (Public Law 100–505; 102 Stat. 2536)*
3 *is repealed.*

4 (c) *DEFINITIONS.*—*Section 301 of the Abandoned In-*
5 *fants Assistance Act of 1988 (42 U.S.C. 5117aa–21) is*
6 *amended—*

7 (1) *by striking paragraph (2); and*

8 (2) *by redesignating paragraphs (3) through (5)*
9 *as paragraphs (2) through (4), respectively.*

10 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*Section*
11 *302 of the Abandoned Infants Assistance Act of 1988 (42*
12 *U.S.C. 5117aa–22) is amended—*

13 (1) *in subsection (a)(1)—*

14 (A) *by striking “2004” and inserting*
15 *“2010”; and*

16 (B) *by striking “2005 through 2008” and*
17 *inserting “2011 through 2015”; and*

18 (2) *in subsection (b)(2), by striking “fiscal year*
19 *2003” and inserting “fiscal year 2010”.*

Attest:

Clerk.

11TH CONGRESS
2^D SESSION

S. 3817

AMENDMENT