

106TH CONGRESS  
1ST SESSION

# S. 1321

To amend title III of the Family Violence Prevention and Services Act and title IV of the Elementary and Secondary Education Act of 1965 to limit the effects of domestic violence on the lives of children, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JULY 1, 1999

Mr. WELLSTONE (for himself and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

## A BILL

To amend title III of the Family Violence Prevention and Services Act and title IV of the Elementary and Secondary Education Act of 1965 to limit the effects of domestic violence on the lives of children, and for other purposes.

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

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Children Who Witness  
5 Domestic Violence Protection Act”.

### 6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) Witnessing domestic violence has a dev-  
2           astating impact on children, placing the children at  
3           high risk for anxiety, depression, and, potentially,  
4           suicide. Many children who witness domestic violence  
5           exhibit more aggressive, antisocial, fearful, and in-  
6           hibited behaviors.

7           (2) Children exposed to domestic violence have  
8           a high risk of experiencing learning difficulties and  
9           school failure. Research finds that children residing  
10          in domestic violence shelters exhibit significantly  
11          lower verbal and quantitative skills when compared  
12          to a national sample of children.

13          (3) Domestic violence is strongly correlated  
14          with child abuse. Studies have found that between  
15          50 and 70 percent of men who abuse their female  
16          partners also abuse their children. In homes in  
17          which domestic violence occurs, children are phys-  
18          ically abused and neglected at a rate 15 times higher  
19          than the national average.

20          (4) Men who witnessed parental abuse during  
21          their childhood have a higher risk of becoming phys-  
22          ically aggressive in dating and marital relationships.

23          (5) Exposure to domestic violence is a strong  
24          predictor of violent delinquent behavior among ado-  
25          lescents. It is estimated that between 20 percent and

1       40 percent of chronically violent adolescents have  
2       witnessed extreme parental conflict.

3           (6) Women have an increased risk of experi-  
4       encing battering after separation from an abusive  
5       partner. Children also have an increased risk of suf-  
6       fering harm during separation.

7           (7) Child visitation disputes are more frequent  
8       when families have histories of domestic violence,  
9       and the need for supervised visitation centers far ex-  
10      ceeds the number of available programs providing  
11      those centers, because courts therefore—

12                (A) order unsupervised visitation and en-  
13                danger parents and children; or

14                (B) prohibit visitation altogether.

15           (8) Recent studies have demonstrated that up  
16      to 50 percent of children who appear before juvenile  
17      courts in matters involving allegations of abuse and  
18      neglect have been exposed to domestic violence in  
19      their homes.

20   **SEC. 3. DEFINITIONS.**

21      In this Act:

22           (1) DOMESTIC VIOLENCE.—The term “domestic  
23      violence” includes an act or threat of violence, not  
24      including an act of self defense, committed by a cur-  
25      rent or former spouse of the victim, by a person with

1       whom the victim shares a child in common, by a per-  
 2       son who is cohabiting with or has cohabited with the  
 3       victim, by a person who is or has been in a social  
 4       relationship of a romantic or intimate nature with  
 5       the victim, by a person similarly situated to a spouse  
 6       of the victim under the domestic or family violence  
 7       laws of the jurisdiction of the victim, or by any other  
 8       person against a victim who is protected from that  
 9       person’s act under the domestic or family violence  
 10      laws of the jurisdiction.

11           (2) INDIAN TRIBAL GOVERNMENT.—The term  
 12      “Indian tribal government” has the meaning given  
 13      the term “tribal organization” in section 102 of the  
 14      Older Americans Act of 1965 (42 U.S.C. 3002).

15           (3) STATE.—The term “State” means each of  
 16      the several States of the United States, the District  
 17      of Columbia, the Commonwealth of Puerto Rico, the  
 18      United States Virgin Islands, Guam, American  
 19      Samoa, and the Commonwealth of the Northern  
 20      Mariana Islands.

21           (4) WITNESS DOMESTIC VIOLENCE.—

22           (A) IN GENERAL.—The term “witness do-  
 23      mestic violence” means to witness—

1 (i) an act of domestic violence that  
 2 constitutes actual or attempted physical  
 3 assault; or

4 (ii) a threat or other action that  
 5 places the victim in fear of domestic vio-  
 6 lence.

7 (B) WITNESS.—In subparagraph (A), the  
 8 term “witness” means to—

9 (i) directly observe an act, threat, or  
 10 action described in subparagraph (A), or  
 11 the aftermath of that act, threat, or action;  
 12 or

13 (ii) be within earshot of an act,  
 14 threat, or action described in subparagraph  
 15 (A), or the aftermath of that act, threat,  
 16 or action.

17 **SEC. 4. GRANTS TO ADDRESS THE NEEDS OF CHILDREN**  
 18 **WHO WITNESS DOMESTIC VIOLENCE.**

19 (a) IN GENERAL.—The Family Violence Prevention  
 20 and Services Act (42 U.S.C. 10401 et seq.) is amended  
 21 by adding at the end the following:

22 **“SEC. 319. MULTISYSTEM INTERVENTIONS FOR CHILDREN**  
 23 **WHO WITNESS DOMESTIC VIOLENCE.**

24 **“(a) GRANTS AUTHORIZED.—**

1           “(1) AUTHORITY.—The Secretary, acting  
 2 through the Director of Community Services, in the  
 3 Administration for Children and Families, is author-  
 4 ized to award grants to eligible entities to conduct  
 5 programs to encourage the use of domestic violence  
 6 intervention models using multisystem partnerships  
 7 to address the needs of children who witness domes-  
 8 tic violence.

9           “(2) TERM AND AMOUNT.—Each grant award-  
 10 ed under this section shall be awarded for a term of  
 11 3 years and in an amount of not more than  
 12 \$500,000 for each such year.

13           “(3) ELIGIBLE ENTITIES.—To be eligible to re-  
 14 ceive a grant under this section, an entity shall—

15                   “(A) be a nonprofit private organization;

16                   “(B)(i) demonstrate recognized expertise  
 17 in the area of domestic violence and the impact  
 18 of domestic violence on children; or

19                   “(ii) enter into a memorandum of under-  
 20 standing regarding the intervention program  
 21 that—

22                           “(I) is entered into with the State or  
 23 tribal domestic violence coalition and enti-  
 24 ties carrying out domestic violence pro-  
 25 grams that provide shelter or related as-

1                   sistance in the locality in which the inter-  
 2                   vention program will be operated; and

3                   “(II) demonstrates collaboration on  
 4                   the intervention program with the coalition  
 5                   and entities and the support of the coal-  
 6                   tion and entities for the intervention pro-  
 7                   gram; and

8                   “(C) demonstrate a history of providing  
 9                   advocacy, health care, mental health, or other  
 10                  crisis-related services to children.

11           “(b) USE OF FUNDS.—An entity that receives a  
 12           grant under this section shall use amounts provided  
 13           through the grant to conduct a program to design or rep-  
 14           licate, and implement, domestic violence intervention mod-  
 15           els that use multisystem partners to respond to the needs  
 16           of children who witness domestic violence. Such a program  
 17           shall—

18                   “(1)(A) involve collaborative partnerships  
 19                   with—

20                   “(i) local entities carrying out domestic vi-  
 21                   olence programs that provide shelter or related  
 22                   assistance; and

23                   “(ii) partners that are courts, schools, so-  
 24                   cial service providers, health care providers, po-  
 25                   lice, early childhood agencies, entities carrying

1 out Head Start programs under the Head Start  
2 Act (42 U.S.C. 9831 et seq.), or entities car-  
3 rying out child protection, welfare, job training,  
4 housing, battered women’s service, or children’s  
5 mental health programs; and

6 “(B) be carried out to design and implement  
7 protocols and systems to identify, refer, and appro-  
8 priately respond to the needs of, children who wit-  
9 ness domestic violence and who participate in pro-  
10 grams administered by the partners;

11 “(2) include guidelines to evaluate the needs of  
12 a child and make appropriate intervention rec-  
13 ommendations;

14 “(3) include institutionalized procedures to en-  
15 hance or ensure the safety and security of a battered  
16 parent, and as a result, the child of the parent;

17 “(4) provide direct counseling and advocacy for  
18 adult victims of domestic violence and their children  
19 who witness domestic violence;

20 “(5) include the development or replication of a  
21 mental health treatment model to meet the needs of  
22 children for whom such treatment has been identi-  
23 fied as appropriate;

1           “(6) include policies and protocols for maintain-  
2           ing the confidentiality of the battered parent and  
3           child;

4           “(7) provide community outreach and training  
5           to enhance the capacity of professionals who work  
6           with children to appropriately identify and respond  
7           to the needs of children who witness domestic vio-  
8           lence;

9           “(8) include procedures for documenting inter-  
10          ventions used for each child and family; and

11          “(9) include plans to perform a systematic out-  
12          come evaluation to evaluate the effectiveness of the  
13          interventions.

14          “(c) APPLICATION.—To be eligible to receive a grant  
15          under this section, an entity shall prepare and submit to  
16          the Secretary an application at such time, in such manner,  
17          and containing such information as the Secretary may re-  
18          quire.

19          “(d) TECHNICAL ASSISTANCE.—Not later than 90  
20          days after the date of enactment of this section, the Sec-  
21          retary shall identify successful programs providing multi-  
22          system and mental health interventions to address the  
23          needs of children who witness domestic violence. Not later  
24          than 60 days before the Secretary solicits applications for  
25          grants under this section, the Secretary shall enter into

1 an agreement with 1 or more entities carrying out the  
 2 identified programs to provide technical assistance to the  
 3 applicants and recipients of the grants. The Secretary may  
 4 use not more than 5 percent of the amount appropriated  
 5 for a fiscal year under subsection (e) to provide the tech-  
 6 nical assistance.

7 “(e) AUTHORIZATION OF APPROPRIATIONS.—

8 “(1) IN GENERAL.—There is authorized to be  
 9 appropriated to carry out this section \$5,000,000 for  
 10 each of fiscal years 2000 through 2002.

11 “(2) AVAILABILITY.—Amounts appropriated  
 12 under paragraph (1) shall remain available until ex-  
 13 pended.

14 “(f) DEFINITIONS.—In this section, the terms ‘do-  
 15 mestic violence’ and ‘witness domestic violence’ have the  
 16 meanings given the terms in section 3 of the Children Who  
 17 Witness Domestic Violence Prevention Act.”.

18 (b) ADMINISTRATION.—Section 305(a) of the Family  
 19 Violence Prevention and Services Act (42 U.S.C.  
 20 10404(a)) is amended—

21 (1) by striking “an employee” and inserting “1  
 22 or more employees”; and

23 (2) by striking “The individual” and inserting  
 24 “Each individual”.

1 **SEC. 5. COMBATTING THE IMPACT OF EXPERIENCING OR**  
2 **WITNESSING DOMESTIC VIOLENCE ON ELE-**  
3 **MENTARY AND SECONDARY SCHOOL CHIL-**  
4 **DREN.**

5 (a) AMENDMENT.—Subpart 2 of part A of title IV  
6 of the Elementary and Secondary Education Act of 1965  
7 (20 U.S.C. 7131 et seq.) is amended by adding at the end  
8 the following:

9 **“SEC. 4124. GRANTS TO COMBAT THE IMPACT OF EXPERI-**  
10 **ENCING OR WITNESSING DOMESTIC VIO-**  
11 **LENCE ON ELEMENTARY AND SECONDARY**  
12 **SCHOOL CHILDREN.**

13 **“(a) GRANTS AUTHORIZED.—**

14 **“(1) AUTHORITY.—**The Secretary is authorized  
15 to award grants to and enter into contracts with ele-  
16 mentary schools and secondary schools that work  
17 with experts described in paragraph (2), to enable  
18 the schools—

19 **“(A) to provide training to school adminis-**  
20 **trators, faculty, and staff, with respect to issues**  
21 **concerning children experiencing domestic vio-**  
22 **lence in dating relationships and witnessing do-**  
23 **mestic violence, and the impact of the violence**  
24 **described in this subparagraph on children;**

25 **“(B) to provide educational programing to**  
26 **students regarding domestic violence and the**

1 impact of experiencing or witnessing domestic  
2 violence on children;

3 “(C) to provide support services for stu-  
4 dents and school personnel for the purpose of  
5 developing and strengthening effective preven-  
6 tion and intervention strategies with respect to  
7 issues concerning children experiencing domes-  
8 tic violence in dating relationships and wit-  
9 nessing domestic violence, and the impact of the  
10 violence described in this subparagraph on chil-  
11 dren; and

12 “(D) to develop and implement school sys-  
13 tem policies regarding identification and refer-  
14 ral procedures for students who are experi-  
15 encing or witnessing domestic violence.

16 “(2) EXPERTS.—The experts referred to in  
17 paragraph (1) are experts on domestic violence from  
18 the educational, legal, youth, mental health, sub-  
19 stance abuse, and victim advocacy fields, and State  
20 and local domestic violence coalitions and commu-  
21 nity-based youth organizations.

22 “(3) AWARD BASIS.—The Secretary shall award  
23 grants and contracts under this section on a com-  
24 petitive basis.

1           “(4) POLICY DISSEMINATION.—The Secretary  
2       shall disseminate to elementary schools and sec-  
3       ondary schools any Department of Education policy  
4       guidance regarding preventing domestic violence and  
5       the impact of experiencing or witnessing domestic vi-  
6       olence on children.

7           “(b) USES OF FUNDS.—Funds provided under this  
8       section may be used for the following purposes:

9           “(1) To provide training for school administra-  
10      tors, faculty, and staff that addresses issues con-  
11      cerning children experiencing domestic violence in  
12      dating relationships and witnessing domestic vio-  
13      lence, and the impact of the violence described in  
14      this paragraph on children.

15          “(2) To provide education programs for stu-  
16      dents that are developmentally appropriate for the  
17      students’ grade levels and are designed to meet any  
18      unique cultural and language needs of the particular  
19      student populations.

20          “(3) To develop and implement school system  
21      policies regarding identification and referral proce-  
22      dures for students who are experiencing or wit-  
23      nessing domestic violence.

24          “(4) To provide the necessary human resources  
25      to respond to the needs of students and school per-

1 sonnel when faced with the issue of domestic vio-  
2 lence, such as a resource person who is either on-site  
3 or on-call, and who is an expert in domestic violence  
4 as described in subsection (a)(2).

5 “(5) To provide media center materials and  
6 educational materials to schools that address issues  
7 concerning children experiencing domestic violence in  
8 dating relationships and witnessing domestic vio-  
9 lence, and the impact of the violence described in  
10 this paragraph on children.

11 “(6) To conduct evaluations to assess the im-  
12 pact of programs assisted under this section in order  
13 to enhance the development of the programs.

14 “(c) CONFIDENTIALITY.—Policies, programs, train-  
15 ing materials, and evaluations developed and implemented  
16 under subsection (b) shall address issues of victim safety  
17 and confidentiality that are consistent with applicable  
18 Federal and State laws.

19 “(d) APPLICATION.—

20 “(1) IN GENERAL.—To be eligible to be award-  
21 ed a grant or contract under this section for any fis-  
22 cal year, an elementary school or secondary school,  
23 in consultation with an expert described in sub-  
24 section (a)(2), shall submit an application to the

1 Secretary at such time and in such manner as the  
 2 Secretary shall prescribe.

3 “(2) CONTENTS.—Each application submitted  
 4 under paragraph (1) shall—

5 “(A) describe the need for funds provided  
 6 under the grant or contract and the plan for  
 7 implementation of any of the uses described in  
 8 subsection (b);

9 “(B) describe how the domestic violence  
 10 experts described in subsection (a)(2) shall  
 11 work in consultation and collaboration with the  
 12 elementary school or secondary school; and

13 “(C) provide measurable goals and ex-  
 14 pected results from the use of the funds pro-  
 15 vided under the grant or contract.

16 “(e) DEFINITIONS.—In this section, the terms ‘do-  
 17 mestic violence’ and ‘witness domestic violence’ have the  
 18 meanings given the terms in section 3 of the Children Who  
 19 Witness Domestic Violence Protection Act.

20 “(f) APPLICABILITY.—The provisions of this part  
 21 (other than this section) shall not apply to this section.”.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
 23 4004 of the Elementary and Secondary Education Act of  
 24 1965 (20 U.S.C. 7104) is amended—

1 (1) in paragraph (1), by striking “and” after  
2 the semicolon;

3 (2) in paragraph (2) by striking the period and  
4 inserting “; and ”; and

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

6 “(3) \$5,000,000 for each of the fiscal years  
7 2000 through 2002 to carry out section 4124.”.

8 **SEC. 6. CHILD WELFARE WORKER TRAINING ON DOMESTIC**  
9 **VIOLENCE.**

10 (a) DEFINITIONS.—In this section:

11 (1) GRANTEE.—The term “grantee” means a  
12 recipient of a grant under this section.

13 (2) SECRETARY.—The term “Secretary” means  
14 the Secretary of Health and Human Services.

15 (b) GRANTS AUTHORIZED.—

16 (1) AUTHORITY.—The Attorney General and  
17 the Secretary are authorized to jointly award grants  
18 to eligible States, Indian tribal governments, and  
19 units of local government, in order to encourage  
20 agencies and entities within the jurisdiction of the  
21 States, organizations, and units to recognize and  
22 treat, as part of their ongoing child welfare respon-  
23 sibilities, domestic violence as a serious problem  
24 threatening the safety and well-being of both chil-  
25 dren and adults.

1           (2) TERM AND AMOUNT.—Each grant awarded  
2           under this section shall be awarded for a term of 3  
3           years and in an amount of not less than \$250,000.

4           (c) USE OF FUNDS.—Funds provided under this sec-  
5           tion may be used to support child welfare service agencies  
6           in carrying out, with the assistance of entities carrying  
7           out community-based domestic violence programs, activi-  
8           ties to achieve the following purposes:

9           (1) To provide training to the staff of child wel-  
10          fare service agencies and domestic violence programs  
11          with respect to the issue of domestic violence and  
12          the impact of the violence on children and their non-  
13          abusive parents, which training shall—

14                (A) include training for staff, supervisors,  
15                and administrators, including staff responsible  
16                for screening, intake, assessment, and investiga-  
17                tion of reports of child abuse and neglect; and

18                (B) be conducted in collaboration with  
19                child welfare experts, domestic violence experts,  
20                entities carrying out community-based domestic  
21                violence programs, relevant law enforcement  
22                agencies, probation officers, prosecutors, and  
23                judges.

24          (2) To provide assistance in the modification of  
25          policies, procedures, programs, and practices of child

1 welfare service agencies and domestic violence pro-  
2 grams in order to ensure that the agencies—

3 (A) recognize the overlap between child  
4 abuse and domestic violence in families, the  
5 dangers posed to both child and adult victims  
6 of domestic violence, and the physical, emo-  
7 tional, and developmental impact of domestic vi-  
8 olence on children;

9 (B) develop relevant protocols for screen-  
10 ing, intake, assessment, and investigation of  
11 and followup to reports of child abuse and ne-  
12 glect, that—

13 (i) address the dynamics of domestic  
14 violence and the relationship between child  
15 abuse and domestic violence; and

16 (ii) enable the agencies to assess the  
17 danger to child and adult victims of do-  
18 mestic violence;

19 (C) identify and assess the presence of do-  
20 mestic violence in child protection cases, in a  
21 manner that ensures the safety of all individ-  
22 uals involved and the protection of confidential  
23 information;

24 (D) increase the safety and well-being of  
25 children who witness domestic violence, includ-

1 ing increasing the safety of nonabusive parents  
2 of the children;

3 (E) develop appropriate responses in cases  
4 of domestic violence, including safety plans and  
5 appropriate services for both the child and  
6 adult victims of domestic violence;

7 (F) establish and enforce procedures to en-  
8 sure the confidentiality of information relating  
9 to families that is shared between child welfare  
10 service agencies and community-based domestic  
11 violence programs, consistent with law (includ-  
12 ing regulations) and guidelines;

13 (G) provide appropriate supervision to  
14 agency staffs who work with families in which  
15 there has been domestic violence, including su-  
16 pervision concerning issues regarding—

17 (i) promoting staff safety; and

18 (ii) protecting the confidentiality of  
19 child and adult victims of domestic vio-  
20 lence; and

21 (H) develop protocols with law enforce-  
22 ment, probation, and other justice agencies in  
23 order to ensure that justice system interven-  
24 tions and protections are readily available for

1 victims of domestic violence served by the social  
2 service agency.

3 (d) APPLICATION.—

4 (1) IN GENERAL.—To be eligible to receive a  
5 grant under this section, a State, Indian tribal gov-  
6 ernment, or unit of local government shall submit an  
7 application to the Attorney General and the Sec-  
8 retary at such time and in such manner as the At-  
9 torney General and the Secretary shall prescribe.

10 (2) CONTENTS.—Each application submitted  
11 under paragraph (1) shall contain information  
12 that—

13 (A) describes the specific activities that  
14 will be undertaken to achieve 1 or more of the  
15 purposes described in subsection (c);

16 (B) lists the child welfare service agencies  
17 and domestic violence service agencies in the ju-  
18 risdiction of the applicant that will be respon-  
19 sible for carrying out the activities; and

20 (C) provides documentation from 1 or  
21 more community-based domestic violence pro-  
22 grams that the entities carrying out such  
23 programs—

24 (i) have been involved in the develop-  
25 ment of the application; and

1 (ii) will assist in carrying out the spe-  
2 cific activities described in subparagraph  
3 (A), which may include assisting as sub-  
4 contractors.

5 (e) PRIORITY.—In awarding grants under this sec-  
6 tion, the Attorney General and the Secretary shall give  
7 priority to applicants who demonstrate that entities that  
8 carry out domestic violence programs will be substantially  
9 involved in carrying out the specific activities described in  
10 subsection (d)(2)(A), and to applicants who demonstrate  
11 a commitment to educate the staff of child welfare service  
12 agencies about—

13 (1) the impact of domestic violence on children;  
14 (2) the special risks of child abuse and neglect;  
15 and  
16 (3) appropriate services and interventions for  
17 protecting both the child and adult victims of domes-  
18 tic violence.

19 (f) EVALUATION, REPORTING, AND DISSEMINA-  
20 TION.—

21 (1) EVALUATION AND REPORTING.—Each  
22 grantee shall annually submit to the Attorney Gen-  
23 eral and the Secretary a report, which shall  
24 include—

1 (A) an evaluation of the effectiveness of  
 2 activities funded with a grant awarded under  
 3 this section; and

4 (B) such additional information as the At-  
 5 torney General and the Secretary may require.

6 (2) DISSEMINATION.—Not later than 6 months  
 7 after the expiration of the 3-year period beginning  
 8 on the initial date on which grants are awarded  
 9 under this section, the Attorney General and the  
 10 Secretary shall distribute to each State child welfare  
 11 service agency and each State domestic violence coa-  
 12 lition, and to Congress, a summary of information  
 13 on—

14 (A) the activities funded with grants under  
 15 this section; and

16 (B) any related initiatives undertaken by  
 17 the Attorney General or the Secretary to pro-  
 18 mote attention by the staff of child welfare  
 19 service agencies and community-based domestic  
 20 violence programs to domestic violence and the  
 21 impact of domestic violence on child and adult  
 22 victims of domestic violence.

23 (g) TECHNICAL ASSISTANCE.—

24 (1) IDENTIFICATION OF SUCCESSFUL PRO-  
 25 GRAMS.—Not later than 90 days after the date of

1 enactment of this Act, the Secretary shall identify  
2 successful programs providing training to child wel-  
3 fare and domestic violence programs to address the  
4 needs of children who witness domestic violence.

5 (2) AGREEMENT.—Not later than 60 days be-  
6 fore the Secretary solicits applications for grants  
7 under this section, the Secretary shall enter into an  
8 agreement with 1 or more entities carrying out the  
9 training programs identified under paragraph (1) to  
10 provide technical assistance to the applicants and re-  
11 cipients of the grants.

12 (3) FUNDING.—The Secretary may use not  
13 more than 5 percent of the amount appropriated for  
14 a fiscal year under subsection (h) to provide tech-  
15 nical assistance pursuant to the agreement under  
16 paragraph (2).

17 (h) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) IN GENERAL.—There is authorized to be  
19 appropriated to carry out this section \$5,000,000 for  
20 each of fiscal years 2000 through 2002.

21 (2) AVAILABILITY.—Amounts appropriated  
22 under paragraph (1) shall remain available until ex-  
23 pended.

1 **SEC. 7. SAFE HAVENS FOR CHILDREN.**

2 (a) GRANTS AUTHORIZED.—The Attorney General  
3 may award grants to States (including State courts) and  
4 Indian tribal governments in order to enable them to enter  
5 into contracts and cooperative agreements with public or  
6 private nonprofit entities (including tribal organizations  
7 and nonprofit organizations operating within the bound-  
8 aries of an Indian reservation) to assist those entities in  
9 establishing and operating supervised visitation centers for  
10 purposes of facilitating supervised visitation and visitation  
11 exchange of children by and between parents. Not less  
12 than 50 percent of the total amount awarded to a State  
13 or Indian tribal government under this subsection for any  
14 fiscal year shall be used to enter into contracts and cooper-  
15 ative agreements with private nonprofit entities.

16 (b) CONSIDERATIONS.—In awarding grants under  
17 subsection (a), the Attorney General shall consider—

18 (1) the number of families to be served by the  
19 proposed visitation center;

20 (2) the extent to which the proposed supervised  
21 visitation center will serve underserved populations  
22 (as defined in section 2003 of title I of the Omnibus  
23 Crime Control and Safe Streets Act of 1968 (42  
24 U.S.C. 3796gg–2));

25 (3) with respect to an applicant for a contract  
26 or cooperative agreement, the extent to which the

1       applicant demonstrates cooperation and collabora-  
2       tion with nonprofit, nongovernmental entities in the  
3       local community served, including the State or tribal  
4       domestic violence coalition, State or tribal sexual as-  
5       sault coalition, local shelters, and programs for do-  
6       mestic violence and sexual assault victims;

7           (4) the extent to which the applicant dem-  
8       onstrates coordination and collaboration with State,  
9       tribal, and local court systems, including mecha-  
10      nisms for communication and referral; and

11          (5) the extent to which the applicant dem-  
12      onstrates implementation of domestic violence and  
13      sexual assault training for all staff members.

14      (c) USE OF FUNDS.—Amounts provided under a  
15      grant, contract, or cooperative agreement awarded under  
16      this section may be used only to establish and operate su-  
17      pervised visitation centers.

18      (d) APPLICATION.—

19          (1) IN GENERAL.—The Attorney General shall  
20      award grants for contracts and cooperative agree-  
21      ments under this section in accordance with such  
22      regulations as the Attorney General may establish  
23      by regulation, which regulations shall establish a  
24      multiyear grant process.

1           (2) CONTENTS.—Each application submitted  
2       under paragraph (1) shall—

3           (A) demonstrate recognized expertise in  
4       the area of domestic violence and a record of  
5       high quality service to victims of domestic vio-  
6       lence or sexual assault;

7           (B) demonstrate collaboration with and  
8       support of the State or tribal domestic violence  
9       coalition, State or tribal sexual assault coal-  
10      tion, or local domestic violence shelter, pro-  
11      gram, or rape crisis center in the locality in  
12      which the supervised visitation center will be  
13      operated;

14          (C) provide supervised visitation and visi-  
15      tation exchange services over the duration of a  
16      court order to promote continuity and stability;

17          (D) ensure that any fees charged to indi-  
18      viduals for use of services are based on an indi-  
19      vidual's income;

20          (E) demonstrate that adequate security  
21      measures, including adequate facilities, proce-  
22      dures, and personnel capable of preventing vio-  
23      lence, are in place for the operation of super-  
24      vised visitation; and

1 (F) describe standards by which the super-  
2 vised visitation center will operate.

3 (3) PRIORITY.—In awarding grants for con-  
4 tracts and cooperative agreements under this sec-  
5 tion, the Attorney General shall give priority to  
6 States that, in making a custody determination—

7 (A) consider domestic violence; and

8 (B) require findings on the record.

9 (e) ANNUAL REPORT.—Not later than 120 days after  
10 the last day of each fiscal year, the Attorney General shall  
11 submit to Congress a report that includes information  
12 concerning—

13 (1) the total number of individuals served and  
14 the total number of individuals turned away from  
15 services (categorized by State), the number of indi-  
16 viduals from underserved populations served and the  
17 number turned away from services, and the factors  
18 that necessitate the supervised visitation or visita-  
19 tion exchange, such as domestic violence, child  
20 abuse, sexual assault, and emotional or other phys-  
21 ical abuse, or any combination of such factors;

22 (2) the number of supervised visitations or visi-  
23 tation exchanges ordered during custody determina-  
24 tions under a separation or divorce decree or protec-  
25 tion order, through child protection services or other

1 social services agencies, or by any other order of a  
2 civil, criminal, juvenile, or family court;

3 (3) the process by which children or abused  
4 partners are protected during visitations, temporary  
5 custody transfers, and other activities for which the  
6 supervised visitation centers are established under  
7 this section;

8 (4) safety and security problems occurring dur-  
9 ing the reporting period during supervised visitations  
10 or at visitation centers including the number of pa-  
11 rental abduction cases;

12 (5) the number of parental abduction cases in  
13 a judicial district using supervised visitation services,  
14 both as identified in criminal prosecutions and in  
15 custody violations; and

16 (6) program standards for operating supervised  
17 visitation centers established throughout the United  
18 States.

19 (f) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—There is authorized to be  
21 appropriated from the Violent Crime Reduction  
22 Trust Fund established under section 310001 of the  
23 Violent Crime Control and Law Enforcement Act of  
24 1994 (42 U.S.C. 14211) to carry out this section

1       \$20,000,000 for each of fiscal years 2000 through  
2       2002.

3           (2) AVAILABILITY.—Amounts made available  
4       under paragraph (1) shall remain available until ex-  
5       pended.

6           (3) DISTRIBUTION.—Not less than 95 percent  
7       of the total amount made available to carry out this  
8       section for each fiscal year shall be used to award  
9       grants, contracts, or cooperative agreements.

10          (4) ALLOTMENT FOR INDIAN TRIBES.—

11           (A) IN GENERAL.—Subject to subpara-  
12       graph (B), not less than 5 percent of the total  
13       amount made available to carry out this section  
14       for each fiscal year shall be available for grants  
15       to, or contracts or cooperative agreements with,  
16       tribal organizations and nonprofit organizations  
17       operating within the boundaries of an Indian  
18       reservation.

19           (B) REALLOTMENT OF FUNDS.—If, begin-  
20       ning 9 months after the first day of any fiscal  
21       year for which amounts are made available  
22       under this paragraph, any amount made avail-  
23       able under this paragraph remains unobligated,  
24       the unobligated amount may be allocated with-  
25       out regard to subparagraph (A).

1 **SEC. 8. LAW ENFORCEMENT OFFICER TRAINING.**

2 (a) GRANTS AUTHORIZED.—The Attorney General  
3 shall award grants to nonprofit domestic violence pro-  
4 grams, shelters, or organizations in collaboration with  
5 local police departments, for purposes of training local po-  
6 lice officers regarding appropriate treatment of children  
7 who have witnessed domestic violence.

8 (b) USE OF FUNDS.—A domestic violence agency  
9 working in collaboration with a local police department  
10 may use amounts provided under a grant under this  
11 section—

12 (1) to train police officers in child development  
13 and issues related to witnessing domestic violence so  
14 they may appropriately—

15 (A) apply child development principles to  
16 their work in domestic violence cases;

17 (B) recognize the needs of children who  
18 witness domestic violence;

19 (C) meet children's immediate needs at the  
20 scene of domestic violence;

21 (D) call for immediate therapeutic atten-  
22 tion to be provided to the child by an advocate  
23 from the collaborating domestic violence pro-  
24 gram, shelter, or organization; and

25 (E) refer children for followup services;  
26 and

1           (2) to establish a collaborative working relation-  
2           ship between police officers and local domestic vio-  
3           lence programs, shelters, and organizations.

4           (c) APPLICATION.—

5           (1) IN GENERAL.—To be eligible to be awarded  
6           a grant under this section for any fiscal year, a local  
7           domestic violence program, shelter, or organization,  
8           in collaboration with a local police department, shall  
9           submit an application to the Attorney General at  
10          such time and in such manner as the Attorney Gen-  
11          eral shall prescribe.

12          (2) CONTENTS.—Each application submitted  
13          under paragraph (1) shall—

14                (A) describe the need for amounts provided  
15                under the grant and the plan for implementa-  
16                tion of the uses described in subsection (c);

17                (B) describe the manner in which the local  
18                domestic violence program, shelter, or organiza-  
19                tion shall work in collaboration with the local  
20                police department; and

21                (C) provide measurable goals and expected  
22                results from the use of amounts provided under  
23                the grant.

24          (d) AUTHORIZATION OF APPROPRIATIONS.—

1           (1) IN GENERAL.—There is authorized to be  
 2           appropriated from the Violent Crime Reduction  
 3           Trust Fund established under section 310001 of the  
 4           Violent Crime Control & Law Enforcement Act of  
 5           1994 (42 U.S.C. 14211) to carry out this section  
 6           \$3,000,000 for each of fiscal years 2000 through  
 7           2002.

8           (2) AVAILABILITY.—Amounts made available  
 9           under paragraph (1) shall remain available until ex-  
 10          pended.

11 **SEC. 9. REAUTHORIZATION OF CRISIS NURSERIES.**

12          (a) AUTHORITY TO ESTABLISH DEMONSTRATION  
 13 GRANT PROGRAMS.—The Secretary of Health and Human  
 14 Services may establish demonstration programs under  
 15 which grants are awarded to States to assist private and  
 16 public agencies and organizations in providing crisis nurs-  
 17 eries for children who are abused and neglected, are at  
 18 risk of abuse or neglect, are witnessing domestic violence,  
 19 or are in families receiving child protective services.

20          (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
 21 authorized to be appropriated to carry out this section  
 22 \$15,000,000 for each of fiscal years 2000 through 2002.

○