

111TH CONGRESS  
1ST SESSION

# H. R. 3401

To amend the Violence Against Women Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968 to improve assistance to domestic and sexual violence victims and provide for technical corrections.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2009

Ms. WASSERMAN SCHULTZ (for herself and Mr. POE of Texas) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Violence Against Women Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968 to improve assistance to domestic and sexual violence victims and provide for technical corrections.

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 “Improving Assistance  
5 to Domestic and Sexual Violence Victims Act of 2009”.

1 **SEC. 2. EFFECTIVE DATE.**

2 Except as otherwise provided in this Act, this Act and  
3 the amendments made by this Act shall take effect at the  
4 beginning of fiscal year 2010.

5 **SEC. 3. DEFINITIONS AND UNIVERSAL GRANT CONDITIONS**  
6 **UNDER VAWA.**

7 (a) **YOUTH DEFINITION.**—Section 40002(a)(37) of  
8 the Violence Against Women Act of 1994 (42 U.S.C.  
9 13925(a)(37)) is amended to read as follows:

10 “(37) **YOUTH.**—The term ‘youth’ means an in-  
11 dividual who is between 12 and 24 years of age.”.

12 (b) **TRAINED EXAMINER DEFINITION.**—Section  
13 40002(a) of the Violence Against Women Act of 1994 (42  
14 U.S.C. 13925(a)) is amended by inserting at the end the  
15 following:

16 “(38) **TRAINED EXAMINER.**—The term ‘trained  
17 examiner’ means a health care professional who has  
18 received specialized training specific to sexual as-  
19 sault victims which includes both gathering forensic  
20 evidence and medical needs.”.

21 (c) **PERSONAL INFORMATION.**—Section 40002(a)(18)  
22 of the Violence Against Women Act of 1994 (42 U.S.C.  
23 13925(a)(18)) is amended by inserting after “stalking,”  
24 the following: “regardless of whether the information is  
25 encoded, encrypted, hashed, or otherwise protected,”.

1           (d)           EXPERTISE           REQUIREMENT.—Section  
2 40002(b)(11) of the Violence Against Women Act of 1994  
3 (42 U.S.C. 13925(b)(11)) is amended by adding at the  
4 end the following: “The Director of the Office on Violence  
5 Against Women shall ensure that training or technical as-  
6 sistance will be developed and provided by entities having  
7 demonstrated expertise in the purposes, uses of funds, and  
8 other aspects of the grant program for which such training  
9 or technical assistance is provided.”.

10          (e) MATCHING REQUIREMENT.—Section 40002(b)(1)  
11 of the Violence Against Women Act of 1994 (42 U.S.C.  
12 13925(b)(1)) is amended to read as follows:

13               “(1) MATCH.—No matching funds shall be re-  
14               quired for a grant or subgrant made under this title  
15               for—

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

18                       “(B) any other entity, including a State,  
19                       that the Attorney General determines has ade-  
20                       quately demonstrated financial need.”.

21          (f) TREATMENT OF CONFIDENTIAL INFORMATION.—  
22 Section 40002(b)(2) of the Violence Against Women Act  
23 of 1994 (42 U.S.C. 13925(b)(2)) is amended—

24               (1) in subparagraph (A), by inserting “privacy  
25               and” before “safety”;

1 (2) in subparagraph (B)—

2 (A) by striking “and (D)” and inserting “,  
3 (D), (E), (F), (G), and (H)”;

4 (B) in clause (i)—

5 (i) by inserting “, reveal, or release”  
6 after “disclose”; and

7 (ii) by inserting “, regardless of  
8 whether the information is encoded,  
9 encrypted, hashed, or otherwise protected,”  
10 after “individual information”; and

11 (C) in clause (ii)—

12 (i) by striking “reveal” and inserting  
13 “disclose, reveal, or release”;

14 (ii) by striking “consent” each place it  
15 appears and inserting “consent or author-  
16 ization”; and

17 (iii) by striking “persons with disabil-  
18 ities” and inserting “a person with a  
19 court-appointed guardian”;

20 (3) in subparagraph (C)—

21 (A) by inserting “disclosure, revelation, or”  
22 after “If”;

23 (B) in clause (i), by inserting “, revelation,  
24 or release” after “disclosure”; and

1 (C) in clause (ii), by inserting “disclosure,  
2 revelation, or” after “affected by the”;

3 (4) by redesignating subparagraph (E) as sub-  
4 paragraph (H); and

5 (5) by inserting after subparagraph (D) the fol-  
6 lowing:

7 “(E) STATUTORILY PERMITTED REPORTS  
8 OF ABUSE OR NEGLECT.—Nothing in this para-  
9 graph shall prohibit a grantee or subgrantee  
10 from reporting abuse and neglect, as those  
11 terms are defined by law, and where mandated  
12 or expressly permitted by the State, tribe, or  
13 territory involved.

14 “(F) PREEMPTION.—This paragraph shall  
15 not supersede any other provision of Federal,  
16 State, tribal, territorial, or local law relating to  
17 the privacy or confidentiality of information to  
18 the extent to which such other provision pro-  
19 vides greater privacy or confidentiality protec-  
20 tion than this paragraph for victims of domestic  
21 violence, dating violence, sexual assault, or  
22 stalking.

23 “(G) CERTAIN MINORS AND PERSONS  
24 WITH GUARDIANS.—If a minor or a person with  
25 a court-appointed guardian is permitted by law

1 to receive services without the parent's or  
2 guardian's consent or authorization, the minor  
3 or person with a court-appointed guardian may  
4 consent to a disclosure, revelation, or release of  
5 information. In no case may consent or author-  
6 ization for release of information be given by  
7 the abuser of the minor, or person with a court-  
8 appointed guardian, or the abuser of the other  
9 parent of the minor.”.

10 **SEC. 4. CRIMINAL JUSTICE.**

11 (a) APPLICATION REQUIREMENTS.—

12 (1) IN GENERAL.—Section 2007(d) of the Om-  
13 nibus Crime Control and Safe Streets Act of 1968  
14 (42 U.S.C. 3796gg–1(d)) is amended—

15 (A) in paragraph (3), by striking “and”  
16 after the semicolon;

17 (B) in paragraph (4), by striking the pe-  
18 riod and inserting “; and”; and

19 (C) by inserting at the end the following:

20 “(5) proof of compliance with the requirements  
21 prohibiting the publication of protection order infor-  
22 mation on the Internet under section 2013A.”.

23 (2) EFFECTIVE DATE.—The amendments made  
24 by paragraph (1) shall apply to grants awarded for  
25 periods beginning on or after October 1, 2009.

1 (b) STATE AND FEDERAL OBLIGATIONS.—Section  
 2 2007(f) of the Omnibus Crime Control and Safe Streets  
 3 Act of 1968 (42 U.S.C. 3796gg–1(f)) is amended to read  
 4 as follows:

5 “(f) FEDERAL SHARE.—

6 “(1) IN GENERAL.—Except as provided under  
 7 paragraph (2), the Federal share of a grant made  
 8 under this part may not exceed 75 percent of the  
 9 total costs of the projects described in the applica-  
 10 tion submitted.

11 “(2) EXEMPTION FROM MATCHING FUNDS.—No  
 12 matching funds shall be required for that portion of  
 13 a grant under this part that is subgranted to any  
 14 Indian tribal government for victims services.”.

15 (c) LIMITS ON INTERNET PUBLICATION OF PROTEC-  
 16 TION ORDER INFORMATION.—Section 2265(d) of title 18,  
 17 United States Code, is amended by striking paragraph (3).

18 (d) STATE CERTIFICATION.—Part T of the Omnibus  
 19 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
 20 3796gg et seq.) is amended by inserting after section 2013  
 21 the following:

22 **“SEC. 2013A. LIMITS ON INTERNET PUBLICATION OF PRO-**  
 23 **TECTION ORDER INFORMATION.**

24 “(a) IN GENERAL.—A State, Indian tribal govern-  
 25 ment, or unit of local government shall not be eligible to

1 receive funds under this part unless the State, Indian trib-  
2 al government, or unit of local government certifies that  
3 it does not make available publicly on the Internet any  
4 information regarding the filing for or issuance, modifica-  
5 tion, registration, extension, or enforcement of a protec-  
6 tion order, restraining order, or injunction in the issuing  
7 or enforcing State, tribal, or territorial jurisdiction, if such  
8 publication would be likely to publicly reveal the identity  
9 or location of the party protected under such order or in-  
10 junction.

11 “(b) EXCEPTION.—A State, Indian tribe, or territory  
12 may share court-generated and law enforcement-generated  
13 information about an order or injunction described in sub-  
14 section (a) for purposes of enforcing such orders and in-  
15 junctions, if such information is contained in a secure,  
16 governmental registry.

17 “(c) EFFECTIVE DATE.—A State, Indian tribal gov-  
18 ernment, or unit of local government shall meet the re-  
19 quirements of subsections (a) and (b) by not later than  
20 the later of—

21 “(1) 2 years after the date of enactment of the  
22 Improving Assistance to Domestic and Sexual Vio-  
23 lence Victims Act of 2009; or

24 “(2) the date on which the next session of the  
25 State legislature ends.”.



1 (e) TERRITORY.—Section 2010 of the Omnibus  
2 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
3 3796gg–4) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1), by inserting “Terri-  
6 tory,” after “State,” both places it appears;  
7 and

8 (B) in paragraph (2), by inserting “Terri-  
9 tory,” after “State,” and “Territories,” after  
10 “States,”;

11 (2) in subsection (b), by inserting “Territory,”  
12 after “State,” both places it appears;

13 (3) in subsection (c), by inserting “Territory,”  
14 after “State,”; and

15 (4) in subsection (e), by inserting “Territory,”  
16 after “State,” both places it appears.

17 (f) RURAL STATE.—Section 40002(a)(22) of the Vio-  
18 lence Against Women Act of 1994 (42 U.S.C. 13925  
19 (a)(22)) is amended by striking “150,000” and inserting  
20 “200,000”.

21 (g) COSTS FOR CRIMINAL CHARGES AND PROTEC-  
22 TION ORDERS.—Section 2011(a)(1) of the Omnibus  
23 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
24 3796gg–5(a)(1)) is amended by inserting “dating vio-  
25 lence,” before “stalking”.

1 (h) GRANTS TO ENCOURAGE ARREST POLICIES AND  
2 ENFORCEMENT OF PROTECTION ORDERS.—Section  
3 2101(c)(4) of the Omnibus Crime Control and Safe  
4 Streets Act of 1968 (42 U.S.C. 3796hh(c)(4)) is amended  
5 by inserting “dating violence,” before “stalking”.

6 (i) EFFECTIVE DATE.—The amendments made by  
7 subsections (g) and (h) shall take effect 2 years after the  
8 date of enactment of this Act.

9 **SEC. 5. FAMILIES.**

10 (a) IN GENERAL.—Section 41304 of the Violence  
11 Against Women Act of 1994 (42 U.S.C. 14043d–3) is  
12 amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), by striking “Attor-  
15 ney General, acting through the Director of the  
16 Office on Violence Against Women, and in col-  
17 laboration with the Department of Health and  
18 Human Services” and inserting “Secretary of  
19 Health and Human Services (in this section re-  
20 ferred to as the ‘Secretary’), acting through the  
21 Administration for Children, Youth and Fami-  
22 lies”;

23 (B) in paragraph (2), by striking “Direc-  
24 tor” and inserting “Secretary”; and

1 (C) in paragraph (3), by striking “Direc-  
2 tor” and inserting “Secretary”; and

3 (2) in subsection (d)(1), by striking both places  
4 it appears “Director” and inserting “Secretary”.

5 (b) EFFECTIVE DATE.—The amendments made by  
6 subsection (a) shall apply to grants issued on or after Oc-  
7 tober 1, 2009.

8 **SEC. 6. HOUSING.**

9 (a) SECTION 6.—Section 6(u)(1)(A) of the United  
10 States Housing Act of 1937 (42 U.S.C. 1437d) is amend-  
11 ed by inserting “, as described in subparagraph (C),” after  
12 “HUD approved certification form”.

13 (b) SECTION 8.—Section 8(ee)(1)(A) of the United  
14 States Housing Act of 1937 (42 U.S.C. 1437f) is amended  
15 by inserting “, as described in subparagraph (C),” after  
16 “HUD approved certification form”.

17 **SEC. 7. ECONOMIC SECURITY.**

18 (a) AUTHORITY.—Section 41501(a) of the Violence  
19 Against Women Act of 1994 (42 U.S.C. 14043f(a)) is  
20 amended—

21 (1) by striking “The Attorney General” and in-  
22 serting the following:

23 “(1) IN GENERAL.—The Attorney General”;  
24 and

1           (2) by striking the last sentence and inserting  
2           the following:

3           “(2) INFORMATION AND ASSISTANCE.—The re-  
4           source center established under paragraph (1) shall  
5           provide information and assistance to—

6                   “(A) employers and labor organizations to  
7                   aid in their efforts to develop and implement re-  
8                   sponses to such violence; and

9                   “(B) victim service providers, including  
10                  community-based organizations, State domestic  
11                  violence coalitions, State sexual assault coali-  
12                  tions, and tribal coalitions, to enable to the pro-  
13                  viders to provide resource materials or other as-  
14                  sistance to employers, labor organizations, or  
15                  employees.”.

16          (b) ENTITIES PROVIDING ASSISTANCE.—Section  
17          41501(c)(1) of the Violence Against Women Act of 1994  
18          (42 U.S.C. 14043f(c)(1)) is amended by striking “and  
19          labor organizations” and inserting “, labor organizations,  
20          victim service providers, community-based organizations,  
21          State domestic violence coalitions, State sexual assault  
22          coalitions, and tribal coalitions,”.

1 **SEC. 8. TRIBAL ISSUES.**

2 Section 2015 of the Omnibus Crime Control and Safe  
3 Streets Act of 1968 (42 U.S.C. 3796gg–10) is amended  
4 by adding at the end the following:

5 “(c) AVAILABILITY.—Funds available under this sec-  
6 tion shall remain available until expended and may only  
7 be used for the activities described in this section.

8 “(d) DURATION.—A grant made under this section  
9 shall be for a period of 24 months.”.

10 **SEC. 9. SEXUAL ASSAULT NURSE EXAMINERS.**

11 Section 2101(b) of the Omnibus Crime Control and  
12 Safe Streets Act of 1968 (42 U.S.C. 3796hh(b)) is amend-  
13 ed by adding at the end the following:

14 “(14) To provide for sexual assault forensic  
15 medical personnel examiners in the collection and  
16 preservation of evidence, expert testimony, and  
17 treatment of trauma related to sexual assault.”.

18 **SEC. 10. SEXUALLY TRANSMITTED INFECTION TESTING**  
19 **AND TREATMENT.**

20 Section 2101 of the Omnibus Crime Control and Safe  
21 Streets Act of 1968 (42 U.S.C. 3796hh) is amended—

22 (1) in subsection (b), as amended by section 9  
23 of this Act, by adding at the end the following new  
24 paragraph:

25 “(15) To develop human immunodeficiency  
26 virus, Hepatitis B, Hepatitis C, and sexually trans-

1       mitted infection testing and treatment programs for  
2       sexual assault victims that include notification,  
3       treatment, counseling, and confidentiality proto-  
4       cols.”; and

5               (2) by striking subsection (d) and inserting the  
6       following:

7       “(d) HIV TESTING AND PROPHYLAXIS.—A State or  
8       unit of local government shall not be entitled to 5 percent  
9       of the funds allocated under this part unless the State or  
10      unit of local government—

11              “(1) certifies that it has a law or regulation  
12      that requires—

13                  “(A) the State or unit of local government  
14              to administer HIV testing to an offender not  
15              later than 48 hours after a request by a victim  
16              of a sexual assault that carries the risk of  
17              transmission of HIV if—

18                      “(i) there has been a judicial finding  
19                  of probable cause that the offender com-  
20                  mitted the sexual assault or an information  
21                  or indictment is presented against the of-  
22                  fender for the sexual assault; and

23                      “(ii) the offender is in custody or oth-  
24                  erwise available for testing;

1 “(B) notification as soon as practicable of  
 2 the results of testing described in subparagraph  
 3 (A) to the victim or parent and guardian of the  
 4 victim, if the victim is a minor or has a court-  
 5 appointed guardian, and to the offender; and

6 “(C) followup tests for HIV of such of-  
 7 fender as may be medically appropriate and  
 8 that, as soon as practicable after each such  
 9 test, the results be made available in accordance  
 10 with subparagraph (B); and

11 “(2) gives the Attorney General assurances that  
 12 its laws and regulations will be in compliance with  
 13 the requirements of paragraph (1) not later than the  
 14 later of—

15 “(A) the date on which the next session of  
 16 the State legislature ends; or

17 “(B) 2 years after the date of enactment  
 18 of the Improving Assistance to Domestic and  
 19 Sexual Violence Victims Act of 2009.”.

20 **SEC. 11. CLARIFICATION OF THE TERM “CULTURALLY AND**  
 21 **LINGUISTICALLY SPECIFIC”.**

22 (a) DEFINITIONS.—Section 40002(a) of the Violence  
 23 Against Women Act of 1994 (42 U.S.C. 13925(a)) is  
 24 amended—

25 (1) by striking paragraph (17);

1           (2) by redesignating paragraphs (18) through  
2           (37) as paragraphs (19) through (38), respectively;  
3           (3) by redesignating paragraphs (6) through  
4           (16) as paragraphs (8) through (18), respectively;  
5           and

6           (4) by inserting after paragraph (5) the fol-  
7           lowing new paragraphs:

8           “(6) CULTURALLY SPECIFIC.—The terms ‘cul-  
9           turally specific’ and ‘culturally and linguistically spe-  
10          cific’ mean specific to racial and ethnic minority  
11          groups (as defined in section 1707(g) of the Public  
12          Health Service Act (42 U.S.C. 300u–6(g))).

13          “(7) CULTURALLY AND LINGUISTICALLY SPE-  
14          CIFIC SERVICES.—The terms ‘culturally and linguis-  
15          tically specific services’ and ‘culturally specific serv-  
16          ices’ mean community-based services that offer full  
17          linguistic access and culturally specific services and  
18          resources, including outreach, collaboration, and  
19          support mechanisms primarily directed toward cul-  
20          turally specific communities.”.

21          (b) COLLABORATIVE GRANTS TO INCREASE THE  
22          LONG-TERM STABILITY OF VICTIMS.—Section  
23          41404(f)(1) of the Violence Against Women Act of 1994  
24          (42 U.S.C. 14043e–3(f)(1)) is amended by striking “lin-



1 guistically and culturally” and inserting “culturally and  
2 linguistically”.

3 (c) GRANTS TO COMBAT VIOLENCE AGAINST WOMEN  
4 IN PUBLIC AND ASSISTED HOUSING.—Section  
5 41405(c)(2)(D) of the Violence Against Women Act of  
6 1994 (42 U.S.C. 14043e–4(c)(2)(D)) is amended by strik-  
7 ing “linguistically and culturally” and inserting “cul-  
8 turally and linguistically”.

9 (d) STATE GRANTS.—Section 2007(e)(2)(D) of the  
10 Omnibus Crime Control and Safe Streets Act of 1968 (42  
11 U.S.C. 3796gg–1(e)(2)(D)) is amended by striking “lin-  
12 guistically and culturally” and inserting “culturally and  
13 linguistically”.

14 (e) SEXUAL ASSAULT SERVICES.—Section 2014 of  
15 the Omnibus Crime Control and Safe Streets Act of 1968  
16 (42 U.S.C. 3796gg–9) is amended—

17 (1) in subsection (b)—

18 (A) in paragraph (1), by striking “and  
19 other programs and projects”;

20 (B) in paragraph (2)(B)—

21 (i) by striking “and other nonprofit,  
22 nongovernmental organizations for pro-  
23 grams and activities”; and

1 (ii) by inserting “to sexual assault vic-  
2 tims” after “that provide direct interven-  
3 tion and related assistance”; and

4 (C) in paragraph (2)(C)(v), by striking  
5 “linguistically and culturally” and inserting  
6 “culturally and linguistically”;

7 (2) in subsection (c)(2)(A) by striking “that fo-  
8 cuses primarily on” and inserting “whose primary  
9 mission is to address one or more”;

10 (3) in subsection (c)(2)(C) by striking “linguis-  
11 tically and culturally” and inserting “culturally and  
12 linguistically”; and

13 (4) in subsection (c)(4)(B) by deleting “under-  
14 served”.

15 (f) ENHANCING CULTURALLY AND LINGUISTICALLY  
16 SPECIFIC SERVICES FOR VICTIMS OF DOMESTIC VIO-  
17 LENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND  
18 STALKING.—Section 121 of the Violence Against Women  
19 and Department of Justice Reauthorization Act of 2005  
20 (42 U.S.C. 14045a) is amended—

21 (1) in subsection (b)(1)(A) by inserting “for  
22 culturally and linguistically specific populations”  
23 after “resources”;

1           (2) in subsection (b)(1)(B) by inserting “cul-  
2           turally and linguistically specific” before “resources  
3           for”; and

4           (3) in subsection (g) by striking “linguistic and  
5           culturally” and inserting “culturally and linguis-  
6           tically”.

7   **SEC. 12. NATIONAL RESOURCE CENTER GRANTS TECH-**  
8                           **NICAL AMENDMENT.**

9           Section 41501(b)(3) of the Violence Against Women  
10 Act of 1994 (42 U.S.C. 14043f(b)(3)) is amended by  
11 striking “for materials”.

12 **SEC. 13. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**  
13                           **INDIAN WOMEN.**

14           Section 904(a) of the Violence Against Women and  
15 Department of Justice Reauthorization Act of 2005 (42  
16 U.S.C. 3796gg–10 note) is amended—

17           (1) in paragraph (1), by striking all after “In-  
18           dian women” and inserting a period; and

19           (2) by striking paragraph (4) and inserting the  
20           following:

21           “(4) REPORT.—Beginning not later than 2  
22           years after the date of enactment of this Act, the  
23           Attorney General shall submit an annual report, and  
24           upon completion a final report, that describes the  
25           progress, results, and recommendations of the study

1 under this subsection to the Committee on Indian  
2 Affairs of the Senate, the Committee on the Judici-  
3 ary of the Senate, and the Committee on the Judici-  
4 ary of the House of Representatives.”.

5 **SEC. 14. U NONIMMIGRANT ADJUSTMENT OF STATUS.**

6 Section 245(m)(3) of the Immigration and Nation-  
7 ality Act (8 U.S.C. 1255(m)(3)) is amended by inserting  
8 “or an unmarried sibling under 18 years of age on the  
9 date of such application for adjustment of status under  
10 paragraph (1),” after “a parent”.

11 **SEC. 15. PROCESSING OF CERTAIN VISAS.**

12 Section 238(b)(5) of the William Wilberforce Traf-  
13 ficking Victims Protection Reauthorization Act of 2008  
14 (Public Law 110–457; 122 Stat 5085) is amended to read  
15 as follows:

16 “(5) Measures taken to ensure routine consulta-  
17 tion with the Office of Policy and Strategy of U.S.  
18 Citizenship and Immigration Services during the de-  
19 velopment of any Department of Homeland Security  
20 regulations or policies that impact Violence Against  
21 Women Act of 1994 confidentiality-protected victims  
22 and their derivative family members.”.

1 **SEC. 16. CONFORMING AMENDMENT CONFIRMING HOUS-**  
2 **ING ASSISTANCE FOR QUALIFIED ALIENS.**

3 (a) IN GENERAL.—Section 214 of the Housing and  
4 Community Development Act of 1980 (42 U.S.C. 1436a)  
5 is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (6), by striking “or” at  
8 the end;

9 (B) by redesignating paragraph (7) as  
10 paragraph (8); and

11 (C) by inserting after paragraph (6) the  
12 following:

13 “(7) a qualified alien described in section 431  
14 of the Personal Responsibility and Work Oppor-  
15 tunity Reconciliation Act of 1996 (8 U.S.C. 1641);  
16 or”; and

17 (2) in subsection (c)—

18 (A) in paragraph (1)(A), by striking “(6)”  
19 and inserting “(7)”; and

20 (B) in paragraph (2)(A), in the matter  
21 preceding clause (i), by inserting “(other than  
22 a qualified alien described in section 431 of the  
23 Personal Responsibility and Work Opportunity  
24 Reconciliation Act of 1996 (8 U.S.C. 1641))”  
25 after “any alien”.

1 (b) EFFECTIVE DATE.—The amendments made by  
2 subsection (a) shall apply to applications for public bene-  
3 fits and public benefits provided on or after the date of  
4 the enactment of this Act without regard to whether regu-  
5 lations to carry out such amendments have been imple-  
6 mented.

7 **SEC. 17. FUNDING CLARIFICATION FOR STOP GRANTS.**

8 Section 2007(c)(3) of the Omnibus Crime Control  
9 and Safe Streets Act of 1968 (42 U.S.C. 3796gg–1(c)(3))  
10 is amended—

11 (1) in subparagraph (C), by striking “and”  
12 after the semicolon; and

13 (2) by inserting at the end the following:  
14 “except that if funds allocated under subparagraph  
15 (A) or (C) are not obligated within 18 months of re-  
16 ceipt of the funds, the Attorney General may direct  
17 the State to allocate those funds for victim services,  
18 as provided by subparagraph (B); and”.

○