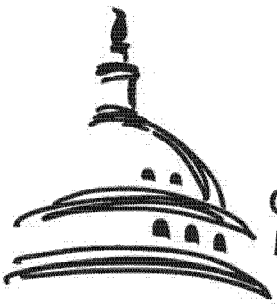
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CRS Report for Congress

Violence Against Women Act: History and Federal Funding

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Prepared for Members and
Committees of Congress

Violence Against Women Act: History and Federal Funding

Summary

On January 5, 2006, the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005) (P.L. 109-162) was enacted. Among other things, VAWA 2005 reauthorized existing VAWA programs and created many new programs. The act encourages collaboration among law enforcement, judicial personnel, and public and private service providers to victims of domestic and sexual violence; increases public awareness of domestic violence; addresses the special needs of victims of domestic and sexual violence, including the elderly, disabled, children, youth, and individuals of ethnic and racial communities; provides long-term and transitional housing for victims; makes some provisions gender-neutral; and requires studies and reports on the effectiveness of approaches used for certain grants in combating violence.

VAWA programs are funded through annual appropriations for both the Departments of Justice (DOJ) and Health and Human Services (HHS). The total FY2008 budget request for VAWA programs is $546.28 million, of which $370 million and $176.28 million would be for programs in DOJ and in HHS, respectively. FY2007 VAWA funding, provided in the Revised Continuing Appropriations Resolution (P.L. 110-5), totaled $558.92 million ($382.57 million for DOJ and $176.35 million for HHS). On July 26, 2007, the House passed H.R. 3093, Commerce-Justice-Science (CJS) Appropriations Act for FY2008, which would include $459 million for VAWA programs in DOJ. The Senate's version of H.R. 3093, passed on October 16, 2007, would provide $419 million for DOJ programs. The Senate adopted an amendment that would provide additional funding of $10 million to be applied to three other VAWA programs.

On July 19, 2007, the House passed H.R. 3043, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act for FY2008 (L-HHS- Ed), which would provide $137.70 million for two of the HHS programs. On October 23, 2007, the Senate passed its version of H.R. 3043, which would provide funding of $130.20 million for these two programs.

The original VAWA, enacted in 1994 as Title IV of the Violent Crime Control and Law Enforcement Act (P.L. 103-322), established within DOJ and HHS discretionary grant programs for state, local, and Indian tribal governments. The Violence Against Women Act of 2000 (VAWA 2000), enacted as Division B of the Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386), reauthorized many VAWA programs, set new funding levels, and created new grant programs to address sexual assaults on campuses and assist victims of domestic abuse. The Keeping Children and Families Safe Act of 2003 (P.L. 108-36) and the PROTECT Act (P.L. 108-21) authorized funding of both HHS and DOJ transitional housing assistance programs for victims of domestic violence. This report will be updated to reflect legislative activity.

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Violence Against Women Act: History and Federal Funding

Recent Developments

On October 16, 2007, the Senate-passed version of H.R. 3093, the Commerce-Justice-Science (CJS) Appropriations Act, would provide funding of $419 million for VAWA programs under DOJ compared to funding of $459 million for these programs in the House-passed bill. The Senate adopted an amendment that would provide total funding for three VAWA programs as follows: $60 million for grants to encourage arrest policies; $4 million for grants for engaging men and youth in prevention programs; and $1 million for the National Resource Center on Workplace Responses.

On October 23, 2007, the Senate passed its version of H.R. 3043, the Departments of Labor, Health and Human Services and Education, and Related Agencies Appropriations Act for FY2008, which would provide funding of $127 million for grants for the battered women's shelters program and $3.20 million for the national domestic violence hotline program. The House-passed bill would provide funding of $134.73 for battered women's shelters and $2.97 million for the national domestic violence hotline. (See FY2008 and FY2007 funding for violence against women programs, below.)

History of the Violence Against Women Act

Legislation proposing a federal response to the problem of violence against women was first introduced in 1990, although such violence was first identified as a serious problem in the 1970s. Congressional action to address gender-related violence culminated in the enactment of the Violence Against Women Act (VAWA), which is Title IV of the Violent Crime Control and Law Enforcement Act of 1994.[1] Funding under the bill emphasized enforcement as well as educational and social programs to prevent crime. The focus of the funding was on local government programs, an approach that the sponsors of the bill believed was the most promising technique for reducing crime and violence. They also cautioned that, due to the variety of programs funded though the states, the impact of the bill may be difficult to quantify.[2] Funding through FY2000 was authorized through the Violent Crime

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[1] P.L. 103-322; 108 Stat. 1902; 42 U.S.C. § 13701.

[2] Indeed, there are only two studies that attempt to evaluate the overall effects of a VAWA grant program: (1) Martha R. Burt, Lisa C. Newmark, Lisa K. Jacobs, and Adele V. Harrell,

(continued...)

Reduction Trust Fund (VCRTF), created under Title XXXI of P.L. 103-322. Authorization for VCRTF expired at the end of FY2000. Nonetheless, most of the programs in VAWA received appropriations for FY2001.[3]

On October 28, 2000, President Clinton signed into law the Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386), of which Division B is the Violence Against Women Act of 2000. The Violence Against Women Act of 2000 continued to support VAWA by reauthorizing existing programs and adding new initiatives, including grants to assist victims of dating violence, transitional housing for victims of violence, a pilot program aimed at protecting children during visits with a parent who has been accused of domestic violence, and protections from violence for elderly and disabled women. It also made technical amendments, and required grant recipients to submit reports on the effectiveness of programs funded by the grants to aid with the dissemination of information on successful programs. The bill amended the Public Health Service Act (P.L. 98-457) to require that certain funds be used exclusively for rape prevention and education programs. Moreover, the bill made it easier for battered immigrant women to leave and to help prosecute their abusers. Under the old law, battered immigrant women could be deported if they left abusers who are their sponsors for residency and citizenship in the United States. VAWA 2000 created special rules for alien battered spouses and children to allow them to remain in the United States.[4]

Changes in Federal Criminal Law. To help combat violence against women, the original VAWA rewrote several areas of federal criminal law. Penalties were created for interstate stalking or domestic abuse in cases where an abuser crossed a state line to injure or harass another, or forced a victim to cross a state line under duress and then physically harmed the victim in the course of a violent crime. Additionally, the law strengthened existing penalties for repeat sexual offenders and required restitution to victims in federal sex offense cases. VAWA called for pretrial detention in federal sex offense or child pornography felonies and allowed evidence of prior sex offenses to be used in some subsequent trials regarding federal sex crimes. The law also set new rules of evidence specifying that a victim's past sexual behavior generally was not admissible in federal civil or criminal cases regarding sexual misconduct. Rape victims were allowed to demand that their alleged assailants be tested for HIV, the virus that is generally believed to cause AIDS. A

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[2] (...continued)
1998: Report: Evaluation of the STOP Formula Grants Under the Violence Against Women Act of 1994 (Washington, D.C.: Urban Institute, 1998); and (2) Neal Miller, *National Evaluation of the Arrest Policies Program Under VAWA*, presented at the Bureau of Justice Statistics/Justice Research Statistical Association National Conference in Minneapolis, MN, November 2, 2000. Though both studies provide examples of effective programs funded by the grants, neither offers a conclusion as to the overall effectiveness of these grant programs.

[3] For detailed information on the grant programs, the application process, and grant programs in each state, please consult the Department of Justice's Office on Violence Against Women, at [http://www.usdoj.gov/ovw/ovwgrantprograms.htm].

[4] See CRS Report RL30559, *Immigration: Noncitizen Victims of Family Violence*, by Andorra Bruno and Alison Siskin.

federal judge could order such a procedure after determining that risk to the victim existed.

As in the original Act, VAWA 2000 created new stalking offenses, changing the law to create penalties for a person who travels in interstate or foreign commerce with the intent to kill, injure, harass, or intimidate a spouse or intimate partner, and who in the course of such travel commits or attempts to commit a crime of violence against the spouse or intimate partner. It also created penalties for a person who causes a spouse or intimate partner to travel in interstate or foreign commerce by force or coercion and in the course of such travel commits or attempts to commit a crime of violence against the spouse or intimate partner. The bill added the intimate partners of the victim as people covered under the interstate stalking statute, and made it a crime to use the mail or any facility of interstate or foreign commerce to engage in a course of conduct that would place a person in reasonable fear of harm to themselves or their immediate family or intimate partner. Additionally, VAWA 2000 created penalties for any person who travels in interstate or foreign commerce with the intent of violating a protection order or causes a person to travel in interstate or foreign commerce by force or coercion and violates a protection order.[5]

Debate over Gender Inclusiveness. Although the programs in the original VAWA law tended to be popular among criminal justice practitioners, and VAWA 2000 passed with almost unanimous support in Congress, VAWA did have its critics. Most of the criticisms of VAWA and VAWA 2000 came from those who felt that violence was a problem of both men and women, and that both men and women were victims of domestic violence. They argued that the programs in VAWA only addressed the needs of women victims.[6] Opponents of the law also felt that the legislation was paternalistic; it implied that women needed special protections.[7] Proponents of VAWA argued that the language of the law was gender-neutral and that programs could address the needs of men as well as women.[8]

Civil Rights and Supreme Court Ruling.[9] Under Title IV, subtitle C — "Civil Rights for Women," of the 1994 Act, language was included that would have permitted private damage suits in federal court by victims of "gender motivated violence." This provision was struck down (5-4) on May 15, 2000, by the Supreme Court in *United States* v. *Morrison* as unconstitutional under the Commerce Clause

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[5] P.L. 106-386, Section 1107.

[6] For more information see the American Coalition for Fathers & Children homepage, at [http://www.acfc.org], visited on June 5, 2007.

[7] Stephanie Gutmann, "Are All Men Rapists?" *National Review*, vol. 45, August 1993, pp. 44-47; Cathy Young, "Act Stirs Up Debate on Crime and Gender," *Insight*, vol. 9, November 29, 1993, pp. 12-16.

[8] For more information, see the National Coalition Against Domestic Violence homepage, at [http://www.ncadv.org].

[9] For a detailed analysis of *United States v. Morrison*, 529 U.S. 598 (2000), and its effect on VAWA, see CRS Report RS20584, United States v. Morrison: *The Supreme Court Declares 42 U.S.C. § 13981 Unconstitutional*, by T.J. Halstead, May 22, 2000.

and the Fourteenth Amendment.[10] The Court found that such violence did not substantially affect interstate commerce. It further noted that the Fourteenth Amendment is directed at state actions, not those of private citizens. None of the other provisions of the 1994 Act have been challenged in the Supreme Court.

Unaffected by the court decision were grant programs created by VAWA and placed within DOJ and HHS. These programs are administered by the states and funds can be allocated by the states to state agencies, Indian tribal governments, units of local government and private nonprofit groups, and include grants to improve law enforcement and prosecution of violent crimes against women, grants to encourage arrests in domestic violence incidents, moneys for rural domestic violence and child abuse enforcement, rape prevention and education programs, and grants for battered women's shelters, among others. (A national domestic violence hotline is funded to a single contractor under the administration of HHS.) The following sections describe grant programs created by the original VAWA, followed by a section on additional initiatives created in VAWA 2000, and a subsequent section on the most recent reauthorization of VAWA in 2005.

Original VAWA Grant Programs

Law Enforcement and Prosecution (Special Training Officers and Prosecutors, or STOP) Grants. The purpose of STOP grants, administered by the Attorney General, is to help state governments, Indian tribal governments, and units of local government strengthen law enforcement, prosecution, and victims' services in cases involving violent crimes against women. These grants may be used to provide personnel, training, technical assistance, data collection, and other equipment to increase the apprehension, prosecution, and adjudication of persons committing violent crimes against women. Activities may include

- training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women, including those of sexual assault, domestic violence, and dating violence;
- developing, training, or expanding units of law enforcement officers and prosecutors specifically targeting violent crimes against women;
- developing and implementing more effective police and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying and responding to violent crimes against women;
- developing, installing, or expanding relevant data collection and communication systems;
- developing, enlarging, or strengthening programs for relevant victim services to address stalking and to address the needs and circumstances of Indian tribes in dealing with violent crimes against women including dating violence;

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[10] Nonetheless, victims can still bring damage suits in state courts.

- developing, enlarging, or strengthening programs to assist law enforcement and the courts to address the needs of older individuals and individuals with disabilities who are the victims of domestic violence and sexual assault;
- coordinating the response of state law enforcement agencies, prosecutors, courts, victim service agencies, and other state agencies to violence crimes against women, including dating violence; and
- training of sexual assault forensic medical personnel in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault.

At least 25% of each grant must be allotted, without duplication, to each of three areas, respectively: prosecution, law enforcement, and victim services. Of the amounts appropriated: 5% is allocated to Indian tribal governments; $600,000 is available for grants to applicants in each state; 5% of the funds must be set aside for state sexual assault and domestic violence coalitions; and the remaining funds are to be distributed to applicants in each state on the basis of relative population. [Section 40121]

State Domestic Violence and Sexual Assault Coalition Grants. These grants are distributed by the Attorney General for state domestic violence and sexual assault coalitions. Such coalitions shall further the purposes of domestic violence or sexual assault intervention and prevention through information and training. Each state, the District of Columbia, Puerto Rico, and the combined U.S. Territories should receive 1/53rd of the funds allocated. In addition, 2.5% of the STOP funds are set aside, each, for state sexual assault and domestic violence coalitions.

Rape Prevention and Education Grants. The funds for these grants are added to the Preventive Health Services Block Grants monies already distributed to the states by HHS. The grants may be used by the states for rape prevention and education programs conducted by rape crisis centers or similar nongovernmental nonprofit entities. Specifically, these grants may be used for

- educational seminars
- operation of rape crisis hotlines
- training programs for professionals
- the preparation of training materials
- education and training for students and campus personnel
- education to increase awareness about drugs used to facilitate rapes or sexual assaults
- other efforts to increase awareness or prevent sexual assault especially in underserved communities.

Of the monies provided to the states 25% must be used for education in middle, junior high, and high schools. Grants are made on the basis of the relative population of each state. [Sections 40151-40152]

National Domestic Violence Hotline. These funds are authorized for the Secretary of HHS to make a grant to a private, nonprofit entity to provide for the operation of a national, toll-free telephone hotline to provide information and assistance to victims of domestic violence. The grant may fund the use and operation of the telephone line; the employment, training, and supervision of personnel to answer calls and provide counseling and referral services on a 24-hour basis; the establishment of a database with information and services available for victims of domestic violence; and the advertisement of the hotline to potential users nationwide. [Section 40211] This program has been reauthorized through FY2008, outside of the VAWA reauthorization process, through the Keeping Children and Families Safe Act (P.L. 108-36), described later in this report.

Grants to Encourage Arrest Policies in Domestic Violence Cases. The purpose of these grants is to assist state governments, Indian tribal governments, and units of local government in treating domestic violence as a serious violation of criminal law. Grants may be used to

- implement mandatory arrest or pro-arrest programs and policies in police departments;
- develop policies and training in police departments to improve tracking of cases involving domestic violence and dating violence;
- centralize and coordinate police enforcement, prosecution, or judicial responsibility for domestic violence cases;
- coordinate computer tracking systems to ensure communication between police, prosecutors, and the courts;
- strengthen legal advocacy service programs for victims of domestic violence and dating violence;
- develop or strengthen policies and training for the police, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence and sexual assault against older individuals and individuals with disabilities; and
- educate judges about domestic violence and improve judicial handling of such cases.

Applicants must certify that their laws or official policies encourage or mandate arrest policies in domestic violence cases and do not require the abused to bear the costs associated with the filing of criminal charges. Priority is given to applicants who do not currently provide for centralized handling of cases involving domestic violence by police, prosecutors, and the courts, and to those who demonstrate a commitment to strong enforcement and prosecution of such cases. For more information consult [http://www.usdoj.gov/ovw/arrest_grant_desc.htm]. [Section 40231]

Grants for Battered Women's Shelters. These grants are distributed by the Secretary of HHS for battered women's shelters. The grants for each state are allocated based on the relative population of the state except that (1) each state is allocated not less than 1% of the total grant or $600,000 which ever is less; and (2) Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands are allotted not less than one-eighth of 1% of the amounts available for grants. [Section 40241] This program has been

reauthorized through FY2008, outside of the VAWA reauthorization process by the Keeping Children and Families Safe Act (P.L. 108-36), described later in this report.

Community Programs on Domestic Violence. These grants are provided by the Secretary of HHS to nonprofit private organizations for the purpose of establishing projects in local communities to coordinate intervention and prevention efforts against domestic violence.

Grants fund local projects that coordinate efforts among such sectors as health care providers, the education community, the religious community, the criminal justice system, human service entities, and business and civic leaders. Grants may be made for up to three years and are to be geographically dispersed throughout the country. [Section 40261]

National Stalker and Domestic Violence Reduction Grants. The Attorney General is authorized to make grants to states and units of local government to improve data entry for cases of stalking and domestic violence in local, state, and national crime information databases most notably the National Crime Information Center (NCIC).

Applicants must certify that they have established a program that enters into the NCIC records of

- warrants for the arrest of persons violating protection orders intended to protect victims from stalking and domestic violence;
- arrests or convictions of persons violating protection or domestic violence; and
- protection orders for the protection of persons from stalking and domestic violence.

These grants are awarded on a need-based basis for entities that do not have this type of system in place. [Sections 40602-40607]

Rural Domestic Violence and Child Abuse Enforcement Grants. These grants are provided by the Attorney General to states, Indian tribal governments, or local governments of rural states, and to other public and private entities of rural states to (1) implement, expand and establish cooperative efforts and projects between law enforcement officers, prosecutors, victim advocacy groups, and other related parties to investigate and prosecute incidents of domestic violence, dating violence, and child abuse; (2) provide treatment and counseling to such victims; and (3) work cooperatively to develop education and prevention strategies at the community level. A minimum of 5% of the grant monies are allocated to Indian tribal governments For more information see [http://www.usdoj.gov/ovw/rural_grant_desc.htm]. [Section 40295]

Victims of Child Abuse Grants. VAWA amended the Victims of Child Abuse Act of 1990 to provide authorization for three purposes:

- the court-appointed special advocate program;
- child abuse training programs for judicial personnel and practitioners; and
- grants for televised testimony.

Priority for the court-appointed special advocate program grants is given to localities that do not have existing programs and to programs in need of expansion. Priority for child abuse training programs is given to programs that aim to improve the procedures of child service agencies. For more information, see CRS Report RL32976, *Child Welfare: Programs Authorized by the Victims of Child Abuse Act of 1990*, by Emilie Stoltzfus.

Federal Victims Counselors. This money is allocated to the U.S. Attorneys to appoint victims/witness counselors for prosecution of sex and domestic violence crimes where applicable. [Section 40114]

Grants to Reduce Sexual Abuse of Runaway, Homeless, and Street Youth. The Secretary of HHS may make grants to private, nonprofit agencies for prevention of sexual abuse and exploitation of runaway, homeless, and street youth. Funds may be used for street-based outreach and education, including treatment, counseling, provision of information and referrals for those subject to or at risk of sexual abuse. Priority is given to those agencies with experience in providing services to this population. These grants were reauthorized through FY2003 by P.L. 106-71; and subsequently through FY2008 by P.L. 108-96. [Section 40155] For more information on this program, see CRS Report RL33785, *Runaway and Homeless Youth: Demographics, Programs, and Emerging Issues*, by Adrienne L. Fernandes.

Equal Justice for Women in the Courts. The State Justice Institute and the Federal Judicial Center, respectively, may make grants to provide model programs involving training of judges and court personnel in state and federal courts on rape, sexual assault, domestic violence, and other gender motivated crimes.

The State Justice Institute grants may be used to train Indian tribal judges and court personnel in the laws on rape, sexual assault, domestic violence, dating violence, and other crimes of violence motivated by the victim's gender. The funds may also be used for training on the issues raised by domestic violence and sexual assault in determining custody and visitation. At least 40% of funds must be expended on model programs regarding domestic violence and at least 40% of funds must be expended on model programs regarding rape and sexual assault.

The Federal Judicial Center grants may be used to educate and train judges on issues related to gender bias in the courts. [Sections 40411-414, 40421-422].

Initiatives Created in the Violence Against Women Act of 2000

Grant Programs

Grants for Legal Assistance to Victims. VAWA 2000 authorized the Attorney General to award grants to private nonprofit entities, Indian tribal governments, and publically funded organizations to increase the availability of legal assistance to victims of domestic violence, stalking, or sexual assault in legal matters, such as immigration, housing matters, and protection orders, at minimum or no cost to the victim. These grants may be used to establish or expand cooperative efforts between victim services organizations and legal assistance providers, by providing training, technical assistance, and data collection. [Section 1201]

Short Term Transitional Housing. VAWA 2000 included grants to be administered by HHS for short-term transitional housing assistance and support services for victims of domestic abuse. [Section 1203]

Older and Disabled Individuals. VAWA 2000 amended the language of the existing STOP grants and "Grants to Encourage Arrest Policies" to provide funds to increase protection of older individuals and individuals with disabilities from domestic violence and sexual assault through policies and training for police, prosecutors, and the judiciary. It also created new grants, administered by the Attorney General, for training programs to assist law enforcement officers, prosecutors, and court officials in addressing, investigating and prosecuting instances of elder abuse, neglect, and exploitation, and violence against individuals with disabilities, including domestic violence and sexual assault. [Section 1209]

Safe Haven Pilot Program. VAWA 2000 authorized the Attorney General to award grants to state, local, and Indian tribal governments to provide supervised visitation and safe visitation exchange for children involved in situations of domestic violence, child abuse, or sexual assault. [Section 1301]

Other Initiatives

Studies. Several studies were authorized in VAWA 2000. These included studies of (1) insurance discrimination against victims of domestic violence; (2) workplace effects of violence against women; (3) unemployment compensation for women who are victims of violence; and (4) parental kidnaping. VAWA 2000 also required the National Institute of Justice (NIJ) to develop a research agenda and plans to implement the agenda based on the National Academy of Sciences' recommendations in the report *Understanding Violence Against Women*. [Sections 1206-1208, 1303-1304]

Battered Immigrant Women Protection Act of 2000. VAWA 2000 contains the Battered Immigrant Women Protection Act of 2000, which provides for increased protection of immigrant women who are victims of domestic abuse, and creates special rules for alien battered spouses and children to allow them to remain in the United States. [Sections 1501-1513]

Dating Violence. VAWA 2000 established a definition for "dating violence" and amended the existing law so that STOP grants, Grants to Encourage Arrest Policies, and Rural Domestic Violence grants can be awarded for programs to combat dating violence, defined as

> violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (I) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. [Section 1109]

Task Force on Domestic Violence. VAWA 2000 established a task force to coordinate research on domestic violence. [Section 1407]

Program Reauthorizations in the 108th Congress

During the 108th Congress, legislation was enacted to reauthorize some VAWA programs that are administered by HHS: the Keeping Children and Families Safe Act (P.L. 108-36) and the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (the PROTECT Act, P.L. 108-21). In addition, the PROTECT Act created a new housing program for victims of domestic violence.

Transitional Housing Assistance

The Keeping Children and Families Safe Act (P.L. 108-36), amended the Family Violence Prevention and Services Act and reauthorized the HHS transitional housing assistance program at $25 million for each of FY2003 through FY2008. No funding, however, has been provided for this program, which was originally established in VAWA 2000.

The PROTECT Act contains provisions for transitional housing assistance that are very similar to the transitional housing program established within *HHS*. The PROTECT Act, however, provides for *DOJ* to administer the transitional housing assistance program. Among other provisions, the act directs the Attorney General, in consultation with the Director of the Office on Violence Against Women (OVW), to provide transitional housing assistance grants to states, units of local governments, Indian tribes, and other organizations. These grants can assist persons who need transitional housing because they are fleeing domestic violence, and for whom emergency shelter services are lacking or are inadequate. For 18 months, eligible persons can receive assistance with short-term housing (including rental), utilities payments, security deposits, and other expenses related to relocating to transitional housing. Grant recipients can waive the 18-month period and extend assistance for six more months to persons who have made a good-faith effort to acquire permanent housing but have been unsuccessful. In addition, a minor, an adult, or a dependent of such minor or adult who is escaping a domestic violence situation can receive support services to locate and secure permanent housing, and transportation, counseling, child care services, case management, employment counseling, and other assistance to become integrated into a community.

The act requires a grant recipient to prepare an annual report for submission to the Attorney General that describes the number of minors, adults, and dependents assisted and the types of housing assistance and support services that were provided. Each year, the Attorney General, with the Director of OVW, must submit a report to the House and Senate Judiciary Committees that compiles information provided annually by grant recipients. For grants, $30 million is authorized for each of fiscal years 2004 through 2008. Of this amount, the Attorney General in any fiscal year can use no more than 3% for salaries and administrative expenses. For the transitional housing program for FY2004, Congress appropriated $15 million as a separate line item in the FY2004 Consolidated Appropriations Act. Beginning in FY2005, this program has been funded as a set-aside within the STOP grant program.

National Domestic Violence Hotline and Battered Women's Shelters

The Keeping Children and Families Safe Act also reauthorized the national domestic violence hotline at $3.5 million for each of FY2004 through FY2008 and the battered women's shelters program at $175 million for each of FY2004 through FY2008.

Reauthorization of VAWA in the 109th Congress[11]

On January 5, 2006, President Bush signed into law the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005) (P.L. 109-162). VAWA 2005 reauthorizes many existing programs for FY2007 through FY2011, and authorizes a number of new programs for victims of domestic and dating violence, sexual assault, and stalking. The act emphasizes collaboration among law enforcement, health and housing professionals, and women, men, and youth alliances, and encourages community initiatives to address these issues. New programs seek to focus on young victims of violence; improve the health care system's response to violence; inform the public and employers about domestic and dating violence, sexual assault, and stalking; protect the privacy of victims of violence; provide housing assistance, including public housing, for battered women and children; and support outreach efforts to underserved populations such as ethnic, immigrant, and racial populations. In an effort to more closely monitor the status and performance of some of these programs, VAWA 2005 provides for some grant recipients to submit reports on policies and procedures they followed. The act also provides funding for studies and research on effective interventions that prevent both

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[11] Provisions of VAWA legislation related to immigrant victims of violence (Title VIII) are not addressed in this report. For information on these provisions, contact Andorra Bruno (7-7865) or Alison Siskin (7-0260). In addition, Title XI of the legislation is the Department of Justice Reauthorization Act; see CRS Report RL33111, *Department of Justice Reauthorization: Provisions to Improve Program Management, Compliance and Evaluation of Justice Assistance Grants*, by Nathan James.

acts and effects of domestic and dating violence, sexual assault, and stalking. A summary of VAWA 2005 follows.

Title I: Enhancing Judicial and Law Enforcement Tools to Combat Violence Against Women.

Sec. 101, STOP Grant Program. Section 101 of VAWA 2005 reauthorizes the existing STOP grant program at $225 million for each of fiscal years 2007 through 2011. Annual funding must be reserved as follows: 10% for Indian tribal governments; 2.5% for state domestic violence coalitions, with 1/56 of funding for the coalitions for each state, the District of Columbia, and the U.S. territories.

The act adds three new purposes to the existing 11 purposes for STOP grants. The 12th purpose for STOP grants is to maintain core victim services and criminal justice initiatives while supporting complementary new initiatives and emergency services for victims and their families. The 13th purpose is to support the placement of special victim assistants (to be known as Jessica Gonzales Victim Assistants) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault and stalking and personnel in local law enforcement agencies to improve enforcement of protection orders. The 14th purpose of STOP grants is to provide funding to law enforcement agencies, nonprofit nongovernmental victim services providers and state, tribal, territorial, and local governments (this funding stream is to be known as the Crystal Judson Domestic Violence Protocol Program) to promote development and implementation of training for local victim domestic violence service providers and to fund victim services personnel (to be known as Crystal Judson Victim Advocates). Further, the purpose is to implement protocols within law enforcement agencies to ensure consistent and effective responses to acts of domestic violence by personnel within these agencies; and to develop these protocols in collaboration with state, tribal, territorial, and local service providers and domestic violence coalitions.

Training, Technical Assistance, and Data Collection. VAWA 2005 further amends the STOP grant program by adding a new subsection on Training, Technical Assistance, and Data Collection, which requires that a minimum of 3% and up to a maximum of 8% of funds appropriated be used for training and technical assistance relating to the purpose areas of this part to improve the capacity of grantees, subgrantees and other entities. In addition, the act requires the Director of the Office on Violence Against Women (OVW) to ensure that training and technical assistance on violence against Indian women will be developed and provided by entities with expertise in tribal law and culture and federal Indian law.

Forensic Medical Exams. The act permits a state or Indian tribal government to use STOP grant funds to pay for forensic medical exams that are performed by persons trained to examine victims of sexual assault. If, however, a state or Indian tribal government requires victims of sexual assault to have their insurance carriers reimburse them for the cost of such examinations, federal funds may not be used to pay for them. Further, the act provides that nothing in this section shall be construed to permit a state or Indian tribal government to require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to receive a forensic medical exam, reimbursement for charges incurred on account

of such an exam, or both. It adds a provision on judicial notification, which would deny a state or unit of local government funds under this part unless the state or unit of local government (1) certifies that its judicial administrative policies and practices include notification to domestic violence offenders of certain requirements applicable to them; and (2) assures the Attorney General that its judicial administrative policies and practices will be in compliance with this requirement within the later of the date on which the next session of the state legislature ends or in two years. The act provides for distribution to other states and units of local government, pro rata, any funds withheld from a state or unit of local government under this subsection.

Polygraph Testing Prohibitions. In amending STOP grants, VAWA 2005 provides a new section on Polygraph Testing Prohibitions, which requires that within three years of enactment a state, Indian tribal government, territorial government, or unit of local government must have laws, policies and practices prohibiting victims of sexual assault from having to submit to polygraph tests before an investigation or prosecution of the crime in order to be eligible for STOP grant funding. The refusal of a victim to submit to an examination must not prevent an investigation, charging, or prosecution of the offense.

Sec. 102: Grants to Encourage Arrests and Enforce Protection Orders. VAWA 2005 amends grants to encourage arrests and enforce protection orders to add dating violence, sexual assault and stalking, mandatory arrest programs, and protection order registries to the purpose of the existing grant program. It adds five more purposes to the existing eight for which the Attorney General can make grants. The 9th purpose under this section is to develop state, tribal, territorial, or local policies, procedures, protocols, and methods that prevent dual arrests and prosecutions in cases of domestic, dating, and sexual violence and stalking, and that effectively identify the pattern of abuse that indicates the actual perpetrator of abuse. The 10th purpose for which grants can be made is to plan, develop, and establish comprehensive victim service and support centers at one central site where law enforcement officers, attorneys, private and public victim service organizations, and other relevant groups can collaborate on improving safety, access to services, and confidentiality for victims and families of domestic violence, dating violence, sexual assault, and stalking. The 11th purpose is to develop and implement policies and training that help law enforcement personnel and the judiciary recognize, investigate, and prosecute sexual assault, and especially to recognize the threat of a perpetrator of such behavior repeating the crime. The 12th purpose is to develop, enhance, and maintain protection order registries. The 13th purpose is to develop human immunodeficiency virus testing programs for sexual assault perpetrators, as well as notification and counseling protocols.

For grants to encourage arrest and enforce protection orders, the act authorizes appropriations of $75 million for each of fiscal years 2007 through 2011. A state would not be entitled to 5% of funds allocated under this part (1) unless it certifies that it has a law or regulation that permits a victim of a sexual assault to request the state or unit of local government to test the accused perpetrator of the assault within 48 hours of when an information or indictment is presented for the crime; it notifies the victim or parent and guardian of the victim, and the defendant of the test results as soon as practicable; and it provides appropriate followup tests for HIV; or (2) it assures the Attorney General that it will comply with these requirements by the date

on which the next session of the state legislature ends or within two years, whichever is later. A minimum of 10% of funds appropriated each fiscal year for grants under this section must be available for grants to Indian tribal governments.

Training, Technical Assistance, and Data Collection. VAWA 2005 adds a new section on Training, Technical Assistance, and Data Collection, which provides that of appropriations under this part, not less than 5% and up to 8% must be available for providing training, technical assistance, and data collection to improve the capacity of grantees, subgrantees, and other entities.

Sec. 103: Legal Assistance for Victims. VAWA 2005 amends Legal Assistance for Victims, providing that civil and criminal legal assistance be made available to provide effective aid to adult and youth victims of domestic and dating violence, sexual assault, and stalking. It limits criminal legal assistance provided under this section to criminal matters on domestic and dating violence, sexual assault, and stalking. The act provides grants to tribal and territorial organizations. Further, it adds territorial organizations to the list of entities that must be consulted in developing a training program to assist victims. The act authorizes to be appropriated $65 million for each of fiscal years 2007 through 2011, respectively, for this section, providing that a minimum of 10% of these funds each fiscal year must be for grants to assist adult and youth victims who are members of Indian tribes.

Sec. 104: Ensuring Crime Victim Access to Legal Services amends the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (P.L. 105-119; 111 Stat. 2510) by, among other provisions, providing legal services to a victim of sexual assault or trafficking in the United States or to a victim who qualifies for immigration relief.

Sec. 105: Violence Against Women Act Court Training and Improvements. VAWA 2005 creates a new Violence Against Women Act Court Training and Improvements. To improve court responses to adult, youth, and minor domestic violence, dating violence, sexual assault, and stalking, the act authorizes grants for the following uses: (1) to improve internal civil and criminal court functions, responses, practices, and procedures; (2) for education for court-based and court-related personnel on issues relating to victims' needs, including safety, security, privacy, confidentiality and economic independence, as well as information about perpetrator behavior and best practices for holding perpetrators accountable; and (3) for collaboration and training with federal, state, and local public agencies and officials as well as nonprofit, nongovernmental organizations to improve implementation and enforcement of relevant federal, state, tribal, territorial and local law. The 4th use of grants is to enable courts, court-based, or court-related programs to develop new or enhance current court infrastructure; community-based initiatives within the court system; offender management, monitoring and accountability programs; safe and confidential information-storage and -sharing databases within and between court systems; education and outreach programs to improve community access (including enhanced access for underserved populations); and other projects likely to improve court responses to domestic and dating violence, sexual assault, and stalking. The 5th use of grants is to provide technical assistance and data collection to tribal, federal, state, territorial, or local courts that wish to improve their practices and procedures or to develop new programs.

Eligible grantees are federal, state, territorial, tribal, or local courts or court-based programs. The act requires that national, state, tribal, territorial, or local private, nonprofit organizations have demonstrated expertise in developing and providing judicial education about domestic and dating violence, sexual assault, or stalking. Applicants for grants must certify in writing that (1) any courts or court-based personnel working directly with or making decisions about adult or youth parties experiencing domestic and dating violence, sexual assault or stalking have completed or will complete education about those issues; (2) any education program is developed with significant input from a national, tribal, state, territorial or local victim services provider or coalition; and (3) the grantees do not require mediation or counseling between offenders and victims physically together in cases where domestic and dating violence, sexual assault, or stalking is an issue.

The act requires the Attorney General, through the Director of OVW, to develop a national education curriculum for use by state and national judicial educators to ensure that all courts and court personnel have access to appropriate information about relevant federal, state, territorial or local law, promising practices, procedures, and policies on court responses to adult and youth victims of domestic and dating violence, sexual assault, and stalking.

The act also requires the Attorney General, through OVW, to develop education curricula for tribal court judges and to ensure that all tribal courts have relevant information about promising practices, procedures, and policies and law on tribal court responses to adult and youth victims of domestic and dating violence, sexual assault, and stalking.

For this new subtitle, the act authorizes to be appropriated $5 million for each of fiscal years 2007 to 2011, of which a minimum of 10% annually must be used for grants to tribal courts, tribal court-related programs and tribal nonprofits.

Sec. 106: Full Faith and Credit. VAWA 2005 amends existing provisions that give full faith and credit to the protection orders of other states or tribes, by also adding territories. The act clarifies that any protection order issued by the court of one state, Indian tribe or territory must be accorded full faith and credit by the court and law enforcement personnel of the other state, Indian tribal government, or territory and must be enforced by the court and law enforcement personnel of the other state, Indian tribal government, or territory. Further, the act prohibits a state, Indian tribe, or territory from publishing on the Internet any information on the registration or filing of a protection order, restraining order, or injunction in either the issuing or enforcing state, tribal, or territorial jurisdiction, if publication of such information is likely to reveal the identity or location of the person being protected.

VAWA 2005 further amends existing law by deleting "protection order" from each place it appears and adding "protection order, restraining order, or injunction." It also redefines "protection order" and expands the definition of "spouse or intimate partner" to include a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Sec. 107: Privacy Protections for Victims of Domestic Violence, Dating Violence, Sexual Violence, and Stalking. VAWA 2005 creates a new subtitle, Privacy Protections for Victims of Domestic Violence, Dating Violence, Sexual Violence, and Stalking. This subtitle requires the Attorney General, through the Director of OVW, to award grants to states, Indian tribes, territories or local agencies or nonprofit, nongovernmental organizations to ensure that personally identifying information of adult, youth, and child victims of domestic violence, sexual violence, stalking, and dating violence is not released or disclosed to the detriment of such victimized persons. Eligible grantees include jurisdictions or agencies with jurisdiction having authority or responsibility for developing or maintaining public databases, registries or victim notification systems, nonprofit nongovernmental victim advocacy organizations with expertise on confidentiality, privacy and information technology, states or state agencies, local governments or agencies, Indian tribal entities, territorial governmental or private entities or nonprofit nongovernmental victim advocacy organizations. For this subtitle, the act authorizes to be appropriated $5 million for each of fiscal years 2007 through 2011, of which 10% annually must be for grants to Indian tribes for programs to assist victims of domestic and dating violence, stalking, and sexual assault; and a minimum of 5% for grants to organizations with expertise in confidentiality, privacy, and technology issues that affect victims of domestic and dating violence, stalking, and sexual assault, and technical assistance and training to grantees and non-grantees on how to improve safety, privacy, confidentiality, and technology to protect victimized persons.

Sec. 108: Sex Offender Management Program. VAWA 2005 reauthorizes the Sex Offender Management Program at $5 million for each of fiscal years 2007 through 2011.

Sec. 109: Stalker Database Program. VAWA 2005 also reauthorizes the Stalker Database Program at $3 million for each of fiscal years 2007 through 2011.

Sec. 110: Federal Victim Assistants. VAWA 2005 reauthorizes federal victim assistants for prosecuting sex and domestic violence crimes in the District of Columbia, providing $1 million for each of fiscal years 2007 through 2011.

Sec. 111: Grants for Law Enforcement Training Programs. These grants are authorized by VAWA 2005. It authorizes the Attorney General to award grants to states or local governments for training state and local law enforcement personnel in identifying and protecting victims of trafficking. The act limits spending on administrative expenses to a maximum of 5% of the total amount of funding received by a grantee. The act, however, provides that nothing in this section may be construed to restrict the ability of an eligible entity to apply for or obtain funding from any other sources to carry out training described in this section. It authorizes to be appropriated $10 million for each of the fiscal years 2007 through 2011 for this section.

Sec. 112: Court Appointed Special Advocate Program. The Court Appointed Special Advocate Program (CASA) is amended, changing the date from January 1, 1995, to January 1, 2010, by which CASAs would be available to all children who are victims of child abuse or neglect who need one. The act authorizes

state and local CASA programs to request criminal background checks from the FBI's criminal history database for prospective volunteers; however, the requesting program would be responsible for reasonable costs associated with the federal records check. The act also requires the DOJ Inspector General to report to Congress, by December 2006, on activities funded by the National CASA Association and a comparison of outcomes between cases where the CASAs are or are not involved. The act authorizes appropriations of $12 million for each of fiscal years 2007 through 2011 for CASA.

Sec. 113: Preventing Cyberstalking. The Preventing Cyberstalking section of VAWA 2005 amends the Communications Act of 1934, relating to telephone harassment, by expanding the definition of harassment to include voice-over Internet telephone calls.

Sec. 114: Criminal Provisions Related to Stalking. The act revises the current Criminal Provisions Related to Stalking by adding language directed at a person who travels in interstate, foreign commerce or within the U.S. maritime and territorial jurisdictions with the intent to kill, injure, harass, intimidate, or place under surveillance an individual and who, thereby, causes substantial emotional harm to the individual. New language also addresses stalking an individual by using any interactive computer service to engage in conduct that causes substantial emotional harm to an individual. The act provides a minimum penalty of one year for whoever commits the crime of stalking in violation of a temporary or permanent civil or criminal injunction, restraining order, no-contact order, or any other order described in 18 U.S.C. 2266.

Sec. 115: Repeat Offender Provision. VAWA 2005 establishes a new Repeat Offender Provision section of the U.S. criminal code, providing a maximum term of imprisonment of twice the term otherwise provided under this chapter for someone with a prior domestic violence or stalking offense conviction.

Sec. 116: Prohibiting Dating Violence. The Prohibiting Dating Violence section of VAWA 2005 amends the U.S. criminal code to prohibit a person from crossing a state line with the intent to injure, harass, or intimidate a person's intimate partner or dating partner, and protects an intimate partner or dating partner from any potential harms that could result from such travel or conduct. It defines a dating partner as a person who is or has been in a social relationship of a romantic or intimate nature with the abuser based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Sec. 117: Prohibiting Violence in Special Maritime and Territorial Jurisdiction. Section 117 amends the U.S. criminal code to prohibit domestic violence within U.S. maritime and territorial jurisdictions.

Sec. 118: Updating Protection Order Definition. Section 118 of VAWA 2005 amends criminal information collection requirements for the FBI by inserting a new definition of the term "protection order" that includes restraining order and sexual violence. It also provides that the term protection order includes "any support, child custody or visitation provisions, orders, remedies, or relief issued as part of a

protection order, restraining order, or stay away injunction pursuant to state, tribal, territorial, or local law authorizing the issuance of protection orders, restraining orders, or injunctions to protect victims of domestic and dating violence, sexual assault, or stalking."

Sec. 119: GAO Study and Report. In the GAO Study and Report section, VAWA 2005 requires the Comptroller General to conduct a study to determine the extent to which men, women, youth, and children are victims of domestic violence, dating violence, sexual assault, and stalking and the availability of services to such victims. Within a year of enactment, the Comptroller General must submit to Congress a report on activities carried out under this section.

Sec. 120: Grants for Outreach to Underserved Populations. VAWA 2005 authorizes Grants for Outreach to Underserved Populations, which authorize the Attorney General, through the Director of OVW, to award grants to eligible entities to conduct local, regional, or national public information campaigns that address adult, youth, or minor domestic violence, dating violence, sexual assault, stalking, or trafficking within tribal and underserved populations and immigrant communities. This campaign should include information on services available to victims and how to prevent or reduce domestic, dating, and sexual violence, stalking, or trafficking. The act authorizes to be appropriated $2 million for each of fiscal years 2007 through 2011 for this section.

Sec. 121: Culturally and Linguistically Specific Services. Section 121 of VAWA 2005 establishes a new grant program to enhance culturally and linguistically specific services for victims of domestic violence, dating violence, sexual assault, and stalking. It funds this new program by requiring the Attorney General, through the Director of OVW, to take 5% of appropriated amounts from five other VAWA programs — Grants to Encourage Arrest Policies, Legal Assistance for Victims, Rural Domestic Violence and Child Abuse Enforcement Assistance, Older Battered Women, and Disabled Women — and combine them into the new grant program. The Director awards two-year grants to community-based programs that address community-based efforts to address distinctive cultural and linguistic responses to violence, with a possible two-year extension of a grant. The Director must also provide technical assistance and training to grantees. The act requires the Director to issue a biennial report on the distribution of program funding, progress in increasing services to victims of violence, and types of culturally and linguistically accessible programs, strategies, technical assistance, and training developed or enhanced through this program. In addition, the Director is required to award a contract or cooperative agreement to evaluate programs under this section.

Title II: Improving Services for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking.

Sec. 202: Sexual Assault Services Program. VAWA 2005 creates a new Sexual Assault Services Program. Under this section, four grant programs are authorized to assist states, tribes, and territories in providing intervention, advocacy, support services, and related assistance to victims of sexual assault, their family and household members, and others collaterally affected by the victimization, except for the perpetrator of the crime. In addition, the program would provide technical

assistance and training on sexual assault to federal, state, tribal, territorial, and local governments, law enforcement agencies, courts, professionals in legal, social service and health care settings, nonprofit organizations, faith-based organizations, and other individuals and organizations seeking such assistance.

Under the first grant program, the Attorney General will award funds to states and territories for establishing, maintaining, and expanding *rape crisis centers* or other programs and projects to assist sexual assault victims. Intervention and related assistance includes 24 hour hotline services providing crisis intervention services and referral; accompaniment and advocacy through medical, criminal justice, and social support systems; crisis intervention, short-term individual and group support services and comprehensive service coordination and supervision in assisting sexual assault victims and family or household members; information and referral to assist a sexual assault victim and family or household members; community-based, linguistically and culturally specific services and support mechanisms, including outreach activities for racial and ethnic, and other underserved communities; and development and distribution of materials on issues related to these described services.

Of funds available for this grant, the Attorney General must allocate to each state not less than 1.5%, and the U.S. Virgin Islands, American Samoa, Guam, the District of Columbia, Puerto Rico, and the Commonwealth of the Northern Mariana Islands must be allocated 0.125% of the available funds.

Culturally Specific Programs Addressing Sexual Assault. The Attorney General is also to award, on a competitive basis, grants for culturally specific programs addressing sexual assault. To be eligible for these grants, an entity must be a private, nonprofit organization that focuses primarily on culturally specific communities; have documented organizational experience in the area of sexual assault intervention or be in partnership with an organization with such experience; be expert in developing community-based, linguistically and culturally specific outreach and intervention services relevant for the specific communities for which assistance is being provided or has the capacity to link to existing services in the community that are tailored to the needs of culturally specific communities; and have an advisory board or steering committee and staff with members who reflect the targeted racial and ethnic community. The Attorney General can not use more than 2.5% of funds available for this subsection for administration, monitoring, and evaluation of grants. Up to 5% of funds available for this subsection must be used for technical assistance by a national, nonprofit, nongovernmental organization or organizations whose primary focus and expertise is addressing sexual assault within racial and ethnic communities.

Grants to State, Territorial, and Tribal Sexual Assault Coalitions. Under the third grant program of this section, the Attorney General is authorized to award grants to state, territorial, and tribal sexual assault coalitions to assist in supporting their establishment, maintenance, and expansion. A minimum of 10% of funds available for this grant program must be used for grants to tribal sexual assault coalitions; of remaining funds, the Attorney General must allocate 1/56 to each state and territorial coalition.

Grants to Tribes. The fourth grant program authorizes the Attorney General to award grants to tribes and tribal organizations to operate sexual assault programs or projects in Indian country and Alaska Native villages for establishment, maintenance, and expansion of programs and projects that assist victims of sexual assault. Grants are for entities within Indian country and Alaskan native villages that provide direct intervention and related assistance.

For all activities under the new sexual assault services program, VAWA 2005 authorizes to be appropriated $50 million for each of the fiscal years 2007 through 2011. Total annual appropriations for each fiscal year are to be allocated as follows: the Attorney General can use no more than 2.5% for evaluation, monitoring, and administrative costs; not more than 2.5% can be used for technical assistance to grantees and subgrantees; not less than 65% must be used for rape crisis center grants to states and territories; not less than 10% must be used for grants to state, territorial, and tribal sexual assault coalitions; not less than 10% must be used for grants to tribes; and not less than 10% must be used for grants for culturally specific programs that address sexual assault.

Sec. 203: Amendments to the Rural Domestic Violence and Child Abuse Enforcement Assistance Program. Section 203 amendments establish that the program's purposes are to (1) identify, assess, and respond to child, youth, and adult victims of domestic, dating and sexual violence and stalking; (2) establish and expand nonprofit, nongovernmental, state, tribal, territorial, and local government victim services in rural communities to child, youth, and adult victims; and (3) to increase the safety and well-being of women and children in rural communities. VAWA 2005 authorizes the Attorney General, acting through the Director of OVW, to award grants to states, Indian tribes, local governments and nonprofit public or private entities (including tribal nonprofit organizations) for carrying out programs that serve rural areas or rural communities. Communities can address such violence by implementing, expanding, and establishing cooperative efforts and projects among law enforcement officers, prosecutors, victim advocacy groups, and other related parties to investigate and prosecute incidents of domestic and dating violence, sexual assault, and stalking; providing treatment, counseling, and other long- and short-term assistance to adult, youth, and minor victims of domestic and dating violence, sexual assault, and stalking in rural communities; and working in cooperation with the community to develop education and prevention strategies directed at such issues. The program is renamed the Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking and Child Abuse Enforcement Assistance Program.

The act provides that a minimum of 10% of the total amount made available for each fiscal year for rural domestic violence programs must be allocated for grants to Indian tribes or tribal organizations, and that a minimum of 25% of the total amount made available for each fiscal year must be allocated for grants that meaningfully address sexual assault in rural communities. This minimum percentage required to address sexual assault is increased to 30% in any fiscal year for which $45 million or more is appropriated; 35% in any fiscal year for which $50 million or more is appropriated; or 40% in any fiscal year for which $55 million or more is appropriated.

Of amounts appropriated for each fiscal year for this program, a maximum of 8% may be used by the Director of OVW for costs of technical assistance; and a minimum of 25% must be available for technical assistance to sexual assault grantees, provided by a nonprofit, nongovernmental organization whose focus and expertise is in addressing sexual assault.

In awarding rural domestic violence grants, the act requires the Director of OVW to give priority to the needs of underserved populations. A minimum of 75% of the total amount made available for each fiscal year for this section must be allocated to eligible entities in rural states. There is authorized to be appropriated $55 million for each of the fiscal years 2007-2011 for this section.

Sec. 204: Training and Services to End Violence Against Women with Disabilities. Section 204 amends existing law and authorizes the Attorney General, in consultation with the Secretary of HHS, to award grants (1) for training, consultation, and information on domestic and dating violence, stalking, and sexual assault against individuals with disabilities, and (2) for enhancing direct services to such individuals. Specifically, funds can be used to (1) provide personnel, training, technical assistance, advocacy, intervention, risk reduction, and prevention of domestic and dating violence, stalking, and sexual assault against disabled individuals; (2) conduct outreach activities to ensure that disabled individuals who are victims receive appropriate assistance; (3) conduct cross-training for victim service organizations, governmental agencies, courts, law enforcement, and nonprofit, nongovernmental organizations serving disabled individuals about risk reduction, intervention, prevention, and the nature of domestic and dating violence, stalking and sexual assault; (4) provide technical assistance to assist with modifications to existing policies, protocols, and procedures to ensure equal access to the services, programs, and activities of victim service organizations for disabled individuals; (5) provide training and technical assistance on the requirements of shelters and victim services organizations under federal antidiscrimination laws; (6) modify facilities, purchase equipment, and provide personnel so that shelters and victim service organizations can accommodate the needs of disabled individuals; (7) provide advocacy and intervention services for disabled individuals who are victims of domestic and dating violence, stalking, and sexual assault; and (8) develop model programs providing advocacy and intervention services within organizations serving disabled individuals who are victims of domestic and dating violence, stalking, and sexual assault or stalking.

There is authorized to be appropriated $10 million for each of the fiscal years 2007 through 2011.

Sec. 205: Training and Services to End Violence Against Women in Later Life. Section 205 amends existing law and authorizes the Attorney General, through the Director of OVW, to award grants for (1) training programs to assist law enforcement, prosecutors, governmental agencies, victim assistants, and relevant officers of federal, state, tribal, territorial, and local courts in recognizing, addressing, investigating, and prosecuting elder abuse, neglect, and exploitation of domestic and dating violence, stalking and sexual assault, and stalking against victims 50 years old or older; providing or enhancing elder victims of this abuse; (2) providing or enhancing services for victims of violence who are 50 years of age or older; (3)

creating or supporting multidisciplinary collaborative community responses to victims of elder abuse, neglect, and exploitation who are 50 years of age or older; and (4) conducting cross-training for victim service organizations, governmental agencies, courts, law enforcement, and nonprofit, nongovernmental organizations serving victims of elder abuse, neglect, and exploitation who are 50 years of age or older. For this program, there is authorized to be appropriated $10 million for each of the fiscal years 2007 through 2011.

Sec. 206: Strengthening the National Domestic Violence Hotline. Section 206 amends the Family Violence Prevention and Services Act to provide technology and telecommunication training and assistance for all persons affiliated with the National Domestic Violence Hotline.

Title III: Services, Protection, and Justice for Young Victims of Violence.

Sec. 302: Rape Prevention and Education. The existing Rape Prevention and Education program is reauthorized at $80 million in each fiscal year from 2007-2011, and $1.5 million for collecting and distributing sexual assault information through the National Sexual Violence Resource Center.

Sec. 303: Services, Education, Protection, and Justice for Young Victims of Violence adds a new subtitle to VAWA, authorizing four new programs. Services to Advocate For and Respond to Youth requires the Attorney General, in consultation with HHS, to make three-year grants to eligible entities to conduct domestic and dating violence, sexual assault, and stalking programs that serve 12- to 24-year-old teen and young adult victims of such violence. Program grantees must submit a report to the HHS Secretary. The act authorizes $15 million to be appropriated for each fiscal year from 2007 through 2011 for program grants.

Access to Justice for Youth. Another program under this Section 303 subtitle, Access to Justice for Youth, requires the Attorney General, through OVW, to make two-year grants to eligible entities to encourage cross training and collaborations between the courts, domestic violence and sexual assault service providers, and other similar groups working with law enforcement agencies to create and implement policies, practices, and procedures to protect and provide more widespread and effective service for 12- to 24-year-old victims of dating and domestic violence, sexual assault, and stalking. The act authorizes $5 million to be appropriated for each of fiscal years 2007-2011 for such grants.

Grants for Training and Collaboration on the Intersection Between Domestic Violence and Child Maltreatment. These three-year competitive grants are awarded to eligible entities for training and collaboration in order to enhance their responses to families in which both child maltreatment and domestic and dating violence occur. The Attorney General, in awarding such grants, must consider the needs of underserved populations. The act authorizes $5 million to be appropriated for each of fiscal years 2007 through 2011.

Grants to Combat Domestic Violence, Dating Violence, Sexual Assault, and Stalking in Middle and High Schools or Supporting Teens through Education and Protection Act of 2005 (STEP). Under these grants, the Attorney General is authorized, through the Director of OVW, to award grants to middle and high schools that work with domestic violence and sexual assault experts. These grants are for training school personnel, developing and implementing policies on safe responses to students who are victims of domestic and dating violence, providing educational programming, supporting mentoring programs, and assessing the impact of programs and policies created under this section. On a competitive basis, the OVW Director is authorized to make three-year grants to eligible entities. In support of this grant program, Congress authorizes to be appropriated $5 million for each of fiscal years 2007 through 2011.

Section 304: Grants to Combat Violent Crimes on Campuses. This section amends Section 826 of the Higher Education Amendments of 1998 regarding grants to combat violent crimes against women on campus. The Attorney General, through OVW, is authorized to award three-year competitive grants to individual higher education institutions in amounts of not more than $500,000, and for consortia of such institutions not more than $1 million. According to provisions of the law, no higher education institution will be eligible for a grant unless it complies with requirements under the Higher Education Act of 1965, related to mandatory reporting of campus security policy and crime statistics. Up to $200,000 of total appropriated grant funds for fiscal years 2007 through 2011 may be used for technical assistance to comply with these mandatory reporting requirements. Not later than 180 days after the end of the fiscal year for which grants are awarded, the Attorney General is required to submit a report to Congress with information on grants awarded. The act authorizes $12 million for FY2007 and $15 million for each fiscal year from 2008-2011 for such grants.

Sec. 305: Juvenile Justice. Section 305 amends the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)) to require an analysis of gender-specific services to prevent and treat juvenile delinquency, including the types of such services available and the need for them.

Sec. 306: Safe Havens for Children Pilot Program. VAWA 2005 amends the existing Safe Havens for Children Pilot Program by deleting reference to the program as a pilot. It requires the Attorney General to award grants through OVW. The act includes dating violence as a situation for supervised visitation and the safe visitation exchange of children. Furthermore, it adds provisions to (1) protect children from the trauma of witnessing domestic or dating violence, or from experiencing abduction, injury, or death during parent and child visitation exchanges; (2) protect parents or caretakers who are victims of domestic and dating violence from experiencing further violence, abuse, and threats during child visitation exchanges; and (3) protect children from the trauma of experiencing sexual assault or other forms of physical assault or abuse during parent and child visitation and visitation exchanges. The law authorizes $20 million for each fiscal year from 2007-2011 for this program.

Title IV: Strengthening America's Families by Preventing Violence.

Sec. 401: Strengthening America's Families by Preventing Violence Against Women and Children. VAWA 2005 adds a new subtitle to VAWA, Strengthening America's Families by Preventing Violence Against Women and Children, which contains three new programs. The purpose of this subtitle is to prevent violent crimes against family members, and domestic and dating violence, sexual assault, and stalking, including when committed against children and youth. Other purposes of the subtitle are to increase resources and services in order to reduce the effects of exposure to violence on children and youth; develop and establish education and services programs to prevent children in at-risk families from becoming victims or perpetrators of domestic and dating violence, sexual assault, or stalking; promote programs for children and youth that would end the cycle of violence and develop mutually respectful, nonviolent relationships; and encourage community-based groups to work with governmental agencies serving children and youth, health and mental health service providers, and service providers of domestic and dating violence, sexual assault, and stalking victims to prevent violence. In each of the three new programs, the Attorney General is required to consider the needs of underserved populations and to award a minimum amount of funds to Indian tribes and for technical assistance to grantees.

Grants to Assist Children and Youth Exposed to Violence. Under this subtitle, Grants to Assist Children and Youth Exposed to Violence authorize the Attorney General, through OVW and in collaboration with the HHS Secretary, to make two-year competitive grants to eligible entities for alleviating the effects of domestic and dating violence, sexual assault, and stalking on children exposed to such violence, and for reducing the risk of becoming future victims or perpetrators of such violence. The act authorizes $20 million for the grants for each fiscal year from 2007-2011.

Development of Curricula and Pilot Programs for Home Visitation Projects. The Attorney General, through the Director of OVW and in collaboration with HHS, is authorized to award two-year grants on a competitive basis to home visitation programs that collaborate with victim service providers to develop and implement model policies and procedures for training home visitation service providers on addressing domestic and dating violence, sexual assault, and stalking in families experiencing such violence or at risk of becoming violent. For this section, the act authorizes to be appropriated $7 million for each of fiscal years 2007 through 2011.

Engaging Men and Youth in Preventing Domestic Violence, Dating Violence, Sexual Assault, and Stalking. Provisions of the third new program under this section, Engaging Men and Youth in Preventing Domestic Violence, Dating Violence, Sexual Assault, and Stalking, authorize the Attorney General, acting through the OVW Director and in collaboration with HHS, to award two-year grants on a competitive basis to eligible entities for developing or enhancing programs that engage men and youth in preventing domestic and dating violence, sexual assault, and stalking by helping them to develop mutually respectful, nonviolent relationships. VAWA 2005 authorizes to be appropriated $10 million for each of fiscal years 2007 through 2011 for this section.

Sec. 402: Study Conducted by the Centers for Disease Control and Prevention. Calling for a Study Conducted by the Centers for Disease Control and Prevention, VAWA 2005 requires the HHS Secretary, acting through the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, to make grants to entities in support of research to study prevention and intervention programs that foster an understanding of sexual and domestic violence committed by and against adults, youth, and children. Such entities would be required to include sexual assault coalitions and programs, research groups, tribal organizations, and academic institutions. Research conducted under this section must include evaluation and study of best practices for reducing and preventing violence against women and children, including underserved communities. The measure authorizes $2 million for each fiscal year from 2006 through 2011 for such research grants.

Sec. 403: Public Awareness Campaign. Section 403 requires the Attorney General, acting through OVW, to make grants to states for carrying out a campaign to increase public awareness of issues on domestic violence against pregnant women. The act authorizes to be appropriated such sums as may be necessary for each of the fiscal years 2006 through 2010.

Title V: Strengthening the Health Care System's Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking.

Sec. 503. Training and Education of Health Professionals in Domestic and Sexual Violence. Section 503 contains provisions that are intended to improve the health care system's response to domestic and dating violence, sexual assault, and stalking through training and education for health care providers, developing comprehensive public health responses to violence against women and children, increasing the number of women screened, identified, and treated for lifetime exposure to violence, and expanding research on effective interventions in the health care setting. For training and education of health professionals in domestic and sexual violence, the act authorizes appropriations of $3 million for each of fiscal years 2007 through 2011.

Section 504. Grants to Foster Public Health Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grants. Section 504 requires the Secretary of HHS, acting through the Director of the Centers for Disease Control and Prevention, to award grants to eligible state, tribal, territorial or local entities to strengthen their response to domestic and dating violence, sexual assault, and stalking. Grants awarded under this section must not exceed two years. The act authorizes funding of $5 million for each of fiscal years 2007 through 2011 for research on effective interventions in the health care setting.

Sec. 505: Research on Effective Interventions in the Healthcare Setting. VAWA adds a new section on Research on Effective Interventions in the Healthcare Setting. This section authorizes the Secretary of HHS, acting through the Director of the Centers for Disease Control and Prevention, to award grants and contracts for funding research on effective interventions in health care settings that prevent domestic violence, dating violence, and sexual assault across the life span, prevent the health effects of such violence, and improve the safety and health of victims of

such violence. To carry out this section, the act authorizes to be appropriated $5 million for each of fiscal years 2007 through 2011.

Title VI: Housing Opportunities and Safety for Battered Women and Children.

Sec. 601: Housing Needs of Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking. VAWA 2005 addresses the safety of victims of domestic, dating, and sexual violence and stalking who live in homeless shelters, public housing, assisted housing, tribally designated housing, or other emergency, transitional, permanent or affordable housing; is intended to create long-term housing solutions for victims of such violence; encourages collaboration among victim service providers and housing providers; and enables public and other entities that provide housing to battered victims to respond appropriately to domestic, dating, and sexual violence and stalking while maintaining a safe environment for all housing residents. The law amends VAWA adding a new subtitle, Addressing the Housing Needs of Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking, that creates two new programs to provide long-term housing for victims of domestic and sexual violence and to protect the safety of these housing residents.

Collaborative Grants to Develop Long-Term Housing for Victims. This provision requires the Secretary of HHS, acting through the Administration on Children, Youth and Families (ACYF) and in consultation with the Secretary of Housing and Urban Development (HUD), to award grants, contracts, or cooperative agreements for a minimum of two years to eligible entities to develop long-term housing options for adult and youth victims of domestic violence, dating violence, sexual assault, and stalking, who are currently homeless or at risk of becoming so. It requires the Secretary of HHS to award funds in amounts not less than $25,000 per year and not more than $1 million per year.

In addition, each eligible entity applying for funds under this section must demonstrate that it is a coalition or partnership, applying jointly, and that it must include a domestic violence victim service provider, a homeless service provider, a nonprofit, nongovernmental community housing development organization or a Department of Agriculture rural housing services program or a tribally designated housing entity or tribal housing consortium in the absence of a homeless service provider on tribal lands. An eligible entity may also include a dating violence, sexual assault, or stalking victim service provider; housing developers, corporations, state housing finance agencies, other housing agencies, and associations representing landlords; a public housing agency or tribally designated housing entity; tenant organizations in public or tribally designated housing; other nonprofit, nongovernmental organizations participating in HUD's Continuum of Care process; a state, tribal, territorial or local government or government agency; and any other agency or nonprofit, nongovernmental organizations with the capacity to effectively help adult and youth victims of domestic and dating violence, sexual assault, or stalking. For each of FY2007 through FY2011, $10 million is authorized for these collaborative grants.

Grants to Combat Violence Against Women in Public and Assisted Housing. These grants seek to assist eligible grantees in responding appropriately to domestic and dating violence, sexual assault, and stalking so that victims of such crimes are not denied or do not lose housing as a result of being a victim. The Attorney General, acting through the Director of OVW and through ACYF and in consultation with the Secretary of HUD, on a competitive basis can award grants and contracts for a minimum of two years to eligible grantees to promote full and equal access to and use of housing by adult and youth victims of domestic violence, dating violence, sexual assault, and stalking. Eligible grantees include public housing agencies, public housing resident management corporations, projects owned by public housing agencies, tribally designated housing entities, and private owners or managers of assisted housing. Grantees must certify that they do not limit residents' rights to call for assistance in case of domestic or dating violence, sexual assault, or stalking; that they will give preference in housing to victims of such violence; that they do not discriminate for reasons related to such violence; and that their plans are developed with input from victim service providers, tenant organizations, culturally specific service providers, and domestic violence and sexual assault coalitions. Grants are to be used to develop and implement policies, practices, and procedures, making physical improvements or changes, and developing collaborations for enabling victims of violence to access and live safely in assisted housing and to have their confidentiality protected. For each of FY2007 through FY2011, $10 million is authorized for these grants.

Sec. 602. Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. Section 602 reauthorizes the existing transitional housing program administered by DOJ at $40 million per year for FY2007 through FY2011. VAWA 2005 amends the program to provide assistance for up to 24 months, rather than 18. The act requires the Attorney General to consult with HUD and HHS in awarding funds for this program, and also makes clear that participation in support services provided through the program is voluntary.

Sec. 603: Public Housing Authority Plans Reporting Requirement. This section requires public housing agencies to include in their five-year plans a statement of goals, objectives, policies, or programs that will enable them to serve the needs of child and adult victims of domestic or dating violence, sexual assault, or stalking.

Sec. 604: Housing Strategies. Section 604 amends the Cranston-Gonzales National Affordable Housing Act, which requires states and localities to develop housing strategies to include the victims of domestic or dating violence, sexual assault, or stalking among the groups whose housing needs should be projected and addressed.

Sec. 605: Amendments to the McKinney-Vento Homeless Assistance Act. Amendments included in VAWA 2005 require that victim service providers that receive HUD homeless assistance funds may not disclose personally identifying information about a client to the Homeless Management Information System.

Sec. 606: Amendments to the Low-Income Housing Assistance Voucher Program. These amendments prohibit discrimination in the Section 8 program against victims of domestic or dating violence, sexual assault or stalking; provide that incidents of violence or stalking are not grounds for eviction; and provide that criminal activity related to violence or stalking are not grounds for evicting a tenant who is the victim or whose family member is the victim. The act allows landlords to bifurcate a lease if necessary to evict a perpetrator of violence, and also makes clear that landlords still have the authority to evict victims of domestic violence for reasons unrelated to the violence or when necessary to protect other tenants or employees from actual or imminent threat.

Sec. 607: Amendments to the Public Housing Program. These amendments are similar to the amendments to Section 8, described immediately above.

Title VII: Providing Economic Security for Victims of Violence.

Sec. 701: National Resource Center. VAWA 2005 creates a new subtitle, National Resource Center. Under this program, the Attorney General, acting through the Director of OVW, must award a grant to an eligible nonprofit nongovernmental entity or tribal organization for establishment and operation of a national resource center on workplace responses to assist victims of domestic and sexual violence. The recipient of this grant can use funds for staff salaries, travel expenses, equipment, printing, and other reasonable expenses necessary to develop, maintain, and disseminate to employers and labor organizations information concerning workplace responses to assist victims of domestic or sexual violence. These responses may include providing training to promote a better understanding of appropriate workplace assistance to domestic or sexual violence victims; providing conferences and other educational opportunities; and developing protocols and model workplace policies. The compliance or noncompliance of any employer or labor organization with any protocol or policy developed by an entity or organization under this section shall not serve as a basis for liability in tort or by any other means. The act also provides that no protocol or policy developed by an entity or organization may be referenced or enforced as a workplace safety standard by any federal, state, or other governmental agency. Authorized funding for this section is $1 million for each of fiscal years 2007 through 2011.

Title IX: Safety for Indian Women.[12]

Title IX of VAWA 2005 focuses on violence against Indian women. It requires DOJ consultation with tribes, annually, and DOJ studies covering tribes and certain violent crimes against Indian women; grants tribes access to DOJ crime-related databases; authorizes Indian tribal grants funded by enlarged set-asides from other VAWA programs; creates an Indian-related deputy director in OVW; and amends certain criminal laws and laws relating to Bureau of Indian Affairs (BIA) law enforcement powers.

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[12] This section was prepared by Roger Walke, Specialist in American National Government at CRS.

Sec. 903: Consultation. This section requires the Attorney General to consult annually with Indian tribal governments on federal administration of VAWA tribal funds and programs, and requires the Attorney General and the Secretary of HHS to solicit recommendations from Indian tribes concerning: federal administration of these funds and programs, enhancing the safety of Indian women from domestic and dating violence, sexual assault, and stalking strengthen, and strengthening the federal response to such violence.

Sec. 904. Analysis and Research on Violence Against Indian Women. Section 904 of Title IX requires that National Institute of Justice, in consultation with OVW, conduct a national baseline study on domestic and dating violence, sexual assault, stalking, and murder of Indian women, to include an evaluation of, and recommendations for improving, the effectiveness of federal, state, tribal and local responses to these crimes. The Attorney General, through OVW, must establish a task force representing tribal governments and organizations to assist in developing and implementing this baseline study. For the national baseline study, Title IX authorizes to be appropriated $1 million for each of fiscal years 2007 and 2008.

Title IX also requires the Secretary of HHS, acting through the Indian Health Service and the Centers for Disease Control and Prevention, to conduct a study to obtain a national projection of the incidence of injuries and homicides resulting from domestic and dating violence, sexual assault, and stalking against American Indian and Alaska Native women as well as the cost of providing health care for those injuries. The act authorizes to be appropriated $500,000 for each of fiscal years 2007 and 2008 for this purpose.

The reports describing these studies' findings and recommendations are to be submitted within two years to the Senate Committees on Indian Affairs and on the Judiciary and to the House Judiciary Committee.

Sec. 905: Tracking of Violence Against Indian Women. Federal law requires the Attorney General to collect crime information and disseminate the data to federal, state, and local governments, and penal and certain other institutions. To track violence against Indian women, Title IX requires the Attorney General to allow Indian law enforcement agencies both to enter information into these national crime information databases for cases involving domestic and dating violence, sexual assault, and stalking, and to obtain information from the databases.

Further, Title IX requires that the Attorney General develop and maintain a national tribal sex offender registry and a tribal protection order registry, through a contract with any interested Indian tribe, tribal organization, or tribal nonprofit organization.

The act authorizes to be appropriated for these purposes $1 million for each of fiscal years 2007 through 2011.

Sec. 906: Grants to Indian Tribal Governments. This section establishes a DOJ program of competitive grants to Indian tribal governments and tribal organizations for a broad set of purposes, including developing effective governmental strategies to curtail violent crimes against, and increase the safety of,

Indian women, consistent with tribal law and custom; increasing tribal capacity to respond to domestic and dating violence, sexual assault, and stalking; strengthening tribal justice systems; enhancing services to Indian women victims; developing education and prevention strategies concerning both violence and the needs of children exposed to domestic violence; providing supervised and safe visitation programs for children; and providing transitional housing for victims of domestic and dating violence, sexual assault, and stalking. Applicants for the grants must demonstrate their proposals were developed in consultation with nonprofit, nongovernmental Indian victim services programs or, if no such programs exists there, through consultation with women in the community to be served.

Title IX provides funding for the new Tribal Grant Program by doubling existing set-asides for tribes in five VAWA programs (from 5% to 10%), creating a 10% set-aside in a sixth VAWA program, and then directing the funds to the Tribal Grant Program. The six programs with new 10% set-asides, and their new total authorizations, are as follows (the first five programs already have 5% set-asides for tribal governments):

- STOP grants (total authorization: $225 million annually for FY2007-2011),
- grants to encourage arrest policies and enforcement of protection orders (total authorization: $75 million annually for FY2007-2011),
- rural domestic violence and child abuse enforcement assistance grants (total authorization: $55 million annually for FY2007-2011),
- the safe havens for children program (total authorization: $20 million annually for FY2007-2011),
- the legal assistance for victims improvements program (total authorization: $65 million annually for FY2007-2011), and
- transitional housing assistance grants for child victims of domestic violence (total authorization: $40 million annually for FY2007-2011).

Based on the set-asides, the total appropriation authorized for the Tribal Grant Program is $48 million per year for FY2007-2011.

Sec. 907: Tribal Deputy in the Office on Violence Against Women (OVW). Section 907 establishes within OVW a Deputy Director for Tribal Affairs. Duties for the new deputy director include administering grants and contracts with tribes and tribal organizations; ensuring that, for OVW grants and related contracts benefitting multiple tribes, all benefitting tribes approve before the grant is made; ensuring that adequate training, technical assistance, and data collection are made available to tribes and tribal organizations; advising the OVW director on policies and implementation of laws concerning violence against Indian women; representing OVW in the new annual consultations required under Title IX; maintaining a liaison with federal, state, and tribal judicial branches on violence against Indian women; supporting enforcement of tribal protection orders and implementation of full faith and credit educational projects and comity agreements between Indian tribes and states; and ensuring that tribal justice systems and tribal organizations have adequate tribal technical assistance for programs relating to violence against Indian women.

The new deputy director is also charged with ensuring that portions of tribal set-asides in VAWA programs are used (1) to enhance a tribe's capacity to address the safety of Indian women and (2) to hold offenders accountable by enhancing the tribal response to domestic and dating violence, sexual assault, and stalking, including through victims' legal services, Indian-specific offender programs, tribally-based domestic violence shelters and programs, tribal educational awareness programs, customary tribal activities that strengthen the tribe's intolerance of violence against members, and tribal electronic databases of tribal protection order registries.

Sec. 908: Enhanced Criminal Resources. This section amends the federal criminal code regarding firearms possession, in 18 U.S.C., Chapter 44, to make a conviction of a misdemeanor crime of domestic violence under *tribal* law a reason to prohibit the sale, transfer, or interstate shipment of firearms or ammunition to the person convicted, as is already the case for federal and state misdemeanor convictions of domestic violence crimes.

Title IX also amends Indian law, at 25 U.S.C. 2803(3), relating to the authority of Secretary of the Interior to charge BIA employees with law enforcement responsibilities. The act provides that the Secretary may authorize BIA employees to make an arrest without a warrant for a misdemeanor crime of domestic violence if the offense was committed in Indian country, had as an element the use or attempted use of physical force or the threatened use of a deadly weapon, and was committed by a current or former spouse, parent, or guardian of the victim, by a person who is a parent of the victim's child, or by a person who is living with or has lived with the victim as a spouse, parent, or guardian of the victim, and if the BIA employee reasonably believed that the person to be arrested had committed or was committing a domestic violence crime.

Sec. 909: Domestic Assault by an Habitual Offender. Section 909 adds a new section to 18 U.S.C., Chapter 7, to require that a repeat offender of domestic assault in Indian country (or in federal territorial or maritime jurisdictions), who has been convicted on at least two separate prior occasions of domestic violence or related crimes in federal, state, or Indian tribal court, be fined or imprisoned for not more than five years, or both. If substantial bodily injury results from the domestic assault, however, the repeat offender must be imprisoned for not more than 10 years.

Title X: DNA Fingerprinting[13] (P.L. 109-162). Title X of P.L. 109-162 made several changes to current law. Among other provisions, the act authorizes federal authorities to take DNA samples from larger categories of individuals, including those who are arrested and detained, and include the DNA analysis in the Federal Bureau of Investigation's Combined DNA Index System (CODIS). The act, however, requires the Director of the Federal Bureau of Investigation (FBI) to expunge from CODIS the DNA analysis of arrestees for whom the Attorney General receives a certified copy of a final court order that establishes that the charge has been dismissed, resulted in an acquittal, or that no charge was filed within the

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[13] This section was prepared by Lisa Seghetti, Specialist in Social Legislation, at CRS. For more information, see CRS Report RL32247, *DNA Testing for Law Enforcement: Legislative Issues for Congress*, by Lisa M. Seghetti.

applicable time period. The act also requires the FBI Director to expunge from CODIS the DNA analysis of individuals whose convictions have been overturned.

Funding for Violence Against Women Programs

FY2008

As established by VAWA 2005, the FY2008 authorization level for VAWA programs and studies administered by the Department of Justice (DOJ) is $683 million; total FY2008 authorization for programs administered by HHS is $320 million. The President's FY2008 total budget request for VAWA programs is $546.28 million ($370 million and $176.28 million for programs administered by DOJ and HHS, respectively). President Bush's FY2008 request includes $2.97 million for the domestic violence hotline and $124.73 million for battered women's shelters, two programs administered by HHS. According to the Centers for Disease Control and Prevention (CDC), the President's FY2008 budget request also includes funding for two violence against women initiatives that did not receive a specific line item in the Administration's budget.

DOJ Funding. On July 26, 2007, the House passed H.R. 3093, the Commerce, Justice, Science and Related Agencies Appropriations Act. The House adopted three amendments that would add $29 million in FY2008 funding for VAWA programs in DOJ, above the level recommended by the Appropriations Committee, for a total of $459 million. An amendment introduced by Representative Capito would provide a $10 million increase in funding for the Rural Domestic Violence and Child Abuse Enforcement program for a total of $50 million, by reducing $10 million in funding from the National Science Foundation. Representative Inslee introduced an amendment to provide an additional $14 million for the Office on Violence Against Women, of which $6 million would be for services to advocate for and respond to youth victims of violence, $6 million for services for children and youth exposed to violence, $1 million for research relating to violence against Indian women, and $1 million for the national tribal sex offender registry. This additional funding for these four programs would be offset by reducing funding of the same amount for the DOJ General Administration — Salaries and Expenses account. The third amendment, sponsored by Representative Reichert, would provide $5 million for the court training and improvements to respond to victims of violence program and reduces funding of the same amount for the Departmental Management — Salaries and Expenses account.

On October 16, 2007, the Senate passed its version of H.R. 3093. The Senate Appropriations Committee's recommendation for grants to encourage arrest policies was $55 million; the Committee did not recommend funding for engaging men and youth in prevention programs or for the National Resource Center on Workplace Responses. The Senate, however, adopted an amendment to provide a total of $10 million, above the level recommended by the Senate Appropriations Committee, to be applied to these three VAWA programs. With this additional funding, total funding for these programs would be $60 million for grants to encourage arrest policies; $4 million for grants for engaging men and youth in prevention programs;

and $1 million for the National Resource Center on Workplace Responses. For violence against women programs administered by DOJ, the Senate-passed bill would provide FY2008 CJS funding of $419 million. (See **Table 3**, which provides funding for violence against women programs, FY2007-FY2008.)

Proposal to Consolidate VAWA Programs. In its FY2008 budget request, the DOJ proposed to consolidate VAWA programs administered by the Office on Violence Against Women (OVW) into one flexible, competitive discretionary grant program, including three programs (Stalking Databases, Comprehensive Approaches to Sexual Offender Management, and Sexual Assault Services) that are currently administered by the Office of Justice Programs. In the DOJ budget justification language and on March 29, 2007 at a hearing of the House Appropriations Subcommittee on Commerce-Justice-Science, DOJ stated that its consolidation proposal would reduce the time grantees spend in applying for grants, eliminate earmarks and formulas, and allow multiple domestic violence and sexual assault needs to be addressed and dictated based on local conditions.

Both the House and Senate Appropriations Committees, however, rejected this proposal. Senate report language (S. 1745; S.Rept. 110-124) states that VAWA programs are designed to meet specific needs and to support collaboration among distinct groups so that they can use their expertise and resources to address different aspects of domestic and sexual violence. These VAWA programs have many specific requirements and protections to ensure that a collaborative effort with law enforcement, child protective services, healthcare, etc. is effective and remains confidential, and that the safety of victims is maintained. According to the Senate Appropriations Committee report, under the DOJ proposal, programs would cease to operate as Congress intended, would be less successful, and could disadvantage certain applicants for VAWA funds, such as those in rural areas.

HHS Funding. On July 19, 2007, the House passed H.R. 3043, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act for FY2008, which would provide $2.97 million for the national domestic violence hotline and $134.73 million for the battered women's shelters program. The domestic violence hotline program would be funded at the same level as in FY2007. According to the House Appropriations Committee report language (H.Rept. 110-231), the recommended 8% increase in funding ($10 million) above FY2007 appropriations for the battered women's shelters program would be part of an initiative to reduce the number of abortions in America by relieving economic pressures and other real life conditions that can influence whether a woman decides to carry her pregnancy to full term. The Keeping Children and Families Safe Act of 2003 provides that for a fiscal year in which appropriations for the battered women's shelters program exceeds $130 million, the Secretary of HHS must reserve and make available a portion of the excess for projects that address needs of children who witness domestic violence.[14] Specific amounts for violence against women initiatives administered by the CDC are not indicated in the bill; rather, these are determined by CDC within larger budget accounts.

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[14] P.L. 108-36; 117 Stat. 827; 42 U.S.C. 10409(a)(2).

On October 23, 2007, the Senate passed its version of H.R. 3043, the L-HHS-Ed bill for FY2008, which would provide $127 million for the battered women's shelters program and $3.20 million for the national domestic violence hotline. Funding for the battered women's shelters program would be $2.27 million above the FY2007 appropriation and the budget request, while the national domestic violence hotline funding would reflect a small increase above the FY2007 appropriation and the President's request.

FY2007

Total FY2007 funding of $558.92 for VAWA programs is provided by the Revised Continuing Appropriations Resolution (P.L. 110-5), which was enacted on February 15, 2007. This resolution provides FY2007 appropriations of $382.57 million for violence against women programs administered by DOJ and $176.35 million for programs administered by HHS, of which $124.73 million is for battered women's shelters and $2.97 million is for the domestic violence hotline. (See **Table 3**.)

For FY2007, President Bush requested $543.32 million for violence against women programs, of which $366.12 million and $177.20 million was for programs administered by DOJ and HHS, respectively. The Administration requested $172.99 million for STOP grants, of which $2.48 million was for the National Institute of Justice for research and evaluation of violence against women and $14.86 million was for transitional housing assistance grants; the President did not request funding for the Safe Start Program (Office of Juvenile Justice and Delinquency Prevention) which was authorized at $10 million. The President's request for HHS-administered programs included $125 million for battered women's shelters and $3 million for the domestic violence hotline.

VAWA 2000 Historical Funding

Actual appropriations for VAWA programs have tended to be less than the amounts authorized in the law. VAWA 2000 authorized $3.2 billion for VAWA grant programs from FY2001-FY2005: $667.5 million for FY2001, $642.3 million for FY2002, $627.3 million for FY2003 and FY2004, $626.8 million for FY2005. (See **Table 2**.) Appropriations for VAWA programs in FY1996-FY2001 are shown in **Table 1**.

FY2006. Total FY2006 appropriations for violence against women programs is $558.07 million, of which $381.57 was for programs administered by DOJ and $176.50 million was for programs administered by HHS. (Total amounts for programs administered by both DOJ and HHS reflected the across-the-board rescission reductions of 1% for FY2006 discretionary appropriations.) For FY2006, President Bush requested a total of $515 million for VAWA programs, of which $386 million was for programs administered by DOJ and $129 million for programs administered by HHS. On November 22, 2005, President Bush signed the Departments of State, Justice, and Commerce, and Related Agencies Appropriations Act, FY2006 [P.L. 109-108 (H.R. 2862)]. FY2006 funding for STOP grants was $184.91 million. Transitional housing assistance was funded as a set-aside from

STOP grants as in FY2005; however, the amount of the FY2006 set-aside was $15 million, compared with the FY2005 set-aside of $12.3 million. Some other VAWA programs also received small increases in funding for FY2006.

On December 30, 2005, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006 (Labor-HHS-Ed Act) was enacted [P.L. 109-149 (H.R. 3010)]. The Labor-HHS-Ed Act provided total FY2006 appropriations of $176.50 million for violence against women programs, including $124.73 million for the battered women's shelters program and $2.97 million for the national domestic violence hotline.

FY2005. On December 8, 2004, the Consolidated Appropriations Act, 2005 (P.L. 108-447, H.R. 4818) was enacted. The act provided $382.11 million in FY2005 funding for violence against women programs administered by DOJ. This amount included $185 million for the STOP grant program, of which $12.3 million was for transitional housing assistance grants for victims of domestic violence, stalking, or sexual assault. The act provided $126.65 million for the battered women's shelters program and $3.25 million for the national domestic violence hotline, two programs administered by HHS. Total FY2005 funding for VAWA programs administered by DOJ and HHS was $561.31 million. The Consolidated Appropriations Act, 2005 mandated a funding reduction of 0.80% for some FY2005 discretionary appropriations, which included VAWA funding. In addition, there was a 0.54% cut in Commerce-Justice-State discretionary appropriations for FY2005 that affected funding for VAWA programs administered by DOJ.

For FY2005, President Bush requested a total of $514.11 million for VAWA programs compared to FY2005 authorization levels of $626.8 million. Of the requested funding, $385.5 million was for grants administered by the DOJ and $128.65 million was for programs administered by HHS. These VAWA programs addressed domestic violence and improved services for victims and their dependents. The Bush Administration requested $15 million for the transitional housing assistance programs as a set-aside under the VAWA STOP Formula Grant Program.

FY2004. The Consolidated Appropriations Act for FY2004 became law on January 23, 2004 (P.L. 108-199, H.R. 2673). Congress appropriated total FY2004 funding of $517 million for VAWA programs. This compared to President Bush's total request of $512.4 million for VAWA grant programs. For VAWA programs that were administered by DOJ, Congress provided $387.6 million. For domestic violence programs that were administered by HHS, the conference agreement provided $129.4 million, of which $126.4 million were for Grants for Battered Women's Shelters and $3 million for the National Domestic Violence Hotline. (Note: these amounts were subject to a 0.59% across-the-board rescission included in the act.) Congress also appropriated $15 million for the transitional housing assistance grants program as a separate line-item.

For FY2004, the House Appropriations Committee (H.R. 2799, H.Rept. 108-221) recommended $387.63 million for violence against women prevention and prosecution programs that were administered by DOJ. According to the Committee report, funding would support efforts of law enforcement officers and prosecutors to address crimes against women, develop and establish policies that would enhance the

prevention, identification, and response to crimes against women, and would provide services, such as domestic violence court advocates for victims of crime.

The Senate Appropriations Committee (S. 1585; S.Rept. 108-144) for FY2004 recommended $406 million for Violence Against Women Act programs, of which $185 million would have been for general formula grants to states. This funding was to be used to establish effective arrest and prosecution policies to prevent, identify, and respond to violent crimes against women, to address stalking, and to offer needed victims services such as specialized domestic violence court advocates who obtain protection orders. Recommended funding would have supported two programs in Alaska: $950,000 for a domestic violence protection unit and $500,000 for the standing together against rape program.

For domestic violence programs that were administered by HHS for FY2004, both the House (July 10, 2003) and Senate (September 10, 2003) passed H.R. 2660, the Labor, HHS, and Education Appropriations bill. The Senate, however, after passing H.R. 2660, amended it on September 11. On October 2, the House disagreed to the amended bill and requested a conference. Both the House-passed H.R. 2660 and the Senate-passed and amended H.R. 2660 would have provided $3 million for the national domestic violence hotline and $126.4 million for family violence prevention and services and battered women's shelters. This funding would have assisted states in preventing family violence and would have provided immediate shelter and related assistance for victims of domestic violence and their dependents as well as provided for states, public agencies, law enforcement agencies, nonprofit private organizations, and others seeking technical assistance and training relating to family violence programs.

For FY2004, President Bush requested a total of $512.40 million for VAWA programs, with $385.40 million for programs administered by DOJ and $127 million for programs administered by HHS. The President's budget for FY2004 requested funding below levels authorized for these programs. As in FY2003, there was no funding request for federal victims counselors or the domestic violence task force. The Administration requested funding for the safe havens for children pilot program, which was not authorized for FY2004. The FY2004 funding request for VAWA grants for battered women's shelters, administered by HHS, was $124.42 million, which was $2.81 million less than the appropriation for FY2004. Authorized funding for this program in FY2004 was $175 million.

FY2003. Total FY2003 funds appropriated for VAWA was $519.98 million: $390.17 million for Department of Justice programs and $129.81 million for HHS programs. President Bush requested a total of $520 million for VAWA programs, of which $390 million was for programs administered by DOJ and $127 million was for programs administered by HHS. The Administration did not request funding for federal victims counselors or the domestic violence task force. The President requested funding for two programs that were not authorized for FY2003: safe havens for children pilot program and training programs for medical personnel who perform sexual assault forensic exams. FY2003 funding request for VAWA grants for battered women's shelters, administered by HHS, was $125 million; the same amount appropriated in FY2002. Authorized funding for this program in FY2003 was $175 million.

FY2002. In FY2002, funding appropriated for VAWA programs totaled $517.22 million; VAWA programs administered by DOJ received a total of $390.60 million, while VAWA programs under HHS received $126.62 million. Within HHS, the President requested funding for programs at FY2001 appropriations levels, and did not request monies for the transitional housing grant program created in VAWA 2000. The President also requested $44 million for rape prevention and education grants; however, these grants were not specified by name in the Labor, Health and Human Services, and Education Appropriations Act of FY2002. Rather, the Administration proposed that funding for these grants be included as part of injury prevention grants. Congress provided $149.8 million for injury prevention grants.

FY2001. For FY2001, the President requested $481 million and Congress appropriated $407.1 million for VAWA programs, however, funding for VAWA programs created in the original act did not truly decrease from FY2000 appropriation levels. Grants to Prevent Sexual Abuse of Runaway and Homeless Youth were reauthorized in the Missing, Exploited, and Runway Children Protection Act (P.L. 106-71) and received appropriations of $15 million, prior to the rescission, for FY2001. In addition, the Center for Disease Control received $176 million for prevention grants such as rape education and prevention and community domestic violence programs, but the appropriations bill failed to specify amounts for the different programs. Assuming FY2001 funding levels for the prevention grants remained at FY2000 levels, funding for VAWA programs increased by almost $20 million between FY2000 and FY2001.[15] (The FY2000 amount enacted for VAWA programs was $435.75 million, $3 million less than the amount enacted for FY1999.[16]) As the following tables show, not all of the programs enacted under VAWA have been funded continuously; some have received money for a brief period only, while others have never been funded.

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[15] The Center for Disease Control reports that these grants received $45 million in FY2001.

[16] Consolidated Appropriations Act for FY2000 (P.L. 106-113) signed by President Clinton on October 29, 1999. (See source note at end of table for complete *Congressional Record* citation.)

Table 1. Funds Appropriated for Violence Against Women Grant Programs, FY1996-FY2001

(budget authority in millions of dollars)

Program	Admin. Agency	FY1995 Enacted	FY1996 Enacted	FY1997 Enacted	FY1998 Enacted	FY1999 Enacted	FY2000 Enacted	FY2001 Enacted[a]
Law Enforcement and Prosecution Grants (STOP Grants) (Section 40121)	OJP	26.00	130.00	145.00	172.00	206.75	206.75	209.72
Grants to Encourage Arrest Policies (Section 40231)	OJP	0.00	28.00	33.00	59.00	34.00	34.00	33.93
Rural Domestic Violence and Child Abuse Enforcement (Section 40295)	OJP	0.00	7.00	8.00	25.00	25.00	25.00	24.95
Court Appointed Special Advocates for Victims of Child Abuse (Section 40156a)	OJP	0.00	6.00	6.00	7.00	9.00	10.00	11.48
Training for Judicial Personnel and Practitioners for Victims of Child Abuse (Section 40156b)	OJP	0.00	0.75	1.00	2.00	2.00	2.00	1.95
Grants for Televised Testimony by Victims of Child Abuse (Section 40156c)	OJP	0.00	0.05	0.55	1.00	1.00	1.00	1.00
National Stalker and Domestic Violence Reduction Grants (Section 40602)	OJP	0.00	1.50	1.75	2.75	0.00	0.00	0.00
Training Programs for Probation and Parole Officers Who Work With Released Sex Offenders (Section 40152)	OJP	0.00	1.00	1.00	2.00	5.00	5.00	5.00
National Study on Campus Sexual Assault (Section 40506)	OJP	0.00	0.00	0.20	0.00	0.00	0.00	0.00
State Databases Studies (Section 40292)	OJP	0.00	0.20	0.00	0.00	0.00	0.00	0.00
Federal Victim Counselors (Section 40114)	USA	0.00	0.00	1.00	1.00	0.00	0.00	0.00
Subtotal: Department of Justice		26.00	174.50	197.50	270.75	282.75	283.75	288.03
Training Judges/Court Personnel (Section 40421-22)	N/A	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal: The Judiciary		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Equal Justice for Women in Courts/Training Grants (Section 40411-14)	N/A	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Subtotal: State Justice Institute		0.00	0.00	0.00	0.00	0.00	0.00	0.00

Program	Admin. Agency	FY1995 Enacted	FY1996 Enacted	FY1997 Enacted	FY1998 Enacted	FY1999 Enacted	FY2000 Enacted	FY2001 Enacted[a]
National Domestic Violence Hotline (Section 40211)	ACF	1.00	0.00	1.20	1.20	1.20	2.00	2.16
Grants to Reduce Sexual Abuse of Runaway, Homeless, and Street Youth (Section 40155)	ACF	0.00	5.56	8.00	15.00	15.00	15.00	15.00[b]
Grants for Battered Women's Shelters (Section 40241)	ACF	0.00	15.00	10.80	76.80	88.80	101.50	116.92
Transitional Housing for Victims of Domestic Violence (Section 1203 of VAWA)[c]	ACF	—	—	—	—	—	—	0.00
National Number and Cost of Injuries Study (Section 40293)	CDC	0.00	0.10	0.00	0.00	0.00	0.00	0.00
Rape Prevention and Education Grants (Section 40151)	CDC	0.00	28.54	35.00	45.00	45.00	45.00	[d]
Community Programs on Domestic Violence (Section 40261)	CDC	1.00	3.00	6.00	6.00	6.00	6.00	[d]
Subtotal: Department of Health and Human Services		1.00	52.20	61.00	144.00	156.00	169.50	119.08
Grand total		$27.00	$227.10	$258.50	$420.75	$438.75	$453.25	$407.11

Sources: For FY1995-FY2000 funding information, see *Budget of the United States Government: Appendix* for indicated years under named agencies. FY2001: Commerce, Justice State Appropriations (P.L. 106-553) signed into law on December 21, 2000. FY2001: Labor, Health and Human Services, and Education Appropriations (P.L. 106-554) signed into law on Dec. 21, 2000.

Abbreviations to table.
In DOJ: USA (United States Attorneys), OJP (Office of Justice Programs)
In HHS: ACF (Administration for Children and Families), CDC (Centers for Disease Control and Prevention)

a. The FY2001 Consolidated Appropriations Act (P.L. 106-554) contained a provision mandating a 0.22% government-wide rescission of discretionary budget authority for FY2001 for all government agencies (except for certain defense activities). The amounts appropriated for FY2001 in the table include the rescission.
b. These grants were reauthorized through FY2003 by the Missing, Exploited, and Runway Children Protection Act (P.L. 106-71; S. 249/Hatch), which was signed into law on Oct. 12, 1999. Thus, these monies are not included in the total of VAWA funds for FY2001.
c. For this program, VAWA 2000 authorized $25 million for FY2001 only.
d. These grants were not specified by name in the appropriations bill. In H.R. 4577, however, the CDC was allocated $175.97 million for injury prevention grants which would include these programs. The House Appropriations Committee report mentioned that $45 million should be appropriated for rape prevention grants, however, this language was not included in the bill.

Table 2. Funding Authorized in the Violence Against Women Act 2000 (P.L. 106-386)

($ in millions)

Program	Admin. Agency	FY2001	FY2002	FY2003	FY2004	FY2005
Law Enforcement and Prosecution (STOP) Grants (Section 1102-1103)	OJP	185.00	185.00	185.00	185.00	185.00
Grants to Encourage Arrest Policies (Section 1104)	OJP	65.00	65.00	65.00	65.00	65.00
Rural Domestic Violence and Child Abuse Enforcement (Section 1105)	OJP	40.00	40.00	40.00	40.00	40.00
Court Appointed Special Advocates for Victims of Child Abuse (Section 1302)	OJP	12.00	12.00	12.00	12.00	12.00
Training for Judicial Personnel and Practitioners for Victims of Child Abuse (Section 1302)	OJP	2.30	2.30	2.30	2.30	2.30
Grants for Televised Testimony by Victims of Child Abuse (Section 1302)	OJP	1.00	1.00	1.00	1.00	1.00
National Stalker and Domestic Violence Reduction Grants (Section 1106)	OJP	3.00	3.00	3.00	3.00	3.00
Training Programs for Law Enforcement Officers on Elder Abuse, Neglect, and Exploitation (Section 1209)	OJP	5.00	5.00	5.00	5.00	5.00
Civil and Legal Assistance for Victims of Violence (Section 1201)	OJP	40.00	40.00	40.00	40.00	40.00
Safe Havens for Children Pilot Program (Section 1301)	OJP	15.00	15.00	0.00	0.00	0.00
Grants to Decrease Violence Against Women with Disabilities (Section 1402)	OJP	7.50	7.50	7.50	7.50	7.50
Training Programs for Medical Personnel who Perform Sexual Assault Forensic Exams (Section 1405)	OJP	.20	0.00	0.00	0.00	0.00
Domestic Violence Task Force (Section 1407)	OJP	.50	.50	.50	.50	0.00
Federal Victim Counselors (Section 1205)	USA	1.00	1.00	1.00	1.00	1.00
Transitional Housing for Victims of Domestic Violence, Stalking, or Sexual Assault[a]	OVW				30.00	30.00
Subtotal: Department of Justice		377.50	377.30	362.30	392.30	391.80
Training Judges/Court Personnel (Section 1406(b))	N/A	.50	.50	.50	.50	.50
Subtotal: The Judiciary		.50	.50	.50	.50	.50
Equal Justice for Women in Courts/Training Grants (Section 1406(a))	N/A	1.50	1.50	1.50	1.50	1.50
Subtotal: State Justice Institute		1.50	1.50	1.50	1.50	1.50

Program	Admin. Agency	FY2001	FY2002	FY2003	FY2004	FY2005
National Domestic Violence Hotline (Section 1204)[b]	ACF	2.00	2.00	2.00	3.50	3.50
Grants for Battered Women's Shelters (Section 1202)[c]	ACF	175.00	175.00	175.00	175.00	175.00
Transitional Housing for Victims of Domestic Violence (Section 1203)[d]	ACF	25.00	0.00	25.00	25.00	25.00
Rape Prevention and Education Grants (Section 1402)	CDC	80.00	80.00	80.00	80.00	80.00
Community Programs on Domestic Violence (Section 1403)	CDC	6.00	6.00	6.00	6.00	6.00
Subtotal: Department of Health and Human Services		288.00	288.00	288.00	289.50	289.50
Grand total		$667.50	$642.30	$652.30	$683.80[e]	$683.30[e]

Source: Violence Against Women Act of 2000 (P.L. 106-386) as signed by the President on Oct. 28, 2000.

Note: Section numbers refer to P.L. 106-386.

List of Abbreviations
Within DOJ: USA: United States Attorneys; OJP: Office of Justice Programs; OVW: Office on Violence Against Women
Within HHS: ACF: Administration for Children and Families; CDC: Centers for Disease Control and Prevention

a. The Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (the PROTECT ACT (P.L. 108-21)) authorized to be appropriated $30 million each FY2004 through FY2008 for the transitional housing assistance program under DOJ.
b. Under provisions of The Keeping Children and Families Safe Act of 2003 (P.L. 108-36) the National Domestic Violence Hotline was reauthorized at $3.5 million for each FY2004 through FY2008.
c. Under provisions of the Keeping Children and Families Safe Act of 2003, the Grants for Battered Women's Shelters program was reauthorized at $175 million for each FY2004 through FY2008.
d. The Keeping Children and Families Safe Act of 2003 amended provisions of the Family Prevention and Services Act by authorizing $25 million each FY2003 through FY2008 for this program.
e. Total funding includes the following programs administered by HHS that were reauthorized under the Keeping Children and Families Safe Act of 2003: $3.5 million for the National Domestic Violence Hotline and $25 million for the transitional housing assistance program. In addition, total funding includes $30 million that the PROTECT ACT authorized for the transitional housing assistance program under DOJ.

Table 3. Funding for Violence Against Women Programs, FY2007-FY2008

($ in millions)

Program and Administrative Agency	FY2007 Enacted	FY2008 Authori-zation	FY2008 Request	House	Senate
Department of Justice					
Proposed New Consolidated Discretionary Grant Program (OVW)			$370.00		
STOP Grants Improvements (Section 101) (42 U.S.C. 3793(a)(18) (OVW)	$185.40[a]	$225.00		$205.00[b]	$186.50[b]
Grants to Encourage Arrest Policies (Section 102) (42 U.S.C. 3793(a)(19) (OVW)	62.43	75.00		63.00	60.00
Legal Assistance for Victims Improvements (Section 103) (42 U.S.C. 3796gg-6) (OVW)	38.82	65.00		40.00	46.00
Court Training and Improvements to Respond to Victims of Violence (Sec. 105) (42 U.S.C. 14043) (OVW)	0.00	5.00		5.00	0.00
Privacy Protections for Victims of Domestic, Dating and Sexual Violence, and Stalking (Sec. 107) (42 U.S.C. 14043b) (OVW)	0.00	5.00		0.00	0.00
Sex Offender Management (Sec. 108) (42 U.S.C. 13941) (OJP)	4.91	5.00		6.00	5.50
National Stalker and Domestic Violence Reduction Grants (Sec. 109) (42 U.S.C. 14032) (OJP)	2.93	3.00		3.00	3.90
Federal Victims Assistants (Sec. 110) 119 Stat. 2984 (USA)	0.00	1.00		0.00	0.00
Grants for Law Enforcement Training (Sec. 111) (42 U.S.C. 14044f)[c]	0.00	10.00		0.00	0.00
Court Appointed Special Advocates for Victims of Child Abuse (Sec.112) (42 U.S.C. 13011) (OJP)	11.78	12.00		12.00	15.00
Grants for Outreach to Underserved Populations (Sec. 120) (42 U.S.C.14045) (OVW)	0.00	2.00		0.00	0.00
Sexual Assault Services Program (Sec. 202) (42 U.S.C. 3796gg-9) (OJP)	0.00	50.00		10.00	10.00
Rural Domestic Violence and Child Abuse Enforcement (Sec. 203) (42 U.S.C. 13971) (OVW)	38.78	55.00		50.00	39.50
Grants to Decrease Violence Against Women with Disabilities (Sec. 204) (42 U.S.C. 3796gg-7) (OVW)	7.08	10.00		8.00	7.10
Training and Services to End Violence Against and Abuse of Women Later in Life (Sec. 205) (42 U.S.C. 14041a) (OVW)	4.49	10.00		5.00	4.50
Services to Advocate For and Respond to Youth Victims of Violence (Sec. 303) (42 U.S.C. 14043c) (OVW)	0.00	15.00		6.00	2.00

Program and Administrative Agency	FY2007 Enacted	FY2008 Authori-zation	FY2008 Request	House	Senate
Access to Justice for Youth (Sec. 303) (42 U.S.C. 14043c-1) (OVW)	0.00	5.00		0.00	0.00
Combating Domestic, Dating and Sexual Violence and Stalking in Middle and High Schools (STEP) (Sec. 303) (42 U.S.C. 14043c-3) (OVW)	0.00	5.00		0.00	0.00
Grants to Combat Violent Crimes on Campus (Sec. 304) (42 U.S.C. 14045b) (OVW)	8.96	15.00		10.00	10.00
Safe Havens for Children Pilot Program (Sec. 306) (42 U.S.C. 10420) (OVW)	13.75	20.00		15.00	14.50
Grants to Assist Children and Youth Exposed to Violence (Sec. 401) (42 U.S.C. 14043d-2) (OVW)	0.00	20.00		6.00	2.00
Development of Curricula and Pilot Programs for Home Visitation Projects (Sec. 401) (42 U.S.C. 14043d-3) (OVW)	0.00	7.00		0.00	0.00
Engaging Men and Youth in Preventing Domestic, Dating and Sexual Violence and Stalking (Sec. 401) (42 U.S.C. 14043d-4) (OVW)	0.00	10.00		10.00	4.00
Public Awareness Campaign (Sec. 403) (42 U.S.C. 14045c) (OVW)	0.00	[d]		0.00	0.00
Grants to Combat Violence Against Women in Public and Assisted Housing (Sec. 601) (42 U.S.C. 14043e-4) (OVW)	0.00	10.00		0.00	0.00
Transitional Housing Assistance Grants for Victims of Domestic Violence, Stalking, or Sexual Assault (Sec. 602) (42 U.S.C. 13975) (OVW)	(14.85)[a]	40.00		(20.00)[b]	(17.00)[b]
Grants for National Resource Center on Workplace Responses to Assist Victims of Domestic and Sexual Violence (Sec. 701) (42 U.S.C. 14043f) (OVW)	0.00	1.00		0.00	1.00
Analysis and Research on Violence Against Indian Women Baseline Study (Sec. 904) (42 U.S.C. 3796gg-10 note) (NIJ)	0.00	1.00		1.00	1.00
Tracking of Violence Against Indian Women — Access to Federal Criminal Information Databases (Sec. 905a) (28 U.S.C. 534(a))[c]	0.00	1.00[e]		0.00	1.00[f]
National Tribal Sex Offender Registry (Sec. 905b) [c]		[e]		1.00	[f]
Training for Judicial Personnel and Practitioners for Victims of Child Abuse (42 U.S.C. 13024) (OJP)	2.26	.00		3.00	4.00
Grants for Televised Testimony by Victims of Child Abuse (42 U.S.C. 3793(a) (OJP)	.98	[g]	0.00	0.00	1.50
Subtotal: Department of Justice	$382.57	$683.00	$370.00	$459.00	$419.00

Program and Administrative Agency	FY2007 Enacted	FY2008 Authori-zation	FY2008 Request	House	Senate
Department of Health and Human Services					
Training and Collaboration on Intersection of Domestic Violence and Child Maltreatment (Sec. 303) (42 U.S.C. 14043c-2) (FYSB)	0.00	5.00	0.00	0.00	0.00
National Domestic Violence Hotline (Sec. 411)[h] (ACF)	2.97	3.50[i]	2.97	2.97	3.20
Grants for Battered Women's Shelters (Sec. 406)[h] (ACF)	124.73	175.00[j]	124.73	134.73[k]	127.00
Transitional Housing for Victims of Domestic Violence (Sec. 414)[h] (ACF)	0.00	25.00[l]	0.00	0.00	0.00
Rape Prevention and Education Grants (Sec. 302) (CDC)	43.46[m]	80.00	43.39[m]	[m]	[m]
Community Initiative Programs on Domestic Violence (Sec. 413)[h] (CDC)	5.19[m]	6.00[n]	5.19[m]	[m]	[m]
Prevention of Violence Study (Sec. 402) (42 U.S.C. 280b-4)(CDC)	0.00	2.00	0.00	0.00	0.00
Training and Education of Health Professionals on Domestic and Sexual Violence (Sec. 503) (42 U.S.C. 294h) (HRSA)	0.00	3.00	0.00	0.00	0.00
Grants to Foster Public Health Responses to Domestic, Dating, Sexual Violence and Stalking (Sec. 504) (42 U.S.C. 280g-4) (CDC)	0.00	5.00	0.00	0.00	0.00
Research on Effective Interventions in the Healthcare Setting (Sec. 505) (42 U.S.C. 13973) (CDC)	0.00	5.00	0.00	0.00	0.00
Collaborative Grants to Increase the Long-Term Stability of Victims (Sec. 601)(42 U.S.C. 14043e-3) (ACF)	0.00	10.00	0.00	0.00	0.00
Native Americans Injury Study (Sec. 904) (IHS)	0.00	.50	0.00	0.00	0.00
Subtotal: Department of Health and Human Services	$176.35	$320.00	$176.28	$137.70	$130.20
Grand Total	$558.92	$1,003.00	$546.28	$596.70	$549.20

Sources: The Revised Continuing Appropriations Resolution, enacted February 15, 2007 (P.L. 110-5), provides FY2007 funding for violence against women programs. The Violence Against Women and Department of Justice Reauthorization Act of 2005 as enacted January 5, 2006 (P.L. 109-162); Violence Against Women Act of 2005 as signed by the President on Oct. 28, 2000 (P.L. 106-386). The Keeping Children and Families Safe Act of 2003 was enacted June 25, 2003 (P.L. 108-36). Amounts reflect funding as provided in the following House- passed and Senate-passed bills: the Commerce, Justice, Science and Related Agencies Appropriations Act (H.R. 3093) and the Department of Labor, HHS, and Education, and Related Agencies Act (H.R. 3043). For FY2008 budget request, see *Budget of the United States Government: Appendix* under named agencies.

Abbreviations

In DOJ: USA: United States Attorneys; OJP: Office of Justice Programs; OVW: Office on Violence Against Women; USA: United States Attorneys; NIJ: National Institute of Justice; STEP: Supporting Teens Through Education and Protection Act.
In HHS: ACF: Administration for Children and Families; CDC: Centers for Disease Control and Prevention; FYSB: Family and Youth Services Bureau; HRSA: Health, Resources and Services Administration; IHS: Indian Health Service.

Note: Section numbers refer to P.L. 109-162 unless otherwise indicated. Totals may not add due to rounding.

a. The FY2007 appropriation for STOP grants includes set asides of $10 million for the National Institute of Justice (NIJ) for research and evaluation of violence against women and $14.85 million for the transitional housing assistance grant program for victims of domestic violence, stalking, or sexual assault that is administered by DOJ (hereafter, the transitional housing assistance program).
b. The House-passed bill would include FY2008 funding set asides of $2 million for NIJ and $20 million for the transitional housing assistance program; the Senate-passed bill would include funding set asides of $2 million for NIJ and $17 million for the transitional housing assistance program.
c. DOJ has yet to determine the administering office for this program.
d. VAWA 2005 authorized "such sums as may be necessary" for the Public Awareness Campaign.
e. VAWA 2005 authorizes total funding of $1 million for Section 905, Tracking of Violence Against Indian Women, which includes two programs — access to federal criminal information databases and the national tribal sex offender registry.
f. The Senate-passed bill for CJS would provide total funding of $1 million for Section 905, Tracking of Violence Against Indian Women, which includes both access to federal criminal information databases and the national tribal registry.
g. VAWA 2005 did not reauthorize this program.
h. The section number is from the Keeping Children and Families Safe Act (P.L. 108-36).
i. Under provisions of the Keeping Children and Families Safe Act (P.L. 108-36) the National Domestic Violence Hotline was reauthorized at $3.5 million for each of FY2004 through FY2008.
j. Under provisions of the Keeping Children and Families Safe Act of 2003, the Grants for Battered Women's Shelters program was reauthorized at $175 million for each of FY2004 through FY2008.
k. The Keeping Children and Families Safe Act of 2003 provides that if a fiscal year appropriation for battered women's shelters exceeds $130 million, then the Secretary of HHS must reserve and make available a portion of the excess for projects to address the needs of children who witness domestic violence.
l. The Keeping Children and Families Safe Act of 2003 amended provisions of the Family Violence Prevention and Services Act by retaining the authorization level of $25 million and extending the authorization period for this program from FY2003 through FY2008.
m. Grants for rape prevention and education and community programs on domestic violence have typically not been given a separate line number by either the House or Senate; however, the CDC provided the funding amounts for FY2007 and the budget request. FY2008 appropriations for these programs have yet to be determined.
n. The Keeping Children and Families Safe Act of 2003 reauthorized the Community Initiative Program for each of fiscal years 2004 through 2008; authorized funding is $6 million for each of these fiscal years.