

VIOLENCE AGAINST WOMEN ACT PUBLIC LAW 109-162 (2006)

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Public Law 109-162
119 Stat. 2960
January 5, 2006

Violence Against Women and Department of Justice Reauthorization Act of 2005

[Excerpt amends the FY 1998 LSC appropriation rider regarding LSC recipients providing services to immigrant victims of domestic violence, sexual assault and trafficking.]

See LSC [Program Letter 06-2](#) for implementation guidance.

[119 Stat. 2979]

SEC. 104. ENSURING CRIME VICTIM ACCESS TO LEGAL SERVICES.

(a) In General- Section 502 of the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105-119; 111 Stat. 2510) is amended--

(1) in subsection (a)(2)(C)--

[119 Stat. 2980]

(A) in the matter preceding clause (i), by striking using funds derived from a source other than the Corporation to provide' and inserting providing';

(B) in clause (i), by striking in the United States' and all that follows and inserting or a victim of sexual assault or trafficking in the United States, or qualifies for immigration relief under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)); or'; and

(C) in clause (ii), by striking has been battered' and all that follows and inserting , without the active participation of the alien, has been battered or subjected to extreme cruelty or a victim of sexual assault or trafficking in the United States, or qualifies for immigration relief under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U));'; and

(2) in subsection (b)(2), by striking described in such subsection' and inserting , sexual assault or trafficking, or the crimes listed in section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii))'.

(b) Savings Provision- Nothing in this Act, or the amendments made by this Act, shall be construed to restrict the legal assistance provided to victims of trafficking and certain family members authorized under section 107(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(1)).

[The amended text now reads as follows:

SEC. 502 (a)(2)(C) subsection (a)(11) of such section 504 shall not be construed to prohibit a recipient from providing related legal assistance to--

(i) an alien who has been battered or subjected to extreme cruelty or a victim of sexual assault or trafficking in the United States, or qualifies for immigration relief under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)); or

(ii) an alien whose child, without the active participation of the alien, has been battered or subject to extreme cruelty or a victim of sexual assault or trafficking in the United States, or qualifies for immigration relief under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)).

SEC. 502(b) DEFINITIONS- For purposes of subsection (a)(2)(C):

(1) The term "battered or subjected to extreme cruelty" has the meaning given such term under regulations issued pursuant to subtitle G of the Violence Against Women Act of 1994 (Public Law 103-322; 108 Stat. 1953).

(2) The term "related legal assistance" means legal assistance directly related to the prevention of, or obtaining of relief from, the battery or cruelty, sexual assault or trafficking, or the crimes listed in section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)).]