

**VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197**

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
	Title I: Enhancing Judicial and Law Enforcement Tools to Combat Violence Against Women	
Sec. 101 STOP Grants (Services and Training for Officers and Prosecutors)	<p>Reauthorizes state formula grants to bring police and prosecutors in collaboration with victim service providers.</p> <p>New Purpose Areas</p> <ul style="list-style-type: none"> - Adds supporting and development of complementary new initiatives while maintaining core victim services and criminal justice initiatives. - Adds support for emergency services for victims of crime. - Requires states to enact legislation within 3 years that prohibits the use of polygraph examinations on victims of sexual assault as a prerequisite to investigation or prosecution of the offense in order to be eligible for STOP funding. - Clarification that states are prohibited from mandating victim to take part in criminal justice system in order to be provided with or reimbursed for a forensic exam. States may additionally not require victim to seek reimbursement from insurance. - Requires grant applicants to show proposed activities promote safety, confidentiality, and economic independence of victims. - Adds specific language supporting programs that serve racial and ethnic populations. <p>Technical Amendments</p> <ul style="list-style-type: none"> - Increases set-aside for Indian Tribal to 10%. - Changes set-aside for US Territory sexual assault coalition to 1/56 of sexual assault amount for each territory's coalition. - Set-aside of no less than 3%, and up to 8%, of funds to provide technical assistance to grant recipients. 	\$225 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
<p>Sec. 102 Grants to Encourage Arrests and Enforcement of Protection Orders</p>	<p>Reauthorizes funding to states and localities to develop and strengthen programs and policies that encourage police officers to arrest abusers who commit acts of violence or violate protection orders.</p> <p>New Purpose Areas</p> <ul style="list-style-type: none"> - Extends pro-arrest policy to dating violence, sexual assault, and stalking. - Adds development and creation of community family justice centers to provide victim services and support, as well as increase access to services and confidentiality. - Adds recognition of the importance of protection of victims' privacy and confidentiality in all programs. - Adds education of civil judges in the handling of cases involving victims of domestic violence, dating violence, sexual assault, and stalking. - Adds development of training programs for the prosecution of sexual assault offenders. - Adds sexual assault and stalking to legal advocacy programs. - Adds development of protection order registries in police departments. <p>Technical Amendments</p> <ul style="list-style-type: none"> - Increases set-aside for Indian Tribal to 10% - Set aside of 5%-8% total funds to provide technical assistance to grant recipients to meet program goals. 	<p>\$75 million each FY 2006-2010</p>

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 103 Legal Assistance for Victims Improvement	Reauthorizes grants that increase the availability of legal assistance to victims for protection orders and family, criminal, immigration, administrative, and housing matters resulting from violence. New Purpose Area <ul style="list-style-type: none"> - Adds dating violence - Adds youths to service population. - Adds access to criminal legal assistance for victims of domestic violence, dating violence, sexual assault, and stalking. Technical Amendments <ul style="list-style-type: none"> - Increases set-aside for Indian Tribal to 10% - Maintains 25% set-aside for programs providing legal assistance to sexual assault survivors. 	\$65 million each FY 2006-2010
Sec. 104 Ensuring Crime Victims Access to Legal Services	Amendments <ul style="list-style-type: none"> - Allows legal service organizations receiving funding from the Legal Services Corporation to assist victims of domestic violence, sexual assault, or trafficking without regard to whether the victim is a legal resident. 	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 105 The Violence Against Women Act Court Improvements	Establishes a new subtitle (J) that authorizes new funding to improve court response to adult and youth incidents of domestic violence, dating violence, sexual assault and stalking. Purpose Areas <ul style="list-style-type: none"> - Create programs to educate courts and related personnel regarding domestic violence, dating violence, sexual abuse, and stalking. - Develop and enhance court infrastructure, community based initiatives, offender management, and confidential databases. - Increase court access to racial and ethnic minorities and underserved populations. - Create a general curriculum for state and tribal judiciaries to use to ensure that all states have access to consistent and appropriate information when educating in the areas of domestic violence, dating violence, sexual assault and stalking. Technical Provisions <ul style="list-style-type: none"> - 10% set-aside for Indian Tribal programs. 	\$5 million each FY 2006-2010
Sec. 106 Full Faith and Credit Improvements	Enacts changes to criminal code to strengthen prior full faith and credit provisions for protective orders. Amendments <ul style="list-style-type: none"> - Specifically names law enforcement officials and courts as the entities who must enforce protective orders originating in other jurisdictions as if they had been issued within their own jurisdiction. - Prohibits states and tribes from publicly publishing on the Internet information regarding the issuance of a protection order or restraining order if to do so would reveal the identity or location of the protected party. - Expands the definition of protective order to include any support, child custody, or visitation provisions contained within the order. These provisions were formerly specifically excluded from enforcement in the definition. - Expands definition of “Spouse or Intimate Partner” to include those who are or have been in a romantic or intimate relationship with the victim. This removes the requirement that to be considered an intimate partner the abuser must have cohabitated or had a child in common with the victim. 	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 107 Privacy Protections for Victims of Domestic Violence, Dating Violence, Sexual Violence, and Stalking	<p>Establishes a new subtitle (K) that authorizes new grant funding to protect the confidentiality of victim information collected by federal agencies and included in national databases.</p> <p>Purpose Areas</p> <ul style="list-style-type: none"> - Develop and improve “best practice” protocols to prevent release of identifying information. - Develop a confidential, single request opt-out system for victims of violence who wish not be part of multiple databases. - Provide technical assistance to states to review laws regarding technology issues and privacy protections. - Provide trainings for local enforcement officials in order to combat electronic crimes against women, such GPS stalking. <p>Technical Provisions</p> <ul style="list-style-type: none"> - 10% set-aside for Indian Tribal programs. - 5% set-aside to provide technical assistance and training to grant recipients to meet program goals. 	\$5 million each FY 2006-2010
Sec. 108 Sex Offender Management	Reauthorizes funds to develop training programs to assist probation and parole officers and other personnel who work with released sex offenders.	\$3 million each FY 2006-2010
Sec. 109 Stalker Database	Reauthorizes funding to maintain and improve local, state, and national crime information databases for cases of stalking and domestic violence.	\$3 million each FY 2006-2010
Sec. 110 Federal Victim Assistance Reauthorization	Reauthorizes funding for U.S. Attorney offices to hire counselors to assist victims and witnesses in prosecution of domestic violence and sexual assault cases.	\$1 million each FY 2006-2010
Sec. 111 Grants for Law Enforcement Training Response	Authorizes grants to provide training to state and local law enforcement agents to identify and protect victims of trafficking, to prosecute trafficking cases and to develop state and local laws that prohibit acts of trafficking. Administrative expenses are capped at 5% of any grant amount.	\$10 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 112 Reauthorization of the Court-Appointed Special Advocate Program	Reauthorizes funding for CASA, a nationwide volunteer program that helps represent children in the family and/or justice system due to neglect or abuse. New Purpose Areas <ul style="list-style-type: none"> - Adds authorization of local programs to request FBI conducted background checks of volunteers. 	\$17 million each FY 2006-2010
Sec. 113 Preventing Cyberstalking	Amends the Communication Act to additionally prohibit the use of any device or software designed to originate communication transmitted via the Internet with the intent to annoy, harass, or abuse another person.	None
Sec. 114 Criminal Provision Relating to Stalking	Enacts changes to the federal criminal statute prohibiting interstate stalking. Amendments <ul style="list-style-type: none"> - Adds placing an individual under surveillance by any means to enumerated stalking activities. - Adds causation of substantial emotional harm to the victim as punishable result of enumerated activities. 	None
Sec. 115 Repeat Offender Provision	Adds section to criminal code providing that the maximum term of imprisonment may be doubled for offenders who twice commit: <ul style="list-style-type: none"> - Federal domestic violence offenses, - Violation of interstate protective orders, or - Interstate stalking. 	None
Sec. 116 Prohibiting Dating Violence	Amends the federal domestic violence statute to include interstate dating violence and inserts the definition of dating partner, which is an individual in a social relationship of a romantic or intimate nature.	None
Sec. 117 Prohibiting Violence in Special Maritime and Territorial Jurisdiction	Includes special maritime and territories in the scope of federal jurisdiction in the interstate domestic violence criminal provision.	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
	Title II: Improving Services for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking	
Sec. 202 Sexual Assault Services Program	<p>Authorizes funding for direct services to sexual assault victims.</p> <p>Purpose Areas</p> <ul style="list-style-type: none"> - Establish and maintain rape crisis centers and other direct service programs, such as hotlines, advocacy, and crisis intervention, that provide assistance to adult and minor sexual assault victims and family. - Establish, maintain, and expand culturally specific programs to assist and advocate for victims of sexual assault in racial and ethnic communities. - Provide technical assistance and sexual assault training to federal, state, and local governments, health care, social work, and legal professionals, and other organizations. <p>Technical Provisions</p> <ul style="list-style-type: none"> - Of total authorized amount: 2.5% administrative costs; 2.5% technical assistance to grantees; 65% grants to state and territories for distribution; 7% state, territorial, and tribal sexual assault coalitions; 7% for Indian Tribal programs; 7% culturally specific programs. 	\$50 million each FY 2006-2010
Sec. 203 Rural Domestic Violence and Child Abuse Enforcement Assistance Program	<p>Reauthorization of funds for programs serving rural areas.</p> <p>New Purpose Areas</p> <ul style="list-style-type: none"> - Adds sexual assault, child sexual assault and stalking. <p>Technical Amendments</p> <ul style="list-style-type: none"> - Expands eligibility from rural states to all rural areas and communities, regardless of the state's overall population. - Not less than 10% allotted for Indian Tribal Programs. - Not more than 8% to be used for technical assistance. - Not less than 25% to be used for sexual assault services in rural communities. - Not less than 75% to be awarded to applicants in rural states. - In awarding grants, priority given to the needs of underserved populations. 	\$55 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 204 Training and Services to End Violence Against Women with Disabilities	Reauthorizes funding for programs directed specifically at addressing violence against women and girls with disabilities. New Purpose Areas <ul style="list-style-type: none"> - Adds construction and personnel for shelters to better serve victims with disabilities. - Adds development of model programs providing advocacy and intervention services within organizations already serving individuals with disabilities. - Adds development of cross-training regarding areas of domestic violence, dating violence, sexual assault and stalking to professionals which work with individuals with disabilities. - Adds mandate to address the needs of underserved populations when distributing grant funds. 	\$10 million each FY 2006-2010
Sec. 205 Training and Services to End Violence Against Women Later in Life	Reauthorizes funding to provide programs relating to elder abuse, neglect and exploitation, including domestic violence or sexual assault, against victims who are 60 years of age or older. New Purpose Areas <ul style="list-style-type: none"> - Adds increasing the physical accessibility of buildings which provide such services. - Adds creation and support of collaborative community responses to service needs of older victims. - Adds conducting cross-training for victims services providers, law enforcement officials, and prosecutors. 	\$10 million each FY 2006-2010
Sec. 206 Strengthening the National Domestic Violence Hotline	Reauthorizes funding for the National Hotline. New Purpose Areas <ul style="list-style-type: none"> - Adds training of staff and advocates to effectively use improved equipment and new technology. 	\$5 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
	Title III: Services, Protection, and Justice for Young Victims of Violence	
Sec. 302 Rape Prevention and Education	Reauthorizes funding for education and prevention of sexual assault. Technical Amendments <ul style="list-style-type: none"> - Minimum of \$1.5 million allotted to the National Sexual Violence Resource Center each fiscal year. 	\$80 million each FY 2006-2010
Sec. 303 Services, Education, Protection and Justice for Young Victims of Violence	Establishes a new subtitle (L) that creates three new grant programs to address dating violence committed by and against youth. (1) <u>Services to Advocate for and Respond to Teens</u> Purpose Areas <ul style="list-style-type: none"> - Implement programs using domestic violence, dating violence, sexual assault and stalking intervention models to respond to the needs of youth victims. - Provide direct counseling and advocacy for teen victims. - Establish linguistically, culturally, and community relevant services for racial, ethnic, and other underserved populations. - May additionally include mental health services, legal advocacy, and public policy advocacy for youth victims. Technical Provisions <ul style="list-style-type: none"> - No more than 25% of grant funds may be used for additional services, such as transportation or childcare. - 7% set-aside for Indian Tribal programs. - 5% set-aside for technical assistance. 	(1) \$15 million each FY 2006 - 2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 304 Grants to Reduce Violence Against Women on Campus	Reauthorizes Funding. New Purpose Areas <ul style="list-style-type: none"> - Set parameters for minimum standard of training for campus security personnel and campus disciplinary or judicial boards regarding violent crimes against women on campus. - Mandate protection of confidentiality and privacy of victims through non-disclosure of any personally identifying information without informed, written, time-limited consent; ensure that in the case disclosure is court mandated steps will be taken to inform the individual. - Create collaborations between institutions and local agencies providing direct services to victims of domestic violence, dating violence, sexual assault and stalking, such as medical, psychological, and legal assistance. In the case the community does not provide such services, institutions must use at least 20% of their individual grant to provide direct services to victims on campus. Technical Amendments <ul style="list-style-type: none"> - Places program on a three year grant cycle. - Grant application must demonstrate collaboration with community victim services programs. - Limits funding amounts for individual universities. 	\$15 million each FY 2006-2010
Sec. 305 Juvenile Justice	Changes current requirements for states to receive funding under the Juvenile Justice and Delinquency Prevention act. Amendments <ul style="list-style-type: none"> - Mandates states to include a gender specific analysis of necessary juvenile delinquent prevention needs. - Directs existing funds to provide female juveniles in placement and treatment with health and mental health services, treatment for physical and sexual abuse, and parenting and vocational education programs. 	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 306 Safe Havens	Reauthorizes funding to provide supervised visitation and safe visitation exchange of children by and between parents in custody cases. New Purpose Areas <ul style="list-style-type: none"> - Adds dating violence. - Adds protection of children from trauma of witnessing and/or experiencing such violence. - Adds protection of parent victims from further instances of such violence during visitation activities. Technical Amendments <ul style="list-style-type: none"> - 5% set-aside for Indian Tribal programs. - Up to 8% of funds to be used for technical assistance. - Up to 3% of funds for program evaluation, site visits, and other administrative costs. 	\$20 million each FY 2006-2010
	Title IV: Strengthening America’s Families by Preventing Violence	
Sec. 401 Preventing Violence Against Women and Children	Establishes a new subtitle (M) that creates three new programs to increase resources and services for violence prevention and reduce the impact of youth and children’s exposure to violence. (1) <u>Grants to Assist Children and Youth Exposed to Violence</u> Purpose Areas <ul style="list-style-type: none"> - Create service programs (such as mentoring, counseling, and advocacy) for children exposed to domestic violence, dating violence, sexual assault, or stalking - Mandates inclusion of services for the non-abusing parent. - Training and advocacy work with existing programs servicing youth and children to safely and confidentially identify exposed children and refer them to programs that meet their needs. 	(1) \$20 million each fiscal year 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Preventing Violence Against Women and Children (con't)	<p>Technical Provisions</p> <ul style="list-style-type: none"> - 7% set-aside for Indian Tribal programs. - Up to 8% of funds to be used for technical assistance. - Not less than 66% of funds to be used to create programs in above categories. - Grants to be awarded for a period of 2 years. <p>(2) <u>Development of Curricula and Pilot Programs for Home Visitation Projects</u></p> <p>Purpose Areas</p> <ul style="list-style-type: none"> - Develop and implement model policies and procedures to train home visitation service providers on identifying and addressing issues of violence in families experiencing or at risk of violence. - Reduce the impact of present violence on children and maintain safety. - Improve parenting skills. - Break intergenerational cycles of violence. <p>Technical Provisions</p> <ul style="list-style-type: none"> - 7% set-aside for Indian Tribal programs. - Up to 8% of funds to be used for technical assistance. - Grants to be awarded for a period of 2 years. - Consideration of the needs of underserved populations. - Eligibility requirement of being a pre-existing home visitations program for pregnant women and/or young children or a victim service agency in collaboration with such. 	<p>(2) \$7 million each FY 2006-2010</p>

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Preventing Violence Against Women and Children (con't)	<p>(3) <u>Engaging Men and Youth in Preventing Domestic Violence, Dating Violence, Sexual Assault, and Stalking</u></p> <p>Purpose Areas</p> <ul style="list-style-type: none"> - Develop or enhance programs related to engaging youth in developing mutually respectful, nonviolent relationships in order to reduce the risk of youth becoming victims or perpetrators of domestic violence, dating violence, sexual assault, or stalking. - Provide information on such violence and its effect on children and youth and develop strategies to help participants be as safe as possible in current and future relationships. - Create public education campaigns and community organizations to spread awareness and forge alliances between men, boys, women, and girls that address such violence. <p>Technical Provisions</p> <ul style="list-style-type: none"> - No more than 40% of grant funds to be used to create and distribute media materials. - 7% set-aside for Indian Tribal programs. - Up to 8% of funds to be used for technical assistance. - Consideration of the needs of underserved populations. - Grants to be awarded for a period of 2 years. 	(3) \$10 million each FY 2006-2010
Sec. 402 Study Conducted by the Centers for Disease Control and Prevention	Authorizes funds to examine prevention and intervention programs, including: <ul style="list-style-type: none"> - Evaluation of best practices for preventing violence addressed by strategies in present title. - Evaluation interventions targeting offenders and potential offenders of domestic and sexual violence. - Examination of social norms and family structure that support such violence. 	\$2 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
	Title V: Strengthening the Healthcare 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	<p>Authorizes funds to develop training and education programs for health care professionals.</p> <p>Purpose Areas</p> <ul style="list-style-type: none"> - Provide direct training to health care professionals regarding clinical skills and an understanding of domestic and sexual violence. - Integrate health issues related to such violence into residency training programs. - Address issues of confidentiality and safety in all educational programs funded under this section. <p>Technical Provisions</p> <ul style="list-style-type: none"> - Grantees under this section must contribute non-Federal funds meeting at least 25% of the program’s costs. 	\$3 million each FY 2006-2010
Sec. 504 Grants to Foster Public Health Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking.	<p>Authorizes funds for collaborations between domestic and sexual assault service providers and health care organizations.</p> <p>Purpose Areas</p> <ul style="list-style-type: none"> - Enhance policies and procedures in place for responding to such violence and maintaining the confidentiality and safety of the victim. - Development of on-site access to victim services to address the multi-faceted needs of medical patients through partnership with victim advocates or training of medical staff to fill this role. - Enhancement of screening patients for exposure to such violence and the appropriate identification, documentation, and referral to meet victim’s needs. - Inclusion of training regarding domestic and sexual violence in health professionals’ curriculum. <p>Technical Provisions</p> <ul style="list-style-type: none"> - Programs receiving this funding are not to extend beyond 2 years. - To be distributed between state and local programs equally. 	\$5 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 505 Research on Effective Interventions in the Healthcare Setting	Authorizes funds to research: <ul style="list-style-type: none"> - Effective interventions in the health care setting in preventing domestic violence, dating violence, and sexual assault. - Effective preventative measures to reduce the health effects of such violence on current victims. - The impact of such violence on the health care system and related costs. 	\$5 million each FY 2006-2010
	Title VI: Housing Opportunities and Safety for Battered Women and Children	
Sec. 601 Addressing the Housing Needs of Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking	Establishes a new subtitle (N) that creates two new programs to increase availability of transitional housing for victims of domestic and sexual violence while ensuring safety and confidentiality for housing residents. <p>(1) Collaborative Grants to Develop Long-Term Housing for Victims</p> <p>Purpose Areas</p> <ul style="list-style-type: none"> - Create long-term housing options for victims of domestic violence, dating violence, sexual assault, and stalking who are, or are at risk of becoming, homeless. - Create partnerships between victim services providers, homeless service providers, and nonprofit housing development organizations. <p>Technical Provisions</p> <ul style="list-style-type: none"> - Grants that do not include construction costs to be between \$25,000 and \$350,000 per year. - Grants that do encompass construction costs to be between \$75,000 and \$1 million. - At least 2 grants awarded must fund projects that include construction. - 15% set-aside for Indian Tribal programs. - Priority given to applicants providing linguistically and culturally specific services and/or entities that include a sexual assault service provider. - Up to 8% of funds to be used for technical assistance. 	(1)\$10 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Addressing the Housing Needs of Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking (con't)	<p>(2) Grants to Combat Violence Against Women in Public and Assisted Housing</p> <p>Purpose Areas</p> <ul style="list-style-type: none"> - Increase protection of victims residing in public, Indian, and assisted housing. - Provide funding to make capital improvements to dwellings to improve tenant safety. - Reduction of evictions and denials of housing to victims due to lease violations or crimes committed by the perpetrator of such violence or denial of housing due to poor credit/rental history associated with history of abuse. - Collaboration between housing programs and victim service providers. - Allow housing agencies to evict batterers and enforce protective orders without additionally evicting victim. <p>Technical Provisions</p> <ul style="list-style-type: none"> - 2 year grant cycle. - No more than 15% of funds awarded may be for physical improvements. - 15% set-aside for Indian Tribal programs. - Up to 12% of funds to be used for technical assistance. 	(2) \$10 million each FY 2006-2010
Sec. 602 Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking	<p>Reauthorizes and expands funding for domestic violence victims and their children.</p> <p>New Purpose Areas</p> <ul style="list-style-type: none"> - Expands transitional housing funding for operational, capital, and renovation costs. - Extends length of eligibility period for HUD supportive housing programs. - Adds services for victims of dating violence, sexual assault, and stalking and emphasizes confidentiality, while clarifying that participation in such services is not required for housing assistance. <p>Technical Amendments</p> <ul style="list-style-type: none"> - Increases set-aside for Indian Tribal to 7%. - Priority given to applicants whose programs primarily serve racial, ethnic, or other underserved populations. 	\$40 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 603 Public and Indian Housing Authority Plans Reporting Requirement	Amends Public and Indian Housing Authorities reporting requirements to include: <ul style="list-style-type: none"> - Within each agency’s 5-year plan the goals, objectives, policies, and programs that serve victims of domestic violence, dating violence, sexual assault, and stalking. - Within each annual report a list of services currently offered to victims and policies in place to prevent such violence. 	None
Sec. 604 Housing Strategies	Amends the housing strategies planning process each jurisdiction must complete to receive HUD funding. Strategies must include a description of the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking and how those needs will be met.	None
Sec. 605 Amendment to the McKinney – Vento Homeless Assistance Act	Requires HUD to instructs grantees and subgrantees to protect the victims of domestic violence, dating violence, sexual assault, and stalking by not disclosing personally identifying information to any individual, agency, or by entry into a shared database, such as the Homeless Information Management System (HMIS).	None
Sec. 606 Amendments to the Low Income Housing Assistance Voucher Program	Amends Section 8 program to: <ul style="list-style-type: none"> - Prohibit local public housing authorities from discriminating against victims of domestic or sexual violence due to such status. - Require that private landlords who enter leases with voucher recipients may not evict a victim of such violence due to incidences of violence within the rental property or other crimes committed by the abuser over which the victim has no control due to the element of abuse within the relationship. - Allow private landlords to evict the perpetrator of such abuse or other crimes individually. - Allow victims of such violence to transfer their housing vouchers to another jurisdiction in order to protect the health and safety of themselves or their family. 	None
Sec. 607 Amendments to the Public Housing Program	Amends the Public Housing Program with same changes as above, excluding the portability of voucher amendments.	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
	Title VII: Providing Economic Security for Victims of Violence	
Sec. 701 Emergency Leave	<p>Establishes a new subtitle (O) that creates three new programs to address the needs of employed victims of domestic or sexual violence with the purpose of maintaining victims' economic independence and ability to participate in the criminal justice system without fear of severe economic reprisals.</p> <p>(1) <u>Entitlement to Emergency Leave for Addressing Domestic or Sexual Violence</u> Purpose Areas</p> <ul style="list-style-type: none"> - Allows employees to take up to 10 days of leave in a 12-month period, without repercussions, to seek medical, psychological, housing, and legal assistance due to domestic or sexual violence to employee or a member of their household. - Assures medical coverage for the individual, if such is obtained through employment, to continue during leave. - Creates civil cause of action for victims whose employers violate this act in the form of damages equal to lost wages, interests, job reinstatement, etc. <p>Technical Provisions</p> <ul style="list-style-type: none"> - Employers may request corroborating evidence of violence which can be provided by an array of service providers and must be maintained as confidential. <p>(2) <u>Existing Leave Usable for Addressing Domestic or Sexual Violence</u></p> <ul style="list-style-type: none"> - Allows employee to use any accrued leave, such as medical, personal, etc., to address needs arising due to domestic or sexual violence as described above. <p>(3) <u>Emergency Benefits</u></p> <ul style="list-style-type: none"> - Permits States to use Temporary Assistance to Needy Families (TANF) funds to provide benefits to an individual who has taken leave under the above section. To determine eligibility, only the individual's accessible assets will be counted. 	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Emergency Leave (con't)	<p>(4) <u>Effect on Other Laws and Employment Benefits</u></p> <ul style="list-style-type: none"> - Any state, local law, collective bargaining agreement or employee benefit which provides greater protection to employees who are victims of domestic or sexual violence are not superseded by this act, but such laws or agreements may not diminish any rights this act establishes. <p>(5) <u>Regulations and Notification</u></p> <ul style="list-style-type: none"> - Mandates employers post a summary of this title. - Cites authority for authorization of funds within this title. 	
Sec. 702 Grant for National Clearinghouse and Resource Center on Workplace Responses to Assist Victims of Domestic and Sexual Violence	<p>Subtitle O also authorizes new funding to create a national clearinghouse.</p> <p>Purpose Areas</p> <ul style="list-style-type: none"> - Establish a national resource center to provide information to employers on appropriate workplace responses to assist victims of domestic and sexual violence. - Develop means to communicate such responses through trainings, conferences, protocols, direct employer-sponsored victim assistance and counseling, and other programs. 	\$1 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
	Title VIII: Protection of Battered and Trafficked Immigrant Women	
Sec. 801 Treatment of Spouse and Children of Victims	<p>Enacts changes to Immigration and Nationality Act visa requirements to encourage immigrant victims of abuse and trafficking to seek assistance by protecting the victims' families from repercussions.</p> <p>Amendments</p> <ul style="list-style-type: none"> - Grants eligibility for T-Visas to victims if they can provide credible evidence of physical or psychological trauma that prevents them from providing the required assistance to law enforcement agencies. - Removes the requirement of “unnecessary hardship” to grant T-Visas to victims' spouses and children, and in the case the victim is under 21, additionally their parents and unmarried siblings under 18. - Adds child abuse and stalking to list of crimes for which a cooperating victim can receive a U visa. - Restricts the definition of an aggravated felony to prevent victims convicted of misdemeanor crimes from being ineligible for immigration relief. 	None
Sec. 802 Presence of Victims of a Severe Form of Trafficking in Persons	<p>Amendments</p> <ul style="list-style-type: none"> - Creates an exception to regulations prohibiting admission into the US by individuals who have previously been unlawfully present in the US for victims of severe trafficking who can prove a connection between such victimization and their prior presence in the US. 	None
Sec. 803 Adjustment of Status for Victims of Trafficking	<p>Amendments</p> <ul style="list-style-type: none"> - Removes the 3-year wait and allows trafficking victims to apply for lawful permanent residency immediately after receiving a T visa. 	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 804 Protection and Assistance for Victims of Trafficking	Amendments to Requirements to Receive Benefits <ul style="list-style-type: none"> - Amends requirement that a victim must assist in both the investigation and the prosecution of crimes of trafficking to only require assistance in the investigation or the prosecution. - Clarifies definition of assistance to include responding and cooperation with questioning. - Allows local law enforcement officials in addition to federal agents to petition for the continued presence in the US for a victim of trafficking. 	None
Sec. 805 Protecting Victims of Child Abuse	Amendments <ul style="list-style-type: none"> - Ensures that the children of immigrants who are granted lawful residency status because they are victims of abuse perpetrated by a lawful permanent US resident also receive lawful residency status. - Allows incest victims who were eligible to petition for lawful residency under VAWA before they were 21, but did not, to file for such until they are 25. - Removes the requirement that non-citizen adopted children must reside with their adoptive family for two years before receiving legal residency in cases where the adoptive family is abusive. 	None
Sec. 811 Definition of VAWA Self-Petitioner	Creates term “VAWA Self-Petitioner” to encompass the several VAWA self-petition designations created in VAWA 2000, including: <ul style="list-style-type: none"> - Cuban Adjustment Act - Haitian Refugee Immigration Fairness Act of 1998 - Nicaraguan Adjustment and Central American Relief Act - Illegal Immigration Reform and Immigrant Responsibility Act of 1996 	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 812 Application to Fiancées Who Do Not Marry Within 90-Day Period	<p>Amendments</p> <ul style="list-style-type: none"> - Allows VAWA self-petitioners to attain lawful residency, despite not marrying their fiancé visa sponsor within the 90 day period, if the marriage does occur at a later date. - Allows immigrants entering the US on fiancé visas who did not marry their sponsor within 90 days to receive lawful residency if the sponsor battered the immigrant and the marriage does occur at a later date. 	None
Sec. 813 Application in Case of Voluntary Departure	<p>Amendments</p> <ul style="list-style-type: none"> - New provision exempts victims eligible for VAWA self-petition or T or U visa relief from the harsh penalties of failing to comply with voluntary departure from the US orders. 	None
Sec. 814 Removal Proceedings	<p>Amendments</p> <ul style="list-style-type: none"> - Adds domestic violence to list of exceptional circumstances that allow immigrants to file motions to reopen removal proceedings. - Exempts victims that are eligible for T or U visas and have been removed or were subject to voluntary removal from undergoing immediate removal after re-entering the US. - Adds language ensuring applicants for VAWA self-petition or T or U visas may not be removed unless their relevant petitions are denied and appeals are exhausted. - Corrects drafting errors which prevented victims from accessing waivers of ineligibility factors, a provision granted in VAWA 2000. 	None
Sec. 815 Eliminating Abusers Control Over Applications for Adjustments of Status	<p>Amendments</p> <ul style="list-style-type: none"> - Corrects drafting errors to allow applicants under Haitian Refugee Immigration Fairness Act and Cuban Adjustment Act to apply for VAWA immigration relief, as intended in VAWA 2000. - Allows VAWA self-petitioners who present a prima facie case for eligibility to be granted work authorization, allowing victims to sever economic dependence on their abusers. 	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 816 Application for VAWA Related Relief	<p>Amendments</p> <ul style="list-style-type: none"> - Allows victims immigration relief under Nicaraguan Adjustment and Central American Relief Act by extending the filing period where the abusive spouse or parent did not apply for the victim’s status to be changed to legal resident or did not follow through with the application. 	None
Sec. 817 Self-Petitioning Parents	<p>Amendments</p> <ul style="list-style-type: none"> - New provision allows non-citizen parents to petition for legal residency under VAWA where they are abused by their adult US citizen child. 	None
Sec. 818 VAWA Confidentiality Non- disclosure	<p>Amendments</p> <ul style="list-style-type: none"> - Prevents agents from relying on information for purposes of deportation that is furnished solely by the abuser of a VAWA self-petitioner or a T or U visa holder. - Adds the Department of Homeland Security and State Department to list of relevant agencies. 	None
Sec. 821 Duration of T and U Visas	<p>Amendments</p> <ul style="list-style-type: none"> - Authorizes length of T and U Visas to be 4 years with an option to extend if necessary for continued assistance with the investigation or prosecution. - Permits non-immigrants who enter on transit, crewmen, fiancé, informant, exchange students, and visa waivers and then become crime victim cooperating witnesses to change immigrant status to T or U visa. 	None
Sec. 822 Technical Correction to References in Application of Special Physical Presence and Good Moral Character Rules	<p>Amendments</p> <ul style="list-style-type: none"> - Changes technical drafting errors to ensure the appropriate provisions regarding physical presence and moral character apply to all VAWA applicants. 	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 823 Petitioning Rights of Certain Former Spouses under Cuban Adjustment	<p>Amendments</p> <ul style="list-style-type: none"> - Provides an additional two years for the battered former spouse of a Cuban alien to petition for immigration status adjustment where there is a demonstrated connection between the termination of the marriage and the abuse. - This prevents abusers from restricting their spouses from adjusting their immigration status by divorcing them. 	None
Sec. 824 Self-Petitioning Rights of HRIFA Applicants	<p>Amendments</p> <ul style="list-style-type: none"> - Changes language to reflect that the otherwise eligible spouse and children of a principal alien may self-petition for adjustment of status under VAWA HRIFA if the principal is eligible to do so. - This language prevents abusers from preventing victims from obtaining legal residency by failing to apply for such themselves. 	None
Sec. 825 Deportation Proceedings	<p>Amendments</p> <ul style="list-style-type: none"> - Technical correction allows domestic abuse victims the opportunity to file one motion to reopen VAWA relief application and exempts them from the special motion to reopen filing deadlines. 	None
Sec. 826 Limitations on Enforcement	<p>Amendments</p> <ul style="list-style-type: none"> - Prohibits immigration officers and employees from carrying out any civil immigration enforcement action while the non-citizen victim is receiving domestic violence or sexual assault services or is at a courthouse in connection with such cases or involving custody or a protection order. 	None
Sec. 827 Protecting Abused Juveniles	<p>Amendments</p> <ul style="list-style-type: none"> - Prohibits immigration authorities from contacting the abusive parents regarding a neglected, abandoned, or abused juvenile's application for special immigrant juvenile status. 	None

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 828 Rulemaking	<p>Amendments</p> <ul style="list-style-type: none"> - Compels the Attorney General, Secretary of Homeland Security, and Secretary of State to authorize rules designed to implement the provisions contained in this act. 	None
	Title IX: Safety for Indian Women	
Sec. 903 Consultation	<p>Purpose Areas</p> <ul style="list-style-type: none"> - Requires the Secretary of the Interior and the Attorney General to conduct annual consultations with Indian tribal governments regarding administration of funds established under VAWA, enhancing safety of Indian women from domestic violence, dating violence, sexual assault and stalking and increasing Federal response to such crimes. 	None
Sec. 904 Analysis and Research on Violence Against Indian Women	<p>Purpose Areas</p> <ul style="list-style-type: none"> - Requires National Institute of Justice to conduct a baseline study examining domestic violence, dating violence, sexual assault, stalking, and murder committed against Indian women and recommend steps to improve effectiveness of combating such crimes. - Development of task force to develop and guide implementations of recommendations of the study. - Requires HHS to conduct a study of injuries to Indian women as a result of the above crimes and the associated costs. 	Total of \$1.5 million each FY 2006-2007 available until expended
Sec. 905 Tracking of Violence Against Indian Women	<p>Purpose Areas</p> <ul style="list-style-type: none"> - Allows tribal law enforcement access to Federal criminal information databases for cases of domestic violence, dating violence, sexual assault, and stalking. - Authorizes creation of tribal sex offender registry and tribal protection order registry for civil and criminal protective orders issued by Indian tribes. 	\$1 million each FY 2006-2010

VIOLENCE AGAINST WOMEN ACT OF 2005
SUMMARY OF PROVISIONS – SENATE BILL S. 1197

SECTION TITLE	SUMMARY OF PROVISIONS/ AMENDMENTS TO VAWA 2000	AUTHORIZATION
Sec. 906 Tribal Deputy in the Office on Violence Against Women	<p>Purpose Areas</p> <ul style="list-style-type: none"> - Creates the position of Deputy Director of Tribal Affairs in the Office on Violence Against Women. - Duties of such include overseeing tribal grant programs and developing federal policies regarding violence against Indian women 	None
Sec. 907 Enhanced Criminal Law Resources	<p>Amendments to Criminal Code</p> <ul style="list-style-type: none"> - Expands prohibition of persons convicted of a qualifying misdemeanor crime of domestic violence from possessing a firearm to include those convicted of such crimes under tribal law. - Extends jurisdiction of federal officers to arrest a perpetrator the officer reasonably believes has committed a misdemeanor crime of domestic violence in Indian country. 	None
Sec. 908 Domestic Assault by a Habitual Offender	<p>Amendments to Criminal Code</p> <ul style="list-style-type: none"> - Creates a separate offense of domestic assault by a habitual offender when a person commits such an assault within federal jurisdiction against an intimate partner and has been convicted of such crimes on 2 prior occasions. - The penalty is to be not more than 5 years imprisonment, or if serious bodily injury occurs, not more than 10. 	None