TITLE III—REAUTHORIZATION OF PROGRAMS WITH RESPECT TO FAMILY VIOLENCE

SEC. 301. AMENDATORY REFERENCES.

Except as otherwise provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to that section or other provision of the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.).

SEC. 302. EXPANSION OF PURPOSE.

Section 302 (42 U.S.C. 10401) is amended—

(1) in paragraph (1)—

(A) by striking out "demonstration the effectiveness of assisting" and inserting in lieu thereof "assist"; and

(B) by striking out "to prevent" and inserting in lieu thereof "to increase public awareness about and prevent"; and

(2) in paragraph (2), by inserting ", courts, legal, social service, and health care professionals" after "(including law enforcement agencies)".

SEC. 303. EXPANSION OF STATE GRANT PROGRAM.

Section 303(a) (42 U.S.C. 10402(a)) is amended—

(1) in paragraph (1), by striking out "demonstration grants" and inserting in lieu thereof "grants"; and

(2) in paragraph (2)—

(A) by striking out "demonstration grant" in the matter preceding subparagraph (A), and inserting in lieu thereof "grant";

(B) by striking out "demonstration grant" in subparagraph (A), and inserting in lieu thereof "grant"; and

(C) by striking out "particularly those projects in subparagraph (B)" and all that follows through the end thereof, and inserting in lieu thereof the following: "the primary purpose of which is to operate shelters for victims of family violence and their dependents, and those which provide counseling, advocacy, and self-help services to victims and their children."

SEC. 304. INVOLVEMENT IN PLANNING.

Section 303(a)(2)(C) (42 U.S.C. 10402(a)(2)(C)) is amended by inserting "State domestic violence coalitions" after "involve".

SEC. 305. CONFIDENTIALITY ASSURANCES.

Section 303(a)(2)(E) (42 U.S.C. 10402(a)(2)(E)) is amended by striking out "assurances that procedures will be developed" and inserting in lieu thereof "documentation that procedures have been developed, and implemented including copies of the policies and procedure."

SEC. 306. PROCEDURE FOR EVICTING VIOLENT SPOUSES.

Section 303(a)(2)(F) (42 U.S.C. 10402(a)(2)(F)) is amended to read as follows:
“(F) provide documentation to the Secretary that the State has a law or procedure that has been implemented for the eviction of an abusing spouse from a share household;

SEC. 307. PENALTIES FOR NONCOMPLIANCE.
Section 303(a)(3) (42 U.S.C. 10402(a)(3)) is amended—
(1) by inserting “a 6-month period providing an” before “opportunity”; and
(2) by adding at the end thereof the following new sentences:
“The Secretary shall provide such documentation if any of the provisions of paragraph (2) have not been satisfied in such application. If the State has not corrected the deficiencies in such application within the 6-month period following the receipt of the Secretary’s notice of intention to disapprove, the Secretary shall withhold payment of any grant funds to such State until the date that is 30 days prior to the end of the fiscal year for which such grant funds are provided. The Secretary shall provide documentation that the deficiencies have been corrected, whenever occurs first. State Domestic Violence Coalitions shall be permitted to participate in determining whether a grantee is in compliance with paragraph (2), except that no funds made available to State Domestic Violence Coalitions under section 311 shall be used to challenge a determination as to whether a grantee is in compliance with, or to seek the enforcement of, the eligibility requirements of such paragraph.”

SEC. 308. GRANTS TO INDIAN TRIBES.
Section 303(b) (42 U.S.C. 10402(b)) is amended—
(1) in paragraph (1)—
(A) by striking out “is authorized to make demonstration grants” and inserting in lieu thereof “, from amounts appropriated to carry out this section, shall make available not less than 10 percent of such amounts to make grants”;
(B) by striking out “and tribal” and inserting in lieu thereof “, tribal”; and
(C) by inserting “and nonprofit private organizations approved by an Indian Tribe for the operation of a family violence shelter on a Reservation”, after “tribal organizations”;
(2) in paragraph (2)—
(A) by striking out “demonstration grant” and inserting in lieu thereof “grant”;
(B) by striking out “and (E)” and inserting in lieu thereof “(E) and (F)”;
(C) by adding at the end thereof the following new sentence: “No entity eligible to submit an application under paragraph (1) shall be prohibited from making an application during any fiscal year for which funds are available because such entity has not previously applied or received funding under this section.”; and
(3) by adding at the end the following new paragraph:
“(3) In the case of a project for which the initial application for a demonstration grant under this subsection is made on or after the date of the enactment of the Child Abuse Programs, Adoption Opportunities, and Family Violence Prevention Amendments Act of 1992, the terms ‘Indian tribe’ and ‘tribal organization’, for purposes of this section in section 4 of the Violence Against Women Act.”

SEC. 309. MAXIMUM AMOUNT.
(a) IN GENERAL.
(1) by striking
(2) by redesignating
(c) through (f),
(b) EFFECTIVITY DATE.
subsection (a) as amended
for fiscal year 1993.
SEC. 310. GRANTS TO GRANTS TO ABUSING SPOUSES.
Section 303(e) (42 U.S.C. 10402(e)) is amended—
(1) in the first sentence—
for purposes of this subsection, have the meaning given such terms in section 4 of the Indian Self-Determination and Education Assistance Act:”.

SEC. 308. MAXIMUM CEILING.

(a) IN GENERAL.—Section 303 (42 U.S.C. 10402) is amended—
(1) by striking out subsection (c); and
(2) by redesignating subsections (d) through (g) as subsections (c) through (f), respectively.

(b) EFFECTIVITY OF AMENDMENTS.—The amendments made by subsection (a) are effective in the case of amounts appropriated for fiscal year 1992 and subsequent fiscal years.

SEC. 310. GRANTS TO ENTITIES OTHER THAN STATES; LOCAL SHARE.

Section 303(e) (as redesignated by section 309 of this Act) is amended—

(1) in the first sentence—
(A) by striking out “demonstration grant” and inserting in lieu thereof “grant”;
(B) by inserting “or an Indian Tribe” after “State”;
(C) by striking out “35 percent” and inserting in lieu thereof “20 percent”;
(D) by striking out “55 percent” and inserting in lieu thereof “35 percent”;
(E) by striking out “and 65 percent in the third such year” and inserting in lieu thereof “and 50 percent in the third such year and in any such year thereafter”; and

(2) in the second sentence, by striking out “50 percent” and inserting in lieu thereof “25 percent”.

SEC. 311. SHELTER AND RELATED ASSISTANCE.

(a) SHELTER.—Section 303(f) (42 U.S.C. 10402(g)) (as so redesignated by section 309) is amended—
(1) by striking out “60 percent” and inserting in lieu thereof “70 percent”; and
(2) by inserting before the period the following “as defined in section 309(4). Not less than 25 percent of the funds distributed under subsection (a) or (b) shall be distributed for the purpose of providing related assistance as defined under section 309(5)(A)”.

(b) DEFINITION.—Paragraph (5) of section 309 (42 U.S.C. 10406(5)) is amended to read as follows:

“(5) The term ‘related assistance’ means the provision of direct assistance to victims of family violence and their dependents for the purpose of preventing further violence, helping such victims to gain access to civil and criminal courts and other community services, facilitating the efforts of such victims to make decisions concerning their lives in the interest of safety, and assisting such victims in healing from the effects of the violence. Related assistance shall include—

(A) prevention services such as outreach and prevention services for victims and their children, employment training, parenting and other educational services for victims and their children, preventive health services within domestic violence programs (including nutrition, disease prevention, exercise, and prevention of substance abuse), domestic violence prevention programs for school age chil-
dren, family violence public awareness campaigns, and violence prevention counseling services to abusers;  
(B) counseling with respect to family violence, counseling  
by peers individually or in groups, and referral to commu-  
nity social services;  
(C) transportation, technical assistance with respect to  
obtaining financial assistance under Federal and State pro-  
grams, and referrals for appropriate health-care services  
(including alcohol and drug abuse treatment), but shall  
not include reimbursement for any health-care services;  
(D) legal advocacy to provide victims with information  
and assistance through the civil and criminal courts, and  
legal assistance; or  
(E) children's counseling and support services, and child  
care services for children who are victims of family violence  
or the dependents of such victims.

SEC. 312. ALLOTMENT OF FUNDS.

Section 304(a)(1) (42 U.S.C. 10403(a)(1)) is amended—
(1) by striking out “whichever is the greater of the following  
amounts: one-half of”; and  
(2) by striking out “$50,000” and inserting in lieu thereof  
“$200,000, whichever is the lesser amount”.

SEC. 313. SECRETARIAL RESPONSIBILITIES.

Section 305(b)(2)(A) (42 U.S.C. 10404(b)(2)(A)) is amended—
(1) by striking out “into the causes of family violence”;
(2) by inserting “most effective” before “prevention”;
(3) by striking out “and (ii)” and inserting in lieu thereof  
“(ii)”;
and  
(4) by inserting before “and (B)” the following: “(iii) the  
effectiveness of providing safety and support to maternal and  
child victims of family violence as a way to eliminate the  
abuse experienced by children in such situations, (iv) identifica-  
tion of intervention approaches to child abuse prevention ser-  
vice which appear to be successful in preventing child abuse  
where both mother and child are abused, (v) effective and  
appropriate treatment services for children where both mother  
and child are abused, and (vi) the individual and situational  
factors leading to the end of violent and abusive behavior  
by persons who commit acts of family violence, including such  
factors as history of previous violence and the legal and service  
treatments received.”.

SEC. 314. EVALUATION AND REPORT TO CONGRESS.

Section 306 (42 U.S.C. 10405) is amended—
(1) by inserting “and every two years thereafter,” after “the  
first time after the date of the enactment of this title”;  
(2) by striking out “assurances and inserting in lieu thereof  
documentation”, and  
(3) by striking out “303(a)(2)(F)” and inserting in lieu  
“303(a)(2)(B) through 303(a)(2)(F)”.

SEC. 315. FUNDING FOR TECHNICAL ASSISTANCE CENTERS.

Section 308 (42 U.S.C. 10407) is amended to read as follows:

SEC. 308. INFORMATION AND TECHNICAL ASSISTANCE CENTERS.

“(a) PURPOSE AND GRANTS.—
"(1) PURPOSE.—It is the purpose of this section to provide resource information, training, and technical assistance to Federal, State, and Indian tribal agencies, as well as to local domestic violence programs and to other professionals who provide services to victims of domestic violence.

"(2) GRANTS.—From the amounts appropriated under this title, the Secretary shall award grants to private nonprofit organizations for the establishment and maintenance of one national resource center (as provided for in subsection (b)) and not to exceed six special issue resource centers (as provided for in subsection (c)) focusing on one or more issues of concern to domestic violence victims.

"(b) NATIONAL RESOURCE CENTER.—The national resource center established under subsection (a)(2) shall offer resource, policy and training assistance to Federal, State, and local government agencies, to domestic violence service providers, and to other professionals and interested parties on issues pertaining to domestic violence, and shall maintain a central resource library in order to collect, prepare, analyze, and disseminate information and statistics and analyses thereof relating to the incidence and prevention of family violence (particularly the prevention of repeated incidents of violence) and the provision of immediate shelter and related assistance.

"(c) SPECIAL ISSUE RESOURCE CENTERS.—The special issue resource centers established under subsection (a)(2) shall provide information, training and technical assistance to State and local domestic violence service providers, and shall specialize in at least one of the following areas of domestic violence service, prevention, or law:

"(1) Criminal justice response to domestic violence, including court-mandated abuser treatment.

"(2) Improving the response of Child Protective Service agencies to battered mothers of abused children.

"(3) Child custody issues in domestic violence cases.

"(4) The use of the self-defense plea by domestic violence victims.

"(5) Improving interdisciplinary health care responses and access to health care resources for victims of domestic violence.

"(6) Improving access to and the quality of legal representation for victims of domestic violence in civil litigation.

"(d) ELIGIBILITY.—To be eligible to receive a grant under this section an entity shall be a private nonprofit organization that—

"(1) focuses primarily on domestic violence;

"(2) provides documentation to the Secretary demonstrating experience working directly on issues of domestic violence, particularly in the specific subject area for which it is applying;

"(3) include on its advisory boards representatives from domestic violence programs in the region who are geographically and culturally diverse; and

"(4) demonstrate the strong support of domestic violence advocates from across the country and the region for their designation as the national or a special issue resource center.

"(e) REPORTING.—Not later than 6 months after receiving a grant under this section, a grantee shall prepare and submit a report to the Secretary that evaluates the effectiveness of the use of amounts received under such grant by such grantee and containing such additional information as the Secretary may prescribe.
“(f) DEFINITION.—For purposes of this section, the term ‘Indian tribal agency’ means an Indian tribe or tribal organization, as defined in section 4 of the Indian Self-Determination and Education Assistance Act.

“(g) REGULATIONS.—Not later than 90 days after the date of enactment of this section, the Secretary shall publish proposed regulations implementing this section. Not later than 120 days after such date of enactment, the Secretary shall publish final regulations.”

SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

Section 310 (42 U.S.C. 10409) is amended to read as follows:

“SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out the provisions of sections 303 through 309 and section 313, $60,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.

“(b) SECTION 303 (a) AND (b).—Of the amounts appropriated under subsection (a) for each fiscal year, not less than 80 percent shall be used for making grants under subsection 303(a), and not less than 10 percent shall be used for the purpose of carrying out section 303(b).

“(c) SECTION 308.—Of the amounts appropriated under subsection (a) for each fiscal year, 5 percent shall be used by the Secretary for making grants under section 308.”

SEC. 317. CONTRACTS AND GRANTS FOR STATE DOMESTIC VIOLENCE COALITIONS.

Section 311 (42 U.S.C. 10410) is amended to read as follows:

“SEC. 311. GRANTS FOR STATE DOMESTIC VIOLENCE COALITIONS.

“(a) IN GENERAL.—The Secretary shall award grants for the funding of State domestic violence coalitions. Such coalitions shall further the purposes of domestic violence intervention and prevention through activities, including—

“(1) working with judicial and law enforcement agencies to encourage appropriate responses to domestic violence cases and examine issues including—

“(A) the inappropriateness of mutual protection orders; 
“(B) the prohibition of mediation when domestic violence is involved; 
“(C) the use of mandatory arrests of accused offenders; 
“(D) the discouragement of dual arrests; 
“(E) the adoption of aggressive and vertical prosecution policies and procedures; 
“(F) the use of mandatory requirements for presentence investigations; 
“(G) the length of time taken to prosecute cases or reach plea agreements; 
“(H) the use of plea agreements; 
“(I) the consistency of sentencing, including comparisons of domestic violence crimes with other violent crimes; 
“(J) the restitution of victims; 
“(K) the use of training and technical assistance to law enforcement and court officials and other professionals; 

“(b) ELIGIBILITY—A grant shall be awarded to an entity that is a domestic violence coalition meeting the following standards:

“(1) The entity is a coalition of organizations and individuals that are working together to enhance the effectiveness of local and State programs designed to protect victims of domestic violence and their children.

“(2) The entity is a collaborative entity that is not subject to any formal or informal rules of public procedure or to any statute, rule, or regulation by virtue of which the entity is not subject to public examination or whose actions are not subject to public review.

“(3) The entity has a written plan for the provision of services for the protection of victims of domestic violence and their children, including the services described in this section, and has a written plan for the distribution of funds to State and local programs.

“(4) In making a grant, the Secretary shall give priority to grants that—

“(A) enhance the effectiveness of existing programs for the protection of victims of domestic violence and their children;

“(B) provide comprehensive services for victims of domestic violence and their children;

“(C) improve the coordination of services for victims of domestic violence and their children;

“(D) support the needs of survivors of domestic violence and their children; and

“(E) provide services to victims of domestic violence and their children who are members of racial or ethnic minorities, the elderly, children, and people with disabilities.”
“(L) the reporting practices of, and significance to be accorded to, prior convictions (both felony and misdemeanor) and protection orders;

“(M) the use of interstate extradition in cases of domestic violence crimes;

“(N) the use of statewide and regional planning; and

“(O) any other matters as the Secretary and the State domestic violence coalitions believe merit investigations;

“(2) work with family law judges, Child Protective Services agencies, and children’s advocates to develop appropriate responses to child custody and visitation issues in domestic violence cases as well as cases where domestic violence and child abuse are both present, including—

“(A) the inappropriateness of mutual protection orders;

“(B) the prohibition of mediation where domestic violence is involved;

“(C) the inappropriate use of marital or conjoint counseling in domestic violence cases;

“(D) the use of training and technical assistance for family law judges and court personnel;

“(E) the presumption of custody to domestic violence victims;

“(F) the use of comprehensive protection orders to grant fullest protections possible to victims of domestic violence, including temporary support and maintenance;

“(G) the development by Child Protective Service of supportive responses that enable victims to protect their children;

“(H) the implementation of supervised visitations that do not endanger victims and their children; and

“(I) the possibility of permitting domestic violence victims to remove children from the State when the safety of the children or the victim is at risk;

“(3) conduct public education campaigns regarding domestic violence through the use of public service announcements and informative materials that are designed for print media, billboards, public transit advertising, electronic broadcast media, and other vehicles for information that shall inform the public concerning domestic violence; and

“(4) participate in planning and monitoring of the distribution of grants and grant funds to their State under section 303(a).

“(b) ELIGIBILITY.—To be eligible for a grant under this section, an entity shall be a statewide nonprofit State domestic violence coalition meeting the following conditions:

“(1) The membership of the coalition includes representatives from a majority of the programs for victims of domestic violence in the State.

“(2) The board membership of the coalition is representative of such programs.

“(3) The purpose of the coalition is to provide services, community education, and technical assistance to such programs to establish and maintain shelter and related services for victims of domestic violence and their children.

“(4) In the application submitted by the coalition for the grant, the coalition provides assurances satisfactory to the Secretary that the coalition—
"(A) has actively sought and encouraged the participation of law enforcement agencies and other legal or judicial entities in the preparation of the application; and

"(B) will actively seek and encourage the participation of such entities in the activities carried out with the grant.

"(c) Allotment of Funds.—From amounts appropriated under this section for each fiscal year, the Secretary shall allot to each State, the District of Columbia, the Commonwealth of Puerto Rico, and the combined U.S. Territories an amount equal to $4,500 of the amount appropriated for such fiscal year. For purposes of this section, the term 'combined U.S. Territories' means Guam, American Samoa, the U.S. Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands and shall not receive less than 1.5 percent of the funds appropriated for each fiscal year.

"(d) Prohibition on Lobbying.—No funds made available to entities under this section shall be used, directly or indirectly, to influence the issuance, amendment, revocation, or any executive order or similar promulgation, or any Federal, State, or local agency, or to undertake to influence the passage or defeat of any legislation by Congress, or any State or local legislative body, or any State or local legislative proposal by any means, except that the representatives of the entity may testify or make other appropriate communication—

"(1) when formally requested to do so by a legislative body, a committee, or a member thereof; or

"(2) in connection with legislation or appropriations directly affecting the activities of the entity.

"(e) Reporting.—Each State domestic violence coalition receiving amounts under this section shall submit a report to the Secretary describing the coordination, training and technical assistance and public education services performed with such amounts and evaluating the effectiveness of those services.

"(f) Definition.—For purposes of this section, a State domestic violence coalition may include representatives of Indian tribes and tribal organizations, as defined in section 4 of the Indian Self-Determination and Education Assistance Act.

"(g) Authorization of Appropriations.—There are authorized to be appropriated to be awarded grants under this section $8,000,000 for each fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1998.

"(h) Regulations.—Not later than 90 days after the date of enactment of this section, the Secretary shall publish proposed regulations implementing this section. Not later than 120 days after such date of enactment, the Secretary shall publish final regulations implementing this section.

SEC. 318. REGULATIONS.

Section 312(a) (42 U.S.C. 14049(a)) is amended by adding at the end thereof the following new sentence:

"Not later than 90 days after the date of enactment of this sentence, the Secretary shall publish proposed regulations implementing sections 303, 308, and 314. Not later than 120 days after such date of enactment, the Secretary shall publish final regulations implementing such sections."
SEC. 319. FAMILY MEMBER ABUSE INFORMATION AND DOCUMENTATION.

Section 319(1) (42 U.S.C. 10409(1)) is amended by striking out "characteristics relating to family violence" and inserting in lieu thereof "develop data on the number of victims of family violence and their dependents who are homeless or institutionalized as a result of the violence and abuse they have experienced".

SEC. 320. GRANTS FOR PUBLIC INFORMATION CAMPAIGNS.

The Act is amended by adding at the end thereof the following new section:

"SEC. 314. GRANTS FOR PUBLIC INFORMATION CAMPAIGNS.

(a) In General.—The Secretary may make grants to public or private nonprofit entities to provide public information campaigns regarding domestic violence through the use of public service announcements and informative materials that are designed for print media, billboards, public transit advertising, electronic broadcast media, and other vehicles for information that shall inform the public concerning domestic violence.

(b) Application.—No grant, contract, or cooperative agreement shall be made or entered into under this section unless an application that meets the requirements of subsection (c) has been approved by the Secretary.

(c) Requirements.—An application submitted under subsection (b) shall:

"(1) provide such agreements, assurances, and information, in such form and be submitted in such manner as the Secretary shall prescribe through notice in the Federal Register, including a description of how the proposed public information campaign will target the population at risk, including pregnant women;

"(2) include a complete description of the plan of the application for the development of a public information campaign;

"(3) identify the specific audiences that will be educated, including communities and groups with the highest prevalence of domestic violence;

"(4) identify the media to be used in the campaign and the geographic distribution of the campaign;

"(5) describe plans to test market a development plan with a relevant population group and in a relevant geographic area and give assurance that effectiveness criteria will be implemented prior to the completion of the final plan that will include an evaluation component to measure the overall effectiveness of the campaign;

"(6) describe the kind, amount, distribution, and timing of informational messages and such other information as the Secretary may require, with assurances that media organizations and other groups with which such messages are placed will not lower the current frequency of public service announcements; and

"(7) contain such other information as the Secretary may require.

(d) Use.—A grant, contract, or agreement made or entered into under this section shall be used for the development of a public information campaign that may include public service announcements, paid educational messages for print media, public transit
advertising, electronic broadcast media, and any other mode of conveying information that the Secretary determines to be appropriate.

"(e) CRITERIA.—The criteria for awarding grants shall ensure that an applicant—

"(1) will conduct activities that educate communities and groups at greatest risk;

"(2) has a record of high quality campaigns of a comparable type; and

"(3) has a record of high quality campaigns that educate the population groups identified as most at risk.

"(f) For purposes of this section, the term 'public or private nonprofit entity' includes an 'Indian tribe' or 'tribal organization', as defined in section 4 of the Indian Self-Determination and Education Assistance Act.'

SEC. 321. MODEL STATE LEADERSHIP INCENTIVE GRANTS FOR DOMESTIC VIOLENCE INTERVENTION.

The Act (as amended by section 320) is further amended by adding at the end thereof the following new section:

"SEC. 315. MODEL STATE LEADERSHIP GRANTS FOR DOMESTIC VIOLENCE INTERVENTION.

"(a) IN GENERAL.—The Secretary, in cooperation with the Attorney General, shall award grants to not more than 10 States to assist such States in becoming model demonstration States and in meeting the costs of improving State leadership concerning activities that will—

"(1) increase the number of prosecutions for domestic violence crimes;

"(2) encourage the reporting of incidences of domestic violence; and

"(3) facilitate 'arrests and aggressive prosecution policies.

"(b) DESIGNATION AS MODEL STATE.—To be designated as a model State under subsection (a), a State shall have in effect—

"(1) a law that requires mandatory arrest of a person that police have probable cause to believe has committed an act of domestic violence or probable cause to believe has violated an outstanding civil protection order;

"(2) a law or policy that discourages 'dual' arrests;

"(3) statewide prosecution policies that—

"(A) authorize and encourage prosecutors to pursue cases where a criminal case can be proved, including proceeding without the active involvement of the victim if necessary; and

"(B) implement model projects that include either—

"(i) a 'no-drop' prosecution policy; or

"(ii) a vertical prosecution policy; and

"(C) limit diversion to extraordinary cases, and then only after an admission before a judicial officer has been entered;

"(4) statewide guidelines for judges that—

"(A) reduce the automatic issuance of mutual restraining or protective orders in cases where one spouse has sought a restraining or protective order;

"(B) discourage custody or joint custody orders by spouse abusers; and

"(C) encourage the courts as a serious priority;

"(5) develop an effective and efficient justice system's responses to domestic violence, including remedies as easily available as other violent crimes, such as providing easily accessible safety planning for victims during and after contact with the courts.

"(c) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There shall be appropriated to carry out this section such sums as Congress shall appropriate from time to time for fiscal year 1992 and each of the fiscal years thereafter.

"(2) LIMITATION.—No grant shall be made in an amount less than $100,000 for any fiscal year.

"(3) DELEGATION TO ATTORNEY GENERAL.—The Secretary of Justice shall make all grant decisions, regulations, policies, and procedures under this section.

SEC. 322. EDUCATING AND TRAINING PRACTITIONERS.

(a) GENERAL PURPOSE.—The Secretary of Education, in cooperation with the Attorney General, shall develop model programs and training to educate practitioners who work with battered women and children, victims of violence, and professionals in the field of education. Such model programs shall be developed in cooperation with educational experts, correctional experts, social workers, advocates, and individual consultants. The model programs shall be used to train practitioners who work with battered women and children, victims of violence, and professionals in the field of education. The model programs shall be disseminated to educational institutions and the training of practitioners.

(b) NATURE OF PROJECT.—The Secretary of Education in cooperation with the Attorney General shall disseminate appropriate guidelines and model programs for carrying out the purposes of this section.

(c) REVIEW AND DETERMINATION.—The Secretary of Education in cooperation with the Attorney General shall review and determine the appropriate guidelines and model programs for carrying out the purposes of this section.

SEC. 401. FINDINGS AND PURPOSES.

Section 201 of the Adoption Reform and Assistance Act of 1984, as added by this Act, is hereby amended by striking out all after the words "§ 201." as follows:
“(C) encourage the understanding of domestic violence as a serious criminal offense and not a trivial dispute; and
“(5) develop and disseminate methods to improve the criminal justice system’s response to domestic violence to make existing remedies as easily available as possible to victims of domestic violence, including reducing delay, eliminating court fees, and providing easily understandable court forms.
“(c) AUTHORIZATION OF APPROPRIATIONS.—
“(1) IN GENERAL.—In addition to the funds authorized to be appropriated under section 310, there are authorized to be appropriated to make grants under this section $25,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995.
“(2) LIMITATION.—A grant may not be made under this section in an amount less than $2,000,000.
“(3) DELEGATION AND TRANSFER.—The Secretary shall delegate to the Attorney General the Secretary’s responsibilities for carrying out this section and shall transfer to the Attorney General the funds appropriated under this section for the purpose of making grants under this section.”.

SEC. 322. EDUCATING YOUTH ABOUT DOMESTIC VIOLENCE.

(a) GENERAL PURPOSE.—For purposes of this section, the Secretary of Education, hereinafter referred to as the “Secretary” shall develop model programs for education of young people about domestic violence and violence among intimate partners.

(b) NATURE OF PROGRAM.—The Secretary, in consultation with the Secretary of Health and Human Services, shall through grants or contracts develop three separate programs, one each for primary and middle schools, secondary schools, and institutions of higher education. Such model programs shall be developed with the input of educational experts, law enforcement personnel, legal and psychological experts on battering, and victim advocate organizations such as battered women’s shelters. The participation of each such group or individual consultants from such groups is essential to the development of a program that meets both the needs of educational institutions and the needs of the domestic violence problem.

(c) REVIEW AND DISSEMINATION.—Not later than 9 months after the date of enactment of this Act, the Secretary shall transmit the model programs, along with a plan and cost estimate for nationwide distribution, to the relevant committees of Congress for review.

(d) AUTHORIZATION.—There are authorized to be appropriated under this section for fiscal year 1992, $200,000 to carry out the purposes of this section.

TITLE IV—REAUTHORIZATION OF PROGRAMS WITH RESPECT TO ADOPTION

SEC. 401. FINDINGS AND PURPOSE.

Section 201 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5111) is amended to read as follows:
SEC. 201. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.

(a) FINDINGS.—Congress finds that—

"(1) the number of children in substitute care increased by nearly 50 percent between 1985 and 1990, as our Nation’s foster care population included more than 400,000 children at the end of June, 1990;

"(2) increasingly children entering foster care have complex problems which require intensive services;

"(3) an increasing number of infants are born to mothers who did not receive prenatal care, are born addicted to alcohol and other drugs, and exposed to infection with the etiologic agent for the human immunodeficiency virus, are medically fragile, and technology dependent;

"(4) the welfare of thousands of children in institutions and foster homes and disabled infants with life-threatening conditions may be in serious jeopardy and some such children are in need of placement in permanent, adoptive homes;

"(5) many thousands of children remain in institutions or foster homes solely because of local and other barriers to their placement in permanent, adoptive homes;

"(6) the majority of such children are of school age, members of sibling groups or disabled;

"(7) currently one-half of children free for adoption and awaiting placement are minorities;

"(8) adoption may be the best alternative for assuring the healthy development of such children;

"(9) there are qualified persons seeking to adopt such children who are unable to do so because of barriers to their placement; and

"(10) in order both to enhance the stability and love of the child’s home environment and to avoid wasteful expenditures of public funds, such children should not have medically indicated treatment withheld from them nor be maintained in foster care or institutions when adoption is appropriate and families can be found for such children.

(b) PURPOSE.—It is the purpose of this title to facilitate the elimination of barriers to adoption and to provide permanent and loving home environments for children who would benefit from adoption, particularly children with special needs, including disabled infants with life-threatening conditions, by—

"(1) promoting model adoption legislation and procedures in the States and territories of the United States in order to eliminate jurisdictional and legal obstacles to adoption; and

"(2) providing a mechanism for the Department of Health and Human Services to—

"(A) promote quality standards for adoption services, pre-placement, post-placement, and post-legal adoption counseling, and standards to protect the rights of children in need of adoption;

"(B) maintain a national adoption information exchange system to bring together children who would benefit from adoption and qualified prospective adoptive parents who are seeking such children, and conduct national recruitment efforts in order to reach prospective parents for children awaiting adoption; and

"(C) develop a national adoption resource center.

SEC. 202. MODEL ADOPTION REFORM ACT.

Section 203 of the Adoption Reform Act of 1967, as amended, is hereby codified as subsection (A) of section 203 of this title.
“(C) demonstrate expeditious ways to free children for adoption for whom it has been determined that adoption is the appropriate plan.”.

SEC. 402. MODEL ADOPTION LEGISLATION AND PROCEDURES.

Section 202 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5112) is repealed.

SEC. 403. INFORMATION AND SERVICE FUNCTIONS.

Section 203 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5113) is amended—

(1) in subsection (a)—

(A) by inserting “, on-site technical assistance” after “consultant services” in the second sentence;

(B) by inserting “including salaries and travel costs,” after “administrative expenses,” in the second sentence; and

(C) by adding at the end thereof the following new sentence: “The Secretary shall, not later than 12 months after the date of enactment of this sentence, prepare and submit to the committees of Congress having jurisdiction over such services reports, as appropriate, containing appropriate data concerning the manner in which activities were carried out under this title, and such reports shall be made available to the public.”; and

(2) in subsection (b)—

(A) by striking out paragraph (1) and redesignating paragraph (2) as paragraph (1);

(B) by inserting after paragraph (1) (as so redesignated) the following new paragraph:

“(2) conduct, directly or by grant or contract with public or private nonprofit organizations, ongoing, extensive recruitment efforts on a national level, develop national public awareness efforts to unite children in need of adoption with appropriate adoptive parents, and establish a coordinated referral system of recruited families with appropriate State or regional adoption resources to ensure that families are served in a timely fashion.”;

(C) in paragraph (4), by inserting before the semicolon the following: “, and to promote professional leadership training of minorities in the adoption field”; and

(D)(i) in paragraph (7), by striking “and” after the semicolon at the end;

(ii) by redesignating paragraph (8) as paragraph (9); and

(iii) by inserting after paragraph (7) the following new paragraph:

“(8) maintain (directly or by grant to or contract with public or private nonprofit agencies or organizations) a National Resource Center for Special Needs Adoption to—

(A) promote professional leadership development of minorities in the adoption field;

(B) provide training and technical assistance to service providers and State agencies to improve professional competency in the field of adoption and the adoption of children with special needs; and
“(C) facilitate the development of interdisciplinary approaches to meet the needs of children who are waiting for adoption and the needs of adoptive families; and”.

SEC. 404. AUTHORIZATION OF APPROPRIATIONS.

Section 205 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5115) is amended—

(1) by striking out subsection (a) and inserting in lieu thereof the following new subsection:

“(a) There are authorized to be appropriated, $10,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995, to carry out programs and activities under this Act except for programs and activities authorized under sections 203(b)(9) and 203(c)(1).”; and

(2) in subsection (b), by striking out “$3,000,000”, the first place that such appears, and all that follows through the end thereof, and inserting in lieu thereof the following: “$10,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995, to carry out section 203(b)(9), and there are authorized to be appropriated $10,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 1995, to carry out section 203(c)(1).”.

Approved May 28, 1992.

LEGISLATIVE HISTORY—S. 838 (H.R. 4712):

SENATE REPORTS: No. 102-164 (Comm. on Labor and Human Resources).

CONGRESSIONAL RECORD:


Apr. 9, Senate concurred in House amendment.


LEGISLATIVE HISTORY—H.R. 4712:

CONGRESSIONAL RECORD:

Feb. 21, considered.
May 14, considered.