

1 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—There is
 2 authorized to be appropriated to carry out this section,
 3 \$5,000,000 for each of fiscal years 2007 through 2011.”.

4 ***TITLE VI—HOUSING OPPORTUNI-***
 5 ***TIES AND SAFETY FOR BAT-***
 6 ***TERED WOMEN AND CHIL-***
 7 ***DREN***

8 ***SEC. 601. ADDRESSING THE HOUSING NEEDS OF VICTIMS***
 9 ***OF DOMESTIC VIOLENCE, DATING VIOLENCE,***
 10 ***SEXUAL ASSAULT, AND STALKING.***

11 *The Violence Against Women Act of 1994 (42 U.S.C.*
 12 *13701 et seq.) is amended by adding at the end the fol-*
 13 *lowing:*

14 ***“Subtitle N—Addressing the Hous-***
 15 ***ing Needs of Victims of Domestic***
 16 ***Violence, Dating Violence, Sex-***
 17 ***ual Assault, and Stalking***

18 ***“SEC. 41401. FINDINGS.***

19 *“Congress finds that:*

20 *“(1) There is a strong link between domestic vio-*
 21 *lence and homelessness. Among cities surveyed, 44*
 22 *percent identified domestic violence as a primary*
 23 *cause of homelessness.*

24 *“(2) Ninety-two percent of homeless women have*
 25 *experienced severe physical or sexual abuse at some*

1 *point in their lives. Of all homeless women and chil-*
2 *dren, 60 percent had been abused by age 12, and 63*
3 *percent have been victims of intimate partner violence*
4 *as adults.*

5 *“(3) Women and families across the country are*
6 *being discriminated against, denied access to, and*
7 *even evicted from public and subsidized housing be-*
8 *cause of their status as victims of domestic violence.*

9 *“(4) A recent survey of legal service providers*
10 *around the country found that these providers have*
11 *responded to almost 150 documented eviction cases in*
12 *the last year alone where the tenant was evicted be-*
13 *cause of the domestic violence crimes committed*
14 *against her. In addition, nearly 100 clients were de-*
15 *nied housing because of their status as victims of do-*
16 *mestic violence.*

17 *“(5) Women who leave their abusers frequently*
18 *lack adequate emergency shelter options. The lack of*
19 *adequate emergency options for victims presents a se-*
20 *rious threat to their safety and the safety of their chil-*
21 *dren. Requests for emergency shelter by homeless*
22 *women with children increased by 78 percent of*
23 *United States cities surveyed in 2004. In the same*
24 *year, 32 percent of the requests for shelter by homeless*

1 *families went unmet due to the lack of available emer-*
2 *gency shelter beds.*

3 *“(6) The average stay at an emergency shelter is*
4 *60 days, while the average length of time it takes a*
5 *homeless family to secure housing is 6 to 10 months.*

6 *“(7) Victims of domestic violence often return to*
7 *abusive partners because they cannot find long-term*
8 *housing.*

9 *“(8) There are not enough Federal housing rent*
10 *vouchers available to accommodate the number of peo-*
11 *ple in need of long-term housing. Some people remain*
12 *on the waiting list for Federal housing rent vouchers*
13 *for years, while some lists are closed.*

14 *“(9) Transitional housing resources and services*
15 *provide an essential continuum between emergency*
16 *shelter provision and independent living. A majority*
17 *of women in transitional housing programs stated*
18 *that had these programs not existed, they would have*
19 *likely gone back to abusive partners.*

20 *“(10) Because abusers frequently manipulate fi-*
21 *nances in an effort to control their partners, victims*
22 *often lack steady income, credit history, landlord ref-*
23 *erences, and a current address, all of which are nec-*
24 *essary to obtain long-term permanent housing.*

1 “(11) Victims of domestic violence in rural areas
2 face additional barriers, challenges, and unique cir-
3 cumstances, such as geographical isolation, poverty,
4 lack of public transportation systems, shortages of
5 health care providers, under-insurance or lack of
6 health insurance, difficulty ensuring confidentiality
7 in small communities, and decreased access to many
8 resources (such as advanced education, job opportuni-
9 ties, and adequate childcare).

10 “(12) Congress and the Secretary of Housing
11 and Urban Development have recognized in recent
12 years that families experiencing domestic violence
13 have unique needs that should be addressed by those
14 administering the Federal housing programs.

15 **“SEC. 41402. PURPOSE.**

16 “The purpose of this subtitle is to reduce domestic vio-
17 lence, dating violence, sexual assault, and stalking, and to
18 prevent homelessness by—

19 “(1) protecting the safety of victims of domestic
20 violence, dating violence, sexual assault, and stalking
21 who reside in homeless shelters, public housing, as-
22 sisted housing, tribally designated housing, or other
23 emergency, transitional, permanent, or affordable
24 housing, and ensuring that such victims have mean-

1 *ingful access to the criminal justice system without*
 2 *jeopardizing such housing;*

3 *“(2) creating long-term housing solutions that*
 4 *develop communities and provide sustainable living*
 5 *solutions for victims of domestic violence, dating vio-*
 6 *lence, sexual assault, and stalking;*

7 *“(3) building collaborations among victim serv-*
 8 *ice providers, homeless service providers, housing pro-*
 9 *viders, and housing agencies to provide appropriate*
 10 *services, interventions, and training to address the*
 11 *housing needs of victims of domestic violence, dating*
 12 *violence, sexual assault, and stalking; and*

13 *“(4) enabling public and assisted housing agen-*
 14 *cies, tribally designated housing entities, private*
 15 *landlords, property management companies, and*
 16 *other housing providers and agencies to respond ap-*
 17 *propriately to domestic violence, dating violence, sex-*
 18 *ual assault, and stalking, while maintaining a safe*
 19 *environment for all housing residents.*

20 **“SEC. 41403. DEFINITIONS.**

21 *“For purposes of this subtitle—*

22 *“(1) the term ‘assisted housing’ means housing*
 23 *assisted—*

24 *“(A) under sections 213, 220, 221(d)(3),*
 25 *221(d)(4), 223(e), 231, or 236 of the National*

1 *Housing Act (12 U.S.C. 1715l(d)(3), (d)(4), or*
2 *1715z-1);*

3 “(B) under section 101 of the *Housing and*
4 *Urban Development Act of 1965 (12 U.S.C.*
5 *1701s);*

6 “(C) under section 202 of the *Housing Act*
7 *of 1959 (12 U.S.C. 1701q);*

8 “(D) under section 811 of the *Cranston-*
9 *Gonzales National Affordable Housing Act (42*
10 *U.S.C. 8013);*

11 “(E) under title II of the *Cranston-Gonzales*
12 *National Affordable Housing Act (42 U.S.C.*
13 *12701 et seq.);*

14 “(F) under subtitle D of title VIII of the
15 *Cranston-Gonzalez National Affordable Housing*
16 *Act (42 U.S.C. 12901 et seq.);*

17 “(G) under title I of the *Housing and Com-*
18 *munity Development Act of 1974 (42 U.S.C.*
19 *5301 et seq.); or*

20 “(H) under section 8 of the *United States*
21 *Housing Act of 1937 (42 U.S.C. 1437f);*

22 “(2) the term ‘continuum of care’ means a com-
23 *munity plan developed to organize and deliver hous-*
24 *ing and services to meet the specific needs of people*

1 *who are homeless as they move to stable housing and*
 2 *achieve maximum self-sufficiency;*

3 “(3) the term ‘low-income housing assistance
 4 voucher’ means housing assistance described in section
 5 8 of the United States Housing Act of 1937 (42
 6 U.S.C. 1437f);

7 “(4) the term ‘public housing’ means housing de-
 8 scribed in section 3(b)(1) of the United States Hous-
 9 ing Act of 1937 (42 U.S.C. 1437a(b)(1));

10 “(5) the term ‘public housing agency’ means an
 11 agency described in section 3(b)(6) of the United
 12 States Housing Act of 1937 (42 U.S.C. 1437a(b)(6));

13 “(6) the terms ‘homeless’, ‘homeless individual’,
 14 and ‘homeless person’—

15 “(A) mean an individual who lacks a fixed,
 16 regular, and adequate nighttime residence; and

17 “(B) includes—

18 “(i) an individual who—

19 “(I) is sharing the housing of
 20 other persons due to loss of housing,
 21 economic hardship, or a similar rea-
 22 son;

23 “(II) is living in a motel, hotel,
 24 trailer park, or campground due to the

1 *lack of alternative adequate accom-*
2 *modations;*

3 *“(III) is living in an emergency*
4 *or transitional shelter;*

5 *“(IV) is abandoned in a hospital;*
6 *or*

7 *“(V) is awaiting foster care place-*
8 *ment;*

9 *“(ii) an individual who has a primary*
10 *nighttime residence that is a public or pri-*
11 *vate place not designed for or ordinarily*
12 *used as a regular sleeping accommodation*
13 *for human beings; or*

14 *“(iii) migratory children (as defined*
15 *in section 1309 of the Elementary and Sec-*
16 *ondary Education Act of 1965; 20 U.S.C.*
17 *6399) who qualify as homeless under this*
18 *section because the children are living in*
19 *circumstances described in this paragraph;*

20 *“(7) the term ‘homeless service provider’ means*
21 *a nonprofit, nongovernmental homeless service pro-*
22 *vider, such as a homeless shelter, a homeless service or*
23 *advocacy program, a tribal organization serving*
24 *homeless individuals, or coalition or other nonprofit,*
25 *nongovernmental organization carrying out a com-*

1 munity-based homeless or housing program that has
2 a documented history of effective work concerning
3 homelessness;

4 “(8) the term ‘tribally designated housing’ means
5 housing assistance described in the Native American
6 Housing Assistance and Self-Determination Act of
7 1996 (25 U.S.C. 4101 et seq.); and

8 “(9) the term ‘tribally designated housing entity’
9 means a housing entity described in the Native Amer-
10 ican Housing Assistance and Self-Determination Act
11 of 1996 (25 U.S.C. 4103(21));

12 **“SEC. 41404. COLLABORATIVE GRANTS TO INCREASE THE**
13 **LONG-TERM STABILITY OF VICTIMS.**

14 “(a) GRANTS AUTHORIZED.—

15 “(1) IN GENERAL.—The Secretary of Health and
16 Human Services, acting through the Administration
17 of Children and Families, in partnership with the
18 Secretary of Housing and Urban Development, shall
19 award grants, contracts, or cooperative agreements for
20 a period of not less than 2 years to eligible entities
21 to develop long-term sustainability and self-suffi-
22 ciency options for adult and youth victims of domes-
23 tic violence, dating violence, sexual assault, and stalk-
24 ing who are currently homeless or at risk for becom-
25 ing homeless.

1 “(2) *AMOUNT.*—*The Secretary of Health and*
2 *Human Services shall award funds in amounts—*

3 “(A) *not less than \$25,000 per year; and*

4 “(B) *not more than \$1,000,000 per year.*

5 “(b) *ELIGIBLE ENTITIES.*—*To be eligible to receive*
6 *funds under this section, an entity shall demonstrate that*
7 *it is a coalition or partnership, applying jointly, that—*

8 “(1) *shall include a domestic violence victim*
9 *service provider;*

10 “(2) *shall include—*

11 “(A) *a homeless service provider;*

12 “(B) *a nonprofit, nongovernmental commu-*
13 *nity housing development organization or a De-*
14 *partment of Agriculture rural housing service*
15 *program; or*

16 “(C) *in the absence of a homeless service*
17 *provider on tribal lands or nonprofit, nongovern-*
18 *mental community housing development organi-*
19 *zation on tribal lands, a tribally designated*
20 *housing entity or tribal housing consortium;*

21 “(3) *may include a dating violence, sexual as-*
22 *sault, or stalking victim service provider;*

23 “(4) *may include housing developers, housing*
24 *corporations, State housing finance agencies, other*

1 housing agencies, and associations representing land-
2 lords;

3 “(5) may include a public housing agency or
4 tribally designated housing entity;

5 “(6) may include tenant organizations in public
6 or tribally designated housing, as well as nonprofit,
7 nongovernmental tenant organizations;

8 “(7) may include other nonprofit, nongovern-
9 mental organizations participating in the Depart-
10 ment of Housing and Urban Development’s Con-
11 tinuum of Care process;

12 “(8) may include a State, tribal, territorial, or
13 local government or government agency; and

14 “(9) may include any other agencies or non-
15 profit, nongovernmental organizations with the ca-
16 pacity to provide effective help to adult and youth
17 victims of domestic violence, dating violence, sexual
18 assault, or stalking.

19 “(c) *APPLICATION.*—Each eligible entity seeking funds
20 under this section shall submit an application to the Sec-
21 retary of Health and Human Services at such time, in such
22 manner, and containing such information as the Secretary
23 of Health and Human Services may require.

24 “(d) *USE OF FUNDS.*—

1 “(1) *IN GENERAL.*—Funds awarded to eligible
2 entities under subsection (a) shall be used to design
3 or replicate and implement new activities, services,
4 and programs to increase the stability and self-suffi-
5 ciency of, and create partnerships to develop long-
6 term housing options for adult and youth victims of
7 domestic violence, dating violence, sexual assault, or
8 stalking, and their dependents, who are currently
9 homeless or at risk of becoming homeless.

10 “(2) *ACTIVITIES, SERVICES, PROGRAMS.*—Such
11 activities, services, or programs described in para-
12 graph (1) shall develop sustainable long-term living
13 solutions in the community by—

14 “(A) coordinating efforts and resources
15 among the various groups and organizations
16 comprised in the entity to access existing private
17 and public funding;

18 “(B) assisting with the placement of indi-
19 viduals and families in long-term housing; and

20 “(C) providing services to help individuals
21 or families find and maintain long-term hous-
22 ing, including financial assistance and support
23 services;

24 “(3) may develop partnerships with individuals,
25 organizations, corporations, or other entities that pro-

1 *vide capital costs for the purchase, preconstruction,*
2 *construction, renovation, repair, or conversion of af-*
3 *fordable housing units;*

4 “(4) *may use funds for the administrative ex-*
5 *penses related to the continuing operation, upkeep,*
6 *maintenance, and use of housing described in para-*
7 *graph (3); and*

8 “(5) *may provide to the community information*
9 *about housing and housing programs, and the process*
10 *to locate and obtain long-term housing.*

11 “(e) *LIMITATION.—Funds provided under paragraph*
12 *(a) shall not be used for construction, modernization or ren-*
13 *ovation.*

14 “(f) *UNDERSERVED POPULATIONS AND PRIORITIES.—*
15 *In awarding grants under this section, the Secretary of*
16 *Health and Human Services shall—*

17 “(1) *give priority to linguistically and culturally*
18 *specific services;*

19 “(2) *give priority to applications from entities*
20 *that include a sexual assault service provider as de-*
21 *scribed in subsection (b)(3); and*

22 “(3) *award a minimum of 15 percent of the*
23 *funds appropriated under this section in any fiscal*
24 *year to tribal organizations.*

25 “(g) *DEFINITIONS.—For purposes of this section:*

1 “(1) *AFFORDABLE HOUSING*.—The term ‘afford-
 2 able housing’ means housing that complies with the
 3 conditions set forth in section 215 of the Cranston-
 4 Gonzalez National Affordable Housing Act (42 U.S.C.
 5 12745).

6 “(2) *LONG-TERM HOUSING*.—The term ‘long-term
 7 housing’ means housing that is sustainable, accessible,
 8 affordable, and safe for the foreseeable future and is—

9 “(A) rented or owned by the individual;

10 “(B) subsidized by a voucher or other pro-
 11 gram which is not time-limited and is available
 12 for as long as the individual meets the eligibility
 13 requirements for the voucher or program; or

14 “(C) provided directly by a program, agen-
 15 cy, or organization and is not time-limited and
 16 is available for as long as the individual meets
 17 the eligibility requirements for the program,
 18 agency, or organization.

19 “(h) *EVALUATION, MONITORING, ADMINISTRATION,*
 20 *AND TECHNICAL ASSISTANCE*.—For purposes of this
 21 section—

22 “(1) up to 5 percent of the funds appropriated
 23 under subsection (i) for each fiscal year may be used
 24 by the Secretary of Health and Human Services for

1 *evaluation, monitoring, and administration costs*
 2 *under this section; and*

3 “(2) up to 8 percent of the funds appropriated
 4 *under subsection (i) for each fiscal year may be used*
 5 *to provide technical assistance to grantees under this*
 6 *section.*

7 “(i) *AUTHORIZATION OF APPROPRIATIONS.—There are*
 8 *authorized to be appropriated \$10,000,000 for each of fiscal*
 9 *years 2007 through 2011 to carry out the provisions of this*
 10 *section.*

11 **“SEC. 41405. GRANTS TO COMBAT VIOLENCE AGAINST**
 12 **WOMEN IN PUBLIC AND ASSISTED HOUSING.**

13 “(a) *PURPOSE.—It is the purpose of this section to as-*
 14 *sist eligible grantees in responding appropriately to domes-*
 15 *tic violence, dating violence, sexual assault, and stalking*
 16 *so that the status of being a victim of such a crime is not*
 17 *a reason for the denial or loss of housing. Such assistance*
 18 *shall be accomplished through—*

19 “(1) *education and training of eligible entities;*

20 “(2) *development and implementation of appro-*
 21 *priate housing policies and practices;*

22 “(3) *enhancement of collaboration with victim*
 23 *service providers and tenant organizations; and*

24 “(4) *reduction of the number of victims of such*
 25 *crimes who are evicted or denied housing because of*

1 *crimes and lease violations committed or directly*
2 *caused by the perpetrators of such crimes.*

3 *“(b) GRANTS AUTHORIZED.—*

4 *“(1) IN GENERAL.—The Attorney General, acting*
5 *through the Director of the Violence Against Women*
6 *Office of the Department of Justice (‘Director’), and*
7 *in consultation with the Secretary of Housing and*
8 *Urban Development (‘Secretary’), and the Secretary*
9 *of Health and Human Services, acting through the*
10 *Administration for Children, Youth and Families*
11 *(‘ACYF’), shall award grants and contracts for not*
12 *less than 2 years to eligible grantees to promote the*
13 *full and equal access to and use of housing by adult*
14 *and youth victims of domestic violence, dating vio-*
15 *lence, sexual assault, and stalking.*

16 *“(2) AMOUNTS.—Not less than 15 percent of the*
17 *funds appropriated to carry out this section shall be*
18 *available for grants to tribally designated housing en-*
19 *tities.*

20 *“(3) AWARD BASIS.—The Attorney General shall*
21 *award grants and contracts under this section on a*
22 *competitive basis.*

23 *“(4) LIMITATION.—Appropriated funds may*
24 *only be used for the purposes described in subsection*
25 *(f).*

1 “(c) *ELIGIBLE GRANTEES.*—

2 “(1) *IN GENERAL.*—*Eligible grantees are—*

3 “(A) *public housing agencies;*

4 “(B) *principally managed public housing*
5 *resident management corporations, as deter-*
6 *mined by the Secretary;*

7 “(C) *public housing projects owned by pub-*
8 *lic housing agencies;*

9 “(D) *tribally designated housing entities;*
10 *and*

11 “(E) *private, for-profit, and nonprofit own-*
12 *ers or managers of assisted housing.*

13 “(2) *SUBMISSION REQUIRED FOR ALL GRANT-*
14 *EES.*—*To receive assistance under this section, an eli-*
15 *gible grantee shall certify that—*

16 “(A) *its policies and practices do not pro-*
17 *hibit or limit a resident’s right to summon police*
18 *or other emergency assistance in response to do-*
19 *mestic violence, dating violence, sexual assault,*
20 *or stalking;*

21 “(B) *programs and services are developed*
22 *that give a preference in admission to adult and*
23 *youth victims of such violence, consistent with*
24 *local housing needs, and applicable law and the*
25 *Secretary’s instructions;*

1 “(C) it does not discriminate against any
2 person—

3 “(i) because that person is or is per-
4 ceived to be, or has a family or household
5 member who is or is perceived to be, a vic-
6 tim of such violence; or

7 “(ii) because of the actions or threat-
8 ened actions of the individual who the vic-
9 tim, as certified in subsection (e), states has
10 committed or threatened to commit acts of
11 such violence against the victim, or against
12 the victim’s family or household member;

13 “(D) plans are developed that establish
14 meaningful consultation and coordination with
15 local victim service providers, tenant organiza-
16 tions, linguistically and culturally specific serv-
17 ice providers, State domestic violence and sexual
18 assault coalitions, and, where they exist, tribal
19 domestic violence and sexual assault coalitions;
20 and

21 “(E) its policies and practices will be in
22 compliance with those described in this para-
23 graph within the later of 1 year or a period se-
24 lected by the Attorney General in consultation
25 with the Secretary and ACYF.

1 “(d) *APPLICATION.*—Each eligible entity seeking a
2 grant under this section shall submit an application to the
3 Attorney General at such a time, in such a manner, and
4 containing such information as the Attorney General may
5 require.

6 “(e) *CERTIFICATION.*—

7 “(1) *IN GENERAL.*—A public housing agency,
8 tribally designated housing entity, or assisted housing
9 provider receiving funds under this section may re-
10 quest that an individual claiming relief under this
11 section certify that the individual is a victim of do-
12 mestic violence, dating violence, sexual assault, or
13 stalking. The individual shall provide a copy of such
14 certification to the public housing agency, tribally
15 designated housing entity, or assisted housing pro-
16 vider within a reasonable period of time after the
17 agency or authority requests such certification.

18 “(2) *CONTENTS.*—An individual may satisfy the
19 certification requirement of paragraph (1) by—

20 “(A) providing the public housing agency,
21 tribally designated housing entity, or assisted
22 housing provider with documentation, signed by
23 an employee, agent, or volunteer of a victim
24 service provider, an attorney, a member of the
25 clergy, a medical professional, or any other pro-

1 *fessional from whom the victim has sought assist-*
2 *ance in addressing domestic violence, dating vio-*
3 *lence, sexual assault, or stalking, or the effects of*
4 *abuse; or*

5 *“(B) producing a Federal, State, tribal, ter-*
6 *ritorial, or local police or court record.*

7 *“(3) LIMITATION.—Nothing in this subsection*
8 *shall be construed to require any housing agency, as-*
9 *sisted housing provider, tribally designated housing*
10 *entity, owner, or manager to demand that an indi-*
11 *vidual produce official documentation or physical*
12 *proof of the individual’s status as a victim of domes-*
13 *tic violence, dating violence, sexual assault, or stalk-*
14 *ing, in order to receive any of the benefits provided*
15 *in this section. A housing agency, assisted housing*
16 *provider, tribally designated housing entity, owner, or*
17 *manager may provide benefits to an individual based*
18 *solely on the individual’s statement or other corrobo-*
19 *rating evidence.*

20 *“(4) CONFIDENTIALITY.—*

21 *“(A) IN GENERAL.—All information pro-*
22 *vided to any housing agency, assisted housing*
23 *provider, tribally designated housing entity,*
24 *owner, or manager pursuant to paragraph (1),*
25 *including the fact that an individual is a victim*

1 of domestic violence, dating violence, sexual as-
 2 sault, or stalking, shall be retained in confidence
 3 by such agency, and shall neither be entered into
 4 any shared database, nor provided to any related
 5 housing agency, assisted housing provider, trib-
 6 ally designated housing entity, owner, or man-
 7 ager, except to the extent that disclosure is—

8 “(i) requested or consented to by the
 9 individual in writing; or

10 “(ii) otherwise required by applicable
 11 law.

12 “(B) NOTIFICATION.—Public housing agen-
 13 cies must provide notice to tenants of their rights
 14 under this section, including their right to con-
 15 fidentiality and the limits thereof, and to owners
 16 and managers of their rights and obligations
 17 under this section.

18 “(f) USE OF FUNDS.—Grants and contracts awarded
 19 pursuant to subsection (a) shall provide to eligible entities
 20 personnel, training, and technical assistance to develop and
 21 implement policies, practices, and procedures, making
 22 physical improvements or changes, and developing or en-
 23 hancing collaborations for the purposes of—

24 “(1) enabling victims of domestic violence, dat-
 25 ing violence, sexual assault, and stalking with other-

1 *wise disqualifying rental, credit, or criminal histories*
2 *to be eligible to obtain housing or housing assistance,*
3 *if such victims would otherwise qualify for housing or*
4 *housing assistance and can provide documented evi-*
5 *dence that demonstrates the causal connection between*
6 *such violence or abuse and the victims' negative his-*
7 *tories;*

8 *“(2) permitting applicants for housing or hous-*
9 *ing assistance to provide incomplete rental and em-*
10 *ployment histories, otherwise required as a condition*
11 *of admission or assistance, if the victim believes that*
12 *providing such rental and employment history would*
13 *endanger the victim's or the victim children's safety;*

14 *“(3) protecting victims' confidentiality, includ-*
15 *ing protection of victims' personally identifying infor-*
16 *mation, address, or rental history;*

17 *“(4) assisting victims who need to leave a public*
18 *housing, tribally designated housing, or assisted hous-*
19 *ing unit quickly to protect their safety, including*
20 *those who are seeking transfer to a new public hous-*
21 *ing unit, tribally designated housing unit, or assisted*
22 *housing unit, whether in the same or a different*
23 *neighborhood or jurisdiction;*

24 *“(5) enabling the public housing agency, tribally*
25 *designated housing entity, or assisted housing pro-*

1 *vider, or the victim, to remove, consistent with appli-*
 2 *cable State law, the perpetrator of domestic violence,*
 3 *dating violence, sexual assault, or stalking without*
 4 *evicting, removing, or otherwise penalizing the victim;*

5 *“(6) enabling the public housing agency, tribally*
 6 *designated housing entity, or assisted housing pro-*
 7 *vider, when notified, to honor court orders addressing*
 8 *rights of access to or control of the property, includ-*
 9 *ing civil protection orders issued to protect the victim*
 10 *and issued to address the distribution or possession of*
 11 *property among the household members in cases where*
 12 *a family breaks up;*

13 *“(7) developing and implementing more effective*
 14 *security policies, protocols, and services;*

15 *“(8) allotting not more than 15 percent of funds*
 16 *awarded under the grant to make modest physical*
 17 *improvements to enhance safety;*

18 *“(9) training personnel to more effectively iden-*
 19 *tify and respond to victims of domestic violence, dat-*
 20 *ing violence, sexual assault, and stalking; and*

21 *“(10) effectively providing notice to applicants*
 22 *and residents of the above housing policies, practices,*
 23 *and procedures.*

24 *“(g) AUTHORIZATION OF APPROPRIATIONS.—There*
 25 *are authorized to be appropriated \$10,000,000 for each of*

1 *fiscal years 2007 through 2011 to carry out the provisions*
 2 *of this section.*

3 “(h) *TECHNICAL ASSISTANCE.*—Up to 12 percent of
 4 *the amount appropriated under subsection (g) for each fis-*
 5 *cal year shall be used by the Attorney General for technical*
 6 *assistance costs under this section.”.*

7 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
 8 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
 9 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**
 10 **ING.**

11 (a) *IN GENERAL.*—Section 40299 of the Violence
 12 *Against Women Act of 1994 (42 U.S.C. 13975) is*
 13 *amended—*

14 (1) *in subsection (a)—*

15 (A) *by inserting “the Department of Hous-*
 16 *ing and Urban Development, and the Depart-*
 17 *ment of Health and Human Services,” after*
 18 *“Department of Justice,”;*

19 (B) *by inserting “, including domestic vio-*
 20 *lence and sexual assault victim service providers,*
 21 *domestic violence and sexual assault coalitions,*
 22 *other nonprofit, nongovernmental organizations,*
 23 *or community-based and culturally specific orga-*
 24 *nizations, that have a documented history of ef-*
 25 *fective work concerning domestic violence, dating*

1 *violence, sexual assault, or stalking” after “other*
2 *organizations”; and*

3 *(C) in paragraph (1), by inserting “, dat-*
4 *ing violence, sexual assault, or stalking” after*
5 *“domestic violence”;*

6 *(2) in subsection (b)—*

7 *(A) by redesignating paragraphs (1) and*
8 *(2) as paragraphs (2) and (3), respectively;*

9 *(B) in paragraph (3), as redesignated, by*
10 *inserting “, dating violence, sexual assault, or*
11 *stalking” after “violence”;*

12 *(C) by inserting before paragraph (2), as*
13 *redesignated, the following:*

14 *“(1) transitional housing, including funding for*
15 *the operating expenses of newly developed or existing*
16 *transitional housing.”; and*

17 *(D) in paragraph (3)(B) as redesignated,*
18 *by inserting “Participation in the support serv-*
19 *ices shall be voluntary. Receipt of the benefits of*
20 *the housing assistance described in paragraph*
21 *(2) shall not be conditioned upon the participa-*
22 *tion of the youth, adults, or their dependents in*
23 *any or all of the support services offered them.”*
24 *after “assistance.”;*

1 (3) in paragraph (1) of subsection (c), by strik-
2 ing “18 months” and inserting “24 months”;

3 (4) in subsection (d)(2)—

4 (A) by striking “and” at the end of sub-
5 paragraph (A);

6 (B) by redesignating subparagraph (B) as
7 subparagraph (C); and

8 (C) by inserting after subparagraph (A) the
9 following:

10 “(B) provide assurances that any sup-
11 portive services offered to participants in pro-
12 grams developed under subsection (b)(3) are vol-
13 untary and that refusal to receive such services
14 shall not be grounds for termination from the
15 program or eviction from the victim’s housing;
16 and”;

17 (5) in subsection (e)(2)—

18 (A) in subparagraph (A), by inserting
19 “purpose and” before “amount”;

20 (B) in clause (ii) of subparagraph (C), by
21 striking “and”;

22 (C) in subparagraph (D), by striking the
23 period and inserting “; and”; and

24 (D) by adding at the end the following new
25 subparagraph:

1 “(E) the client population served and the
2 number of individuals requesting services that
3 the transitional housing program is unable to
4 serve as a result of a lack of resources.”; and
5 (6) in subsection (g)—

6 (A) in paragraph (1), by striking
7 “\$30,000,000” and inserting “\$40,000,000”;

8 (B) in paragraph (1), by striking “2004”
9 and inserting “2007”;

10 (C) in paragraph (1), by striking “2008”
11 and inserting “2011”;

12 (D) in paragraph (2), by striking “not
13 more than 3 percent” and inserting “up to 5
14 percent”;

15 (E) in paragraph (2), by inserting “evalua-
16 tion, monitoring, technical assistance,” before
17 “salaries”; and

18 (F) in paragraph (3), by adding at the end
19 the following new subparagraphs:

20 “(C) UNDERSERVED POPULATIONS.—

21 “(i) A minimum of 7 percent of the
22 total amount appropriated in any fiscal
23 year shall be allocated to tribal organiza-
24 tions serving adult and youth victims of do-

1 mestic violence, dating violence, sexual as-
2 sault, or stalking, and their dependents.

3 “(ii) Priority shall be given to projects
4 developed under subsection (b) that pri-
5 marily serve underserved populations.”.

6 **SEC. 603. PUBLIC HOUSING AUTHORITY PLANS REPORTING**
7 **REQUIREMENT.**

8 Section 5A of the United States Housing Act of 1937
9 (42 U.S.C. 1437c-1) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by striking “para-
12 graph (2)” and inserting “paragraph (3)”;

13 (B) by redesignating paragraph (2) as
14 paragraph (3); and

15 (C) by inserting after paragraph (1) the fol-
16 lowing:

17 “(2) STATEMENT OF GOALS.—The 5-year plan
18 shall include a statement by any public housing agen-
19 cy of the goals, objectives, policies, or programs that
20 will enable the housing authority to serve the needs of
21 child and adult victims of domestic violence, dating
22 violence, sexual assault, or stalking.”;

23 (2) in subsection (d), by redesignating para-
24 graphs (13), (14), (15), (16), (17), and (18), as para-

1 graphs (14), (15), (16), (17), (18), and (19), respec-
2 tively; and

3 (3) by inserting after paragraph (12) the fol-
4 lowing:

5 “(13) DOMESTIC VIOLENCE, DATING VIOLENCE,
6 SEXUAL ASSAULT, OR STALKING PROGRAMS.—A de-
7 scription of—

8 “(A) any activities, services, or programs
9 provided or offered by an agency, either directly
10 or in partnership with other service providers, to
11 child or adult victims of domestic violence, dat-
12 ing violence, sexual assault, or stalking;

13 “(B) any activities, services, or programs
14 provided or offered by a public housing agency
15 that helps child and adult victims of domestic vi-
16 olence, dating violence, sexual assault, or stalk-
17 ing, to obtain or maintain housing; and

18 “(C) any activities, services, or programs
19 provided or offered by a public housing agency
20 to prevent domestic violence, dating violence, sex-
21 ual assault, and stalking, or to enhance victim
22 safety in assisted families.”.

23 **SEC. 604. HOUSING STRATEGIES.**

24 Section 105(b)(1) of the Cranston-Gonzalez National
25 Affordable Housing Act (42 U.S.C. 12705(b)(1)) is amended

1 by inserting after “immunodeficiency syndrome,” the fol-
 2 lowing: “victims of domestic violence, dating violence, sex-
 3 ual assault, and stalking”.

4 **SEC. 605. AMENDMENT TO THE MCKINNEY-VENTO HOME-**
 5 **LESS ASSISTANCE ACT.**

6 *Section 423 of the Stewart B. McKinney Homeless As-*
 7 *sistance Act (42 U.S.C. 11383) is amended—*

8 *(1) by adding at the end of subsection (a) the fol-*
 9 *lowing:*

10 *“(8) CONFIDENTIALITY.—*

11 *“(A) VICTIM SERVICE PROVIDERS.—In the*
 12 *course of awarding grants or implementing pro-*
 13 *grams under this subsection, the Secretary shall*
 14 *instruct any victim service provider that is a re-*
 15 *cipient or subgrantee not to disclose for purposes*
 16 *of a Homeless Management Information System*
 17 *personally identifying information about any*
 18 *client. The Secretary may, after public notice*
 19 *and comment, require or ask such recipients and*
 20 *subgrantees to disclose for purposes of a Home-*
 21 *less Management Information System non-per-*
 22 *sonally identifying data that has been de-identi-*
 23 *fied, encrypted, or otherwise encoded. Nothing in*
 24 *this section shall be construed to supersede any*
 25 *provision of any Federal, State, or local law that*

1 provides greater protection than this paragraph
2 for victims of domestic violence, dating violence,
3 sexual assault, or stalking.

4 “(B) **DEFINITIONS**

5 “(i) *PERSONALLY IDENTIFYING INFOR-*
6 *MATION OR PERSONAL INFORMATION.*—The
7 term ‘personally identifying information’ or
8 ‘personal information’ means individually
9 identifying information for or about an in-
10 dividual including information likely to
11 disclose the location of a victim of domestic
12 violence, dating violence, sexual assault, or
13 stalking, including—

14 “(I) a first and last name;

15 “(II) a home or other physical ad-
16 dress;

17 “(III) contact information (in-
18 cluding a postal, e-mail or Internet
19 protocol address, or telephone or fac-
20 simile number);

21 “(IV) a social security number;
22 and

23 “(V) any other information, in-
24 cluding date of birth, racial or ethnic
25 background, or religious affiliation,

1 that, in combination with any other
2 non-personally identifying information
3 would serve to identify any individual.

4 “(ii) *VICTIM SERVICE PROVIDER.*—The
5 term ‘victim service provider’ or ‘victim
6 service providers’ means a nonprofit, non-
7 governmental organization including rape
8 crisis centers, battered women’s shelters, do-
9 mestic violence transitional housing pro-
10 grams, and other programs whose primary
11 mission is to provide services to victims of
12 domestic violence, dating violence, sexual
13 assault, or stalking.”.

14 **SEC. 606. AMENDMENTS TO THE LOW-INCOME HOUSING AS-**
15 **SISTANCE VOUCHER PROGRAM.**

16 Section 8 of the United States Housing Act of 1937
17 (42 U.S.C. 1437f) is amended—

18 (1) in subsection (c), by adding at the end the
19 following new paragraph:

20 “(9)(A) That an applicant or participant is or
21 has been a victim of domestic violence, dating vio-
22 lence, or stalking is not an appropriate basis for de-
23 nial of program assistance or for denial of admission,
24 if the applicant otherwise qualifies for assistance or
25 admission.

1 “(B) An incident or incidents of actual or
2 threatened domestic violence, dating violence, or stalk-
3 ing will not be construed as a serious or repeated vio-
4 lation of the lease by the victim or threatened victim
5 of that violence and shall not be good cause for termi-
6 nating the assistance, tenancy, or occupancy rights of
7 the victim of such violence.

8 “(C)(i) Criminal activity directly relating to do-
9 mestic violence, dating violence, or stalking, engaged
10 in by a member of a tenant’s household or any guest
11 or other person under the tenant’s control shall not be
12 cause for termination of assistance, tenancy, or occu-
13 pancy rights if the tenant or an immediate member
14 of the tenant’s family is the victim or threatened vic-
15 tim of that domestic violence, dating violence, or
16 stalking.

17 “(ii) Notwithstanding clause (i), an owner or
18 manager may bifurcate a lease under this section, in
19 order to evict, remove, or terminate assistance to any
20 individual who is a tenant or lawful occupant and
21 who engages in criminal acts of physical violence
22 against family members or others, without evicting,
23 removing, terminating assistance to, or otherwise pe-
24 nalizing the victim of such violence who is also a ten-
25 ant or lawful occupant.

1 “(iii) Nothing in clause (i) may be construed to
2 limit the authority of a public housing agency, owner,
3 or manager, when notified, to honor court orders ad-
4 dressing rights of access to or control of the property,
5 including civil protection orders issued to protect the
6 victim and issued to address the distribution or pos-
7 session of property among the household members in
8 cases where a family breaks up.

9 “(iv) Nothing in clause (i) limits any otherwise
10 available authority of an owner or manager to evict
11 or the public housing agency to terminate assistance
12 to a tenant for any violation of a lease not premised
13 on the act or acts of violence in question against the
14 tenant or a member of the tenant’s household, pro-
15 vided that the owner or manager does not subject an
16 individual who is or has been a victim of domestic vi-
17 olence, dating violence, or stalking to a more demand-
18 ing standard than other tenants in determining
19 whether to evict or terminate.

20 “(v) Nothing in clause (i) may be construed to
21 limit the authority of an owner, manager, or public
22 housing agency to evict or terminate from assistance
23 any tenant or lawful occupant if the owner, manager
24 or public housing agency can demonstrate an actual
25 and imminent threat to other tenants or those em-

1 *ployed at or providing service to the property if that*
2 *tenant is not evicted or terminated from assistance.*

3 *“(vi) Nothing in this section shall be construed*
4 *to supersede any provision of any Federal, State, or*
5 *local law that provides greater protection than this*
6 *section for victims of domestic violence, dating vio-*
7 *lence, or stalking.”;*

8 *(2) in subsection (d)—*

9 *(A) in paragraph (1)(A), by inserting after*
10 *“public housing agency” the following: “and that*
11 *an applicant or participant is or has been a vic-*
12 *tim of domestic violence, dating violence, or*
13 *stalking is not an appropriate basis for denial of*
14 *program assistance or for denial of admission if*
15 *the applicant otherwise qualifies for assistance or*
16 *admission”;*

17 *(B) in paragraph (1)(B)(vi), by inserting*
18 *after “other good cause” the following: “, and*
19 *that an incident or incidents of actual or threat-*
20 *ened domestic violence, dating violence, or stalk-*
21 *ing will not be construed as a serious or repeated*
22 *violation of the lease by the victim or threatened*
23 *victim of that violence and will not be good*
24 *cause for terminating the tenancy or occupancy*
25 *rights of the victim of such violence”;* and

(C) in paragraph (1)(B)(iii), by inserting after “termination of tenancy” the following: “, except that (I) criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant’s household or any guest or other person under the tenant’s control, shall not be cause for termination of the tenancy or occupancy rights or program assistance, if the tenant or immediate member of the tenant’s family is a victim of that domestic violence, dating violence, or stalking; (II) notwithstanding subclause (I), a public housing agency may terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, or an owner or manager under this section may bifurcate a lease, in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant; (III) nothing in subclause (I) may be

1 *construed to limit the authority of a public hous-*
2 *ing agency, owner, or manager, when notified, to*
3 *honor court orders addressing rights of access to*
4 *or control of the property, including civil protec-*
5 *tion orders issued to protect the victim and*
6 *issued to address the distribution or possession of*
7 *property among the household members in cases*
8 *where a family breaks up; (IV) nothing in sub-*
9 *clause (I) limits any otherwise available author-*
10 *ity of an owner or manager to evict or the public*
11 *housing agency to terminate assistance to a ten-*
12 *ant for any violation of a lease not premised on*
13 *the act or acts of violence in question against the*
14 *tenant or a member of the tenant's household,*
15 *provided that the owner, manager, or public*
16 *housing agency does not subject an individual*
17 *who is or has been a victim of domestic violence,*
18 *dating violence, or stalking to a more demanding*
19 *standard than other tenants in determining*
20 *whether to evict or terminate; (V) nothing in*
21 *subclause (I) may be construed to limit the au-*
22 *thority of an owner or manager to evict, or the*
23 *public housing agency to terminate assistance, to*
24 *any tenant if the owner, manager, or public*
25 *housing agency can demonstrate an actual and*

1 *imminent threat to other tenants or those em-*
2 *ployed at or providing service to the property if*
3 *that tenant is not evicted or terminated from as-*
4 *sistance; and (VI) nothing in this section shall be*
5 *construed to supersede any provision of any Fed-*
6 *eral, State, or local law that provides greater*
7 *protection than this section for victims of domes-*
8 *tic violence, dating violence, or stalking.”;*

9 *(3) in subsection (f)—*

10 *(A) in paragraph (6), by striking “and”;*

11 *(B) in paragraph (7), by striking the period*
12 *at the end and inserting a semicolon; and*

13 *(C) by adding at the end the following new*
14 *paragraphs:*

15 *“(8) the term ‘domestic violence’ has the same*
16 *meaning given the term in section 40002 of the Vio-*
17 *lence Against Women Act of 1994;*

18 *“(9) the term ‘dating violence’ has the same*
19 *meaning given the term in section 40002 of the Vio-*
20 *lence Against Women Act of 1994; and*

21 *“(10) the term ‘stalking’ means—*

22 *“(A)(i) to follow, pursue, or repeatedly com-*
23 *mit acts with the intent to kill, injure, harass,*
24 *or intimidate another person; and*

1 “(ii) to place under surveillance with the
2 intent to kill, injure, harass, or intimidate an-
3 other person; and

4 “(B) in the course of, or as a result of, such
5 following, pursuit, surveillance, or repeatedly
6 committed acts, to place a person in reasonable
7 fear of the death of, or serious bodily injury to,
8 or to cause substantial emotional harm to—

9 “(i) that person;

10 “(ii) a member of the immediate fam-
11 ily of that person; or

12 “(iii) the spouse or intimate partner of
13 that person; and

14 “(11) the term ‘immediate family member’
15 means, with respect to a person—

16 “(A) a spouse, parent, brother or sister, or
17 child of that person, or an individual to whom
18 that person stands in loco parentis; or

19 “(B) any other person living in the house-
20 hold of that person and related to that person by
21 blood and marriage.”;

22 (4) in subsection (o)—

23 (A) by inserting at the end of paragraph
24 (6)(B) the following new sentence: “That an ap-
25 plicant or participant is or has been a victim of

1 *domestic violence, dating violence, or stalking is*
2 *not an appropriate basis for denial of program*
3 *assistance by or for denial of admission if the*
4 *applicant otherwise qualifies for assistance for*
5 *admission, and that nothing in this section shall*
6 *be construed to supersede any provision of any*
7 *Federal, State, or local law that provides greater*
8 *protection than this section for victims of domes-*
9 *tic violence, dating violence, or stalking.”;*

10 *(B) in paragraph (7)(C), by inserting after*
11 *“other good cause” the following: “, and that an*
12 *incident or incidents of actual or threatened do-*
13 *mestic violence, dating violence, or stalking shall*
14 *not be construed as a serious or repeated viola-*
15 *tion of the lease by the victim or threatened vic-*
16 *tim of that violence and shall not be good cause*
17 *for terminating the tenancy or occupancy rights*
18 *of the victim of such violence”;*

19 *(C) in paragraph (7)(D), by inserting after*
20 *“termination of tenancy” the following: “; except*
21 *that (i) criminal activity directly relating to do-*
22 *mestic violence, dating violence, or stalking, en-*
23 *gaged in by a member of a tenant’s household or*
24 *any guest or other person under the tenant’s con-*
25 *trol shall not be cause for termination of the ten-*

1 ancy or occupancy rights, if the tenant or imme-
2 diate member of the tenant's family is a victim
3 of that domestic violence, dating violence, or
4 stalking; (ii) notwithstanding clause (i), a public
5 housing agency may terminate assistance to any
6 individual who is a tenant or lawful occupant
7 and who engages in criminal acts of physical vi-
8 olence against family members or others, or an
9 owner or manager may bifurcate a lease under
10 this section, in order to evict, remove, or termi-
11 nate assistance to any individual who is a ten-
12 ant or lawful occupant and who engages in
13 criminal acts of physical violence against family
14 members or others, without evicting, removing,
15 terminating assistance to, or otherwise penal-
16 izing the victim of such violence who is also a
17 tenant or lawful occupant; (iii) nothing in
18 clause (i) may be construed to limit the author-
19 ity of a public housing agency, owner, or man-
20 ager, when notified, to honor court orders ad-
21 dressing rights of access to control of the prop-
22 erty, including civil protection orders issued to
23 protect the victim and issued to address the dis-
24 tribution or possession of property among the
25 household members in cases where a family

1 *breaks up; (iv) nothing in clause (i) limits any*
2 *otherwise available authority of an owner or*
3 *manager to evict or the public housing agency to*
4 *terminate assistance to a tenant for any viola-*
5 *tion of a lease not premised on the act or acts*
6 *of violence in question against the tenant or a*
7 *member of the tenant's household, provided that*
8 *the owner, manager, or public housing agency*
9 *does not subject an individual who is or has been*
10 *a victim of domestic violence, dating violence, or*
11 *stalking to a more demanding standard than*
12 *other tenants in determining whether to evict or*
13 *terminate; (v) nothing in clause (i) may be con-*
14 *strued to limit the authority of an owner or*
15 *manager to evict, or the public housing agency*
16 *to terminate, assistance to any tenant if the*
17 *owner, manager, or public housing agency can*
18 *demonstrate an actual and imminent threat to*
19 *other tenants or those employed at or providing*
20 *service to the property if that tenant is not evict-*
21 *ed or terminated from assistance; and (vi) noth-*
22 *ing in this section shall be construed to supersede*
23 *any provision of any Federal, State, or local law*
24 *that provides greater protection than this section*

1 *for victims of domestic violence, dating violence,*
2 *or stalking.”; and*

3 *(D) by adding at the end the following new*
4 *paragraph:*

5 “(20) *PROHIBITED BASIS FOR TERMINATION OF AS-*
6 *SISTANCE.—*

7 “(A) *IN GENERAL.—A public housing agency*
8 *may not terminate assistance to a participant in the*
9 *voucher program on the basis of an incident or inci-*
10 *dents of actual or threatened domestic violence, dating*
11 *violence, or stalking against that participant.*

12 “(B) *CONSTRUAL OF LEASE PROVISIONS.—*
13 *Criminal activity directly relating to domestic vio-*
14 *lence, dating violence, or stalking shall not be consid-*
15 *ered a serious or repeated violation of the lease by the*
16 *victim or threatened victim of that criminal activity*
17 *justifying termination of assistance to the victim or*
18 *threatened victim.*

19 “(C) *TERMINATION ON THE BASIS OF CRIMINAL*
20 *ACTIVITY.—Criminal activity directly relating to do-*
21 *mestic violence, dating violence, or stalking shall not*
22 *be considered cause for termination of assistance for*
23 *any participant or immediate member of a partici-*
24 *pant’s family who is a victim of the domestic vio-*
25 *lence, dating violence, or stalking.*

1 “(D) EXCEPTIONS.—

2 “(i) PUBLIC HOUSING AUTHORITY RIGHT TO
3 TERMINATE FOR CRIMINAL ACTS.—Nothing in
4 subparagraphs (A), (B), or (C) may be construed
5 to limit the authority of the public housing agen-
6 cy to terminate voucher assistance to individuals
7 who engage in criminal acts of physical violence
8 against family members or others.

9 “(ii) COMPLIANCE WITH COURT ORDERS.—
10 Nothing in subparagraphs (A), (B), or (C) may
11 be construed to limit the authority of a public
12 housing agency, when notified, to honor court or-
13 ders addressing rights of access to or control of
14 the property, including civil protection orders
15 issued to protect the victim and issued to address
16 the distribution possession of property among the
17 household members in cases where a family
18 breaks up.

19 “(iii) PUBLIC HOUSING AUTHORITY RIGHT
20 TO TERMINATE VOUCHER ASSISTANCE FOR
21 LEASE VIOLATIONS.—Nothing in subparagraphs
22 (A), (B), or (C) limit any otherwise available
23 authority of the public housing agency to termi-
24 nate voucher assistance to a tenant for any vio-
25 lation of a lease not premised on the act or acts

1 of violence in question against the tenant or a
 2 member of the tenant's household, provided that
 3 the public housing agency does not subject an in-
 4 dividual who is or has been a victim of domestic
 5 violence, dating violence, or stalking to a more
 6 demanding standard than other tenants in deter-
 7 mining whether to terminate.

8 “(iv) *PUBLIC HOUSING AUTHORITY RIGHT*
 9 *TO TERMINATE VOUCHER ASSISTANCE FOR IMMI-*
 10 *NENT THREAT.*—Nothing in subparagraphs (A),
 11 (B), (C) may be construed to limit the authority
 12 of the public housing agency to terminate vouch-
 13 er assistance to a tenant if the public housing
 14 agency can demonstrate an actual and imminent
 15 threat to other tenants or those employed at or
 16 providing service to the property or public hous-
 17 ing agency if that tenant is not evicted or termi-
 18 nated from assistance.

19 “(v) *PREEMPTION.*—Nothing in this section
 20 shall be construed to supersede any provision of
 21 any Federal, State, or local law that provides
 22 greater protection than this section for victims of
 23 domestic violence, dating violence, or stalking.”;
 24 (5) in subsection (r)(5), by inserting after “vio-
 25 lation of a lease” the following: “, except that a fam-

1 ily may receive a voucher from a public housing
 2 agency and move to another jurisdiction under the
 3 tenant-based assistance program if the family has
 4 complied with all other obligations of the section 8
 5 program and has moved out of the assisted dwelling
 6 unit in order to protect the health or safety of an in-
 7 dividual who is or has been the victim of domestic vi-
 8 olence, dating violence, or stalking and who reason-
 9 ably believed he or she was imminently threatened by
 10 harm from further violence if he or she remained in
 11 the assisted dwelling unit”; and

12 (6) by adding at the end the following new sub-
 13 section:

14 “(ee) *CERTIFICATION AND CONFIDENTIALITY.*—

15 “(1) *CERTIFICATION.*—

16 “(A) *IN GENERAL.*—An owner, manager, or
 17 public housing agency responding to subsections
 18 (c)(9), (d)(1)(B)(ii), (d)(1)(B)(iii), (o)(7)(C),
 19 (o)(7)(D), (o)(20), and (r)(5) may request that
 20 an individual certify via a HUD approved cer-
 21 tification form that the individual is a victim of
 22 domestic violence, dating violence, or stalking,
 23 and that the incident or incidents in question
 24 are bona fide incidents of such actual or threat-
 25 ened abuse and meet the requirements set forth

1 in the aforementioned paragraphs. Such certifi-
 2 cation shall include the name of the perpetrator.
 3 The individual shall provide such certification
 4 within 14 business days after the owner, man-
 5 ager, or public housing agency requests such cer-
 6 tification.

7 “(B) FAILURE TO PROVIDE CERTIFI-
 8 CATION.—If the individual does not provide the
 9 certification within 14 business days after the
 10 owner, manager, public housing agency, or as-
 11 sisted housing provider has requested such cer-
 12 tification in writing, nothing in this subsection
 13 or in subsection (c)(9), (d)(1)(B)(ii),
 14 (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), (o)(20), or
 15 (r)(5) may be construed to limit the authority of
 16 an owner or manager to evict, or the public
 17 housing agency or assisted housing provider to
 18 terminate voucher assistance for, any tenant or
 19 lawful occupant that commits violations of a
 20 lease. The owner, manager, public housing agen-
 21 cy, or assisted housing provider may extend the
 22 14-day deadline at their discretion.

23 “(C) CONTENTS.—An individual may sat-
 24 isfy the certification requirement of subpara-
 25 graph (A) by—

1 “(i) providing the requesting owner,
2 manager, or public housing agency with
3 documentation signed by an employee,
4 agent, or volunteer of a victim service pro-
5 vider, an attorney, or a medical profes-
6 sional, from whom the victim has sought as-
7 sistance in addressing domestic violence,
8 dating violence, sexual assault, or stalking,
9 or the effects of the abuse, in which the pro-
10 fessional attests under penalty of perjury
11 (28 U.S.C. 1746) to the professional’s belief
12 that the incident or incidents in question
13 are bona fide incidents of abuse, and the
14 victim of domestic violence, dating violence,
15 or stalking has signed or attested to the doc-
16 umentation; or

17 “(ii) producing a Federal, State, trib-
18 al, territorial, or local police or court
19 record.

20 “(D) *LIMITATION.*—Nothing in this sub-
21 section shall be construed to require an owner,
22 manager, or public housing agency to demand
23 that an individual produce official documenta-
24 tion or physical proof of the individual’s status
25 as a victim of domestic violence, dating violence,

sexual assault, or stalking in order to receive any of the benefits provided in this section. At their discretion, the owner, manager, or public housing agency may provide benefits to an individual based solely on the individual's statement or other corroborating evidence.

“(E) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—

Compliance with this statute by an owner, manager, public housing agency, or assisted housing provider based on the certification specified in paragraph (1)(A) and (B) of this subsection or based solely on the victim's statement or other corroborating evidence, as permitted by paragraph (1)(C) of this subsection, shall not alone be sufficient to constitute evidence of an unreasonable act or omission by an owner, manager, public housing agency, or assisted housing provider, or employee thereof. Nothing in this subparagraph shall be construed to limit liability for failure to comply with the requirements of subsections (c)(9), (d)(1)(B)(ii), (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), (o)(20), or (r)(5).

“(F) PREEMPTION.—Nothing in this section shall be construed to supersede any provision of

Act of 1937 of their rights under this subsection and subsections (c)(9), (d)(1)(B)(ii), (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), (o)(20), and (r)(5), including their right to confidentiality and the limits thereof, and to owners and managers of their rights and obligations under this subsection and subsections (c)(9), (d)(1)(B)(ii), (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), (o)(20), and (r)(5).”.

SEC. 607. AMENDMENTS TO THE PUBLIC HOUSING PROGRAM.

Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(1) in subsection (c), by redesignating paragraph (3) and (4), as paragraphs (4) and (5), respectively; (2) by inserting after paragraph (2) the following:

“(3) the public housing agency shall not deny admission to the project to any applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking if the applicant otherwise qualifies for assistance or admission, and that nothing in this section shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this section

1 *for victims of domestic violence, dating violence, or*
2 *stalking”;*

3 (3) in subsection (l)(5), by inserting after “other
4 *good cause” the following: “, and that an incident or*
5 *incidents of actual or threatened domestic violence,*
6 *dating violence, or stalking will not be construed as*
7 *a serious or repeated violation of the lease by the vic-*
8 *tim or threatened victim of that violence and will not*
9 *be good cause for terminating the tenancy or occu-*
10 *pancy rights of the victim of such violence”;*

11 (4) in subsection (l)(6), by inserting after “ter-
12 *mination of tenancy” the following: “; except that (A)*
13 *criminal activity directly relating to domestic vio-*
14 *lence, dating violence, or stalking, engaged in by a*
15 *member of a tenant’s household or any guest or other*
16 *person under the tenant’s control, shall not be cause*
17 *for termination of the tenancy or occupancy rights, if*
18 *the tenant or immediate member of the tenant’s fam-*
19 *ily is a victim of that domestic violence, dating vio-*
20 *lence, or stalking; (B) notwithstanding subparagraph*
21 *(A), a public housing agency under this section may*
22 *bifurcate a lease under this section, in order to evict,*
23 *remove, or terminate assistance to any individual*
24 *who is a tenant or lawful occupant and who engages*
25 *in criminal acts of physical violence against family*

1 members or others, without evicting, removing, termi-
2 nating assistance to, or otherwise penalizing the vic-
3 tim of such violence who is also a tenant or lawful
4 occupant; (C) nothing in subparagraph (A) may be
5 construed to limit the authority of a public housing
6 agency, when notified, to honor court orders address-
7 ing rights of access to or control of the property, in-
8 cluding civil protection orders issued to protect the
9 victim and issued to address the distribution or pos-
10 session of property among the household members in
11 cases where a family breaks up; (D) nothing in sub-
12 paragraph (A) limits any otherwise available author-
13 ity of a public housing agency to evict a tenant for
14 any violation of a lease not premised on the act or
15 acts of violence in question against the tenant or a
16 member of the tenant's household, provided that the
17 public housing agency does not subject an individual
18 who is or has been a victim of domestic violence, dat-
19 ing violence, or stalking to a more demanding stand-
20 ard than other tenants in determining whether to
21 evict or terminate; (E) nothing in subparagraph (A)
22 may be construed to limit the authority of a public
23 housing agency to terminate the tenancy of any ten-
24 ant if the public housing agency can demonstrate an
25 actual and imminent threat to other tenants or those

1 employed at or providing service to the property if
2 that tenant's tenancy is not terminated; and (F)
3 nothing in this section shall be construed to supersede
4 any provision of any Federal, State, or local law that
5 provides greater protection than this section for vic-
6 tims of domestic violence, dating violence, or stalk-
7 ing.”; and

8 (5) by inserting at the end of subsection (t) the
9 following new subsection:

10 “(u) CERTIFICATION AND CONFIDENTIALITY.—

11 “(1) CERTIFICATION.—

12 “(A) IN GENERAL.—A public housing agen-
13 cy responding to subsection (l) (5) and (6) may
14 request that an individual certify via a HUD
15 approved certification form that the individual
16 is a victim of domestic violence, dating violence,
17 or stalking, and that the incident or incidents in
18 question are bona fide incidents of such actual or
19 threatened abuse and meet the requirements set
20 forth in the aforementioned paragraphs. Such
21 certification shall include the name of the perpe-
22 trator. The individual shall provide such certifi-
23 cation within 14 business days after the public
24 housing agency requests such certification.

1 “(B) *FAILURE TO PROVIDE CERTIFI-*
2 *CATION.*—If the individual does not provide the
3 *certification within 14 business days after the*
4 *public housing agency has requested such certifi-*
5 *cation in writing, nothing in this subsection, or*
6 *in paragraph (5) or (6) of subsection (l), may be*
7 *construed to limit the authority of the public*
8 *housing agency to evict any tenant or lawful oc-*
9 *cupant that commits violations of a lease. The*
10 *public housing agency may extend the 14-day*
11 *deadline at its discretion.*

12 “(C) *CONTENTS.*—An individual may sat-
13 *isfy the certification requirement of subpara-*
14 *graph (A) by—*

15 “(i) *providing the requesting public*
16 *housing agency with documentation signed*
17 *by an employee, agent, or volunteer of a vic-*
18 *tim service provider, an attorney, or a med-*
19 *ical professional, from whom the victim has*
20 *sought assistance in addressing domestic vi-*
21 *olence, dating violence, or stalking, or the*
22 *effects of the abuse, in which the profes-*
23 *sional attests under penalty of perjury (28*
24 *U.S.C. 1746) to the professional’s belief that*
25 *the incident or incidents in question are*

1 *bona fide incidents of abuse, and the victim*
2 *of domestic violence, dating violence, or*
3 *stalking has signed or attested to the docu-*
4 *mentation; or*

5 “(ii) *producing a Federal, State, trib-*
6 *al, territorial, or local police or court*
7 *record.*

8 “(D) *LIMITATION.*—Nothing in this sub-
9 *section shall be construed to require any public*
10 *housing agency to demand that an individual*
11 *produce official documentation or physical proof*
12 *of the individual’s status as a victim of domestic*
13 *violence, dating violence, or stalking in order to*
14 *receive any of the benefits provided in this sec-*
15 *tion. At the public housing agency’s discretion, a*
16 *public housing agency may provide benefits to*
17 *an individual based solely on the individual’s*
18 *statement or other corroborating evidence.*

19 “(E) *PREEMPTION.*—Nothing in this section
20 *shall be construed to supersede any provision of*
21 *any Federal, State, or local law that provides*
22 *greater protection than this section for victims of*
23 *domestic violence, dating violence, or stalking.*

24 “(F) *COMPLIANCE NOT SUFFICIENT TO CON-*
25 *STITUTE EVIDENCE OF UNREASONABLE ACT.*—

1 *Compliance with this statute by a public housing*
2 *agency, or assisted housing provider based on the*
3 *certification specified in subparagraphs (A) and*
4 *(B) of this subsection or based solely on the vic-*
5 *tim's statement or other corroborating evidence,*
6 *as permitted by subparagraph (D) of this sub-*
7 *section, shall not alone be sufficient to constitute*
8 *evidence of an unreasonable act or omission by*
9 *a public housing agency or employee thereof.*
10 *Nothing in this subparagraph shall be construed*
11 *to limit liability for failure to comply with the*
12 *requirements of subsection (l)(5) and (6).*

13 *“(2) CONFIDENTIALITY.—*

14 *“(A) IN GENERAL.—All information pro-*
15 *vided to any public housing agency pursuant to*
16 *paragraph (1), including the fact that an indi-*
17 *vidual is a victim of domestic violence, dating*
18 *violence, or stalking, shall be retained in con-*
19 *fidence by such public housing agency, and shall*
20 *neither be entered into any shared database nor*
21 *provided to any related entity, except to the ex-*
22 *tent that disclosure is—*

23 *“(i) requested or consented to by the*
24 *individual in writing;*

1 “(ii) required for use in an eviction
2 proceeding under subsections (l)(5) or (6);
3 or

4 “(iii) otherwise required by applicable
5 law.

6 “(B) NOTIFICATION.—Public housing agen-
7 cies must provide notice to tenants assisted
8 under Section 6 of the United States Housing
9 Act of 1937 of their rights under this subsection
10 and subsections (l)(5) and (6), including their
11 right to confidentiality and the limits thereof.

12 “(3) DEFINITIONS.—For purposes of this sub-
13 section, subsection (c)(3), and subsection (l)(5) and
14 (6)—

15 “(A) the term ‘domestic violence’ has the
16 same meaning given the term in section 40002
17 of the Violence Against Women Act of 1994;

18 “(B) the term ‘dating violence’ has the same
19 meaning given the term in

20 “(C) the term ‘stalking’ means—

21 “(i)(I) to follow, pursue, or repeatedly
22 commit acts with the intent to kill, injure,
23 harass, or intimidate; or

1 “(II) to place under surveillance with
2 the intent to kill, injure, harass, or intimi-
3 date another person; and

4 “(ii) in the course of, or as a result of,
5 such following, pursuit, surveillance, or re-
6 peatedly committed acts, to place a person
7 in reasonable fear of the death of, or serious
8 bodily injury to, or to cause substantial
9 emotional harm to—

10 “(I) that person;

11 “(II) a member of the immediate
12 family of that person; or

13 “(III) the spouse or intimate
14 partner of that person; and

15 “(D) the term ‘immediate family member’
16 means, with respect to a person—

17 “(i) a spouse, parent, brother or sister,
18 or child of that person, or an individual to
19 whom that person stands in loco parentis;
20 or

21 “(ii) any other person living in the
22 household of that person and related to that
23 person by blood and marriage.”.