

116TH CONGRESS
1ST SESSION

S. 1076

To amend title 36, United States Code, to designate October 1 as Choose Respect Day, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 9, 2019

Mr. SULLIVAN (for himself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 36, United States Code, to designate October 1 as Choose Respect Day, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Choose Respect Act”.

5 **SEC. 2. DESIGNATION.**

6 (a) IN GENERAL.—Chapter 1 of title 36, United
7 States Code, is amended by adding at the end the fol-
8 lowing:

1 **“§ 146. Choose Respect Day**

2 “(a) DESIGNATION.—October 1 is Choose Respect
3 Day.

4 “(b) RECOGNITION.—All private citizens, organiza-
5 tions, and Federal, State, and local governmental and leg-
6 islative entities are encouraged to recognize Choose Re-
7 spect Day through proclamations, activities, and edu-
8 cational efforts in furtherance of changing the culture
9 around the tolerance of violence against women.”.

10 (b) TECHNICAL AND CONFORMING AMENDMENT.—
11 The table of sections for chapter 1 of title 36, United
12 States Code, is amended by adding at the end the fol-
13 lowing:

“146. Choose Respect Day.”.

14 **SEC. 3. MEDIA CAMPAIGN.**

15 (a) DEFINITIONS.—In this section:

16 (1) DIRECTOR.—The term “Director” means
17 the Director of the Office on Violence Against
18 Women.

19 (2) NATIONAL MEDIA CAMPAIGN.—The term
20 “national media campaign” means the national
21 “Choose Respect” media campaign described in sub-
22 section (b).

23 (b) MEDIA CAMPAIGN.—The Director shall, to the ex-
24 tent feasible and appropriate, conduct a national “Choose

1 Respect” media campaign in accordance with this section
2 for the purposes of—

3 (1) preventing and discouraging the mistreat-
4 ment of women, including domestic abuse, violence,
5 stalking, and harassment;

6 (2) supporting evidence-based prevention pro-
7 grams targeting the attitudes, perceptions, and be-
8 liefs of individuals who have or are likely to partici-
9 pate in the activities described in paragraph (1);

10 (3) encouraging victims of the activities de-
11 scribed in paragraph (1) to seek help through the
12 means determined to be most effective by the most
13 current evidence available, including seeking legal
14 representation; and

15 (4) informing the public about the help avail-
16 able to victims of the activities described in para-
17 graph (1).

18 (c) USE OF FUNDS.—

19 (1) IN GENERAL.—Amounts made available to
20 carry out this section for the national media cam-
21 paign may only be used for the following:

22 (A) The purchase of media time and space,
23 including the strategic planning for, tracking,
24 and accounting of, such purchases.

1 (B) Creative and talent costs, consistent
2 with paragraph (2).

3 (C) Advertising production costs, which
4 may include television, radio, internet, social
5 media, and other commercial marketing venues.

6 (D) Testing and evaluation of advertising.

7 (E) Evaluation of the effectiveness of the
8 national media campaign.

9 (F) Costs of contracts to carry out activi-
10 ties authorized by this section.

11 (G) Partnerships with professional and
12 civic groups, community-based organizations,
13 including faith-based organizations, and govern-
14 ment organizations related to the national
15 media campaign.

16 (H) Entertainment industry outreach,
17 interactive outreach, media projects and activi-
18 ties, public information, news media outreach,
19 corporate sponsorship and participation, and
20 professional sports associations and military
21 branch participation.

22 (I) Operational and management expenses.

23 (2) SPECIFIC REQUIREMENTS.—

24 (A) CREATIVE SERVICES.—In using
25 amounts for creative and talent costs under

1 paragraph (1), the Director shall use creative
2 services donated at no cost to the Government
3 wherever feasible and may only procure creative
4 services for advertising—

5 (i) responding to high-priority or
6 emergent campaign needs that cannot
7 timely be obtained at no cost; or

8 (ii) intended to reach a minority, eth-
9 nic, or other special audience that cannot
10 reasonably be obtained at no cost.

11 (B) TESTING AND EVALUATION OF ADVER-
12 TISING.—In using amounts for testing and eval-
13 uation of advertising under paragraph (1)(D),
14 the Director shall test all advertisements prior
15 to use in the national media campaign to en-
16 sure that the advertisements are effective with
17 the target audience and meet industry-accepted
18 standards. The Director may waive this require-
19 ment for advertisements using no more than 10
20 percent of the purchase of advertising time pur-
21 chased under this section in a fiscal year and
22 no more than 10 percent of the advertising
23 space purchased under this section in a fiscal
24 year, if the advertisements respond to emergent
25 and time-sensitive campaign needs or the adver-

1 tisements will not be widely utilized in the na-
2 tional media campaign.

3 (C) CONSULTATION.—For the planning of
4 the campaign under subsection (b), the Director
5 may consult with—

6 (i) leading national advocacy groups;

7 (ii) the heads of any victim support or
8 antiviolence against women Federal agency
9 or interagency department;

10 (iii) State, local, and Tribal govern-
11 ments;

12 (iv) experts in the field of preventing
13 violence against women; and

14 (v) communications professionals.

15 (D) EVALUATION OF EFFECTIVENESS OF
16 NATIONAL MEDIA CAMPAIGN.—In using
17 amounts for the evaluation of the effectiveness
18 of the national media campaign under para-
19 graph (1)(E), the Attorney General shall—

20 (i) designate an independent entity to
21 evaluate by April 20 of each year the effec-
22 tiveness of the national media campaign
23 based on data from any relevant studies or
24 publications, as determined by the Attor-
25 ney General, including tracking and eval-

uation data collected according to marketing and advertising industry standards; and

(ii) ensure that the effectiveness of the national media campaign is evaluated in a manner that enables consideration of whether the national media campaign has contributed to changes in attitude or behaviors among the target audience with respect to violence against women and such other measures of evaluation as the Attorney General determines are appropriate.

(d) ADVERTISING.—In carrying out this section, the Director shall ensure that sufficient funds are allocated to meet the stated goals of the national media campaign.

(e) RESPONSIBILITIES AND FUNCTIONS UNDER THE PROGRAM.—

(1) IN GENERAL.—The Director shall determine the overall purposes and strategy of the national media campaign.

(2) DIRECTOR.—

(A) IN GENERAL.—The Director shall approve—

(i) the strategy of the national media campaign;

(ii) all advertising and promotional material used in the national media campaign; and

(iii) the plan for the purchase of advertising time and space for the national media campaign.

(B) IMPLEMENTATION.—The Director shall be responsible for implementing a focused national media campaign to meet the purposes set forth in subsection (b) and shall ensure—

(i) information disseminated through the campaign is accurate and scientifically valid; and

(ii) the campaign is designed using strategies demonstrated to be the most effective at achieving the goals and requirements of subsection (b), which may include—

(I) a media campaign, as described in subsection (c);

(II) local, regional, or population specific messaging;

(III) the development of websites to publicize and disseminate information;

1 (IV) conducting outreach and
2 providing educational resources for
3 women;

4 (V) collaborating with law en-
5 forcement agencies; and

6 (VI) providing support for school-
7 based public health education classes
8 to improve teen knowledge about the
9 effects of violence against women.

10 (f) PROHIBITIONS.—None of the amounts made
11 available under subsection (c) may be obligated or ex-
12 pended for any of the following:

13 (1) To supplant current antiviolenace against
14 women community-based coalitions.

15 (2) To supplant pro bono public service time
16 donated by national and local broadcasting networks
17 for other public service campaigns.

18 (3) For partisan political purposes, or to ex-
19 press advocacy in support of or to defeat any clearly
20 identified candidate, clearly identified ballot initia-
21 tive, or clearly identified legislative or regulatory
22 proposal.

23 (4) To fund advertising that features any elect-
24 ed officials, persons seeking elected office, cabinet
25 level officials, or other Federal officials employed

1 pursuant to section 213 of Schedule C of title 5,
2 Code of Federal Regulations.

3 (5) To fund advertising that does not contain a
4 primary message intended to reduce or prevent vio-
5 lence against women.

6 (6) To fund advertising containing a primary
7 message intended to promote support for the na-
8 tional media campaign or private sector contribu-
9 tions to the national media campaign.

10 (g) FINANCIAL AND PERFORMANCE ACCOUNT-
11 ABILITY.—The Director shall cause to be performed—

12 (1) audits and reviews of costs of the national
13 media campaign pursuant to section 4706 of title
14 41, United States Code; and

15 (2) an audit to determine whether the costs of
16 the national media campaign are allowable under
17 chapter 43 of title 41, United States Code.

18 (h) REPORT TO CONGRESS.—The Director shall sub-
19 mit on an annual basis a report to Congress that de-
20 scribes—

21 (1) the strategy of the national media campaign
22 and whether specific objectives of the national media
23 campaign were accomplished;

24 (2) steps taken to ensure that the national
25 media campaign operates in an effective and effi-

1 cient manner consistent with the overall strategy
2 and focus of the national media campaign;

3 (3) plans to purchase advertising time and
4 space;

5 (4) policies and practices implemented to ensure
6 that Federal funds are used responsibly to purchase
7 advertising time and space and eliminate the poten-
8 tial for waste, fraud, and abuse;

9 (5) all contracts entered into with a corpora-
10 tion, partnership, or individual working on behalf of
11 the national media campaign;

12 (6) the results of any financial audit of the na-
13 tional media campaign;

14 (7) a description of any evidence used to de-
15 velop the national media campaign;

16 (8) specific policies and steps implemented to
17 ensure compliance with this section;

18 (9) a detailed accounting of the amount of
19 funds obligated during the previous fiscal year for
20 carrying out the national media campaign, including
21 each recipient of funds, the purpose of each expendi-
22 ture, the amount of each expenditure, any available
23 outcome information, and any other information nec-
24 essary to provide a complete accounting of the funds
25 expended; and

1 (10) a review and evaluation of the effectiveness
2 of the national media campaign strategy for the past
3 year.

4 (i) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to the Director to carry
6 out this section \$5,000,000 for each of fiscal years 2019
7 through 2024, to remain available until expended.

8 **SEC. 4. REIMPLEMENTATION OF CHOOSE RESPECT INITIA-**
9 **TIVE.**

10 (a) IN GENERAL.—The Director of the Centers for
11 Disease Control and Prevention shall reimplement the na-
12 tional “Choose Respect” initiative that the Centers for
13 Disease Control and Prevention implemented in 2006.

14 (b) REPORT.—The Director of the Centers for Dis-
15 ease Control and Prevention shall submit to Congress a
16 report on the reimplementation of the “Choose Respect”
17 initiative required under subsection (a).

18 (c) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to the Director of the
20 Centers for Disease Control and Prevention to carry out
21 this section \$1,000,000 for each of fiscal years 2019
22 through 2024, to remain available until expended.

23 **SEC. 5. SEMIPOSTAL.**

24 (a) DEFINITION.—In this section, the term
25 “semipostal stamp” has the meaning given the term

1 “semipostal” in section 416(a) of title 39, United States
2 Code.

3 (b) ISSUANCE.—In order to afford a convenient way
4 for members of the public to contribute to changing the
5 culture around the tolerance of violence against women,
6 the United States Postal Service shall issue a semipostal
7 stamp (referred to in this section as the “Choose Respect
8 Semipostal Stamp”) in accordance with subsection (c).

9 (c) TERMS AND CONDITIONS.—

10 (1) IN GENERAL.—Except as provided in this
11 subsection, the issuance and sale of the Choose Re-
12 spect Semipostal Stamp shall be governed by section
13 416 of title 39, United States Code, and regulations
14 issued under that section.

15 (2) DURATION.—The Choose Respect
16 Semipostal Stamp shall be made available to the
17 public for a period of 5 years, beginning not later
18 than 1 year after the date of enactment of this Act.

19 (3) DISPOSITION OF PROCEEDS.—All amounts
20 becoming available from the sale of the Choose Re-
21 spect Semipostal Stamp (as determined under sec-
22 tion 416(d) of title 39, United States Code) shall be
23 transferred to the Director of the Office on Violence
24 Against Women, for the purpose described in sub-

1 section (b), through payments which shall be made
2 not less frequently than 2 times a year.

3 (4) LIMITATION.—For purposes of section 416
4 of title 39, United States Code (including any regu-
5 lation prescribed under subsection (e)(1)(C) of that
6 section), the semipostal issued under this section
7 shall not apply to any limitation relating to whether
8 more than 1 semipostal may be offered for sale at
9 the same time.

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