

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           tishments 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-

1           uation data collected according to mar-  
2           keting and advertising industry standards;  
3           and

4                   (ii) ensure that the effectiveness of  
5           the national media campaign is evaluated  
6           in a manner that enables consideration of  
7           whether the national media campaign has  
8           contributed to changes in attitude or be-  
9           haviors among the target audience with re-  
10          spect to violence against women and such  
11          other measures of evaluation as the Attor-  
12          ney General determines are appropriate.

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

16          (e) RESPONSIBILITIES AND FUNCTIONS UNDER THE  
17          PROGRAM.—

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

21                  (2) DIRECTOR.—

22                          (A) IN GENERAL.—The Director shall ap-  
23          prove—

24                                  (i) the strategy of the national media  
25          campaign;

1 (ii) all advertising and promotional  
2 material used in the national media cam-  
3 paign; and

4 (iii) the plan for the purchase of ad-  
5 vertising time and space for the national  
6 media campaign.

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

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

14 (ii) the campaign is designed using  
15 strategies demonstrated to be the most ef-  
16 fective at achieving the goals and require-  
17 ments of subsection (b), which may in-  
18 clude—

19 (I) a media campaign, as de-  
20 scribed in subsection (c);

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

23 (III) the development of websites  
24 to publicize and disseminate informa-  
25 tion;



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 (e) may be obligated or ex-  
12 pended for any of the following:

13 (1) To supplant current antiviolence 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 reimplementations 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.

○