AN ACT


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Violence Against
3 Women Reauthorization Act of 2012”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. VAWA definitions and grant conditions.
Sec. 4. Accountability provisions.
Sec. 5. Effective date.

**TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN**

Sec. 101. STOP grants.
Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Court-appointed special advocate program.
Sec. 106. Outreach and services to underserved populations grant.
Sec. 107. Culturally specific services grant.
Sec. 108. Reduction in rape kit backlog.
Sec. 109. Assistance to victims of sexual assault training programs.
Sec. 110. Child abuse training programs for judicial personnel and practitioners.

**TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

Sec. 201. Sexual assault services program.
Sec. 203. Training and services to end violence against women with disabilities grants.
Sec. 204. Grant for training and services to end violence against women in later life.

**TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE**

Sec. 301. Rape prevention and education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. National Center for Campus Public Safety.

**TITLE IV—VIOLENCE REDUCTION PRACTICES**

Sec. 401. Study conducted by the centers for disease control and prevention.
Sec. 402. Saving money and reducing tragedies through prevention grants.

TITLE V—STRENGTHENING THE HEALTH CARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the health care system’s response to domestic violence, dating violence, sexual assault, and stalking.

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.

TITLE VIII—IMMIGRATION PROVISIONS

Sec. 801. Fraud prevention initiatives.
Sec. 802. Clarification of the requirements applicable to U visas.
Sec. 803. Protections for a fiancée or fiancé of a citizen.
Sec. 804. Regulation of international marriage brokers.
Sec. 805. GAO report.
Sec. 806. Temporary Nature of U Visa Status.
Sec. 807. Annual report on immigration applications made by victims of abuse.
Sec. 808. Protection for children of VAWA self-petitioners.
Sec. 809. Public charge.
Sec. 810. Age-Out Protection for UWA self-petitioners.
Sec. 811. Hardship waivers.
Sec. 813. GAO report on requirements to cooperate with law enforcement officials.
Sec. 814. Consideration of other evidence.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Consultation.
Sec. 904. Analysis and research on violence against Indian women.
Sec. 905. Assistant United States attorney domestic violence tribal liaisons.

TITLE X—CRIMINAL PROVISIONS

Sec. 1001. Criminal provisions relating to sexual abuse.
Sec. 1002. Sexual abuse in custodial settings.
Sec. 1003. Criminal provision relating to stalking, including cyberstalking.
Sec. 1004. Amendments to the Federal assault statute.
SEC. 3. VAWA DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) in paragraph (2), by inserting “to an unemancipated minor” after “serious harm”;

(2) in paragraph (3), by striking “an organization” and inserting “a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community”;

(3) in paragraph (6) by inserting “or intimate partner” after “former spouse” and after “as a spouse”;

(4) by amending paragraph (16) to read as follows:

“(16) LEGAL ASSISTANCE.—The term ‘legal assistance’—

“(A) includes assistance to adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in—

“(i) family, tribal, territorial, immigration, employment, administrative agency, housing matters, campus administrative
or protection or stay away order proceedings, and other similar matters; and

“(ii) criminal justice investigations, prosecutions and post-trial matters (including sentencing, parole, and probation) that impact the victim’s safety and privacy; and

“(B) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); except that intake or referral, without other action, does not constitute legal assistance.”.

(5) by amending paragraph (18) to read as follows:

“(18) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term ‘personally identifying information’ or ‘personal information’ means individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded,
encrypted, hashed, or otherwise protected, includ-
ing—

“(A) a first and last name;
“(B) a home or other physical address;
“(C) contact information (including a post-
al, e-mail or Internet protocol address, or tele-
phone or facsimile number);
“(D) a social security number, driver li-
cense number, passport number, or student
identification number; and
“(E) any other information, including date
of birth, racial or ethnic background, or reli-
gious affiliation, that would serve to identify
any individual.”;

(6) in paragraph (19), by striking “services”
and inserting “assistance”;}

(7) in paragraph (21)—

(A) in subparagraph (A), by striking “or”
after the semicolon;

(B) in subparagraph (B)(ii), by striking
the period and inserting “; or”; and

(C) by adding at the end the following:

“(C) any federally recognized Indian
tribe.”;

(8) in paragraph (22)—
(A) by striking “52” and inserting “57”;

and

(B) by striking “150,000” and inserting “250,000”;

(9) by amending paragraph (23) to read as follows:

“(23) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”;

(10) by amending paragraph (33) to read as follows:

“(33) UNDERSERVED POPULATIONS.—The term ‘underserved populations’ means populations who face barriers to accessing and using victim services, and includes populations underserved because of geographic location or religion, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or the Secretary of Health and Human Services, as appropriate.”;

(11) by amending paragraph (37) to read as follows:
“(37) YOUTH.—The term ‘youth’ means a person who is 11 to 24 years of age.”;

(12) by adding at the end the following new paragraphs:

“(38) ALASKA NATIVE VILLAGE.—The term ‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

“(39) CHILD.—The term ‘child’ means a person who is under 11 years of age.

“(40) CULTURALLY SPECIFIC.—The term ‘culturally specific’ (except when used as part of the term ‘culturally specific services’) means primarily composed of racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g))).

“(41) CULTURALLY SPECIFIC SERVICES.—The term ‘culturally specific services’ means community-based services and resources that are culturally relevant and linguistically specific to culturally specific communities.

“(42) HOMELESS, HOMELESS INDIVIDUAL, HOMELESS PERSON.—The terms ‘homeless’, ‘homeless individual’, and ‘homeless person’—
“(A) mean an individual who lacks a fixed, regular, and adequate nighttime residence; and
“(B) includes—
“(i) an individual who—
“(I) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
“(II) is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
“(III) is living in an emergency or transitional shelter;
“(IV) is abandoned in a hospital; or
“(V) is awaiting foster care placement;
“(ii) an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
“(iii) migratory children (as defined in section 1309 of the Elementary and Sec-
ondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph.

“(43) POPULATION SPECIFIC ORGANIZATION.—

The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(44) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim services that—

“(A) address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking; and

“(B) are designed primarily for, and are targeted to, a specific underserved population.

“(45) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means—

“(A) a nonprofit, nongovernmental, or tribal organization that provides intervention and
related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims; or

“(B) a governmental entity that—

“(i) is located in a State other than a Territory;

“(ii) provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims;

“(iii) is not a law enforcement agency or other entity that is part of the criminal justice system; and

“(iv) offers a level of confidentiality to victims that is comparable to a nonprofit entity that provides similar victim services.

“(46) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

“(47) TRIBAL COALITION.—The term ‘tribal coalition’ means an established nonprofit, nongovern-
mental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

“(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

“(B) is comprised of board and general members that are representative of—

“(i) the member service providers described in subparagraph (A); and

“(ii) the tribal communities in which the services are being provided.

“(48) UNIT OF LOCAL GOVERNMENT.—The term ‘unit of local government’ means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

“(49) VICTIM SERVICES.—The term ‘victim services’—
“(A) means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services; and

“(B) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(50) VICTIM SERVICE PROVIDER.—The term ‘victim service provider’ means a nonprofit, non-governmental or tribal organization or rape crisis center, including a State sexual assault coalition or tribal coalition, that—

“(A) assists domestic violence, dating violence, sexual assault, or stalking victims, includ-
ing domestic violence shelters, faith-based organizations, and other organizations; and

“(B) has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.”; and

(13) by striking paragraphs (17), (29), and (36), and then reordering the remaining paragraphs of such subsection (including the paragraphs added by paragraph (12) of this subsection) in alphabetical order based on the headings of such paragraphs, and renumbering such paragraphs as so reordered.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by amending clauses (i) and (ii) to read as follows:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or
“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that—

“(I) consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor; and

“(II) if a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent’s or guardian’s consent, such minor or person with a guardian may release information without additional consent.”;

(B) by amending subparagraph (D), to read as follows:

“(D) INFORMATION SHARING.—
“(i) IN GENERAL.—Grantees and sub-
grantees may share—

“(I) nonpersonally identifying
data in the aggregate regarding serv-
ices to their clients and nonpersonally
identifying demographic information
in order to comply with Federal,
State, tribal, or territorial reporting,
evaluation, or data collection require-
ments;

“(II) court-generated information
and law enforcement-generated infor-
mation contained in secure, govern-
mental registries for protection order
enforcement purposes; and

“(III) law enforcement-generated
and prosecution-generated information
necessary for law enforcement, intel-
ligence, national security, or prosecu-
tion purposes.

“(ii) LIMITATIONS.—Grantees and
subgrantees may not—

“(I) require an adult, youth, or
child victim of domestic violence, dat-
ing violence, sexual assault, or stalk-
ing to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee; or

“(II) share any personally identifying information in order to comply with Federal reporting, evaluation, or data collection requirements, whether for this program or any other Federal grant program.”;

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

“(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this paragraph prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined by law, when specifically mandated by the State or tribe involved.”; and

(E) by adding at the end the following new subparagraph:

“(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees shall
certify their compliance with the confidentiality and privacy provisions required under this section.”;

(2) by striking paragraph (3) and inserting the following:

“(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with and provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies, and develop and promote State, local, or tribal legislation or model codes, designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”;

(3) in paragraph (7), by inserting at the end of the following:

“Final reports of such evaluations shall be made publically available on the website of the disbursing agency.”; and

(4) by inserting after paragraph (11) the following:

“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Vi-
olence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in any State shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be denied the assistance of, or excluded from receiving services from, a grantee under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2012, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) REASONABLE ACCOMMODATION.—Nothing in this paragraph shall prevent consid-
eration of an individual’s gender for purposes of a program or activity described in subpara-
graph (A) if the grantee involved determines that gender segregation or gender-specific pro-
gramming is necessary to the essential oper-
ation of such program or activity. In such a case, alternative reasonable accommodations are sufficient to meet the requirements of this para-
graph.

“(C) APPLICATION.—The provisions of paragraphs (2) through (4) of section 809(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(e)) shall apply to violations of subparagraph (A).

“(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed, inter-
preted, or applied to supplant, displace, pre-
empt, or otherwise diminish the responsibilities and liabilities of grantees under other Federal or State civil rights law, whether statutory or common.”.

(c) CONFORMING AMENDMENT.—Section 41403(6) of the Violence Against Women Act of 1994 (14043e–2(6)) is amended to read as follows:
“(6) the terms ‘homeless’, ‘homeless individual’, and ‘homeless person’ have the meanings given such terms in section 40002(a);”.

SEC. 4. ACCOUNTABILITY PROVISIONS.

(a) REQUIREMENT FOR DOJ GRANT APPLICANTS TO INCLUDE CERTAIN INFORMATION ABOUT FEDERAL GRANTS IN DOJ GRANT APPLICATIONS.—Each applicant for a grant from the Department of Justice shall submit, as part of the application for the grant, the following information:

(1) A list of each Federal grant the applicant applied for during the one-year period preceding the date of submission of the application.

(2) A list of each Federal grant the applicant received during the five-year period preceding the date of submission of the application.

(b) ENHANCING GRANT EFFICIENCY AND COORDINATION.—

(1) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall, to the greatest extent practicable, take actions to further the coordination of the administration of grants within the Department of Justice to increase the efficiency of such administration.
(2) Report.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the actions taken by the Attorney General under paragraph (1) and the progress of such actions in achieving coordination described in such paragraph.

(c) Requiring Office of Audit, Assessment, and Management Functions to Apply to VAWA Grants.—

(1) In general.—Section 109(b) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following new paragraph:

“(3) Any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law
Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reau-
thorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2012, or any other program or activity funded in whole or in part with funds ap-
propriated for grants, cooperative agreements, and other assistance administered by the Office on Vio-
lence Against Women.”.

(2) Effective Date.—The amendments made by subsection (a) shall apply with respect to grant periods beginning on or after the date of the enact-
ment of this Act.

(d) VAWA Grant Accountability.—Section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) is further amended by adding at the end the following:

“(c) Accountability.—All grants awarded under this title shall be subject to the following accountability provisions:

“(1) Audit Requirement.—Beginning in fis-
cal year 2013, and in each fiscal year thereafter, the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Services, as applicable, shall conduct an
audit of not fewer than 10 percent of all grantees
under this title to prevent waste, fraud, and abuse
of funds by such grantees.

“(2) MANDATORY EXCLUSION.—A grantee de-
scribed in paragraph (1) that is found by the Inspec-
tor General of the Department of Justice or the In-
spector General of the Department of Health and
Human Services, as applicable, to have an unre-
resolved audit finding (as defined in paragraph (5))
shall not be eligible to receive grant funds under this
title during the 2 fiscal years beginning after the 12-
month period described in such paragraph.

“(3) REIMBURSEMENT.—If an entity is award-
ed grant funds under this title during any period in
which the entity is prohibited from receiving funds
under paragraph (2), the head of the Federal agency
administering a grant program under this title
shall—

“(A) deposit into the General Fund of the
Treasury an amount equal to the grant funds
that were improperly awarded to the grantee;
and

“(B) seek to recoup the costs of the repay-
ment to the Fund from the entity that was er-
roneously awarded such grant funds.
“(4) UNRESOLVED AUDIT FINDING DEFINED.—
In this subsection, the term ‘unresolved audit finding’ means, with respect to a grantee described in paragraph (1), an audit report finding, statement, or recommendation by the Inspector General of the Department of Justice or the Inspector General of the Department of Health and Human Service, as applicable, that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date of an initial notification of the finding, statement, or recommendation.

“(5) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(A) DEFINITION.—For purposes of this paragraph, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program under this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax de-
scribed in section 511(a) of the Internal Revenue Code of 1986.

“(6) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 5.0 percent of the amounts authorized to be appropriated under this title may be used by the Attorney General for salaries and administrative expenses of the Office on Violence Against Women.

“(7) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice or Department of Health and Human Services under this title may be used by the Attorney General, the Secretary of Health and Human Services, or by any individual or organization awarded funds under this title, to host or support any expenditure for conferences, unless in the case of the Department of Justice, the Deputy Attorney General or the appropriate Assistant Attorney General, or in the case of the Department of Health and Human Services the Deputy Secretary, provides prior written authorization that the funds may be expended.
to host or support any expenditure for such a
conference.

“(B) WRITTEN APPROVAL.—Written au-
 thorization under subparagraph (A) shall in-
 clude a written estimate of all costs associated
with the conference, including the cost of all
food and beverages, audio/visual equipment,
honoraria for speakers, and any entertainment.

“(C) REPORT.—The Deputy Attorney Gen-
eral and Deputy Secretary of Health and
Human Services shall submit an annual report
to the Committee on the Judiciary and the
Committee on Health, Education, Labor, and
Pensions of the Senate and the Committee on
the Judiciary and the Committee on Energy
and Commerce of the House of Representatives
on all conference expenditures approved and de-
nied during the fiscal year for which the report
is submitted.

“(8) PROHIBITION ON LOBBYING ACTIVITY.—

“(A) IN GENERAL.—Amounts authorized
to be appropriated under this title may not be
utilized by any grantee or subgrantee to lobby
any representative of the Federal Government
(including the Department of Justice) or a
28

State, local, or tribal government regarding the
award of grant funding.

“(B) PENALTY.—If the Attorney General
or the Secretary of Health and Human Serv-
ices, as applicable, determines that any grantee
or subgrantee receiving funds under this title
has violated subparagraph (A), the Attorney
General or the Secretary of Health and Human
Services, as applicable, shall—

“(i) require the grantee or subgrantee
to repay such funds in full; and

“(ii) prohibit the grantee or sub-
grantee from receiving any funds under
this title for not less than 5 years.

“(9) ANNUAL CERTIFICATION.—Beginning in
the first fiscal year beginning after the date of the
enactment of the Violence Against Women Reau-
thorization Act of 2012, the Assistant Attorney Gen-
eral for the Office of Justice Programs, the Director
of the Office on Violence Against Women, and the
Deputy Secretary for Health and Human Services
shall submit to the Committee on the Judiciary and
the Committee on Appropriations of the Senate and
the Committee on the Judiciary and the Committee
on Appropriations of the House of Representatives a
certification for such year that—

“(A) all audits issued by the Office of the
Inspector General under paragraph (1) have
been completed and reviewed by the Assistant
Attorney General for the Office of Justice Pro-
grams;

“(B) all mandatory exclusions required
under paragraph (2) have been issued;

“(C) all reimbursements required under
paragraph (3) have been made; and

“(D) includes a list of any grantees and
subgrantees excluded during the previous year
under paragraph (2).”.

(e) Training and Resources for VAWA Grant-
ees.—Section 40002 of the Violence Against Women Act
of 1994 (42 U.S.C. 13925) is further amended—

(1) in the heading, by striking “AND GRANT
PROVISIONS” and inserting “, GRANT PROVI-
SIONS, AND TRAINING AND RESOURCES FOR
VAWA GRANTEES”; and

(2) by adding at the end the following new sub-
section:

“(d) Training and Resources for VAWA Grant-
ees.—
“(1) IN GENERAL.—The Attorney General and Secretary of Health and Human Services, as applicable, shall—

“(A) develop standards, protocols, and sample tools and forms to provide guidance to grantees and subgrantees under any program or activity described in paragraph (2) regarding financial record-keeping and accounting practices required of such grantees and subgrantees as recipients of funds from the disbursing agency;

“(B) provide training to such grantees and subgrantees regarding such standards, protocols, and sample tools and forms; and

“(C) publish on the public Internet website of the Office of Violence Against Women information to assist such grantees and subgrantees with compliance with such standards, protocols, and sample tools and forms.

“(2) VAWA PROGRAMS AND ACTIVITIES.—For purposes of paragraph (1), a program or activity described in this paragraph is any program or activity funded in whole or in part with funds made available under this title, the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Depart-
ment of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2012, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.”.

SEC. 5. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the first day of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

(a) STOP GRANTS.—Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 2001(b) (42 U.S.C. 3796gg(b)), as amended by paragraph (2)—

(A) in the matter preceding paragraph (1)—
(i) by striking “equipment” and inserting “resources”; and

(ii) by inserting “for the protection and safety of victims,” before “and specifically,”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(C) in paragraph (2), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(D) in paragraph (3), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims”;

(E) in paragraph (4)—

(i) by inserting “, classifying,” after “identifying”; and

(ii) by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

•HR 4970 EH
33

(F) in paragraph (5)—

(i) by inserting “and legal assistance”
after “victim services”;

(ii) by striking “sexual assault and
domestic violence” and inserting “domestic
violence, dating violence, sexual assault,
and stalking”; and

(iii) by striking “including crimes”
and all that follows and inserting “includ-
ing crimes of domestic violence, dating vio-
ence, sexual assault, and stalking;”;

(G) by striking paragraph (6) and redesig-
nating paragraphs (7) through (14) as para-
graphs (6) through (13), respectively;

(H) in paragraph (6), as so redesignated
by subparagraph (G), by striking “sexual as-
sault and domestic violence” and inserting “do-

testic violence, dating violence, sexual assault,
and stalking”;

(I) in paragraph (7), as so redesignated by
subparagraph (G), by striking “and dating vio-

da
cence” and inserting “dating violence, and
stalking”;

(J) in paragraph (9), as so redesignated by
subparagraph (G)—
(i) by striking “domestic violence or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”; and

(ii) by striking “such violence or assault” and inserting “such violence, assault, or stalking”;

(K) in paragraph (12), as so redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”; and

(ii) in subparagraph (D), by striking “and” at the end;

(L) in paragraph (13), as so redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “to provide” and inserting “providing”;
(II) by striking “nonprofit non-governmental”; and

(III) by striking the comma after “local governments”; (ii) by inserting “and” after the semi-colon in subparagraph (B); and (iii) by striking the period at the end of subparagraph (C) and inserting a semi-colon; (M) by inserting after paragraph (13), as so redesignated by subparagraph (G), the following:

“(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

“(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;
“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims; and

“(19) with not more than 5 percent of the total amount allocated to a State for this part, developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking.”; and

(N) in the flush text at the end, by striking “paragraph (14)” and inserting “paragraph (13)”;

(2) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking “non-profit nongovernmental victim services programs” and inserting “victim service providers”;

(B) in subsection (b)(6), by striking “(not including populations of Indian tribes)”;

(C) in subsection (e)—
(i) by amending paragraph (2) to read as follows:

“(2) grantees and subgrantees shall develop a plan for implementation and may consult and coordinate with—

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

“(C) the law enforcement entities within the State;

“(D) prosecution offices;

“(E) State and local courts;

“(F) tribal governments or tribal coalitions in those States with State or federally recognized Indian tribes;

“(G) representatives from underserved populations;

“(H) victim service providers;

“(I) population specific organizations; and

“(J) other entities that the State or the Attorney General identifies as necessary for the planning process;”;

(ii) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;
(iii) by inserting after paragraph (2) the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b); and”;

(iv) in paragraph (4), as so redesignated by clause (ii)—

(I) in subparagraph (A), by striking “and not less than 25 percent shall be allocated for prosecutors”;

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E);

(III) by inserting after subparagraph (A), the following:

“(B) not less than 25 percent shall be allocated for prosecutors;

“(C) for each fiscal year beginning on or after the date that is 2 years after the date of enactment of the Violence Against Women Re-
authorization Act of 2012, not less than 20 per-
cent shall be allocated for programs or projects
that meaningfully address sexual assault, in-
cluding stranger rape, acquaintance rape, alco-
hol or drug-facilitated rape, and rape within the
context of an intimate partner relationship;”;
and
(IV) in subparagraph (E), as so
redesignated by subclause (II), by
striking “; and” and inserting a pe-
riod;
(D) by amending subsection (d) to read as
follows:
“(d) APPLICATION REQUIREMENTS.—An application
for a grant under this part shall include—
“(1) the certifications of qualification required
under subsection (c);
“(2) proof of compliance with the requirements
for the payment of forensic medical exams and judi-
cicial notification, described in section 2010;
“(3) proof of compliance with the requirements
for paying fees and costs relating to domestic vio-
ence and protection order cases described in section
2011;
“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault described in section 2013;
“(5) an implementation plan required under subsection (i); and
“(6) any other documentation that the Attorney General may require.”;

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking “domestic violence and sexual assault” and inserting “domestic violence, dating violence, sexual assault, and stalking”; and

(II) in subparagraph (D), by striking “linguistically and”; and

(ii) by adding at the end the following:

“(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards disbursed after the date of enactment of the Violence Against Women Reauthorization Act of 2012 to ensure that the States meet statutory, regulatory, and other programs requirements.”;
(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.”;

and

(G) by adding at the end the following:

“(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

“(1) develop an implementation plan in consultation with representatives of the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part; and

“(2) submit to the Attorney General as part of the application submitted in accordance with subsection (d)—

“(A) the implementation plan developed under paragraph (1);

“(B) documentation from each member of the planning committee with respect to the member’s participation in the planning process;
“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

“(ii) the intended use of the grant funds;

“(iii) the expected result of the grant funds; and

“(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

“(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);
“(F) a description of how the State plans to meet the requirements pursuant to regulations issued under subsection (e)(2);

“(G) goals and objectives for reducing domestic and dating violence-related homicides within the State; and

“(H) any other information requested by the Attorney General.

“(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

“(1) funds from a subgrant awarded under this part are returned to the State; or

“(2) the State does not receive sufficient eligible applications to award the full funding within the allocations under subsection (e)(4).”;

(3) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—
“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “or” after the semicolon;

(ii) in paragraph (2), by striking “; or” and inserting a period; and

(iii) by striking paragraph (3);

(C) in subsection (c), by striking “, except that such funds” and all that follows and inserting a period; and

(D) by amending subsection (d) to read as follows:

“(d) NONCOOPERATION.—

“(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.
“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of the Violence Against Women Reauthorization Act of 2012 to come into compliance with this subsection.”; and


(A) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears; and

(B) by striking “domestic violence, stalking, or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(18) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)), is amended by striking “$225,000,000 for each of fiscal years 2007 through 2011” and inserting “$222,000,000 for each of fiscal years 2013 through 2017”.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—
(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “States,” and all that follows through “units of local government” and inserting “grantees”;

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines” before the period;

(iii) in paragraph (2), by striking “and training in police departments to improve tracking of cases” and inserting “data collection systems, and training in police departments to improve tracking of cases and classification of complaints”;

(iv) in paragraph (4), by inserting “and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking” after “computer tracking systems”;

(v) in paragraph (5), by inserting “and other victim services” after “legal advocacy service programs”;


HR 4970 EH
(vi) in paragraph (6), by striking “judges” and inserting “Federal, State, tribal, territorial, and local judges, and court-based and court-related personnel”;

(vii) in paragraph (8), by striking “and sexual assault” and inserting “, dating violence, sexual assault, and stalking”;

(viii) in paragraph (10), by striking “non-profit, non-governmental victim services organizations,” and inserting “victim service providers, population specific organizations,”; and

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.
“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

“(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

“(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

“(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims of sexual assault.

“(20) To provide the following human immunodeficiency virus services for victims of sexual assault:

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such
backlogs, including policies and protocols for notifying and involving victims.

“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

“(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

“(B) identifying and managing high-risk offenders; and

“(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.”;

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting “except for a court,” before “certify”; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margin accordingly;
(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (4)—

(I) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(II) by inserting “dating violence,” after “domestic violence,”; and

(III) by striking “and” at the end;

(iv) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after the date of enactment of this section,”;

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margin accordingly;

(III) in clause (ii), as redesignated by subclause (II) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”; and
(IV) by striking the period at the end and inserting “; and”;

(v) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively, and adjusting the margin accordingly;

(vi) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the second comma; and

(II) by striking “grantees are States” and inserting the following:

“grantees are—

“(1) States”; and

(vii) by adding at the end the following:

“(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).”;
(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding sub-
paragraph (A), by inserting “, policy,”
after “law”; and

(II) in subparagraph (A), by in-
serting “and the defendant is in cus-
tody or has been served with the in-
formation or indictment” before the
semicolon; and

(ii) in paragraph (2), by striking “it”
and inserting “its”; and

(D) by adding at the end the following:

“(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the
amounts appropriated for purposes of this part for each
fiscal year, not less than 5 percent shall be available for
grants under section 2001(d) of the Omnibus Crime Con-
trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)).

“(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the
amounts appropriated for purposes of this part for each
fiscal year, not less than 25 percent shall be available for
projects that address sexual assault, including stranger
rape, acquaintance rape, alcohol or drug-facilitated rape,
and rape within the context of an intimate partner rela-
tionship.”; and
(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting “court,” after “tribal government,”; and

(B) in paragraph (4), by striking “non-profit, private sexual assault and domestic violence programs” and inserting “victim service providers and, as appropriate, population specific organizations”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking “$75,000,000” and all that follows through “2011” and inserting “$73,000,000 for each of fiscal years 2013 through 2017”; and

(2) by striking the second period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “arising as a consequence of” and inserting “relating to or arising out of”; and
(B) in the second sentence, by inserting “or arising out of” after “relating to”;

(2) in subsection (b)—

(A) in the heading, by inserting “AND GRANT CONDITIONS” after “DEFINITIONS”; and

(B) by inserting “and grant conditions” after “definitions”;  

(3) in subsection (c)—

(A) in paragraph (1), by striking “victim services organizations” and inserting “victim service providers”; and

(B) by striking paragraph (3) and inserting the following:

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking.”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “subsection (c) has completed” and all that follows and inserting the following: “this section—

“(A) has demonstrated expertise in providing legal assistance or advocacy to victims of
domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

“(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

“(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;”; and

(B) in paragraph (2), by striking “stalking organization” and inserting “stalking victim service provider”; and

(5) in subsection (f)—

(A) in paragraph (1), by striking “this section” and all that follows through the period at the end and inserting “this section $57,000,000 for each of fiscal years 2013 through 2017.”; and

(B) in paragraph (2), by adding at the end the following new subparagraph:

“(D) Of the amount made available under this subsection in each fiscal year, not more
than 10 percent may be used for purposes de-
dscribed in subsection (e)(3).”.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 3016), and inserting the following:

“SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION IMPROVEMENTS.

“(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

“(b) USE OF FUNDS.—A grant under this section may be used to—
“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

“(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

“(3) educate court-based and court-related personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

“(4) provide adequate resources in juvenile court matters to respond to domestic violence, dating violence, sexual assault (including child sexual
abuse), and stalking and ensure necessary services dealing with the physical health and mental health of victims are available;

“(5) enable courts or court-based or court-related programs to develop or enhance—

“(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

“(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

“(C) offender management, monitoring, and accountability programs;

“(D) safe and confidential information-storage and information-sharing databases within and between court systems;

“(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

“(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;
“(6) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

“(7) improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system regarding domestic violence, dating violence, sexual assault, stalking, or child abuse.

“(c) CONSIDERATIONS.—

“(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (6) of subsection (b), the Attorney General shall consider—

“(A) the number of families to be served by the proposed programs and services;

“(B) the extent to which the proposed programs and services serve underserved populations;

“(C) the extent to which the applicant demonstrates cooperation and collaboration
with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

“(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

“(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system’s handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—
“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

“(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

“(3) if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange, demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section);

“(4) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;
“(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

“(6) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training, developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition, on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $22,000,000 for each of the fiscal years 2013 through 2017. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—
“(1) IN GENERAL.—Not less than 10 percent of
the total amount available under this section for
each fiscal year shall be available for grants under
the program authorized by section 2015 of title I of
the Omnibus Crime Control and Safe Streets Act of

“(2) APPLICABILITY OF PART.—The require-
ments of this section shall not apply to funds allo-
cated for the program described in paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—
Subtitle J of the Violence Against Women Act of 1994
(42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. COURT-APPOINTED SPECIAL ADVOCATE PRO-
GRAM.
Subtitle B of title II of the Crime Control Act of 1990
(42 U.S.C. 13011 et seq.) is amended—
(1) in section 216 (42 U.S.C. 13012), by strik-
ing “January 1, 2010” and inserting “January 1,
2015”;
(2) in section 217 (42 U.S.C. 13013)—
(A) in subsection (c)(2)(A), by striking
“Code of Ethics” and inserting “Standards for
Programs”; and
(B) by adding at the end the following new
subsection:
“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2013 through 2017”.

SEC. 106. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement
outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

“(2) Programs covered.—The programs identified in this paragraph are the programs carried out under the following provisions:


“(b) Eligible Entities.—Eligible entities under this section are—

“(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service
provider or domestic violence or sexual assault coal-
ition;

“(2) victim service providers offering population
specific services for a specific underserved popu-
lation; or

“(3) victim service providers working in part-
nership with a national, State, or local organization
that has demonstrated experience and expertise in
providing population specific services in the relevant
underserved population.

“(c) PLANNING GRANTS.—The Attorney General
may use up to 20 percent of funds available under this
section to make one-time planning grants to eligible enti-
ties to support the planning and development of specially
designed and targeted programs for adult and youth vic-
tims in one or more underserved populations, including—

“(1) identifying, building, and strengthening
partnerships with potential collaborators within un-
derserved populations, Federal, State, tribal, terri-
torial or local government entities, and public and
private organizations;

“(2) conducting a needs assessment of the com-
munity and the targeted underserved population or
populations to determine what the barriers are to
service access and what factors contribute to those
barriers, using input from the targeted underserved population or populations;

“(3) identifying promising prevention, outreach, and intervention strategies for victims from a targeted underserved population or populations; and

“(4) developing a plan, with the input of the targeted underserved population or populations, for—

“(A) implementing prevention, outreach, and intervention strategies to address the barriers to accessing services;

“(B) promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations; and

“(C) evaluating the program.

“(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and victim services to adult and youth victims in one or more underserved populations, including—

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;
“(2) strengthening the capacity of underserved populations to provide population specific services;

“(3) strengthening the capacity of traditional victim service providers to provide population specific services;

“(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

“(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

“(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

“(f) REPORTS.—Each eligible entity receiving a grant under this section shall annually submit to the Director
of the Office on Violence Against Women a report that
describes the activities carried out with grant funds during
the preceding fiscal year.

“(g) DEFINITIONS AND GRANT CONDITIONS.—In
this section the definitions and grant conditions in section
40002 of the Violence Against Women Act of 1994 (42
U.S.C. 13925) shall apply.

“(h) AUTHORIZATION OF APPROPRIATIONS.—In ad-
dition to the funds identified in subsection (a)(1), there
are authorized to be appropriated to carry out this section
$2,000,000 for each of the fiscal years 2013 through
2017.”.

SEC. 107. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and De-
partment of Justice Reauthorization Act of 2005 (42
U.S.C. 14045a) is amended—

(1) in the section heading, by striking “AND
LINGUISTICALLY”;

(2) by striking “and linguistically” each place it
appears;

(3) by striking “and linguistic” each place it
appears;

(4) by amending paragraph (2) of subsection
(a) to read as follows:
“(2) PROGRAMS COVERED.—The programs identified in this paragraph are the programs carried out under the following provisions:


“(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced training and services to end violence against women later in life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, training, and enhanced services to end violence
against and abuse of women with disabilities).”; and
(5) in subsection (g), by striking “linguistic and”.

SEC. 108. REDUCTION IN RAPE KIT BACKLOG.
Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)), is amended—
(1) in subparagraph (B), by striking “2014” and inserting “2012”; and
(2) by adding at the end the following new subparagraph:
“(C) For each of the fiscal years 2013 and 2014, not less than 75 percent of the grant amounts shall be awarded for purposes under subsection (a)(2).”.

SEC. 109. ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT TRAINING PROGRAMS.
Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941(c)) is amended by striking “to carry out this section” and all that follows through the period at the end and inserting “to carry out this section $5,000,000 for each of fiscal years 2013 through 2017.”.
SEC. 110. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended by striking “$2,300,000” and all that follows through the period at the end and inserting “$2,300,000 for each of fiscal years 2013 through 2017.”.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) Grants to States and Territories.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking “other programs” and all that follows through the period at the end and inserting “other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.”;

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “non-profit, nongovernmental organizations for pro-
grams and activities” and inserting “nongovernmental or tribal programs and activities”; and

(B) in subparagraph (C)(v), by striking “linguistically and”; and

(3) in paragraph (4)—

(A) in the first sentence—

(i) by inserting “and territory” after “each State”;

(ii) by striking “1.50 percent” and inserting “0.75 percent”; and

(iii) by striking “, except that” and all that follows through “of the total appropriations”; and

(B) in the last sentence, by striking “the preceding formula” and inserting “this paragraph”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “$40,000,000 to remain available until expended for each of fiscal years 2013 through 2017”.

•HR 4970 EH
SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting “, including sexual assault forensic examiners” before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “victim advocacy groups” and inserting “victim service providers”; and

(ii) by inserting “, including developing multidisciplinary teams focusing on high-risk cases with the goal of preventing domestic and dating violence homicides” before the semicolon;

(B) in paragraph (2)—

(i) by striking “and other long- and short-term assistance” and inserting “legal assistance, and other long-term and short-term victim services and population specific services”; and

(ii) by striking “and” at the end;
(C) in paragraph (3), by striking the pe-
period at the end and inserting ‘‘; and’’; and
(D) by adding at the end the following:
“(4) to develop, expand, or strengthen pro-
gress addressing sexual assault, including sexual
assault forensic examiner programs, Sexual Assault
Response Teams, law enforcement training, and pro-
gress addressing rape kit backlogs.’’; and
(3) in subsection (e)(1), by striking
‘‘$55,000,000 for each of the fiscal years 2007
through 2011’’ and inserting ‘‘$50,000,000 for each
of fiscal years 2013 through 2017’’.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE
AGAINST WOMEN WITH DISABILITIES

GRANTS.

Section 1402 of division B of the Victims of Traff-
ficking and Violence Protection Act of 2000 (42 U.S.C.
3796gg–7) is amended—
(1) in subsection (b)—
(A) in paragraph (1), by inserting ‘‘(in-
cluding using evidence-based indicators to as-
ssess the risk of domestic and dating violence
homicide)’’ after ‘‘risk reduction’’;
(B) in paragraph (4), by striking “victim service organizations” and inserting “victim service providers”; and

(C) in paragraph (5), by striking “victim services organizations” and inserting “victim service providers”;

(2) in subsection (c)(1)(D), by striking “non-profit and nongovernmental victim services organization, such as a State” and inserting “victim service provider, such as a State or tribal”; and

(3) in subsection (e), by striking “$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “$9,000,000 for each of fiscal years 2013 through 2017”.

SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) is amended to read as follows:

“SEC. 40802. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

“(a) DEFINITIONS.—In this section:

“(1) The term ‘eligible entity’ means an entity that—

“(A) is—

“(i) a State;
“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals in later life;

“(v) a victim service provider; or

“(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

“(B) is partnered with—

“(i) a law enforcement agency;

“(ii) an office of a prosecutor;

“(iii) a victim service provider; or

“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life.

“(2) The term ‘elder abuse’ means domestic violence, dating violence, sexual assault, or stalking committed against individuals in later life.

“(3) The term ‘individual in later life’ means an individual who is 60 years of age or older.

“(b) GRANT PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry
out the activities described in paragraph (2). In awarding such grants, the Attorney General shall consult with the Secretary of Health and Human Services to ensure that the activities funded under this section are not duplicative with the activities funded under the elder abuse prevention programs of the Department of Health and Human Services.

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

“(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

“(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

“(ii) provide or enhance services for victims of elder abuse;
“(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of elder abuse.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use not more than 10 percent of the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of elder abuse; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

“(3) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall
give priority to proposals providing culturally spe-
1
cific or population specific services.
2
“(4) Authorization of Appropriations.—
3
There is authorized to be appropriated to carry out
4
this section $9,000,000 for each of fiscal years 2013
5
through 2017.”.

**TITLE III—SERVICES, PROTEC-
6
TION, AND JUSTICE FOR
7
YOUNG VICTIMS OF VIO-
8
LENCE**

**SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.**

Section 393A of the Public Health Service Act (42
12
U.S.C. 280b–1b) is amended—
13
(1) in subsection (a)—
14
(A) in the matter preceding paragraph (1),
15
by inserting “, territorial, or tribal” after “cri-
16
sis centers, State”; and
17
(B) in paragraph (6), by inserting “and al-
18
cohol” after “about drugs”;
19
(2) in subsection (c)(1), by striking
20
“$80,000,000 for each of fiscal years 2007 through
21
2011” and inserting “$50,000,000 for each of fiscal
22
years 2013 through 2017”; and
23
(3) in subsection (c), by adding at the end the
24
following new paragraph:
“(3) FUNDING FORMULA.—Amounts provided under this section shall be allotted to each State, territory, and the District of Columbia based on population. If the amounts appropriated under paragraph (1) exceed $48,000,000 in any fiscal year, a minimum allocation of $150,000 shall be awarded to each State and territory and the District of Columbia. Any remaining funds shall be allotted to each State and territory and the District of Columbia based on population.”.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

(a) IN GENERAL.—Subtitle L of the Violence Against Women Act of 1994 (42 U.S.C. 14043c et seq.) is amended by striking sections 41201 through 41204 and inserting the following:

“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH (CHOOSE CHILDREN AND YOUTH).

“(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children
who are victims of, or exposed to, domestic violence, dating
violence, sexual assault, or stalking and to prevent future
violence.

“(b) PROGRAM PURPOSES.—Funds provided under
this section may be used for the following program pur-
pose areas:

“(1) SERVICES TO ADVOCATE FOR AND RE-
SPOND TO YOUTH.—To develop, expand, and
strengthen victim interventions and services that tar-
get youth who are victims of domestic violence, dat-
ing violence, sexual assault, and stalking. Services
may include victim services, counseling, advocacy,
mentoring, educational support, transportation, legal
assistance in civil, criminal and administrative mat-
ters, such as family law cases, housing cases, child
welfare proceedings, campus administrative pro-
ceedings, and civil protection order proceedings,
services to address sex trafficking, population spe-
cific services, and other activities that support youth
in finding safety, stability, and justice and in ad-
dressing the emotional, cognitive, and physical ef-
fects of trauma on youth. Funds may be used to—

“(A) assess and analyze available services
for youth victims of domestic violence, dating
violence, sexual assault, and stalking, deter-
mining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

“(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

“(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, as well as homeless youth, and to properly refer such children, youth, and their families to appropriate services.

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable secondary or
elementary schools that serve students in any of grades five through twelve and institutions of higher education to—

“(A) provide training to school personnel, including health care providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

“(B) develop and implement age-appropriate prevention and intervention policies in accordance with State law in secondary or elementary schools that serve students in any of grades five through twelve, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

“(C) provide support services for student victims of domestic violence, dating violence, sexual assault, or stalking, such as a resource person who is either on-site or on-call;

“(D) provide evidence-based educational programs for students regarding domestic vio-
lence, dating violence, sexual assault, and stalking; or

“(E) develop strategies to increase identification, support, referrals, and prevention programs for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

“(A) a victim service provider, tribal non-profit organization, population specific organization, or community-based organization with a demonstrated history of effective work addressing the needs of youth, including runaway or homeless youth, who are victims of domestic violence, dating violence, sexual assault, or stalking; or

“(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in sub-
section (b)(2), an entity described in paragraph (1) shall be partnered with an elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965), charter school (as defined in section 5210 of such Act), a school that is operated or supported by the Bureau of Indian Education, or a legally operating private school, a school administered by the Department of Defense under section 2164 of title 10, United States Code, or section 1402 of the Defense Dependents’ Education Act of 1978, a group of such schools, a local educational agency (as defined in section 9101(26) of the Elementary and Secondary Education Act of 1965), or an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965).

“(B) Other partnerships.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant youth population. Such entities may include—

“(i) a State, tribe, unit of local government, or territory;
“(ii) a population specific or community-based organization;

“(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

“(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

“(1) require and include appropriate referral systems for child and youth victims;

“(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third-party involvement and consent, mandatory reporting duties, and working with other service providers with priority on victim safety and autonomy;

“(3) ensure that all individuals providing intervention or prevention programs to children or youth through a program funded under this section have
completed, or will complete, sufficient training in
connection with domestic violence, dating violence,
sexual assault, and stalking; and

“(4) ensure that parents are informed of the
programs funded under this program that are being
offered at their child’s school.

“(e) PRIORITY.—The Attorney General shall
prioritize grant applications under this section that coordi-
nate with prevention programs in the community.

“(f) DEFINITIONS AND GRANT CONDITIONS.—In this
section, the definitions and grant conditions provided for
in section 40002 shall apply.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There
is authorized to be appropriated to carry out this section,
$15,000,000 for each of the fiscal years 2013 through
2017.

“(h) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of
the total amount appropriated under this section for
each fiscal year shall be used for the purposes de-
scribed in subsection (b)(1).

“(2) INDIAN TRIBES.—Not less than 10 percent
of the total amount appropriated under this section
for each fiscal year shall be made available for
grants under the program authorized by section

(b) VAWA Grant Requirements.—Section 40002(b) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)), as amended by section 3(b)(4), is further amended by adding at the end the following:

“(14) Requirement for Evidence-Based Programs.—Any educational programming, training, or public awareness communications regarding domestic violence, dating violence, sexual assault, or stalking that are funded under this title must be evidence-based.”.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “and” after “stalking on campuses,”;

(ii) by striking “crimes against women on” and inserting “crimes on”; and

(iii) by inserting “, and to develop and strengthen prevention education and
awareness programs” before the period;

and

(B) in paragraph (2), by striking “$500,000” and inserting “$300,000”;

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting “strengthen,” after “To develop”; and

(ii) by striking “assault and stalking,” and inserting “assault, and stalking, including the use of technology to commit these crimes,”;

(B) in paragraph (4)—

(i) by inserting “and population specific services” after “strengthen victim services programs”;

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”; and

(iii) by inserting “, regardless of whether the services provided by such program are provided by the institution or in coordination with community victim service
providers” before the period at the end;

and

(C) by adding at the end the following:

“(9) To provide evidence-based educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking.

“(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “any non-profit” and all that follows through the first occurrence of “victim services programs” and inserting “victim service providers”; 

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

“(D) describe how underserved populations in the campus community will be adequately
served, including the provision of relevant population specific services;”; and

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2013 through 2017”;

(4) in subsection (d)—

(A) by striking paragraph (3); and

(B) by inserting after paragraph (2), the following:

“(3) GRANTEE MINIMUM REQUIREMENTS.—

Each grantee shall comply with the following minimum requirements during the grant period:

“(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

“(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.
“(D) The grantee shall train all members
of campus disciplinary boards to respond effec-
tively to situations involving domestic violence,
dating violence, sexual assault, or stalking.”;
and
(5) in subsection (e), by striking “$12,000,000”
and all that follows through the period and inserting
“$12,000,000 for each of the fiscal years 2013
through 2017.”.

SEC. 304. NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.

(a) Establishment.—Title I of the Omnibus Crime
Control and Safe Streets Act of 1968 (42 U.S.C. 3711
et seq.) is amended by adding at the end the following
new part:

“PART LL—NATIONAL CENTER FOR CAMPUS
PUBLIC SAFETY

“SEC. 3021. NATIONAL CENTER FOR CAMPUS PUBLIC SAFE-
TY.

“(a) Authority to Establish and Operate Cen-
ter.—

“(1) In general.—The Director of the Office
of Community Oriented Policing Services is author-
ized to establish and operate a National Center for
Campus Public Safety (referred to in this section as
the ‘Center’).
“(2) GRANT AUTHORITY.—The Director of the Office of Community Oriented Policing Services is authorized to award grants to institutions of higher education and other nonprofit organizations to assist in carrying out the functions of the Center required under subsection (b).

“(b) FUNCTIONS OF THE CENTER.—The center shall—

“(1) provide quality education and training for campus public safety agencies of institutions of higher education and the agencies’ collaborative partners, including campus mental health agencies;

“(2) foster quality research to strengthen the safety and security of institutions of higher education;

“(3) serve as a clearinghouse for the identification and dissemination of information, policies, procedures, and best practices relevant to campus public safety, including off-campus housing safety, the prevention of violence against persons and property, and emergency response and evacuation procedures;

“(4) develop protocols, in conjunction with the Attorney General, the Secretary of Homeland Security, the Secretary of Education, State, local, and tribal governments and law enforcement agencies,
private and nonprofit organizations and associations, and other stakeholders, to prevent, protect against, respond to, and recover from, natural and man-made emergencies or dangerous situations involving an immediate threat to the health or safety of the campus community;

“(5) promote the development and dissemination of effective behavioral threat assessment and management models to prevent campus violence;

“(6) coordinate campus safety information (including ways to increase off-campus housing safety) and resources available from the Department of Justice, the Department of Homeland Security, the Department of Education, State, local, and tribal governments and law enforcement agencies, and private and nonprofit organizations and associations;

“(7) increase cooperation, collaboration, and consistency in prevention, response, and problem-solving methods among law enforcement, mental health, and other agencies and jurisdictions serving institutions of higher education;

“(8) develop standardized formats and models for mutual aid agreements and memoranda of understanding between campus security agencies and
other public safety organizations and mental health agencies; and

“(9) report annually to Congress and the Attorney General on activities performed by the Center during the previous 12 months.

“(c) COORDINATION WITH AVAILABLE RESOURCES.—In establishing the Center, the Director of the Office of Community Oriented Policing Services shall—

“(1) consult with the Secretary of Homeland Security, the Secretary of Education, and the Attorney General of each State; and

“(2) coordinate the establishment and operation of the Center with campus public safety resources that may be available within the Department of Homeland Security and the Department of Education.

“(d) DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—In this section, the term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).”.

(b) JUSTICE PROGRAM CONSOLIDATIONS.—Effective 30 days after the date of enactment of this section, the Office of Dispute Resolution of the Department of Justice and the jurisdiction and employees of such office shall be—
(1) transferred to the Office of Legal Policy of the Department of Justice; and

(2) funded through the general administration appropriation of the Office of Legal Policy.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking “$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “$1,000,000 for each of the fiscal years 2013 through 2017”.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to
award grants for the purpose of preventing domestic vio-

lence, dating violence, sexual assault, and stalking by tak-

ing a comprehensive approach that focuses on youth, chil-

dren exposed to violence, and men as leaders and

influencers of social norms.

“(b) USE OF FUNDS.—Funds provided under this

section may be used for the following purposes:

“(1) TEEN DATING VIOLENCE AWARENESS AND

PREVENTION.—To develop, maintain, or enhance

programs that change attitudes and behaviors

around the acceptability of domestic violence, dating

violence, sexual assault, and stalking and provide

education and skills training to young individuals

and individuals who influence young individuals. The

prevention program may use evidence-based, evi-
dence-informed, or innovative strategies and prac-
tices focused on youth. Such a program should in-
clude—

“(A) evidence-based age education on do-

mestic violence, dating violence, sexual assault,
stalking, and sexual coercion, as well as healthy

relationship skills, in school, in the community,
or in health care settings;

“(B) community-based collaboration and

training for those with influence on youth, such
as parents, teachers, coaches, health care providers, faith-leaders, older teens, and mentors;

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

“(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children’s exposure to violence in the home. Such programs may include—

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic vio-
lence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(3) Engaging men as leaders and role models.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

“(c) Eligible Entities.—To be eligible to receive a grant under this section, an entity shall be—

“(1) a victim service provider, community-based organization, tribe or tribal organization, or other nonprofit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other nonprofit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual ass-
assault, or stalking and at least one of the following
that has expertise in serving children exposed to do-
mestic violence, dating violence, sexual assault, or
stalking, youth domestic violence, dating violence,
sexual assault, or stalking prevention, or engaging
men to prevent domestic violence, dating violence,
sexual assault, or stalking:

“(A) A public, charter, tribal, or nationally
accredited private middle or high school, a
school administered by the Department of De-
fense under section 2164 of title 10, United
States Code or section 1402 of the Defense De-
pendents’ Education Act of 1978, a group of
schools, or a school district.

“(B) A local community-based organiza-
tion, population-specific organization, or faith-
based organization that has established exper-
tise in providing services to youth.

“(C) A community-based organization,
population-specific organization, university or
health care clinic, faith-based organization, or
other nonprofit, nongovernmental organization.

“(D) A nonprofit, nongovernmental entity
providing services for runaway or homeless
youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Health care entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

“(d) GRANTEE REQUIREMENTS.—

“(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

“(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that are consistent with the best practices developed under section 402 of the Violence Against Women and De-
ward of Justice Reauthorization Act of 2005
(42 U.S.C. 280b–4) and—

“(A) include appropriate referral systems
to direct any victim identified during program
activities to highly qualified follow-up care;

“(B) protect the confidentiality and pri-
vacy of adult and youth victim information,
particularly in the context of parental or third-
party involvement and consent, mandatory re-
porting duties, and working with other service
providers;

“(C) ensure that all individuals providing
prevention programming through a program
funded under this section have completed or
will complete sufficient training in connection
with domestic violence, dating violence, sexual
assault or stalking; and

“(D) document how prevention programs
are coordinated with service programs in the
community.

“(3) PREFERENCE.—In selecting grant recipi-
ents under this section, the Attorney General shall
give preference to applicants that—

“(A) include outcome-based evaluation;
and
“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2013 through 2017.

“(g) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.”.

(b) REPEALS.—The following provisions are repealed:

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTH CARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) IN GENERAL.—The Secretary shall award grants for—
“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

“(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

“(b) USE OF FUNDS.—

“(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

“(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

“(i) are designed to train medical, psychology, dental, social work, nursing,
and other health profession students, inter-
terns, residents, fellows, or current health
care providers to identify and provide
health care services (including mental or
behavioral health care services and refer-
rals to appropriate community services) to
individuals who are or who have been vic-
tims of domestic violence, dating violence,
sexual assault, or stalking; and

“(ii) plan and develop clinical training
components for integration into approved
internship, residency, and fellowship train-
ing or continuing medical or other health
education training that address physical,
mental, and behavioral health issues, in-
cluding protective factors, related to do-
mestic violence, dating violence, sexual as-
sault, stalking, and other forms of violence
and abuse, focus on reducing health dis-
parities and preventing violence and abuse,
and include the primacy of victim safety
and confidentiality; and

“(B) design and implement comprehensive
strategies to improve the response of the health
care system to domestic or sexual violence in
clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

“(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient’s privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

“(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sex-
ual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements; and

“(iv) the provision of training and followup technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

“(2) PERMISSIBLE USES.—

“(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under
this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

“(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities (which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas) for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

“(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

“(ii) the development, expansion, and implementation of sexual assault forensic
medical examination or sexual assault nurse examiner programs;

“(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools, including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

“(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

“(c) REQUIREMENTS FOR GRANTEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

“(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Vio-
ence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 per-
cent of the amounts received under a grant under this section for administrative expenses.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome-based evaluations.

“(4) APPLICATION.—

“(A) SUBSECTION (a) (1) AND (2) GRANTEES.—An entity desiring a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

“(I) an accredited school of allopathic or osteopathic medicine,
psychology, nursing, dentistry, social
work, or other health field;

“(II) a health care facility or sys-
tem; or

“(III) a government or nonprofit
entity with a history of effective work
in the fields of domestic violence, dat-
ing violence, sexual assault, or stalk-
ing; and

“(ii) strategies for the dissemination
and sharing of curricula and other edu-
cational materials developed under the
grant, if any, with other interested health
professions schools and national resource
repositories for materials on domestic vio-
ence, dating violence, sexual assault, and
stalking.

“(B) SUBSECTION (a)(3) GRANTEES.—An
entity desiring a grant under subsection (a)(3)
shall submit an application to the Secretary at
such time, in such manner, and containing such
information and assurances as the Secretary
may require, including—

“(i) documentation that all training,
education, screening, assessment, services,
treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population-specific organizations with demonstrated expertise in addressing domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to
and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalk-
ing, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (a)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any
other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) REPORTING.—The Secretary shall publish a biennial report on—

“(A) the distribution of funds under this section; and
“(B) the programs and activities supported by such funds.

“(f) **Research and Evaluation.—**

“(1) **In general.**—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) **Research.**—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic violence, dating violence, or sexual assault on health behaviors, health conditions, and health status of individ-
uals, families, and populations, including under-
served populations;

“(B) research to determine effective health
care interventions to respond to and prevent do-
meric violence, dating violence, sexual assault,
and stalking;

“(C) research on the impact of domestic,
dating, and sexual violence, childhood exposure
to such violence, and stalking on the health care
system, health care utilization, health care
costs, and health status; and

“(D) research on the impact of adverse
childhood experiences on adult experience with
domestic violence, dating violence, sexual as-
sault, stalking, and adult health outcomes, in-
cluding how to reduce or prevent the impact of
adverse childhood experiences through the
health care setting.

“(g) Authorization of Appropriations.—There
is authorized to be appropriated to carry out this section
$10,000,000 for each of fiscal years 2013 through 2017.

“(h) Definitions.—Except as otherwise provided in
this section, the definitions in section 40002 of the Vio-
ence Against Women Act of 1994 apply to this section.”.

(b) Repeals.—The following provisions are repealed:
(1) Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (relating to research on effective interventions to address violence; 42 U.S.C. 13973; as added by section 505 of Public Law 109–162 (119 Stat. 3028)).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) Amendment.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

“CHAPTER 1—GRANT PROGRAMS”;

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;
(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”; and

(4) by adding at the end the following:

“CHAPTER 2—HOUSING RIGHTS

“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) DEFINITIONS.—In this chapter:

“(1) AFFILIATED INDIVIDUAL.—The term ‘affiliated individual’ means, with respect to an individual—

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

“(B) any individual, tenant, or lawful occupant living in the household of that individual.

“(2) APPROPRIATE AGENCY.—The term ‘appropriate agency’ means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

“(3) COVERED HOUSING PROGRAM.—The term ‘covered housing program’ means—
“(A) the program under section 202 of the
Housing Act of 1959 (12 U.S.C. 1701q);

“(B) the program under section 811 of the
Cranston-Gonzalez National Affordable Hous-
ing Act (42 U.S.C. 8013);

“(C) the program under subtitle D of title
VIII of the Cranston-Gonzalez National Affordable Hous-
ing Act (42 U.S.C. 12901 et seq.);

“(D) each of the programs under title IV
of the McKinney-Vento Homeless Assistance
Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title
II of the Cranston-Gonzalez National Affordable Hous-
ing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of
section 221(d) of the National Housing Act (12
U.S.C. 1715l(d)) for insurance of mortgages
that bear interest at a rate determined under
the proviso under paragraph (5) of such section
221(d);

“(G) the program under section 236 of the
National Housing Act (12 U.S.C. 1715z–1);

“(H) the programs under sections 6 and 8
of the United States Housing Act of 1937 (42
U.S.C. 1437d and 1437f);
“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

“(J) the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) **Prohibited Basis for Denial or Termination of Assistance or Eviction.**—

“(1) **In General.**—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing program or housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) **Construction of Lease Terms.**—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered hous-
ing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

“(A) Denial of assistance, tenancy, and occupancy rights prohibited.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) Bifurcation.—

“(i) In general.—Notwithstanding subparagraph (A), a public housing agency
or owner or manager of housing assisted
under a covered housing program may bi-
furcate a lease for the housing in order to
evict, remove, or terminate assistance to
any individual who is a tenant or lawful oc-
cupant of the housing and who engages in
criminal activity directly relating to domes-
tic violence, dating violence, sexual assault,
or stalking against an affiliated individual
or other individual, without evicting, re-
moving, terminating assistance to, or oth-
erwise penalizing a victim of such criminal
activity who is also a tenant or lawful oc-
cupant of the housing.

“(ii) Effect of Eviction on Other Tenants.—If a public housing agency or
owner or manager of housing assisted
under a covered housing program evicts,
removes, or terminates assistance to an in-
dividual under clause (i), and the indi-
vidual is the sole tenant eligible to receive
assistance under a covered housing pro-
gram, the public housing agency or owner
or manager of housing assisted under the
covered housing program shall provide any
remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or
“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals em-
ployed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writ-
ing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

“(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—
“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and
“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—
“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of
housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof, and include such notice in documents required by law to be provided to tenants assisted under a covered housing program.
“(2) Provision.—The applicable public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1) to an applicant for or tenant of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program; and

“(C) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order No. 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

“(e) Emergency Relocation and Transfers.—Each appropriate agency shall develop a model emergency relocation and transfer plan for voluntary use by public housing agencies and owners or managers of housing assisted under a covered housing program that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking
to relocate or transfer to another available and safe
dwelling unit assisted under a covered housing pro-
gram and retain their status as tenants under the
covered housing program if—

“(A) the tenant expressly requests to
move;

“(B)(i) the tenant reasonably believes that
the tenant is threatened with imminent harm
from further violence if the tenant remains
within the same dwelling unit assisted under a
covered housing program; or

“(ii) the sexual assault, domestic violence,
dating violence, or stalking occurred on the
premises during the 90-day period preceding
the request to move; and

“(C) the tenant has provided documenta-
tion as described in subparagraph (A), (B), (C)
or (D) of subsection (c)(3) if requested by a
public housing agency or owner or manager;

“(2) incorporates reasonable confidentiality
measures to ensure that the public housing agency
or owner or manager does not disclose the location
of the dwelling unit of a tenant to a person that
commits an act of domestic violence, dating violence,
sexual assault, or stalking against the tenant;
“(3) describes how the appropriate agency will coordinate relocations or transfers between dwelling units assisted under a covered housing program;

“(4) takes into consideration the existing rules and regulations of the covered housing program;

“(5) is tailored to the specific type of the covered housing program based on the volume and availability of dwelling units under the control or management of the public housing agency, owner, or manager; and

“(6) provides guidance for use in situations in which it is not feasible for an individual public housing agency, owner, or manager to effectuate a transfer.

“(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers for assistance under section 8(o)(16) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(16)), assistance under such section.

“(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall imple-
ment this section, as this section applies to the covered housing program.”.

(b) **CONFORMING AMENDMENTS.**—

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

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking“, and that an incident” and all that follows through “victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and

(C) by striking subsection (u).

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

(A) in subsection (e), by striking paragraph (9);

(B) in subsection (d)(1)—
(i) in subparagraph (A), by striking “and that an applicant” and all that follows through “assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident” and all that follows through “victim of such violence”; and

(II) in clause (iii), by striking “, except that:” and all that follows through “stalking.”;

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)
(I) in subparagraph (C), by striking “and that an incident” and all that follows through “victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public
Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act or the amendments made by this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act or the amendments made by this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.


(1) in the chapter heading, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DO-
MESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”;

(B) in subsection (a)(1), by striking “fleeing”;

(C) by striking subsection (f); and

(D) in subsection (g)—

(i) in paragraph (1), by striking “$40,000,000 for each of the fiscal years 2007 through 2011” and inserting “$35,000,000 for each of fiscal years 2013 through 2017”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and

(II) by adding at the end the following:
“(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any significant activities that may compromise victim safety;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.”.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking “$10,000,000 for each of fiscal years 2007 through 2011” and inserting
“$4,000,000 for each of fiscal years 2013 through 2017”; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking “$10,000,000 for each of fiscal years 2007 through 2011” and inserting “$4,000,000 for each of fiscal years 2013 through 2017”.

TITLE VII—ECONOMIC SECURITY
FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2013 through 2017”.

TITLE VIII—IMMIGRATION PROVISIONS

SEC. 801. FRAUD PREVENTION INITIATIVES.

(a) CREDIBLE EVIDENCE CONSIDERED.—Section 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229b) is amended by striking subparagraph (D) and inserting the following:

“(D) CREDIBLE EVIDENCE CONSIDERED.—In acting on applications under this
paragraph, the Attorney General shall consider any credible evidence relevant to the application, including credible evidence submitted by a national of the United States or an alien lawfully admitted for permanent residence accused of the conduct described in subparagraph (A)(i) so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.”.

(b) APPLICATION OF SPECIAL RULE FOR BATTERED SPOUSE, PARENT, OR CHILD.—Section 204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)) is amended—

(1) in subparagraph (A)(iii), by inserting after subclause (II) the following:

“(III)(aa) Upon filing, each petition under this clause shall be assigned to an investigative officer for adjudication and final determination of eligibility.

“(bb) During the adjudication of each petition under this paragraph, an investigative officer from a local office of United States Citizenship and Immigration Services shall conduct an in-person interview of the alien who filed the
petition. The investigative officer may also gather other evidence so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The investigative officer who conducted the in-person interview shall provide to the investigative officer who is responsible for the adjudication and final determination of eligibility a summary of the interview and any other evidence gathered and a determination of the credibility of the interviewee and other evidence gathered.

“(ce) All interviews under this clause shall be conducted under oath and subject to applicable penalties for perjury.

“(dd) The investigative officer who is responsible for the adjudication and final determination of eligibility shall determine whether the petitioner had filed previous applications or petitions for immigration benefits that had been denied and whether the petitioner had been the beneficiary of a previous petition filed pursuant to this section that had been denied. If either was the case, the investigative officer shall con-
sider the denials and the reasons for the denials as part of the adjudication of the petition.

“(ee) The investigative officer who is responsible for the adjudication and final determination of eligibility shall as part of the adjudication of the petition consult with the investigative officer at the local office of United States Citizenship and Immigration Services who had conducted the in-person interview of the alien who filed the petition.

“(ff) Upon the conclusion of the adjudication process under this subparagraph, the investigative officer who is responsible for the adjudication and final determination of eligibility shall issue a final written determination to approve or deny the petition. The investigative officer shall not approve the petition unless the officer finds, in writing and with particularity, that all requirements under this paragraph, including proof that the alien is a victim of the conduct described in clause (iii)(I)(bb), have been proven by a preponderance of the evidence.

“(IV) During the adjudication of a petition under this clause—
“(aa) the petition shall not be granted unless the petition is supported by a preponderance of the evidence; and

“(bb) all credible evidence submitted by an accused national of the United States or alien lawfully admitted for permanent residence shall be considered so long as this evidence was not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

“(V)(aa) During the adjudication of a petition under this paragraph, the investigative officer who is responsible for the adjudication and final determination of eligibility shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the abusive conduct alleged by the petitioning alien.

“(bb) If an investigation or prosecution was commenced, the investigative officer shall—

“(AA) obtain as much information as possible about the investigation or prosecution; and
“(BB) consider that information as part of the adjudication of the petition.

“(cc) If an investigation or prosecution is pending, the adjudication of the petition shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor’s office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the petition.

“(VI) If a petition filed under this paragraph is denied, any obligations under an underlying affidavit of support previously filed by the accused national of the United States or alien lawfully admitted for permanent residence shall be terminated.”;

(2) in subparagraph (A)(iv), by adding at the end the following: “The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (iii).”;

(3) in subparagraph (A)(vii), by adding at the end the following continuation text:

“The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (iii).”.

•HR 4970 EH
(4) in subparagraph (B)(ii), by inserting after subclause (II) the following:

“(III)(aa) Upon filing, each petition under this clause shall be assigned to an investigative officer for adjudication and final determination of eligibility.

“(bb) During the adjudication of each petition under this paragraph, an investigative officer from a local office of United States Citizenship and Immigration Services shall conduct an in-person interview of the alien who filed the petition. The investigative officer may also gather other evidence so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The investigative officer who conducted the in-person interview shall provide to the investigative officer who is responsible for the adjudication and final determination of eligibility a summary of the interview and any other evidence gathered and a determination of the credibility of the interviewee and other evidence gathered.
“(ee) All interviews under this clause shall be conducted under oath and subject to applicable penalties for perjury.

“(dd) The investigative officer who is responsible for the adjudication and final determination of eligibility shall determine whether the petitioner had filed previous applications or petitions for immigration benefits that had been denied and whether the petitioner had been the beneficiary of a previous petition filed pursuant to this section that had been denied. If either was the case, the investigative officer shall consider the denials and the reasons for the denials as part of the adjudication of the petition.

“(ee) The investigative officer who is responsible for the adjudication and final determination of eligibility shall as part of the adjudication of the petition consult with the investigative officer at the local office of United States Citizenship and Immigration Services who had conducted the in-person interview of the alien who filed the petition.

“(ff) Upon the conclusion of the adjudication process under this subparagraph, the investigative officer who is responsible for the adju-
dication and final determination of eligibility shall issue a final written determination to ap-
prove or deny the petition. The investigative of-
officer shall not approve the petition unless the
officer finds, in writing and with particularity,
that all requirements under this paragraph, in-
cluding proof that the alien is a victim of the
conduct described in clause (ii)(I)(bb), have
been proven by a preponderance of the evidence.

“(IV) During the adjudication of a petition
under this clause—

“(aa) the petition shall not be granted
unless the petition is supported by a pre-
ponderance of the evidence; and

“(bb) all credible evidence submitted
by an accused national of the United
States or alien lawfully admitted for per-
manent residence shall be considered so
long as this evidence was not gathered in
violation of section 384 of the Illegal Im-
migration Reform and Immigrant Respon-
sibility Act of 1996.

“(V)(aa) During the adjudication of a peti-
tion under this clause, the investigative officer
who is responsible for the adjudication and final
determination of eligibility shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the abusive conduct alleged by the petitioning alien.

“(bb) If an investigation or prosecution was commenced, the investigative officer shall—

“(AA) obtain as much information as possible about the investigation or prosecution; and

“(BB) consider that information as part of the adjudication of the petition.

“(cc) If an investigation or prosecution is pending, the adjudication of the petition shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor’s office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the petition.

“(VI) If a petition filed under this clause is denied, any obligations under an underlying affidavit of support previously filed by the accused national of the United States or alien
lawfully admitted for permanent residence shall be terminated.”; and

(5) in subparagraph (B)(iii), by adding at the end the following: “The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (ii).”.

SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended as follows:

(1) By striking “The petition” and inserting the following:

“(A) IN GENERAL.—The petition”.

(2) By adding at the end the following:

“(B) CERTIFICATION REQUIREMENTS.—Each certification submitted under subparagraph (A) shall confirm under oath that—

“(i) the criminal activity is actively under investigation or a prosecution has been commenced; and

“(ii) the petitioner has provided to law enforcement information that will assist in identifying the perpetrator of the criminal activity or the perpetrator’s identity is known.
“(C) Requirement for certification.—No application for a visa under section 101(a)(15)(U) may be granted unless accompanied by the certification as described in this paragraph.”.

SEC. 803. PROTECTIONS FOR A FIANCEÉ OR FIANCÉ OF A CITIZEN.

(a) In General.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”; and

(B) in paragraph (3)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the
petitioner related to any specified crime described in subsection (5)(B)(i).”; and

(B) in paragraph (5)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

(b) Provision of Information to K Non-Immigrants.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) Implementation of the International Marriage Broker Act of 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the name of the component of the Department of Justice responsible for prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this title.

(b) Regulation of International Marriage Brokers.—Section 833(d) of the International Marriage
Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:

(1) By amending paragraph (1) to read as follows:

“(1) Prohibition on marketing of or to children.—

“(A) In general.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) Compliance.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 5 years after such date of receipt; and
“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”.

(2) In paragraph (2)(B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”.

SEC. 805. GAO REPORT.

(a) Requirement for Report.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51)).

(b) Contents.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and
(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 806. TEMPORARY NATURE OF U VISA STATUS.

(a) IN GENERAL.—Section 245(m) of the Immigration and Nationality Act (8 U.S.C. 1255(m)) is amended by striking “the alien is not described” and inserting “the individual who was convicted of the criminal activity referred to in section 101(a)(15)(U)(i)(I) that was the basis for the alien being admitted into the United States (or otherwise provided nonimmigrant status) under section 101(a)(15)(U) was himself or herself an alien and has been physically removed to the foreign state of which the alien with nonimmigrant status under section 101(a)(15)(U) is a national, and if the alien with nonimmigrant status under section 101(a)(15)(U) is not described”.

(b) DURATION OF NONIMMIGRANT STATUS.—Section 214(p)(6) of such Act (8 U.S.C. 1184(p)(6)) is amended by striking “if the alien is eligible for relief under section 245(m) and is unable to obtain such relief because regulations have not been issued to implement such section and shall be extended”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to applications for adjustment of
status submitted on or after the date of the enactment of this Act, and to previously filed applications that are pending on the date of enactment of this Act.

SEC. 807. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2012, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for non-immigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application
for such nonimmigrant status and the issuance of
work authorization to an eligible applicant during
the preceding fiscal year.

(4) The number of aliens granted continued
presence in the United States under section
107(c)(3) of the Trafficking Victims Protection Act
of 2000 (22 U.S.C. 7105(c)(3)) during the pre-
ceding fiscal year.

(5) A description of any actions being taken to
reduce the adjudication and processing time, while
ensuring the safe and competent processing, of an
application described in paragraph (1) or a request
for continued presence referred to in paragraph (4).

(6) The actions being taken to combat fraud
and to ensure program integrity.

(7) Each type of criminal activity by reason of
which an alien received nonimmigrant status under
section 101(a)(15)(U) of the Immigration and Na-
tionality Act (8 U.S.C. 1101(a)(15)(U)) during the
preceding fiscal year and the number of occurrences
of that criminal activity that resulted in such aliens
receiving such status.
SEC. 808. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or”.

SEC. 809. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

“(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

“(i) is a VAWA self-petitioner;

“(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

101(a)(15)(U); or
“(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”.

SEC. 810. AGE-OUT PROTECTION FOR U VISA APPLICANTS.

Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) Age determinations.—

“(A) Children.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent’s petition was filed but while it was pending.

“(B) Principal aliens.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien’s application for status under such clause (i) is filed but while it is pending.”.
SEC. 811. HARDSHIP WAIVERS.

Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking “(1), or” and inserting “(1); or”;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and “or”; and

(4) by inserting after subparagraph (C) the following:

“(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien’s intended spouse and was not at fault in failing to meet the requirements of paragraph (1).”.

SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSE.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—
(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary’s or the” before “Attorney General’s discretion”;

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”;

(B) by inserting “Secretary or the” before “Attorney General for”;

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”;

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national se-
curity purpose in a manner that protects the confidentiality of such information.”.

(b) GUIDELINES.—Subsection (d) (as added by section 817(4) of the Violence Against Women and Department of Justice Reauthorization Act of 2005) of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”. 

•HR 4970 EH
SEC. 813. GAO REPORT ON REQUIREMENTS TO COOPERATE
WITH LAW ENFORCEMENT OFFICIALS.

(a) Requirement for Report.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)).

(b) Contents.—The report required by subsection (a) shall—

1. assess the effectiveness of the requirements set out in Section 802 of this Act in ensuring that potential U visa recipients aid in the investigation, apprehension, and prosecution of criminals;

2. determine the effect of the requirements set out in Section 802 of this Act, on the number of U visas issued annually; and

3. determine the effect of the requirements set out in Section 802 of this Act, on the number of individuals seeking U visas.

SEC. 814. CONSIDERATION OF OTHER EVIDENCE.

Section 237(a)(2)(E)(i) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(E)(i)) is amended by adding at the end the following: “If the conviction records
do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider any other evidence that the Attorney General determines to be reliable in making this determination, including sentencing reports and police reports.”.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking;”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—
(A) by inserting “sex trafficking,” after “stalking,”; and
(B) by striking the period at the end and inserting a semicolon; and
(6) by adding at the end the following:
“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and
“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—
(1) in paragraph (1)—
(A) in subparagraph (B), by striking “and” at the end;
(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.”;

and

(2) in paragraph (2)(B), by striking “individuals or”.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2012” before the period at the end;

(2) in subsection (b)—
(A) in the matter preceding paragraph (1),
by striking “Secretary of the Department of
Health and Human Services” and inserting
“Secretary of Health and Human Services, the
Secretary of the Interior,”; and
(B) in paragraph (2), by striking “and
stalking” and inserting “stalking, and sex traf-
ficking”; and
(3) by adding at the end the following:
“(c) ANNUAL REPORT.—The Attorney General shall
submit to Congress an annual report on the annual con-
sultations required under subsection (a) that—
“(1) contains the recommendations made under
subsection (b) by Indian tribes during the year cov-
ered by the report;
“(2) describes actions taken during the year
covered by the report to respond to recommenda-
tions made under subsection (b) during the year or
a previous year; and
“(3) describes how the Attorney General will
work in coordination and collaboration with Indian
tribes, the Secretary of Health and Human Services,
and the Secretary of the Interior to address the rec-
ommendations made under subsection (b).
“(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2012, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:
“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2012”; and

(4) in paragraph (5), by striking “this section $1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection $1,000,000 for each of fiscal years 2013 and 2014”.

(b) Authorization of Appropriations.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2013 through 2017”.

SEC. 905. ASSISTANT UNITED STATES ATTORNEY DOMESTIC VIOLENCE TRIBAL LIAISONS.

(a) Appointment.—The Attorney General is authorized and encouraged to appoint the Assistant United States Attorney Tribal Liaison appointed in each judicial district that includes Indian country to also serve as a domestic violence tribal liaison.

(b) Duties.—The duties of a domestic violence tribal liaison appointed under this section shall include the following:
(1) Encouraging and assisting in arrests and Federal prosecution for crimes, including misdemeanor crimes, of domestic violence, dating violence, sexual assault, and stalking that occur in Indian country.

(2) Conducting training sessions for tribal law enforcement officers and other individuals and entities responsible for responding to crimes in Indian country to ensure that such officers, individuals, and entities understand their arrest authority over non-Indian offenders.

(3) Developing multidisciplinary teams to combat domestic and sexual violence offenses against Indians by non-Indians.

(4) Consulting and coordinating with tribal justice officials and victims’ advocates to address any backlog in the prosecution of crimes, including misdemeanor crimes, of domestic violence, dating violence, sexual assault, and stalking that occur in Indian country.

(5) Developing working relationships and maintaining communication with tribal leaders, tribal community and victims’ advocates, and tribal justice officials to gather information from, and share appropriate information with, tribal justice officials.
(c) Indian Country.—In this section, the term “Indian country” has the meaning given such term in section 1151 of title 18.

(d) Authorization of Appropriations.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

7 TITLE X—CRIMINAL PROVISIONS

8 SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) Sexual Abuse of a Minor or Ward.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

“(b) Of a Ward.—

“(1) Offenses.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

“(A) in official detention or supervised by, or otherwise under the control of, the United States—

“(i) during arrest;

“(ii) during pretrial release;

“(iii) while in official detention or custody; or

“(iv) while on probation, supervised release, or parole;
“(B) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

“(C) at the time of the sexual act—

“(i) in the special maritime and territorial jurisdiction of the United States;

“(ii) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

“(iii) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

“(2) Penalties.—Whoever violates paragraph (1)(A) shall—

“(A) be fined under this title, imprisoned for not more than 15 years, or both; and

“(B) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of
the United States, be subject to the penalties
provided for under section 2241 or 2242, re-
spectively.”.

(b) **Penalties for Sexual Abuse.**—

(1) **In General.**—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

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“§ 250. Penalties for sexual abuse

“(a) **Offense.**—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

“(b) **Penalties.**—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.”.

(2) **Clerical Amendment.**—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“250. Penalties for sexual abuse.”.

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SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) Suits by Prisoners.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) United States as Defendant.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) Adoption and Effect of National Standards.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) Applicability to Detention Facilities Operated by the Department of Homeland Security.—

“(1) In general.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2012, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, pre-
vention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with, or pursuant to an intergovernmental service agreement with, the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).
“(d) Applicability to Custodial Facilities Operated by the Department of Health and Human Services.—

“(1) In general.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2012, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) Applicability.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) Compliance.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities com-
pleted by the Department of Health and
Human Services.

“(4) CONSIDERATIONS.—In adopting standards
under paragraph (1), the Secretary of Health and
Human Services shall give due consideration to the
recommended national standards provided by the
Commission under section 7(e).”.

SEC. 1003. CRIMINAL PROVISION RELATING TO STALKING,
INCLUDING CYBERSTALKING.

(a) IN GENERAL.—Section 2261A of title 18, United
States Code, is amended to read as follows:

“§ 2261A. Stalking

“(a) Whoever uses the mail, any interactive computer
service, or any facility of interstate or foreign commerce
to engage in a course of conduct or travels in interstate
or foreign commerce or within the special maritime and
territorial jurisdiction of the United States, or enters or
leaves Indian country, with the intent to kill, injure, har-
ass, or intimidate another person, or place another person
under surveillance with the intent to kill, injure, harass,
or intimidate such person and in the course of, or as a
result of, such travel or course of conduct—

“(1) places that person in reasonable fear of
the death of, or serious bodily injury to such person,
a member of their immediate family (as defined in section 115), or their spouse or intimate partner; or

“(2) causes or attempts to cause serious bodily injury or serious emotional distress to such person, a member of their immediate family (as defined in section 115), or their spouse or intimate partner;

shall be punished as provided in subsection (b).

“(b) The punishment for an offense under this section is the same as that for an offense under section 2261, except that if—

“(1) the offense involves conduct in violation of a protection order; or

“(2) the victim of the offense is under the age of 18 years or over the age of 65 years, the offender has reached the age of 18 years at the time the offense was committed, and the offender knew or should have known that the victim was under the age of 18 years or over the age of 65 years;

the maximum term of imprisonment that may be imposed is increased by 5 years over the term of imprisonment otherwise provided for that offense in section 2261.”.

(b) CLERICAL AMENDMENT.—The item relating to section 2261A in the table of sections at the beginning of chapter 110A of title 18, United States Code, is amended to read as follows:

“2261A. Stalking.”.
SEC. 1004. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) In General.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3), by striking “and without just cause or excuse,”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (5), by striking “1 year” and inserting “5 years”;

(F) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an indi-
vidual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(G) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this sub-
section—” and inserting the following:

“(b) In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the pe-
period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means knowingly or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure
to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means knowingly or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

SEC. 1005. MANDATORY MINIMUM SENTENCE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 10 years or imprisoned for life”; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking “any term
of years or life” and inserting “not less than 5 years
or imprisoned for life”.

SEC. 1006. FEDERAL PROTECTION ORDERS.

(a) Federal Protection Orders.—Chapter 110A
of title 18, United States Code, is amended by inserting
after section 2262 the following:

“§ 2262A. Federal domestic violence protection orders
involving Indians and Indian country

“(a) Petition for Protection Order.—

“(1) In general.—A victim of an act of do-
mestic violence, or an Indian tribe as parens patriae
on behalf of the victim of an act of domestic vio-
lence, may petition a district court of the United
States to issue a protection order against the person
(whether an Indian or a non-Indian) who is alleged
to have committed the act of domestic violence if—

“(A) the victim is an Indian or a minor
who resides with or is in the care and custody
of an Indian;

“(B) the victim resides or is employed at
a place located in the Indian country of the In-
dian tribe that files the petition; and

“(C) the person against whom the order is
sought is alleged to have committed an act of
domestic violence in the Indian country.
“(2) CONTENTS OF PETITION.—A petition filed under this section shall contain—

“(A) the facts that meet the requirements under paragraph (1);

“(B) the name of each victim on whose behalf the protection order is sought;

“(C) the name and, if known, the residential address of the person against whom the order is sought;

“(D) a detailed description of the alleged act of domestic violence, including the date or approximate date and the location of the act of domestic violence; and

“(E) the relief sought.

“(3) ISSUANCE OF PROTECTION ORDER.—The court may issue a protection order in accordance with this section and subsections (b) and (c) of section 2265 and Rule 65(d)(1) of the Federal Rules of Civil Procedure if the court finds that such order is reasonably necessary to provide protection against violence, threats, or harassment against, contact or communication with, or physical proximity to—

“(A) a spouse or intimate partner who resides or is employed at a location in the Indian
country of the Indian tribe involved in the proceeding; or

“(B) a minor who resides with or is in the care or custody of a spouse or intimate partner who resides or is employed at a location in the Indian country.

“(4) SCOPE OF PROTECTION ORDERS.—Any protection order under this section may—

“(A) prohibit the person against whom the order is sought from—

“(i) threatening to commit or committing an act of domestic violence against or otherwise harassing the spouse or intimate partner or minor who resides with or is in the care or custody of the spouse or intimate partner;

“(ii) communicating, directly or indirectly, with the spouse or intimate partner or minor who resides with or is in the care or custody of the spouse or intimate partner; and

“(iii) knowingly coming within a specified distance from the spouse or intimate partner or minor who resides with or is in
the care or custody of the spouse or intimate partner;

“(B) direct the person against whom the order is sought to stay away from the residence, school, or place of employment of the spouse or intimate partner, or any other specified place frequented by the spouse or intimate partner, regardless of whether the residence, school, place of employment, or other specified place is located in Indian country; and

“(C) exclude or bar the person against whom the order is sought from the Indian country of the Indian tribe involved in the proceeding or any portion or area of that Indian country.

“(5) EMERGENCY EX PARTE ORDERS.—If a petition requests an emergency ex-parte protection order and from the facts alleged in the petition there appears to be a danger of a further, imminent act of domestic violence against a victim, the court may grant an emergency ex-parte protection order against the person against whom the order is sought in accordance with the requirements of section 2265(b)(2).
“(6) DURATION OF PROTECTION ORDER.—A protection order under this section may be permanent or of such other shorter duration as the court determines necessary to protect a victim from a further act of domestic violence by the person against whom the order is sought.

“(b) VIOLATION OF PROTECTION ORDER.—A person who intentionally violates a protection order under this section shall be punished as provided in section 2262(b).”.

(b) VIOLATION OF FEDERAL PROTECTION ORDER.—Section 2262(b) of title 18, United States Code, is amended in the matter preceding paragraph (1), by striking “this section” and inserting “this section or a protection order issued under section 2262A”.

(c) DEFINITIONS.—Section 2266 of title 18, United States Code, is amended by inserting after paragraph (10) the following:

“(11) ACT OF DOMESTIC VIOLENCE.—The term ‘act of domestic violence’ means an act or attempted act of violence or stalking, or a threatened act of violence, by a person against a spouse or intimate partner, or a minor residing with or in the care or custody of the spouse or intimate partner.

“(12) INDIAN.—The term ‘Indian’ means a person who is a member of any Indian tribe, regardless
of whether that Indian tribe is the plaintiff Indian tribe under section 2262A.

“(13) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

“(14) MINOR.—The term ‘minor’ means a person under the age of 18 years.”.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 110A of title 18, United States Code, is amended by inserting after the item relating to section 2262 the following:

“2262A. Federal domestic violence protection orders involving Indians and Indian country.”.

Passed the House of Representatives May 16, 2012.

Attest:

Clerk.

AN ACT

H. R. 4970