

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4970

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## AN ACT

To reauthorize the Violence Against Women Act of 1994.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives 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. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
- 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 U Visa Applicants.

Sec. 811. Hardship waivers.

Sec. 812. Disclosure of Information for National Security Purpose.

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. 1005. Mandatory minimum sentence.

Sec. 1006. Federal protection orders.

1 **SEC. 3. VAWA DEFINITIONS AND GRANT CONDITIONS.**

2 (a) DEFINITIONS.—Subsection (a) of section 40002  
3 of the Violence Against Women Act of 1994 (42 U.S.C.  
4 13925(a)) is amended—

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

7 (2) in paragraph (3), by striking “an organiza-  
8 tion” and inserting “a nonprofit, nongovernmental,  
9 or tribal organization that serves a specific geo-  
10 graphic community”;

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

14 (4) by amending paragraph (16) to read as fol-  
15 lows:

16 “(16) LEGAL ASSISTANCE.—The term ‘legal as-  
17 sistance’—

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

21 “(i) family, tribal, territorial, immi-  
22 gration, employment, administrative agen-  
23 cy, housing matters, campus administrative

1 or protection or stay away order pro-  
2 ceedings, and other similar matters; and

3 “(ii) criminal justice investigations,  
4 prosecutions and post-trial matters (includ-  
5 ing sentencing, parole, and probation) that  
6 impact the victim’s safety and privacy; and

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

13 except that intake or referral, without other action,  
14 does not constitute legal assistance.”.

15 (5) by amending paragraph (18) to read as fol-  
16 lows:

17 “(18) PERSONALLY IDENTIFYING INFORMATION  
18 OR PERSONAL INFORMATION.—The term ‘personally  
19 identifying information’ or ‘personal information’  
20 means individually identifying information for or  
21 about an individual, including information likely to  
22 disclose the location of a victim of domestic violence,  
23 dating violence, sexual assault, or stalking, regard-  
24 less of whether the information is encoded,

1 encrypted, hashed, or otherwise protected, includ-  
2 ing—

3 “(A) a first and last name;

4 “(B) a home or other physical address;

5 “(C) contact information (including a post-  
6 al, e-mail or Internet protocol address, or tele-  
7 phone or facsimile number);

8 “(D) a social security number, driver li-  
9 cense number, passport number, or student  
10 identification number; and

11 “(E) any other information, including date  
12 of birth, racial or ethnic background, or reli-  
13 gious affiliation, that would serve to identify  
14 any individual.”;

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

17 (7) in paragraph (21)—

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

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

22 (C) by adding at the end the following:

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

25 (8) in paragraph (22)—

1 (A) by striking “52” and inserting “57”;

2 and

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

4 “250,000”;

5 (9) by amending paragraph (23) to read as fol-

6 lows:

7 “(23) SEXUAL ASSAULT.—The term ‘sexual as-

8 sault’ means any nonconsensual sexual act pro-

9 scribed by Federal, tribal, or State law, including

10 when the victim lacks capacity to consent.”;

11 (10) by amending paragraph (33) to read as

12 follows:

13 “(33) UNDERSERVED POPULATIONS.—The

14 term ‘underserved populations’ means populations

15 who face barriers to accessing and using victim serv-

16 ices, and includes populations underserved because

17 of geographic location or religion, underserved racial

18 and ethnic populations, populations underserved be-

19 cause of special needs (such as language barriers,

20 disabilities, alienage status, or age), and any other

21 population determined to be underserved by the At-

22 torney General or the Secretary of Health and

23 Human Services, as appropriate.”;

24 (11) by amending paragraph (37) to read as

25 follows:

1           “(37) YOUTH.—The term ‘youth’ means a per-  
2           son who is 11 to 24 years of age.”;

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

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

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

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

17          “(41) CULTURALLY SPECIFIC SERVICES.—The  
18          term ‘culturally specific services’ means community-  
19          based services and resources that are culturally rel-  
20          evant and linguistically specific to culturally specific  
21          communities.

22          “(42) HOMELESS, HOMELESS INDIVIDUAL,  
23          HOMELESS PERSON.—The terms ‘homeless’, ‘home-  
24          less individual’, and ‘homeless person’—



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

3           “(B) includes—

4               “(i) an individual who—

5                   “(I) is sharing the housing of  
6 other persons due to loss of housing,  
7 economic hardship, or a similar rea-  
8 son;

9                   “(II) is living in a motel, hotel,  
10 trailer park, or campground due to  
11 the lack of alternative adequate ac-  
12 commodation;

13                  “(III) is living in an emergency  
14 or transitional shelter;

15                  “(IV) is abandoned in a hospital;  
16 or

17                  “(V) is awaiting foster care  
18 placement;

19               “(ii) an individual who has a primary  
20 nighttime residence that is a public or pri-  
21 vate place not designed for or ordinarily  
22 used as a regular sleeping accommodation  
23 for human beings; or

24               “(iii) migratory children (as defined in  
25 section 1309 of the Elementary and Sec-

1           ondary Education Act of 1965; 20 U.S.C.  
2           6399) who qualify as homeless under this  
3           section because the children are living in  
4           circumstances described in this paragraph.

5           “(43) POPULATION SPECIFIC ORGANIZATION.—  
6           The term ‘population specific organization’ means a  
7           nonprofit, nongovernmental organization that pri-  
8           marily serves members of a specific underserved  
9           population and has demonstrated experience and ex-  
10          pertise providing targeted services to members of  
11          that specific underserved population.

12          “(44) POPULATION SPECIFIC SERVICES.—The  
13          term ‘population specific services’ means victim serv-  
14          ices that—

15                 “(A) address the safety, health, economic,  
16                 legal, housing, workplace, immigration, con-  
17                 fidentiality, or other needs of victims of domes-  
18                 tic violence, dating violence, sexual assault, or  
19                 stalking; and

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

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

24                 “(A) a nonprofit, nongovernmental, or trib-  
25                 al organization that provides intervention and

1 related assistance, as specified in section  
2 41601(b)(2)(C), to victims of sexual assault  
3 without regard to the age of the victims; or

4 “(B) a governmental entity that—

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

7 “(ii) provides intervention and related  
8 assistance, as specified in section  
9 41601(b)(2)(C), to victims of sexual as-  
10 sult without regard to the age of the vic-  
11 tims;

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

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

18 “(46) SEX TRAFFICKING.—The term ‘sex traf-  
19 ficking’ means any conduct proscribed by section  
20 1591 of title 18, United States Code, whether or not  
21 the conduct occurs in interstate or foreign commerce  
22 or within the special maritime and territorial juris-  
23 diction of the United States.

24 “(47) TRIBAL COALITION.—The term ‘tribal co-  
25 alition’ means an established nonprofit, nongovern-

1 mental Indian organization, Alaska Native organiza-  
2 tion, or a Native Hawaiian organization that—

3 “(A) provides education, support, and tech-  
4 nical assistance to member Indian service pro-  
5 viders in a manner that enables those member  
6 providers to establish and maintain culturally  
7 appropriate services, including shelter and rape  
8 crisis services, designed to assist Indian women  
9 and the dependents of those women who are  
10 victims of domestic violence, dating violence,  
11 sexual assault, and stalking; and

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

14 “(i) the member service providers de-  
15 scribed in subparagraph (A); and

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

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

23 “(49) VICTIM SERVICES.—The term ‘victim  
24 services’—

1           “(A) means services provided to victims of  
2           domestic violence, dating violence, sexual as-  
3           sault, or stalking, including telephonic or web-  
4           based hotlines, legal advocacy, economic advo-  
5           cacy, emergency and transitional shelter, ac-  
6           companiment and advocacy through medical,  
7           civil or criminal justice, immigration, and social  
8           support systems, crisis intervention, short-term  
9           individual and group support services, informa-  
10          tion and referrals, culturally specific services,  
11          population specific services, and other related  
12          supportive services; and

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

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

24           “(A) assists domestic violence, dating vio-  
25          lence, sexual assault, or stalking victims, includ-

1 ing domestic violence shelters, faith-based orga-  
2 nizations, and other organizations; and

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

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

12 (b) GRANTS CONDITIONS.—Subsection (b) of section  
13 40002 of the Violence Against Women Act of 1994 (42  
14 U.S.C. 13925(b)) is amended—

15 (1) in paragraph (2)—

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

18 “(i) disclose, reveal, or release any  
19 personally identifying information or indi-  
20 vidual information collected in connection  
21 with services requested, utilized, or denied  
22 through grantees’ and subgrantees’ pro-  
23 grams, regardless of whether the informa-  
24 tion has been encoded, encrypted, hashed,  
25 or otherwise protected; or

1           “(ii) disclose, reveal, or release indi-  
2           vidual client information without the in-  
3           formed, written, reasonably time-limited  
4           consent of the person (or in the case of an  
5           unemancipated minor, the minor and the  
6           parent or guardian or in the case of legal  
7           incapacity, a court-appointed guardian)  
8           about whom information is sought, wheth-  
9           er for this program or any other Federal,  
10          State, tribal, or territorial grant program,  
11          except that—

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

16                   “(II) if a minor or a person with  
17                   a legally appointed guardian is per-  
18                   mitted by law to receive services with-  
19                   out the parent’s or guardian’s con-  
20                   sent, such minor or person with a  
21                   guardian may release information  
22                   without additional consent.”;

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

25                   “(D) INFORMATION SHARING.—

1 “(i) IN GENERAL.—Grantees and sub-  
2 grantees may share—

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

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

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

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

23 “(I) require an adult, youth, or  
24 child victim of domestic violence, dat-  
25 ing violence, sexual assault, or stalk-



1           ing to provide a consent to release his  
2           or her personally identifying informa-  
3           tion as a condition of eligibility for the  
4           services provided by the grantee or  
5           subgrantee; or

6                       “(II) share any personally identi-  
7                       fying information in order to comply  
8                       with Federal reporting, evaluation, or  
9                       data collection requirements, whether  
10                      for this program or any other Federal  
11                      grant program.”;

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

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

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

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

24                             “(G) CONFIDENTIALITY ASSESSMENT AND  
25                             ASSURANCES.—Grantees and subgrantees shall

1 certify their compliance with the confidentiality  
2 and privacy provisions required under this sec-  
3 tion.”;

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

6 “(3) APPROVED ACTIVITIES.—In carrying out  
7 the activities under this title, grantees and sub-  
8 grantees may collaborate with and provide informa-  
9 tion to Federal, State, local, tribal, and territorial  
10 public officials and agencies to develop and imple-  
11 ment policies, and develop and promote State, local,  
12 or tribal legislation or model codes, designed to re-  
13 duce or eliminate domestic violence, dating violence,  
14 sexual assault, and stalking.”;

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

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

20 (4) by inserting after paragraph (11) the fol-  
21 lowing:

22 “(12) DELIVERY OF LEGAL ASSISTANCE.—Any  
23 grantee or subgrantee providing legal assistance with  
24 funds awarded under this title shall comply with the  
25 eligibility requirements in section 1201(d) of the Vi-

1 violence Against Women Act of 2000 (42 U.S.C.  
2 3796gg-6(d)).

3 “(13) CIVIL RIGHTS.—

4 “(A) NONDISCRIMINATION.—No person in  
5 any State shall on the basis of actual or per-  
6 ceived race, color, religion, national origin, sex,  
7 or disability be denied the assistance of, or ex-  
8 cluded from receiving services from, a grantee  
9 under any program or activity funded in whole  
10 or in part with funds made available under the  
11 Violence Against Women Act of 1994 (title IV  
12 of Public Law 103–322; 108 Stat. 1902), the  
13 Violence Against Women Act of 2000 (division  
14 B of Public Law 106–386; 114 Stat. 1491), the  
15 Violence Against Women and Department of  
16 Justice Reauthorization Act of 2005 (title IX of  
17 Public Law 109–162; 119 Stat. 3080), the Vio-  
18 lence Against Women Reauthorization Act of  
19 2012, or any other program or activity funded  
20 in whole or in part with funds appropriated for  
21 grants, cooperative agreements, and other as-  
22 sistance administered by the Office on Violence  
23 Against Women.

24 “(B) REASONABLE ACCOMMODATION.—

25 Nothing in this paragraph shall prevent consid-

1           eration of an individual’s gender for purposes of  
2           a program or activity described in subpara-  
3           graph (A) if the grantee involved determines  
4           that gender segregation or gender-specific pro-  
5           gramming is necessary to the essential oper-  
6           ation of such program or activity. In such a  
7           case, alternative reasonable accommodations are  
8           sufficient to meet the requirements of this para-  
9           graph.

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

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

22           (c) CONFORMING AMENDMENT.—Section 41403(6)  
23           of the Violence Against Women Act of 1994 (14043e-  
24           2(6)) is amended to read as follows:

1           “(6) the terms ‘homeless’, ‘homeless individual’,  
2           and ‘homeless person’ have the meanings given such  
3           terms in section 40002(a);”.

4 **SEC. 4. ACCOUNTABILITY PROVISIONS.**

5           (a) REQUIREMENT FOR DOJ GRANT APPLICANTS TO  
6 INCLUDE CERTAIN INFORMATION ABOUT FEDERAL  
7 GRANTS IN DOJ GRANT APPLICATIONS.—Each applicant  
8 for a grant from the Department of Justice shall submit,  
9 as part of the application for the grant, the following in-  
10 formation:

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

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

17           (b) ENHANCING GRANT EFFICIENCY AND COORDINA-  
18 TION.—

19           (1) IN GENERAL.—The Attorney General, in  
20 consultation with the Secretary of Health and  
21 Human Services, shall, to the greatest extent prac-  
22 ticable, take actions to further the coordination of  
23 the administration of grants within the Department  
24 of Justice to increase the efficiency of such adminis-  
25 tration.

1           (2) REPORT.—Not later than 180 days after  
2           the date of the enactment of this Act, the Attorney  
3           General shall submit to the Committee on the Judi-  
4           ciary and the Committee on Appropriations of the  
5           Senate and the Committee on the Judiciary and the  
6           Committee on Appropriations of the House of Rep-  
7           resentatives a report on the actions taken by the At-  
8           torney General under paragraph (1) and the  
9           progress of such actions in achieving coordination  
10          described in such paragraph.

11          (c) REQUIRING OFFICE OF AUDIT, ASSESSMENT,  
12          AND MANAGEMENT FUNCTIONS TO APPLY TO VAWA  
13          GRANTS.—

14               (1) IN GENERAL.—Section 109(b) of the Omni-  
15          bus Crime Control and Safe Streets Act of 1968 is  
16          amended—

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

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

21                       “(3) Any program or activity funded in whole  
22                       or in part with funds made available under the Vio-  
23                       lence Against Women Act of 1994 (title IV of Public  
24                       Law 103–322; 108 Stat. 1902), the Violence  
25                       Against Women Act of 2000 (division B of Public

1 Law 106–386; 114 Stat. 1491), the Violence  
2 Against Women and Department of Justice Reau-  
3 thorization Act of 2005 (title IX of Public Law 109–  
4 162; 119 Stat. 3080), the Violence Against Women  
5 Reauthorization Act of 2012, or any other program  
6 or activity funded in whole or in part with funds ap-  
7 propriated for grants, cooperative agreements, and  
8 other assistance administered by the Office on Vio-  
9 lence Against Women.”.

10 (2) EFFECTIVE DATE.—The amendments made  
11 by subsection (a) shall apply with respect to grant  
12 periods beginning on or after the date of the enact-  
13 ment of this Act.

14 (d) VAWA GRANT ACCOUNTABILITY.—Section  
15 40002 of the Violence Against Women Act of 1994 (42  
16 U.S.C. 13925) is further amended by adding at the end  
17 the following:

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

21 “(1) AUDIT REQUIREMENT.—Beginning in fis-  
22 cal year 2013, and in each fiscal year thereafter, the  
23 Inspector General of the Department of Justice or  
24 the Inspector General of the Department of Health  
25 and Human Services, as applicable, shall conduct an

1       audit of not fewer than 10 percent of all grantees  
2       under this title to prevent waste, fraud, and abuse  
3       of funds by such grantees.

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

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

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

23                       “(B) seek to recoup the costs of the repay-  
24       ment to the Fund from the entity that was er-  
25       roneously awarded such grant funds.



1           “(4) UNRESOLVED AUDIT FINDING DEFINED.—  
2           In this subsection, the term ‘unresolved audit find-  
3           ing’ means, with respect to a grantee described in  
4           paragraph (1), an audit report finding, statement, or  
5           recommendation by the Inspector General of the De-  
6           partment of Justice or the Inspector General of the  
7           Department of Health and Human Service, as appli-  
8           cable, that the grantee has utilized grant funds for  
9           an unauthorized expenditure or otherwise unallow-  
10          able cost that is not closed or resolved within 12  
11          months from the date of an initial notification of the  
12          finding, statement, or recommendation.

13           “(5) NONPROFIT ORGANIZATION REQUIRE-  
14          MENTS.—

15           “(A) DEFINITION.—For purposes of this  
16          paragraph, the term ‘nonprofit organization’  
17          means an organization that is described in sec-  
18          tion 501(c)(3) of the Internal Revenue Code of  
19          1986 and is exempt from taxation under section  
20          501(a) of such Code.

21           “(B) PROHIBITION.—The Attorney Gen-  
22          eral shall not award a grant under any grant  
23          program under this title to a nonprofit organi-  
24          zation that holds money in offshore accounts  
25          for the purpose of avoiding paying the tax de-

1           scribed in section 511(a) of the Internal Rev-  
2           enue Code of 1986.

3           “(6) ADMINISTRATIVE EXPENSES.—Unless oth-  
4           erwise explicitly provided in authorizing legislation,  
5           not more than 5.0 percent of the amounts author-  
6           ized to be appropriated under this title may be used  
7           by the Attorney General for salaries and administra-  
8           tive expenses of the Office on Violence Against  
9           Women.

10           “(7) CONFERENCE EXPENDITURES.—

11           “(A) LIMITATION.—No amounts author-  
12           ized to be appropriated to the Department of  
13           Justice or Department of Health and Human  
14           Services under this title may be used by the At-  
15           torney General, the Secretary of Health and  
16           Human Services, or by any individual or orga-  
17           nization awarded funds under this title, to host  
18           or support any expenditure for conferences, un-  
19           less in the case of the Department of Justice,  
20           the Deputy Attorney General or the appropriate  
21           Assistant Attorney General, or in the case of  
22           the Department of Health and Human Services  
23           the Deputy Secretary, provides prior written  
24           authorization that the funds may be expended

1 to host or support any expenditure for such a  
2 conference.

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

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

20 “(8) PROHIBITION ON LOBBYING ACTIVITY.—

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

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

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

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

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

15 “(9) ANNUAL CERTIFICATION.—Beginning in  
16 the first fiscal year beginning after the date of the  
17 enactment of the Violence Against Women Reau-  
18 thorization Act of 2012, the Assistant Attorney Gen-  
19 eral for the Office of Justice Programs, the Director  
20 of the Office on Violence Against Women, and the  
21 Deputy Secretary for Health and Human Services  
22 shall submit to the Committee on the Judiciary and  
23 the Committee on Appropriations of the Senate and  
24 the Committee on the Judiciary and the Committee

1 on Appropriations of the House of Representatives a  
2 certification for such year that—

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

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

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

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

15 (e) TRAINING AND RESOURCES FOR VAWA GRANT-  
16 EES.—Section 40002 of the Violence Against Women Act  
17 of 1994 (42 U.S.C. 13925) is further amended—

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

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

24 “(d) TRAINING AND RESOURCES FOR VAWA GRANT-  
25 EES.—

1           “(1) IN GENERAL.—The Attorney General and  
2 Secretary of Health and Human Services, as appli-  
3 cable, shall—

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

11           “(B) provide training to such grantees and  
12 subgrantees regarding such standards, proto-  
13 cols, and sample tools and forms; and

14           “(C) publish on the public Internet website  
15 of the Office of Violence Against Women infor-  
16 mation to assist such grantees and subgrantees  
17 with compliance with such standards, protocols,  
18 and sample tools and forms.

19           “(2) VAWA PROGRAMS AND ACTIVITIES.—For  
20 purposes of paragraph (1), a program or activity de-  
21 scribed in this paragraph is any program or activity  
22 funded in whole or in part with funds made available  
23 under this title, the Violence Against Women Act of  
24 2000 (division B of Public Law 106–386; 114 Stat.  
25 1491), the Violence Against Women and Depart-

1       ment of Justice Reauthorization Act of 2005 (title  
2       IX of Public Law 109–162; 119 Stat. 3080), the Vi-  
3       olence Against Women Reauthorization Act of 2012,  
4       or any other program or activity funded in whole or  
5       in part with funds appropriated for grants, coopera-  
6       tive agreements, and other assistance administered  
7       by the Office on Violence Against Women.”.

8       **SEC. 5. EFFECTIVE DATE.**

9       Except as otherwise specifically provided in this Act,  
10      the provisions of titles I, II, III, IV, VII, and sections 3,  
11      602, 901, and 902 of this Act shall not take effect until  
12      the first day of the fiscal year following the date of enact-  
13      ment of this Act.

14      **TITLE I—ENHANCING JUDICIAL**  
15      **AND LAW ENFORCEMENT**  
16      **TOOLS TO COMBAT VIOLENCE**  
17      **AGAINST WOMEN**

18      **SEC. 101. STOP GRANTS.**

19      (a) STOP GRANTS.—Part T of title I of the Omnibus  
20      Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
21      3711 et seq.) is amended—

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

24                      (A) in the matter preceding paragraph

25                      (1)—

1 (i) by striking “equipment” and in-  
2 serting “resources”; and

3 (ii) by inserting “for the protection  
4 and safety of victims,” before “and specifi-  
5 cally,”;

6 (B) in paragraph (1), by striking “sexual  
7 assault” and all that follows through “dating  
8 violence” and inserting “domestic violence, dat-  
9 ing violence, sexual assault, and stalking”;

10 (C) in paragraph (2), by striking “sexual  
11 assault and domestic violence” and inserting  
12 “domestic violence, dating violence, sexual as-  
13 sult, and stalking”;

14 (D) in paragraph (3), by striking “sexual  
15 assault and domestic violence” and inserting  
16 “domestic violence, dating violence, sexual as-  
17 sult, and stalking, as well as the appropriate  
18 treatment of victims”;

19 (E) in paragraph (4)—

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

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



1 (F) in paragraph (5)—

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

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

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

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

15 (H) in paragraph (6), as so redesignated  
16 by subparagraph (G), by striking “sexual as-  
17 sult and domestic violence” and inserting “do-  
18 mestic violence, dating violence, sexual assault,  
19 and stalking”;

20 (I) in paragraph (7), as so redesignated by  
21 subparagraph (G), by striking “and dating vio-  
22 lence” and inserting “dating violence, and  
23 stalking”;

24 (J) in paragraph (9), as so redesignated by  
25 subparagraph (G)—

1 (i) by striking “domestic violence or  
2 sexual assault” and inserting “domestic vi-  
3 olence, dating violence, sexual assault, or  
4 stalking”; and

5 (ii) by striking “such violence or as-  
6 sult” and inserting “such violence, as-  
7 sult, or stalking”;

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

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

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

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

22 (i) in the matter preceding subpara-  
23 graph (A)—

24 (I) by striking “to provide” and  
25 inserting “providing”;

1 (II) by striking “nonprofit non-  
2 governmental”; and

3 (III) by striking the comma after  
4 “local governments”;

5 (ii) by inserting “and” after the semi-  
6 colon in subparagraph (B); and

7 (iii) by striking the period at the end  
8 of subparagraph (C) and inserting a semi-  
9 colon;

10 (M) by inserting after paragraph (13), as  
11 so redesignated by subparagraph (G), the fol-  
12 lowing:

13 “(14) developing and promoting State, local, or  
14 tribal legislation and policies that enhance best prac-  
15 tices for responding to domestic violence, dating vio-  
16 lence, sexual assault, and stalking;

17 “(15) developing, implementing, or enhancing  
18 Sexual Assault Response Teams, or other similar co-  
19 ordinated community responses to sexual assault;

20 “(16) developing and strengthening policies,  
21 protocols, best practices, and training for law en-  
22 forcement agencies and prosecutors relating to the  
23 investigation and prosecution of sexual assault cases  
24 and the appropriate treatment of victims;

1           “(17) developing, enlarging, or strengthening  
2 programs addressing sexual assault against men,  
3 women, and youth in correctional and detention set-  
4 tings;

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

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

15           (N) in the flush text at the end, by strik-  
16 ing “paragraph (14)” and inserting “paragraph  
17 (13)”;

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

19           (A) in subsection (a), by striking “non-  
20 profit nongovernmental victim services pro-  
21 grams” and inserting “victim service pro-  
22 viders”;

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

25           (C) in subsection (c)—

1 (i) by amending paragraph (2) to read  
2 as follows:

3 “(2) grantees and subgrantees shall develop a  
4 plan for implementation and may consult and co-  
5 ordinate with—

6 “(A) the State sexual assault coalition;

7 “(B) the State domestic violence coalition;

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

10 “(D) prosecution offices;

11 “(E) State and local courts;

12 “(F) tribal governments or tribal coalitions  
13 in those States with State or federally recog-  
14 nized Indian tribes;

15 “(G) representatives from underserved  
16 populations;

17 “(H) victim service providers;

18 “(I) population specific organizations; and

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

22 (ii) by redesignating paragraphs (3)  
23 and (4) as paragraphs (4) and (5), respec-  
24 tively;

1 (iii) by inserting after paragraph (2)  
2 the following:

3 “(3) grantees shall coordinate the State imple-  
4 mentation plan described in paragraph (2) with the  
5 State plans described in section 307 of the Family  
6 Violence Prevention and Services Act (42 U.S.C.  
7 10407) and the plans described in the Victims of  
8 Crime Act of 1984 (42 U.S.C. 10601 et seq.) and  
9 section 393A of the Public Health Service Act (42  
10 U.S.C. 280b–1b); and”;

11 (iv) in paragraph (4), as so redesign-  
12 nated by clause (ii)—

13 (I) in subparagraph (A), by strik-  
14 ing “and not less than 25 percent  
15 shall be allocated for prosecutors”;

16 (II) by redesignating subpara-  
17 graphs (B) and (C) as subparagraphs  
18 (D) and (E);

19 (III) by inserting after subpara-  
20 graph (A), the following:

21 “(B) not less than 25 percent shall be allo-  
22 cated for prosecutors;

23 “(C) for each fiscal year beginning on or  
24 after the date that is 2 years after the date of  
25 enactment of the Violence Against Women Re-

1 authorization Act of 2012, not less than 20 per-  
2 cent shall be allocated for programs or projects  
3 that meaningfully address sexual assault, in-  
4 cluding stranger rape, acquaintance rape, alco-  
5 hol or drug-facilitated rape, and rape within the  
6 context of an intimate partner relationship;”;  
7 and

8 (IV) in subparagraph (E), as so  
9 redesignated by subclause (II), by  
10 striking “; and” and inserting a pe-  
11 riod;

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

14 “(d) APPLICATION REQUIREMENTS.—An application  
15 for a grant under this part shall include—

16 “(1) the certifications of qualification required  
17 under subsection (c);

18 “(2) proof of compliance with the requirements  
19 for the payment of forensic medical exams and judi-  
20 cial notification, described in section 2010;

21 “(3) proof of compliance with the requirements  
22 for paying fees and costs relating to domestic vio-  
23 lence and protection order cases described in section  
24 2011;

1           “(4) proof of compliance with the requirements  
2 prohibiting polygraph examinations of victims of sexual  
3 assault described in section 2013;

4           “(5) an implementation plan required under  
5 subsection (i); and

6           “(6) any other documentation that the Attorney  
7 General may require.”;

8           (E) in subsection (e)—

9           (i) in paragraph (2)—

10           (I) in subparagraph (A), by striking  
11           ing “domestic violence and sexual as-  
12           sault” and inserting “domestic vio-  
13           lence, dating violence, sexual assault,  
14           and stalking”; and

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

17           (ii) by adding at the end the fol-  
18           lowing:

19           “(3) CONDITIONS.—In disbursing grants under  
20 this part, the Attorney General may impose reason-  
21 able conditions on grant awards disbursed after the  
22 date of enactment of the Violence Against Women  
23 Reauthorization Act of 2012 to ensure that the  
24 States meet statutory, regulatory, and other pro-  
25 grams requirements.”;



1 (F) in subsection (f), by striking the period  
2 at the end and inserting “, except that, for pur-  
3 poses of this subsection, the costs of the  
4 projects for victim services or tribes for which  
5 there is an exemption under section  
6 40002(b)(1) of the Violence Against Women  
7 Act of 1994 (42 U.S.C. 13925(b)(1)) shall not  
8 count toward the total costs of the projects.”;  
9 and

10 (G) by adding at the end the following:

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

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

17 “(2) submit to the Attorney General as part of  
18 the application submitted in accordance with sub-  
19 section (d)—

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

22 “(B) documentation from each member of  
23 the planning committee with respect to the  
24 member’s participation in the planning process;

1           “(C) documentation from the prosecution,  
2 law enforcement, court, and victim services pro-  
3 grams to be assisted, describing—

4                   “(i) the need for the grant funds;

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

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

9                   “(iv) the demographic characteristics  
10 of the populations to be served, including  
11 age, disability, race, ethnicity, and lan-  
12 guage background;

13           “(D) a description of how the State will  
14 ensure that any subgrantees will consult with  
15 victim service providers during the course of de-  
16 veloping their grant applications to ensure that  
17 the proposed activities are designed to promote  
18 the safety, confidentiality, and economic inde-  
19 pendence of victims;

20           “(E) demographic data on the distribution  
21 of underserved populations within the State and  
22 a description of how the State will meet the  
23 needs of underserved populations, including the  
24 minimum allocation for population specific serv-  
25 ices required under subsection (c)(4)(C);

1           “(F) a description of how the State plans  
2           to meet the requirements pursuant to regula-  
3           tions issued under subsection (e)(2);

4           “(G) goals and objectives for reducing do-  
5           mestic and dating violence-related homicides  
6           within the State; and

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

9           “(j) REALLOCATION OF FUNDS.—A State may use  
10          any returned or remaining funds for any authorized pur-  
11          pose under this part if—

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

14           “(2) the State does not receive sufficient eligi-  
15          ble applications to award the full funding within the  
16          allocations under subsection (c)(4).”;

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

18           (A) in subsection (a), by amending para-  
19          graph (1) to read as follows:

20           “(1) IN GENERAL.—A State, Indian tribal gov-  
21          ernment, or unit of local government shall not be en-  
22          titled to funds under this subchapter unless the  
23          State, Indian tribal government, unit of local govern-  
24          ment, or another governmental entity—

1           “(A) incurs the full out-of-pocket cost of  
2 forensic medical exams described in subsection  
3 (b) for victims of sexual assault; and

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

8           (B) in subsection (b)—

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

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

13           (iii) by striking paragraph (3);

14           (C) in subsection (c), by striking “, except  
15 that such funds” and all that follows and in-  
16 serting a period; and

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

19           “(d) NONCOOPERATION.—

20           “(1) IN GENERAL.—To be in compliance with  
21 this section, a State, Indian tribal government, or  
22 unit of local government shall comply with sub-  
23 section (b) without regard to whether the victim par-  
24 ticipates in the criminal justice system or cooperates  
25 with law enforcement.



- 1 (1) in section 2101 (42 U.S.C. 3796hh)—
- 2 (A) in subsection (b)—
- 3 (i) in the matter preceding paragraph
- 4 (1), by striking “States,” and all that fol-
- 5 lows through “units of local government”
- 6 and inserting “grantees”;
- 7 (ii) in paragraph (1), by inserting
- 8 “and enforcement of protection orders
- 9 across State and tribal lines” before the
- 10 period;
- 11 (iii) in paragraph (2), by striking
- 12 “and training in police departments to im-
- 13 prove tracking of cases” and inserting
- 14 “data collection systems, and training in
- 15 police departments to improve tracking of
- 16 cases and classification of complaints”;
- 17 (iv) in paragraph (4), by inserting
- 18 “and provide the appropriate training and
- 19 education about domestic violence, dating
- 20 violence, sexual assault, and stalking” after
- 21 “computer tracking systems”;
- 22 (v) in paragraph (5), by inserting
- 23 “and other victim services” after “legal ad-
- 24 vocacy service programs”;

1 (vi) in paragraph (6), by striking  
2 “judges” and inserting “Federal, State,  
3 tribal, territorial, and local judges, and  
4 court-based and court-related personnel”;

5 (vii) in paragraph (8), by striking  
6 “and sexual assault” and inserting “, dat-  
7 ing violence, sexual assault, and stalking”;

8 (viii) in paragraph (10), by striking  
9 “non-profit, non-governmental victim serv-  
10 ices organizations,” and inserting “victim  
11 service providers, population specific orga-  
12 nizations,”; and

13 (ix) by adding at the end the fol-  
14 lowing:

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

21 “(15) To develop or strengthen policies, proto-  
22 cols, and training for law enforcement officers, pros-  
23 ecutors, and the judiciary in recognizing, inves-  
24 tigating, and prosecuting instances of domestic vio-  
25 lence, dating violence, sexual assault, and stalking.

1           “(16) To develop and promote State, local, or  
2           tribal legislation and policies that enhance best prac-  
3           tices for responding to the crimes of domestic vio-  
4           lence, dating violence, sexual assault, and stalking,  
5           including the appropriate treatment of victims.

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

10           “(18) To develop, implement, or enhance Sex-  
11           ual Assault Response Teams or similar coordinated  
12           community responses to sexual assault.

13           “(19) To develop and strengthen policies, proto-  
14           cols, and training for law enforcement officers and  
15           prosecutors regarding the investigation and prosecu-  
16           tion of sexual assault cases and the appropriate  
17           treatment of victims of sexual assault.

18           “(20) To provide the following human immuno-  
19           deficiency virus services for victims of sexual assault:

20                   “(A) Testing.

21                   “(B) Counseling.

22                   “(C) Prophylaxis.

23           “(21) To identify and inventory backlogs of sex-  
24           ual assault evidence collection kits and to develop  
25           protocols for responding to and addressing such



1 backlogs, including policies and protocols for noti-  
2 fying and involving victims.

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

6 “(A) using evidence-based indicators to as-  
7 sess the risk of homicide and link high-risk vic-  
8 tims to immediate crisis intervention services;

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

11 “(C) providing ongoing victim advocacy  
12 and referrals to comprehensive services includ-  
13 ing legal, housing, health care, and economic  
14 assistance.”;

15 (B) in subsection (c)—

16 (i) in paragraph (1)—

17 (I) in the matter preceding sub-  
18 paragraph (A), by inserting “except  
19 for a court,” before “certify”; and

20 (II) by redesignating subpara-  
21 graphs (A) and (B) as clauses (i) and  
22 (ii), respectively, and adjusting the  
23 margin accordingly;

1 (ii) in paragraph (2), by inserting  
2 “except for a court,” before “dem-  
3 onstrate”;

4 (iii) in paragraph (4)—

5 (I) by inserting “modification,  
6 enforcement, dismissal,” after “reg-  
7 istration,” each place it appears;

8 (II) by inserting “dating vio-  
9 lence,” after “domestic violence,”; and

10 (III) by striking “and” at the  
11 end;

12 (iv) in paragraph (5)—

13 (I) in the matter preceding sub-  
14 paragraph (A), by striking “, not later  
15 than 3 years after the date of enact-  
16 ment of this section,”;

17 (II) by redesignating subpara-  
18 graphs (A) and (B) as clauses (i) and  
19 (ii), respectively, and adjusting the  
20 margin accordingly;

21 (III) in clause (ii), as redesi-  
22 gnated by subclause (II) of this clause,  
23 by striking “subparagraph (A)” and  
24 inserting “clause (i)”; and

1 (IV) by striking the period at the  
2 end and inserting “; and”;

3 (v) by redesignating paragraphs (1)  
4 through (5), as amended by this subpara-  
5 graph, as subparagraphs (A) through (E),  
6 respectively, and adjusting the margin ac-  
7 cordingly;

8 (vi) in the matter preceding subpara-  
9 graph (A), as redesignated by clause (v) of  
10 this subparagraph—

11 (I) by striking the second  
12 comma; and

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

15 “grantees are—

16 “(1) States”; and

17 (vii) by adding at the end the fol-  
18 lowing:

19 “(2) a State, tribal, or territorial domestic vio-  
20 lence or sexual assault coalition or a victim service  
21 provider that partners with a State, Indian tribal  
22 government, or unit of local government that cer-  
23 tifies that the State, Indian tribal government, or  
24 unit of local government meets the requirements  
25 under paragraph (1).”;

1 (C) in subsection (d)—

2 (i) in paragraph (1)—

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

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

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

13 (D) by adding at the end the following:

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

19 “(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the  
20 amounts appropriated for purposes of this part for each  
21 fiscal year, not less than 25 percent shall be available for  
22 projects that address sexual assault, including stranger  
23 rape, acquaintance rape, alcohol or drug-facilitated rape,  
24 and rape within the context of an intimate partner rela-  
25 tionship.”; and

1 (2) in section 2102(a) (42 U.S.C. 3796hh–  
2 1(a))—

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

5 (B) in paragraph (4), by striking “non-  
6 profit, private sexual assault and domestic vio-  
7 lence programs” and inserting “victim service  
8 providers and, as appropriate, population spe-  
9 cific organizations”.

10 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
11 1001(a)(19) of title I of the Omnibus Crime Control and  
12 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is  
13 amended—

14 (1) by striking “\$75,000,000” and all that fol-  
15 lows through “2011” and inserting “\$73,000,000  
16 for each of fiscal years 2013 through 2017”; and

17 (2) by striking the second period.

18 **SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.**

19 Section 1201 of the Violence Against Women Act of  
20 2000 (42 U.S.C. 3796gg–6) is amended—

21 (1) in subsection (a)—

22 (A) in the first sentence, by striking “aris-  
23 ing as a consequence of” and inserting “relat-  
24 ing to or arising out of”; and

1 (B) in the second sentence, by inserting  
2 “or arising out of” after “relating to”;

3 (2) in subsection (b)—

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

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

9 (3) in subsection (c)—

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

13 (B) by striking paragraph (3) and insert-  
14 ing the following:

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

19 (4) in subsection (d)—

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

23 “(A) has demonstrated expertise in pro-  
24 viding legal assistance or advocacy to victims of

1 domestic violence, dating violence, sexual as-  
2 sault, or stalking in the targeted population; or

3 “(B)(i) is partnered with an entity or per-  
4 son that has demonstrated expertise described  
5 in subparagraph (A); and

6 “(ii) has completed, or will complete, train-  
7 ing in connection with domestic violence, dating  
8 violence, stalking, or sexual assault and related  
9 legal issues, including training on evidence-  
10 based risk factors for domestic and dating vio-  
11 lence homicide;”; and

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

15 (5) in subsection (f)—

16 (A) in paragraph (1), by striking “this sec-  
17 tion” and all that follows through the period at  
18 the end and inserting “this section \$57,000,000  
19 for each of fiscal years 2013 through 2017.”;  
20 and

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

23 “(D) Of the amount made available under  
24 this subsection in each fiscal year, not more

1 than 10 percent may be used for purposes de-  
2 scribed in subsection (c)(3).”.

3 **SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMI-**  
4 **LIES IN THE JUSTICE SYSTEM.**

5 (a) IN GENERAL.—Title III of division B of the Vie-  
6 tims of Trafficking and Violence Protection Act of 2000  
7 (Public Law 106–386; 114 Stat. 1509) is amended by  
8 striking the section preceding section 1302 (42 U.S.C.  
9 10420), as amended by section 306 of the Violence  
10 Against Women and Department of Justice Reauthoriza-  
11 tion Act of 2005 (Public Law 109–162; 119 Stat. 3016),  
12 and inserting the following:

13 **“SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION**  
14 **IMPROVEMENTS.**

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

23 “(b) USE OF FUNDS.—A grant under this section  
24 may be used to—



1           “(1) provide supervised visitation and safe visi-  
2           tation exchange of children and youth by and be-  
3           tween parents in situations involving domestic vio-  
4           lence, dating violence, child sexual abuse, sexual as-  
5           sault, or stalking;

6           “(2) develop and promote State, local, and trib-  
7           al legislation, policies, and best practices for improv-  
8           ing civil and criminal court functions, responses,  
9           practices, and procedures in cases involving a history  
10          of domestic violence or sexual assault, or in cases in-  
11          volving allegations of child sexual abuse, including  
12          cases in which the victim proceeds pro se;

13          “(3) educate court-based and court-related per-  
14          sonnel (including custody evaluators and guardians  
15          ad litem) and child protective services workers on  
16          the dynamics of domestic violence, dating violence,  
17          sexual assault, and stalking, including information  
18          on perpetrator behavior, evidence-based risk factors  
19          for domestic and dating violence homicide, and on  
20          issues relating to the needs of victims, including  
21          safety, security, privacy, and confidentiality, includ-  
22          ing cases in which the victim proceeds pro se;

23          “(4) provide adequate resources in juvenile  
24          court matters to respond to domestic violence, dating  
25          violence, sexual assault (including child sexual

1 abuse), and stalking and ensure necessary services  
2 dealing with the physical health and mental health  
3 of victims are available;

4 “(5) enable courts or court-based or court-re-  
5 lated programs to develop or enhance—

6 “(A) court infrastructure (such as special-  
7 ized courts, consolidated courts, dockets, intake  
8 centers, or interpreter services);

9 “(B) community-based initiatives within  
10 the court system (such as court watch pro-  
11 grams, victim assistants, pro se victim assist-  
12 ance programs, or community-based supple-  
13 mentary services);

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

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

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

22 “(F) other projects likely to improve court  
23 responses to domestic violence, dating violence,  
24 sexual assault, and stalking;

1           “(6) collect data and provide training and tech-  
2           nical assistance, including developing State, local,  
3           and tribal model codes and policies, to improve the  
4           capacity of grantees and communities to address the  
5           civil justice needs of victims of domestic violence,  
6           dating violence, sexual assault, and stalking who  
7           have legal representation, who are proceeding pro se,  
8           or who are proceeding with the assistance of a legal  
9           advocate; and

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

15           “(c) CONSIDERATIONS.—

16           “(1) IN GENERAL.—In making grants for pur-  
17           poses described in paragraphs (1) through (6) of  
18           subsection (b), the Attorney General shall consider—

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

21                   “(B) the extent to which the proposed pro-  
22                   grams and services serve underserved popu-  
23                   lations;

24                   “(C) the extent to which the applicant  
25                   demonstrates cooperation and collaboration

1 with nonprofit, nongovernmental entities in the  
2 local community with demonstrated histories of  
3 effective work on domestic violence, dating vio-  
4 lence, sexual assault, or stalking, including  
5 State or tribal domestic violence coalitions,  
6 State or tribal sexual assault coalitions, local  
7 shelters, and programs for domestic violence  
8 and sexual assault victims; and

9 “(D) the extent to which the applicant  
10 demonstrates coordination and collaboration  
11 with State, tribal, and local court systems, in-  
12 cluding mechanisms for communication and re-  
13 ferral.

14 “(2) OTHER GRANTS.—In making grants under  
15 subsection (b)(8) the Attorney General shall take  
16 into account the extent to which the grantee has ex-  
17 pertise addressing the judicial system’s handling of  
18 family violence, child custody, child abuse and ne-  
19 glect, adoption, foster care, supervised visitation, di-  
20 vorce, and parentage.

21 “(d) APPLICANT REQUIREMENTS.—The Attorney  
22 General may make a grant under this section to an appli-  
23 cant that—

1           “(1) demonstrates expertise in the areas of do-  
2           mestic violence, dating violence, sexual assault,  
3           stalking, or child sexual abuse, as appropriate;

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

8           “(3) if the applicant proposes to operate super-  
9           vised visitation programs and services or safe visita-  
10          tion exchange, demonstrates that adequate security  
11          measures, including adequate facilities, procedures,  
12          and personnel capable of preventing violence, and  
13          adequate standards are, or will be, in place (includ-  
14          ing the development of protocols or policies to ensure  
15          that confidential information is not shared with  
16          courts, law enforcement agencies, or child welfare  
17          agencies unless necessary to ensure the safety of any  
18          child or adult using the services of a program fund-  
19          ed under this section);

20          “(4) certifies that the organizational policies of  
21          the applicant do not require mediation or counseling  
22          involving offenders and victims being physically  
23          present in the same place, in cases where domestic  
24          violence, dating violence, sexual assault, or stalking  
25          is alleged;

1           “(5) certifies that any person providing legal  
2 assistance through a program funded under this sec-  
3 tion has completed or will complete training on do-  
4 mestic violence, dating violence, sexual assault, and  
5 stalking, including child sexual abuse, and related  
6 legal issues; and

7           “(6) certifies that any person providing custody  
8 evaluation or guardian ad litem services through a  
9 program funded under this section has completed or  
10 will complete training, developed with input from  
11 and in collaboration with a tribal, State, territorial,  
12 or local domestic violence, dating violence, sexual as-  
13 sault, or stalking victim service provider or coalition,  
14 on the dynamics of domestic violence and sexual as-  
15 sault, including child sexual abuse, that includes  
16 training on how to review evidence of past abuse and  
17 the use of evidenced-based theories to make rec-  
18 ommendations on custody and visitation.

19           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
20 is authorized to be appropriated to carry out this section,  
21 \$22,000,000 for each of the fiscal years 2013 through  
22 2017. Amounts appropriated pursuant to this subsection  
23 are authorized to remain available until expended.

24           “(f) ALLOTMENT FOR INDIAN TRIBES.—

1           “(1) IN GENERAL.—Not less than 10 percent of  
2           the total amount available under this section for  
3           each fiscal year shall be available for grants under  
4           the program authorized by section 2015 of title I of  
5           the Omnibus Crime Control and Safe Streets Act of  
6           1968 (42 U.S.C. 3796gg–10).

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

10          (b) TECHNICAL AND CONFORMING AMENDMENT.—  
11         Subtitle J of the Violence Against Women Act of 1994  
12         (42 U.S.C. 14043 et seq.) is repealed.

13         **SEC. 105. COURT-APPOINTED SPECIAL ADVOCATE PRO-**  
14                 **GRAM.**

15         Subtitle B of title II of the Crime Control Act of 1990  
16         (42 U.S.C. 13011 et seq.) is amended—

17                 (1) in section 216 (42 U.S.C. 13012), by strik-  
18                 ing “January 1, 2010” and inserting “January 1,  
19                 2015”;

20                 (2) in section 217 (42 U.S.C. 13013)—

21                         (A) in subsection (c)(2)(A), by striking  
22                         “Code of Ethics” and inserting “Standards for  
23                         Programs”; and

24                         (B) by adding at the end the following new  
25                         subsection:

1       “(e) REPORTING.—An organization that receives a  
2 grant under this section for a fiscal year shall submit to  
3 the Administrator a report regarding the use of the grant  
4 for the fiscal year, including a discussion of outcome per-  
5 formance measures (which shall be established by the Ad-  
6 ministrator) to determine the effectiveness of the pro-  
7 grams of the organization in meeting the needs of children  
8 in the child welfare system.”; and

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

12 **SEC. 106. OUTREACH AND SERVICES TO UNDERSERVED**  
13 **POPULATIONS GRANT.**

14       Section 120 of the Violence Against Women and De-  
15 partment of Justice Reauthorization Act of 2005 (42  
16 U.S.C. 14045) is amended to read as follows:

17 **“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UN-**  
18 **DERSERVED POPULATIONS.**

19       “(a) GRANTS AUTHORIZED.—

20               “(1) IN GENERAL.—Of the amounts appro-  
21 priated under the grant programs identified in para-  
22 graph (2), the Attorney General shall take 2 percent  
23 of such appropriated amounts and combine them to  
24 award grants to eligible entities described in sub-  
25 section (b) of this section to develop and implement



1 outreach strategies targeted at adult or youth vic-  
2 tims of domestic violence, dating violence, sexual as-  
3 sault, or stalking in underserved populations and to  
4 provide victim services to meet the needs of adult  
5 and youth victims of domestic violence, dating vio-  
6 lence, sexual assault, and stalking in underserved  
7 populations. The requirements of the grant pro-  
8 grams identified in paragraph (2) shall not apply to  
9 this grant program.

10 “(2) PROGRAMS COVERED.—The programs  
11 identified in this paragraph are the programs carried  
12 out under the following provisions:

13 “(A) Part T of title I of the Omnibus  
14 Crime Control and Safe Streets Act of 1968  
15 (STOP grants).

16 “(B) Part U of title I of the Omnibus  
17 Crime Control and Safe Streets Act of 1968  
18 (Grants to encourage arrest policies).

19 “(b) ELIGIBLE ENTITIES.—Eligible entities under  
20 this section are—

21 “(1) population specific organizations that have  
22 demonstrated experience and expertise in providing  
23 population specific services in the relevant under-  
24 served communities, or population specific organiza-  
25 tions working in partnership with a victim service

1 provider or domestic violence or sexual assault coal-  
2 tion;

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

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

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

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

22 “(2) conducting a needs assessment of the com-  
23 munity and the targeted underserved population or  
24 populations to determine what the barriers are to  
25 service access and what factors contribute to those

1 barriers, using input from the targeted underserved  
2 population or populations;

3 “(3) identifying promising prevention, outreach,  
4 and intervention strategies for victims from a tar-  
5 geted underserved population or populations; and

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

9 “(A) implementing prevention, outreach,  
10 and intervention strategies to address the bar-  
11 riers to accessing services;

12 “(B) promoting community engagement in  
13 the prevention of domestic violence, dating vio-  
14 lence, sexual assault, and stalking within the  
15 targeted underserved populations; and

16 “(C) evaluating the program.

17 “(d) IMPLEMENTATION GRANTS.—The Attorney  
18 General shall make grants to eligible entities for the pur-  
19 pose of providing or enhancing population specific out-  
20 reach and victim services to adult and youth victims in  
21 one or more underserved populations, including—

22 “(1) working with Federal, State, tribal, terri-  
23 torial and local governments, agencies, and organiza-  
24 tions to develop or enhance population specific vic-  
25 tim services;

1           “(2) strengthening the capacity of underserved  
2           populations to provide population specific services;

3           “(3) strengthening the capacity of traditional  
4           victim service providers to provide population spe-  
5           cific services;

6           “(4) strengthening the effectiveness of criminal  
7           and civil justice interventions by providing training  
8           for law enforcement, prosecutors, judges and other  
9           court personnel on domestic violence, dating vio-  
10          lence, sexual assault, or stalking in underserved pop-  
11          ulations; or

12          “(5) working in cooperation with an under-  
13          served population to develop and implement out-  
14          reach, education, prevention, and intervention strate-  
15          gies that highlight available resources and the spe-  
16          cific issues faced by victims of domestic violence,  
17          dating violence, sexual assault, or stalking from un-  
18          derserved populations.

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

24          “(f) REPORTS.—Each eligible entity receiving a grant  
25          under this section shall annually submit to the Director

1 of the Office on Violence Against Women a report that  
2 describes the activities carried out with grant funds during  
3 the preceding fiscal year.

4 “(g) DEFINITIONS AND GRANT CONDITIONS.—In  
5 this section the definitions and grant conditions in section  
6 40002 of the Violence Against Women Act of 1994 (42  
7 U.S.C. 13925) shall apply.

8 “(h) AUTHORIZATION OF APPROPRIATIONS.—In ad-  
9 dition to the funds identified in subsection (a)(1), there  
10 are authorized to be appropriated to carry out this section  
11 \$2,000,000 for each of the fiscal years 2013 through  
12 2017.”.

13 **SEC. 107. CULTURALLY SPECIFIC SERVICES GRANT.**

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

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

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

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

23 (4) by amending paragraph (2) of subsection  
24 (a) to read as follows:

1           “(2) PROGRAMS COVERED.—The programs  
2 identified in this paragraph are the programs carried  
3 out under the following provisions:

4           “(A) Part U of title I of the Omnibus  
5 Crime Control and Safe Streets Act of 1968  
6 (42 U.S.C. 3796hh) (Grants to encourage ar-  
7 rest policies).

8           “(B) Section 1201 of division B of the Vic-  
9 tims of Trafficking and Violence Protection Act  
10 of 2000 (42 U.S.C. 3796gg–6) (Legal assist-  
11 ance for victims).

12           “(C) Section 40295 of the Violence  
13 Against Women Act of 1994 (42 U.S.C. 13971)  
14 (Rural domestic violence, dating violence, sexual  
15 assault, stalking, and child abuse enforcement  
16 assistance).

17           “(D) Section 40802 of the Violence  
18 Against Women Act of 1994 (42 U.S.C.  
19 14041a) (Enhanced training and services to  
20 end violence against women later in life).

21           “(E) Section 1402 of division B of the Vic-  
22 tims of Trafficking and Violence Protection Act  
23 of 2000 (42 U.S.C. 3796gg–7) (Education,  
24 training, and enhanced services to end violence

1           against and abuse of women with disabilities).”;

2           and

3           (5) in subsection (g), by striking “linguistic

4           and”.

5 **SEC. 108. REDUCTION IN RAPE KIT BACKLOG.**

6           Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)), is amended—

9           (1) in subparagraph (B), by striking “2014”

10          and inserting “2012”; and

11          (2) by adding at the end the following new subparagraph:

13                   “(C) For each of the fiscal years 2013 and

14                   2014, not less than 75 percent of the grant

15                   amounts shall be awarded for purposes under

16                   subsection (a)(2).”.

17 **SEC. 109. ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT**

18                   **TRAINING PROGRAMS.**

19           Section 40152(e) of the Violence Against Women Act

20           of 1994 (42 U.S.C. 13941(e)) is amended by striking “to

21           carry out this section” and all that follows through the

22           period at the end and inserting “to carry out this section

23           \$5,000,000 for each of fiscal years 2013 through 2017.”.

1 **SEC. 110. CHILD ABUSE TRAINING PROGRAMS FOR JUDI-**  
2 **CIAL PERSONNEL AND PRACTITIONERS.**

3 Section 224(a) of the Victims of Child Abuse Act of  
4 1990 (42 U.S.C. 13024(a)) is amended by striking  
5 “\$2,300,000” and all that follows through the period at  
6 the end and inserting “\$2,300,000 for each of fiscal years  
7 2013 through 2017.”.

8 **TITLE II—IMPROVING SERVICES**  
9 **FOR VICTIMS OF DOMESTIC**  
10 **VIOLENCE, DATING VIO-**  
11 **LENCE, SEXUAL ASSAULT,**  
12 **AND STALKING**

13 **SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.**

14 (a) GRANTS TO STATES AND TERRITORIES.—Section  
15 41601(b) of the Violence Against Women Act of 1994 (42  
16 U.S.C. 14043g(b)) is amended—

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

23 (2) in paragraph (2)—

24 (A) in subparagraph (B), by striking “non-  
25 profit, nongovernmental organizations for pro-



1           grams and activities” and inserting “nongovern-  
2           mental or tribal programs and activities”; and

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

5           (3) in paragraph (4)—

6                   (A) in the first sentence—

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

9                           (ii) by striking “1.50 percent” and in-  
10          serting “0.75 percent”; and

11                           (iii) by striking “, except that” and all  
12          that follows through “of the total appro-  
13          priations”; and

14                   (B) in the last sentence, by striking “the  
15          preceding formula” and inserting “this para-  
16          graph”.

17          (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
18          41601(f)(1) of the Violence Against Women Act of 1994  
19          (42 U.S.C. 14043g(f)(1)) is amended by striking  
20          “\$50,000,000 to remain available until expended for each  
21          of the fiscal years 2007 through 2011” and inserting  
22          “\$40,000,000 to remain available until expended for each  
23          of fiscal years 2013 through 2017”.

1 **SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE,**  
2 **SEXUAL ASSAULT, STALKING, AND CHILD**  
3 **ABUSE ENFORCEMENT ASSISTANCE.**

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

6 (1) in subsection (a)(1)(H), by inserting “, in-  
7 cluding sexual assault forensic examiners” before the  
8 semicolon;

9 (2) in subsection (b)—

10 (A) in paragraph (1)—

11 (i) by striking “victim advocacy  
12 groups” and inserting “victim service pro-  
13 viders”; and

14 (ii) by inserting “, including devel-  
15 oping multidisciplinary teams focusing on  
16 high-risk cases with the goal of preventing  
17 domestic and dating violence homicides”  
18 before the semicolon;

19 (B) in paragraph (2)—

20 (i) by striking “and other long- and  
21 short-term assistance” and inserting “legal  
22 assistance, and other long-term and short-  
23 term victim services and population spe-  
24 cific services”; and

25 (ii) by striking “and” at the end;

1 (C) in paragraph (3), by striking the pe-  
2 riod at the end and inserting “; and”; and

3 (D) by adding at the end the following:

4 “(4) to develop, expand, or strengthen pro-  
5 grams addressing sexual assault, including sexual  
6 assault forensic examiner programs, Sexual Assault  
7 Response Teams, law enforcement training, and pro-  
8 grams addressing rape kit backlogs.”; and

9 (3) in subsection (e)(1), by striking  
10 “\$55,000,000 for each of the fiscal years 2007  
11 through 2011” and inserting “\$50,000,000 for each  
12 of fiscal years 2013 through 2017”.

13 **SEC. 203. TRAINING AND SERVICES TO END VIOLENCE**  
14 **AGAINST WOMEN WITH DISABILITIES**  
15 **GRANTS.**

16 Section 1402 of division B of the Victims of Traf-  
17 ficking and Violence Protection Act of 2000 (42 U.S.C.  
18 3796gg-7) is amended—

19 (1) in subsection (b)—

20 (A) in paragraph (1), by inserting “(in-  
21 cluding using evidence-based indicators to as-  
22 sess the risk of domestic and dating violence  
23 homicide)” after “risk reduction”;

1 (B) in paragraph (4), by striking “victim  
2 service organizations” and inserting “victim  
3 service providers”; and

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

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

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

15 **SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VI-**  
16 **OLENCE AGAINST WOMEN IN LATER LIFE.**

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

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

21 “(a) DEFINITIONS.—In this section:

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

24 “(A) is—

25 “(i) a State;

1 “(ii) a unit of local government;

2 “(iii) a tribal government or tribal or-  
3 ganization;

4 “(iv) a population specific organiza-  
5 tion with demonstrated experience in as-  
6 sisting individuals in later life;

7 “(v) a victim service provider; or

8 “(vi) a State, tribal, or territorial do-  
9 mestic violence or sexual assault coalition;  
10 and

11 “(B) is partnered with—

12 “(i) a law enforcement agency;

13 “(ii) an office of a prosecutor;

14 “(iii) a victim service provider; or

15 “(iv) a nonprofit program or govern-  
16 ment agency with demonstrated experience  
17 in assisting individuals in later life.

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

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

23 “(b) GRANT PROGRAM.—

24 “(1) GRANTS AUTHORIZED.—The Attorney  
25 General may make grants to eligible entities to carry

1 out the activities described in paragraph (2). In  
2 awarding such grants, the Attorney General shall  
3 consult with the Secretary of Health and Human  
4 Services to ensure that the activities funded under  
5 this section are not duplicative with the activities  
6 funded under the elder abuse prevention programs  
7 of the Department of Health and Human Services.

8 “(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—  
9

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

13 “(i) provide training programs to as-  
14 sist law enforcement agencies, prosecutors,  
15 agencies of States or units of local govern-  
16 ment, population specific organizations,  
17 victim service providers, victim advocates,  
18 and relevant officers in Federal, tribal,  
19 State, territorial, and local courts in recog-  
20 nizing and addressing instances of elder  
21 abuse;

22 “(ii) provide or enhance services for  
23 victims of elder abuse;

1           “(iii) establish or support multidisci-  
2 plinary collaborative community responses  
3 to victims of elder abuse; and

4           “(iv) conduct cross-training for law  
5 enforcement agencies, prosecutors, agen-  
6 cies of States or units of local government,  
7 attorneys, health care providers, population  
8 specific organizations, faith-based advo-  
9 cates, victim service providers, and courts  
10 to better serve victims of elder abuse.

11           “(B) PERMISSIBLE ACTIVITIES.—An eligi-  
12 ble entity receiving a grant under this section  
13 may use not more than 10 percent of the funds  
14 received under the grant to—

15           “(i) provide training programs to as-  
16 sist attorneys, health care providers, faith-  
17 based leaders, or other community-based  
18 organizations in recognizing and address-  
19 ing instances of elder abuse; or

20           “(ii) conduct outreach activities and  
21 awareness campaigns to ensure that vic-  
22 tims of elder abuse receive appropriate as-  
23 sistance.

24           “(3) UNDERSERVED POPULATIONS.—In making  
25 grants under this section, the Attorney General shall

1 give priority to proposals providing culturally spe-  
2 cific or population specific services.

3 “(4) AUTHORIZATION OF APPROPRIATIONS.—  
4 There is authorized to be appropriated to carry out  
5 this section \$9,000,000 for each of fiscal years 2013  
6 through 2017.”.

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

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

12 Section 393A of the Public Health Service Act (42  
13 U.S.C. 280b–1b) is amended—

14 (1) in subsection (a)—

15 (A) in the matter preceding paragraph (1),  
16 by inserting “, territorial, or tribal” after “cri-  
17 sis centers, State”; and

18 (B) in paragraph (6), by inserting “and al-  
19 cohol” after “about drugs”;

20 (2) in subsection (c)(1), by striking  
21 “\$80,000,000 for each of fiscal years 2007 through  
22 2011” and inserting “\$50,000,000 for each of fiscal  
23 years 2013 through 2017”; and

24 (3) in subsection (c), by adding at the end the  
25 following new paragraph:



1           “(3) FUNDING FORMULA.—Amounts provided  
2           under this section shall be allotted to each State,  
3           territory, and the District of Columbia based on  
4           population. If the amounts appropriated under para-  
5           graph (1) exceed \$48,000,000 in any fiscal year, a  
6           minimum allocation of \$150,000 shall be awarded to  
7           each State and territory and the District of Colum-  
8           bia. Any remaining funds shall be allotted to each  
9           State and territory and the District of Columbia  
10          based on population.”.

11 **SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS,**  
12                           **SERVICES, AND EDUCATION FOR CHILDREN**  
13                           **AND YOUTH.**

14          (a) IN GENERAL.—Subtitle L of the Violence Against  
15 Women Act of 1994 (42 U.S.C. 14043c et seq.) is amend-  
16 ed by striking sections 41201 through 41204 and insert-  
17 ing the following:

18 **“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OP-**  
19                           **TIONS, SERVICES, AND EDUCATION FOR**  
20                           **CHILDREN AND YOUTH (CHOOSE CHILDREN**  
21                           **AND YOUTH).**

22          “(a) GRANTS AUTHORIZED.—The Attorney General,  
23 working in collaboration with the Secretary of Health and  
24 Human Services and the Secretary of Education, shall  
25 award grants to enhance the safety of youth and children

1 who are victims of, or exposed to, domestic violence, dating  
2 violence, sexual assault, or stalking and to prevent future  
3 violence.

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

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

23 “(A) assess and analyze available services  
24 for youth victims of domestic violence, dating  
25 violence, sexual assault, and stalking, deter-

1 mining relevant barriers to such services in a  
2 particular locality, and developing a community  
3 protocol to address such problems collabo-  
4 ratively;

5 “(B) develop and implement policies, prac-  
6 tices, and procedures to effectively respond to  
7 domestic violence, dating violence, sexual as-  
8 sault, or stalking against youth; or

9 “(C) provide technical assistance and  
10 training to enhance the ability of school per-  
11 sonnel, victim service providers, child protective  
12 service workers, staff of law enforcement agen-  
13 cies, prosecutors, court personnel, individuals  
14 who work in after school programs, medical  
15 personnel, social workers, mental health per-  
16 sonnel, and workers in other programs that  
17 serve children and youth to improve their ability  
18 to appropriately respond to the needs of chil-  
19 dren and youth who are victims of domestic vio-  
20 lence, dating violence, sexual assault, and stalk-  
21 ing, as well as homeless youth, and to properly  
22 refer such children, youth, and their families to  
23 appropriate services.

24 “(2) SUPPORTING YOUTH THROUGH EDU-  
25 CATION AND PROTECTION.—To enable secondary or

1 elementary schools that serve students in any of  
2 grades five through twelve and institutions of higher  
3 education to—

4 “(A) provide training to school personnel,  
5 including health care providers and security  
6 personnel, on the needs of students who are vic-  
7 tims of domestic violence, dating violence, sex-  
8 ual assault, or stalking;

9 “(B) develop and implement age-appro-  
10 priate prevention and intervention policies in  
11 accordance with State law in secondary or ele-  
12 mentary schools that serve students in any of  
13 grades five through twelve, including appro-  
14 priate responses to, and identification and re-  
15 ferral procedures for, students who are experi-  
16 encing or perpetrating domestic violence, dating  
17 violence, sexual assault, or stalking, and proce-  
18 dures for handling the requirements of court  
19 protective orders issued to or against students;

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

24 “(D) provide evidence-based educational  
25 programs for students regarding domestic vio-

1           lence, dating violence, sexual assault, and stalk-  
2           ing; or

3           “(E) develop strategies to increase identi-  
4           fication, support, referrals, and prevention pro-  
5           grams for youth who are at high risk of domes-  
6           tic violence, dating violence, sexual assault, or  
7           stalking.

8           “(c) ELIGIBLE APPLICANTS.—

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

11           “(A) a victim service provider, tribal non-  
12           profit organization, population specific organi-  
13           zation, or community-based organization with a  
14           demonstrated history of effective work address-  
15           ing the needs of youth, including runaway or  
16           homeless youth, who are victims of domestic vi-  
17           olence, dating violence, sexual assault, or stalk-  
18           ing; or

19           “(B) a victim service provider that is  
20           partnered with an entity that has a dem-  
21           onstrated history of effective work addressing  
22           the needs of youth.

23           “(2) PARTNERSHIPS.—

24           “(A) EDUCATION.—To be eligible to re-  
25          ceive a grant for the purposes described in sub-

1 section (b)(2), an entity described in paragraph  
2 (1) shall be partnered with an elementary  
3 school or secondary school (as such terms are  
4 defined in section 9101 of the Elementary and  
5 Secondary Education Act of 1965), charter  
6 school (as defined in section 5210 of such Act),  
7 a school that is operated or supported by the  
8 Bureau of Indian Education, or a legally oper-  
9 ating private school, a school administered by  
10 the Department of Defense under section 2164  
11 of title 10, United States Code, or section 1402  
12 of the Defense Dependents' Education Act of  
13 1978, a group of such schools, a local edu-  
14 cational agency (as defined in section 9101(26)  
15 of the Elementary and Secondary Education  
16 Act of 1965), or an institution of higher edu-  
17 cation (as defined in section 101(a) of the  
18 Higher Education Act of 1965).

19 “(B) OTHER PARTNERSHIPS.—All appli-  
20 cants under this section are encouraged to work  
21 in partnership with organizations and agencies  
22 that work with the relevant youth population.  
23 Such entities may include—

24 “(i) a State, tribe, unit of local gov-  
25 ernment, or territory;

1                   “(ii) a population specific or commu-  
2                   nity-based organization;

3                   “(iii) batterer intervention programs  
4                   or sex offender treatment programs with  
5                   specialized knowledge and experience work-  
6                   ing with youth offenders; or

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

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

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

17                   “(2) protect the confidentiality and privacy of  
18                   child and youth victim information, particularly in  
19                   the context of parental or third-party involvement  
20                   and consent, mandatory reporting duties, and work-  
21                   ing with other service providers with priority on vic-  
22                   tim safety and autonomy;

23                   “(3) ensure that all individuals providing inter-  
24                   vention or prevention programs to children or youth  
25                   through a program funded under this section have

1 completed, or will complete, sufficient training in  
2 connection with domestic violence, dating violence,  
3 sexual assault, and stalking; and

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

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

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

13 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
14 is authorized to be appropriated to carry out this section,  
15 \$15,000,000 for each of the fiscal years 2013 through  
16 2017.

17 “(h) ALLOTMENT.—

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

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



1 2015 of the Omnibus Crime Control and Safe  
2 Streets Act of 1968 (42 U.S.C. 3796gg–10).”.

3 (b) VAWA GRANT REQUIREMENTS.—Section  
4 40002(b) of the Violence Against Women Act of 1994 (42  
5 U.S.C. 13925(b)), as amended by section 3(b)(4), is fur-  
6 ther amended by adding at the end the following:

7 “(14) REQUIREMENT FOR EVIDENCE-BASED  
8 PROGRAMS.—Any educational programming, train-  
9 ing, or public awareness communications regarding  
10 domestic violence, dating violence, sexual assault, or  
11 stalking that are funded under this title must be evi-  
12 dence-based.”.

13 **SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAM-**  
14 **PUSES.**

15 Section 304 of the Violence Against Women and De-  
16 partment of Justice Reauthorization Act of 2005 (42  
17 U.S.C. 14045b) is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1)—

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

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

24 (iii) by inserting “, and to develop and  
25 strengthen prevention education and

1 awareness programs” before the period;  
2 and

3 (B) in paragraph (2), by striking  
4 “\$500,000” and inserting “\$300,000”;  
5 (2) in subsection (b)—

6 (A) in paragraph (2)—

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

9 (ii) by striking “assault and stalking,”  
10 and inserting “assault, and stalking, in-  
11 cluding the use of technology to commit  
12 these crimes,”;

13 (B) in paragraph (4)—

14 (i) by inserting “and population spe-  
15 cific services” after “strengthen victim  
16 services programs”;

17 (ii) by striking “entities carrying out”  
18 and all that follows through “stalking vic-  
19 tim services programs” and inserting “vic-  
20 tim service providers”; and

21 (iii) by inserting “, regardless of  
22 whether the services provided by such pro-  
23 gram are provided by the institution or in  
24 coordination with community victim service

1 providers” before the period at the end;

2 and

3 (C) by adding at the end the following:

4 “(9) To provide evidence-based educational pro-  
5 gramming for students regarding domestic violence,  
6 dating violence, sexual assault, and stalking.

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

11 (3) in subsection (c)—

12 (A) in paragraph (2)—

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

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

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

23 “(D) describe how underserved populations  
24 in the campus community will be adequately

1 served, including the provision of relevant popu-  
2 lation specific services;” and

3 (B) in paragraph (3), by striking “2007  
4 through 2011” and inserting “2013 through  
5 2017”;

6 (4) in subsection (d)—

7 (A) by striking paragraph (3); and

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

10 “(3) GRANTEE MINIMUM REQUIREMENTS.—

11 Each grantee shall comply with the following min-  
12 imum requirements during the grant period:

13 “(A) The grantee shall create a coordi-  
14 nated community response including both orga-  
15 nizations external to the institution and rel-  
16 evant divisions of the institution.

17 “(B) The grantee shall establish a manda-  
18 tory prevention and education program on do-  
19 mestic violence, dating violence, sexual assault,  
20 and stalking for all incoming students.

21 “(C) The grantee shall train all campus  
22 law enforcement to respond effectively to do-  
23 mestic violence, dating violence, sexual assault,  
24 and stalking.



1           “(2) GRANT AUTHORITY.—The Director of the  
2 Office of Community Oriented Policing Services is  
3 authorized to award grants to institutions of higher  
4 education and other nonprofit organizations to assist  
5 in carrying out the functions of the Center required  
6 under subsection (b).

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

9           “(1) provide quality education and training for  
10 campus public safety agencies of institutions of high-  
11 er education and the agencies’ collaborative part-  
12 ners, including campus mental health agencies;

13           “(2) foster quality research to strengthen the  
14 safety and security of institutions of higher edu-  
15 cation;

16           “(3) serve as a clearinghouse for the identifica-  
17 tion and dissemination of information, policies, pro-  
18 cedures, and best practices relevant to campus pub-  
19 lic safety, including off-campus housing safety, the  
20 prevention of violence against persons and property,  
21 and emergency response and evacuation procedures;

22           “(4) develop protocols, in conjunction with the  
23 Attorney General, the Secretary of Homeland Secu-  
24 rity, the Secretary of Education, State, local, and  
25 tribal governments and law enforcement agencies,

1 private and nonprofit organizations and associations,  
2 and other stakeholders, to prevent, protect against,  
3 respond to, and recover from, natural and man-made  
4 emergencies or dangerous situations involving an im-  
5 mediate threat to the health or safety of the campus  
6 community;

7 “(5) promote the development and dissemina-  
8 tion of effective behavioral threat assessment and  
9 management models to prevent campus violence;

10 “(6) coordinate campus safety information (in-  
11 cluding ways to increase off-campus housing safety)  
12 and resources available from the Department of Jus-  
13 tice, the Department of Homeland Security, the De-  
14 partment of Education, State, local, and tribal gov-  
15 ernments and law enforcement agencies, and private  
16 and nonprofit organizations and associations;

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

22 “(8) develop standardized formats and models  
23 for mutual aid agreements and memoranda of un-  
24 derstanding between campus security agencies and

1 other public safety organizations and mental health  
2 agencies; and

3 “(9) report annually to Congress and the Attor-  
4 ney General on activities performed by the Center  
5 during the previous 12 months.

6 “(c) COORDINATION WITH AVAILABLE RE-  
7 SOURCES.—In establishing the Center, the Director of the  
8 Office of Community Oriented Policing Services shall—

9 “(1) consult with the Secretary of Homeland  
10 Security, the Secretary of Education, and the Attor-  
11 ney General of each State; and

12 “(2) coordinate the establishment and operation  
13 of the Center with campus public safety resources  
14 that may be available within the Department of  
15 Homeland Security and the Department of Edu-  
16 cation.

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

21 (b) JUSTICE PROGRAM CONSOLIDATIONS.—Effective  
22 30 days after the date of enactment of this section, the  
23 Office of Dispute Resolution of the Department of Justice  
24 and the jurisdiction and employees of such office shall  
25 be—



1 (1) transferred to the Office of Legal Policy of  
2 the Department of Justice; and

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

5 **TITLE IV—VIOLENCE**  
6 **REDUCTION PRACTICES**

7 **SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DIS-**  
8 **EASE CONTROL AND PREVENTION.**

9 Section 402(c) of the Violence Against Women and  
10 Department of Justice Reauthorization Act of 2005 (42  
11 U.S.C. 280b–4(c)) is amended by striking “\$2,000,000 for  
12 each of the fiscal years 2007 through 2011” and inserting  
13 “\$1,000,000 for each of the fiscal years 2013 through  
14 2017”.

15 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES**  
16 **THROUGH PREVENTION GRANTS.**

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

20 **“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES**  
21 **THROUGH PREVENTION (SMART PREVEN-**  
22 **TION).**

23 “(a) GRANTS AUTHORIZED.—The Attorney General,  
24 in consultation with the Secretary of Health and Human  
25 Services and the Secretary of Education, is authorized to

1 award grants for the purpose of preventing domestic vio-  
2 lence, dating violence, sexual assault, and stalking by tak-  
3 ing a comprehensive approach that focuses on youth, chil-  
4 dren exposed to violence, and men as leaders and  
5 influencers of social norms.

6 “(b) USE OF FUNDS.—Funds provided under this  
7 section may be used for the following purposes:

8 “(1) TEEN DATING VIOLENCE AWARENESS AND  
9 PREVENTION.—To develop, maintain, or enhance  
10 programs that change attitudes and behaviors  
11 around the acceptability of domestic violence, dating  
12 violence, sexual assault, and stalking and provide  
13 education and skills training to young individuals  
14 and individuals who influence young individuals. The  
15 prevention program may use evidence-based, evi-  
16 dence-informed, or innovative strategies and prac-  
17 tices focused on youth. Such a program should in-  
18 clude—

19 “(A) evidence-based age education on do-  
20 mestic violence, dating violence, sexual assault,  
21 stalking, and sexual coercion, as well as healthy  
22 relationship skills, in school, in the community,  
23 or in health care settings;

24 “(B) community-based collaboration and  
25 training for those with influence on youth, such

1 as parents, teachers, coaches, health care pro-  
2 viders, faith-leaders, older teens, and mentors;

3 “(C) education and outreach to change en-  
4 vironmental factors contributing to domestic vi-  
5 olence, dating violence, sexual assault, and  
6 stalking; and

7 “(D) policy development targeted to pre-  
8 vention, including school-based policies and pro-  
9 tocols.

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

17 “(A) providing services for children ex-  
18 posed to domestic violence, dating violence, sex-  
19 ual assault or stalking, including direct coun-  
20 seling or advocacy, and support for the non-  
21 abusing parent; and

22 “(B) training and coordination for edu-  
23 cational, after-school, and childcare programs  
24 on how to safely and confidentially identify chil-  
25 dren and families experiencing domestic vio-

1           lence, dating violence, sexual assault, or stalk-  
2           ing and properly refer children exposed and  
3           their families to services and violence prevention  
4           programs.

5           “(3) ENGAGING MEN AS LEADERS AND ROLE  
6           MODELS.—To develop, maintain or enhance pro-  
7           grams that work with men to prevent domestic vio-  
8           lence, dating violence, sexual assault, and stalking  
9           by helping men to serve as role models and social  
10          influencers of other men and youth at the individual,  
11          school, community or statewide levels.

12          “(c) ELIGIBLE ENTITIES.—To be eligible to receive  
13 a grant under this section, an entity shall be—

14           “(1) a victim service provider, community-based  
15           organization, tribe or tribal organization, or other  
16           nonprofit, nongovernmental organization that has a  
17           history of effective work preventing domestic vio-  
18           lence, dating violence, sexual assault, or stalking and  
19           expertise in the specific area for which they are ap-  
20           plying for funds; or

21           “(2) a partnership between a victim service pro-  
22           vider, community-based organization, tribe or tribal  
23           organization, or other nonprofit, nongovernmental  
24           organization that has a history of effective work pre-  
25           venting domestic violence, dating violence, sexual as-

1       sault, or stalking and at least one of the following  
2       that has expertise in serving children exposed to do-  
3       mestic violence, dating violence, sexual assault, or  
4       stalking, youth domestic violence, dating violence,  
5       sexual assault, or stalking prevention, or engaging  
6       men to prevent domestic violence, dating violence,  
7       sexual assault, or stalking:

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

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

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

23             “(D) A nonprofit, nongovernmental entity  
24             providing services for runaway or homeless

1 youth affected by domestic violence, dating vio-  
2 lence, sexual assault, or stalking.

3 “(E) Health care entities eligible for reim-  
4 bursement under title XVIII of the Social Secu-  
5 rity Act, including providers that target the  
6 special needs of children and youth.

7 “(F) Any other agencies, population-spe-  
8 cific organizations, or nonprofit, nongovern-  
9 mental organizations with the capacity to pro-  
10 vide necessary expertise to meet the goals of the  
11 program.

12 “(d) GRANTEE REQUIREMENTS.—

13 “(1) IN GENERAL.—Applicants for grants  
14 under this section shall prepare and submit to the  
15 Director an application at such time, in such man-  
16 ner, and containing such information as the Director  
17 may require that demonstrates the capacity of the  
18 applicant and partnering organizations to undertake  
19 the project.

20 “(2) POLICIES AND PROCEDURES.—Applicants  
21 under this section shall establish and implement  
22 policies, practices, and procedures that are con-  
23 sistent with the best practices developed under sec-  
24 tion 402 of the Violence Against Women and De-

1 department of Justice Reauthorization Act of 2005  
2 (42 U.S.C. 280b-4) and—

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

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

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

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

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

24 “(A) include outcome-based evaluation;  
25 and

1           “(B) identify any other community, school,  
2           or State-based efforts that are working on do-  
3           mestic violence, dating violence, sexual assault,  
4           or stalking prevention and explain how the  
5           grantee or partnership will add value, coordi-  
6           nate with other programs, and not duplicate ex-  
7           isting efforts.

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

11          “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
12          is authorized to be appropriated to carry out this section,  
13          \$15,000,000 for each of fiscal years 2013 through 2017.

14          “(g) ALLOTMENT.—

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

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

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



1           (1) Sections 41304 and 41305 of the Violence  
2           Against Women Act of 1994 (42 U.S.C. 14043d–3  
3           and 14043d–4).

4           (2) Section 403 of the Violence Against Women  
5           and Department of Justice Reauthorization Act of  
6           2005 (42 U.S.C. 14045e).

7   **TITLE V—STRENGTHENING THE**  
8   **HEALTH CARE SYSTEM’S RE-**  
9   **SPONSE TO DOMESTIC VIO-**  
10 **LENCE, DATING VIOLENCE,**  
11 **SEXUAL ASSAULT, AND**  
12 **STALKING**

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

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

20 **“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTH CARE**  
21           **SYSTEM’S RESPONSE TO DOMESTIC VIO-**  
22           **LENCE, DATING VIOLENCE, SEXUAL ASSAULT,**  
23           **AND STALKING.**

24           “(a) IN GENERAL.—The Secretary shall award  
25           grants for—

1           “(1) the development or enhancement and im-  
2           plementation of interdisciplinary training for health  
3           professionals, public health staff, and allied health  
4           professionals;

5           “(2) the development or enhancement and im-  
6           plementation of education programs for medical,  
7           nursing, dental, and other health profession students  
8           and residents to prevent and respond to domestic vi-  
9           olence, dating violence, sexual assault, and stalking;  
10          and

11          “(3) the development or enhancement and im-  
12          plementation of comprehensive statewide strategies  
13          to improve the response of clinics, public health fa-  
14          cilities, hospitals, and other health settings (includ-  
15          ing behavioral and mental health programs) to do-  
16          mestic violence, dating violence, sexual assault, and  
17          stalking.

18          “(b) USE OF FUNDS.—

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

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

24                                 “(i) are designed to train medical,  
25                                 psychology, dental, social work, nursing,

1 and other health profession students, in-  
2 terns, residents, fellows, or current health  
3 care providers to identify and provide  
4 health care services (including mental or  
5 behavioral health care services and refer-  
6 rals to appropriate community services) to  
7 individuals who are or who have been vic-  
8 tims of domestic violence, dating violence,  
9 sexual assault, or stalking; and

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

23 “(B) design and implement comprehensive  
24 strategies to improve the response of the health  
25 care system to domestic or sexual violence in

1 clinical and public health settings, hospitals,  
2 clinics, and other health settings (including be-  
3 havioral and mental health), under subsection  
4 (a)(3) through—

5 “(i) the implementation, dissemina-  
6 tion, and evaluation of policies and proce-  
7 dures to guide health professionals and  
8 public health staff in identifying and re-  
9 sponding to domestic violence, dating vio-  
10 lence, sexual assault, and stalking, includ-  
11 ing strategies to ensure that health infor-  
12 mation is maintained in a manner that  
13 protects the patient’s privacy and safety,  
14 and safely uses health information tech-  
15 nology to improve documentation, identi-  
16 fication, assessment, treatment, and follow-  
17 up care;

18 “(ii) the development of on-site access  
19 to services to address the safety, medical,  
20 and mental health needs of patients by in-  
21 creasing the capacity of existing health  
22 care professionals and public health staff  
23 to address domestic violence, dating vio-  
24 lence, sexual assault, and stalking, or by  
25 contracting with or hiring domestic or sex-

1 ual assault advocates to provide such serv-  
2 ices or to model other services appropriate  
3 to the geographic and cultural needs of a  
4 site;

5 “(iii) the development of measures  
6 and methods for the evaluation of the  
7 practice of identification, intervention, and  
8 documentation regarding victims of domes-  
9 tic violence, dating violence, sexual assault,  
10 and stalking, including the development  
11 and testing of quality improvement meas-  
12 urements; and

13 “(iv) the provision of training and fol-  
14 lowup technical assistance to health care  
15 professionals, and public health staff, and  
16 allied health professionals to identify, as-  
17 sess, treat, and refer clients who are vic-  
18 tims of domestic violence, dating violence,  
19 sexual assault, or stalking, including using  
20 tools and training materials already devel-  
21 oped.

22 “(2) PERMISSIBLE USES.—

23 “(A) CHILD AND ELDER ABUSE.—To the  
24 extent consistent with the purpose of this sec-  
25 tion, a grantee may use amounts received under

1 this section to address, as part of a comprehen-  
2 sive programmatic approach implemented under  
3 the grant, issues relating to child or elder  
4 abuse.

5 “(B) RURAL AREAS.—Grants funded  
6 under paragraphs (1) and (2) of subsection (a)  
7 may be used to offer to rural areas community-  
8 based training opportunities (which may include  
9 the use of distance learning networks and other  
10 available technologies needed to reach isolated  
11 rural areas) for medical, nursing, and other  
12 health profession students and residents on do-  
13 mestic violence, dating violence, sexual assault,  
14 stalking, and, as appropriate, other forms of vi-  
15 olence and abuse.

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

18 “(i) the development of training mod-  
19 ules and policies that address the overlap  
20 of child abuse, domestic violence, dating vi-  
21 olence, sexual assault, and stalking and  
22 elder abuse, as well as childhood exposure  
23 to domestic and sexual violence;

24 “(ii) the development, expansion, and  
25 implementation of sexual assault forensic

1 medical examination or sexual assault  
2 nurse examiner programs;

3 “(iii) the inclusion of the health ef-  
4 fects of lifetime exposure to violence and  
5 abuse as well as related protective factors  
6 and behavioral risk factors in health pro-  
7 fessional training schools, including med-  
8 ical, dental, nursing, social work, and men-  
9 tal and behavioral health curricula, and al-  
10 lied health service training courses; or

11 “(iv) the integration of knowledge of  
12 domestic violence, dating violence, sexual  
13 assault, and stalking into health care ac-  
14 creditation and professional licensing ex-  
15 aminations, such as medical, dental, social  
16 work, and nursing boards, and where ap-  
17 propriate, other allied health exams.

18 “(c) REQUIREMENTS FOR GRANTEES.—

19 “(1) CONFIDENTIALITY AND SAFETY.—

20 “(A) IN GENERAL.—Grantees under this  
21 section shall ensure that all programs developed  
22 with grant funds address issues of confiden-  
23 tiality and patient safety and comply with appli-  
24 cable confidentiality and nondisclosure require-  
25 ments under section 40002(b)(2) of the Vio-

1           lence Against Women Act of 1994 and the  
2           Family Violence Prevention and Services Act,  
3           and that faculty and staff associated with deliv-  
4           ering educational components are fully trained  
5           in procedures that will protect the immediate  
6           and ongoing security and confidentiality of the  
7           patients, patient records, and staff. Such grant-  
8           ees shall consult entities with demonstrated ex-  
9           pertise in the confidentiality and safety needs of  
10          victims of domestic violence, dating violence,  
11          sexual assault, and stalking on the development  
12          and adequacy of confidentially and security pro-  
13          cedures, and provide documentation of such  
14          consultation.

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

23                 “(2) LIMITATION ON ADMINISTRATIVE EX-  
24          PENSES.—A grantee shall use not more than 10 per-



1 cent of the amounts received under a grant under  
2 this section for administrative expenses.

3 “(3) PREFERENCE.—In selecting grant recipi-  
4 ents under this section, the Secretary shall give pref-  
5 erence to applicants based on the strength of their  
6 evaluation strategies, with priority given to outcome-  
7 based evaluations.

8 “(4) APPLICATION.—

9 “(A) SUBSECTION (a) (1) AND (2) GRANT-  
10 EES.—An entity desiring a grant under para-  
11 graph (1) or (2) of subsection (a) shall submit  
12 an application to the Secretary at such time, in  
13 such manner, and containing such information  
14 and assurances as the Secretary may require,  
15 including—

16 “(i) documentation that the applicant  
17 represents a team of entities working col-  
18 laboratively to strengthen the response of  
19 the health care system to domestic vio-  
20 lence, dating violence, sexual assault, or  
21 stalking, and which includes at least one of  
22 each of—

23 “(I) an accredited school of  
24 allopathic or osteopathic medicine,

1 psychology, nursing, dentistry, social  
2 work, or other health field;

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

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

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

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

24 “(i) documentation that all training,  
25 education, screening, assessment, services,

1 treatment, and any other approach to pa-  
2 tient care will be informed by an under-  
3 standing of violence and abuse victimiza-  
4 tion and trauma-specific approaches that  
5 will be integrated into prevention, interven-  
6 tion, and treatment activities;

7 “(ii) strategies for the development  
8 and implementation of policies to prevent  
9 and address domestic violence, dating vio-  
10 lence, sexual assault, and stalking over the  
11 lifespan in health care settings;

12 “(iii) a plan for consulting with State  
13 and tribal domestic violence or sexual as-  
14 sault coalitions, national nonprofit victim  
15 advocacy organizations, State or tribal law  
16 enforcement task forces (where appro-  
17 priate), and population-specific organiza-  
18 tions with demonstrated expertise in ad-  
19 dressing domestic violence, dating violence,  
20 sexual assault, or stalking;

21 “(iv) with respect to an application  
22 for a grant under which the grantee will  
23 have contact with patients, a plan, devel-  
24 oped in collaboration with local victim serv-  
25 ice providers, to respond appropriately to

1 and make correct referrals for individuals  
2 who disclose that they are victims of do-  
3 mestic violence, dating violence, sexual as-  
4 sault, stalking, or other types of violence,  
5 and documentation provided by the grantee  
6 of an ongoing collaborative relationship  
7 with a local victim service provider; and

8 “(v) with respect to an application for  
9 a grant proposing to fund a program de-  
10 scribed in subsection (b)(2)(C)(ii), a cer-  
11 tification that any sexual assault forensic  
12 medical examination and sexual assault  
13 nurse examiner programs supported with  
14 such grant funds will adhere to the guide-  
15 lines set forth by the Attorney General.

16 “(d) ELIGIBLE ENTITIES.—

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

20 “(A) a nonprofit organization with a his-  
21 tory of effective work in the field of training  
22 health professionals with an understanding of,  
23 and clinical skills pertinent to, domestic vio-  
24 lence, dating violence, sexual assault, or stalk-

1 ing, and lifetime exposure to violence and  
2 abuse;

3 “(B) an accredited school of allopathic or  
4 osteopathic medicine, psychology, nursing, den-  
5 tistry, social work, or allied health;

6 “(C) a health care provider membership or  
7 professional organization, or a health care sys-  
8 tem; or

9 “(D) a State, tribal, territorial, or local en-  
10 tity.

11 “(2) SUBSECTION (a)(3) GRANTEEES.—To be eli-  
12 gible to receive funding under subsection (a)(3), an  
13 entity shall be—

14 “(A) a State department (or other divi-  
15 sion) of health, a State, tribal, or territorial do-  
16 mestic violence or sexual assault coalition or  
17 victim service provider, or any other nonprofit,  
18 nongovernmental organization with a history of  
19 effective work in the fields of domestic violence,  
20 dating violence, sexual assault, or stalking, and  
21 health care, including physical or mental health  
22 care; or

23 “(B) a local victim service provider, a local  
24 department (or other division) of health, a local  
25 health clinic, hospital, or health system, or any

1 other community-based organization with a his-  
2 tory of effective work in the field of domestic vi-  
3 olence, dating violence, sexual assault, or stalk-  
4 ing and health care, including physical or men-  
5 tal health care.

6 “(e) TECHNICAL ASSISTANCE.—

7 “(1) IN GENERAL.—Of the funds made avail-  
8 able to carry out this section for any fiscal year, the  
9 Secretary may make grants or enter into contracts  
10 to provide technical assistance with respect to the  
11 planning, development, and operation of any pro-  
12 gram, activity or service carried out pursuant to this  
13 section. Not more than 8 percent of the funds ap-  
14 propriated under this section in each fiscal year may  
15 be used to fund technical assistance under this sub-  
16 section.

17 “(2) AVAILABILITY OF MATERIALS.—The Sec-  
18 retary shall make publicly available materials devel-  
19 oped by grantees under this section, including mate-  
20 rials on training, best practices, and research and  
21 evaluation.

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

24 “(A) the distribution of funds under this  
25 section; and

1           “(B) the programs and activities supported  
2           by such funds.

3           “(f) RESEARCH AND EVALUATION.—

4           “(1) IN GENERAL.—Of the funds made avail-  
5           able to carry out this section for any fiscal year, the  
6           Secretary may use not more than 20 percent to  
7           make a grant or enter into a contract for research  
8           and evaluation of—

9           “(A) grants awarded under this section;  
10          and

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

18          “(2) RESEARCH.—Research authorized in para-  
19          graph (1) may include—

20          “(A) research on the effects of domestic vi-  
21          olence, dating violence, sexual assault, and  
22          childhood exposure to domestic violence, dating  
23          violence, or sexual assault on health behaviors,  
24          health conditions, and health status of individ-

1 uals, families, and populations, including under-  
2 served populations;

3 “(B) research to determine effective health  
4 care interventions to respond to and prevent do-  
5 mestic violence, dating violence, sexual assault,  
6 and stalking;

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

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

19 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
20 is authorized to be appropriated to carry out this section  
21 \$10,000,000 for each of fiscal years 2013 through 2017.

22 “(h) DEFINITIONS.—Except as otherwise provided in  
23 this section, the definitions in section 40002 of the Vio-  
24 lence Against Women Act of 1994 apply to this section.”.

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



1 (1) Chapter 11 of subtitle B of the Violence  
2 Against Women Act of 1994 (relating to research on  
3 effective interventions to address violence; 42 U.S.C.  
4 13973; as added by section 505 of Public Law 109–  
5 162 (119 Stat. 3028)).

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

8 **TITLE VI—SAFE HOMES FOR VIC-**  
9 **TIMS OF DOMESTIC VIO-**  
10 **LENCE, DATING VIOLENCE,**  
11 **SEXUAL ASSAULT, AND**  
12 **STALKING**

13 **SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMES-**  
14 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**  
15 **ASSAULT, AND STALKING.**

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

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

21 **“CHAPTER 1—GRANT PROGRAMS”;**

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

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

4 (4) by adding at the end the following:

5 **“CHAPTER 2—HOUSING RIGHTS**

6 **“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DO-**  
 7 **MESTIC VIOLENCE, DATING VIOLENCE, SEX-**  
 8 **UAL ASSAULT, AND STALKING.**

9 “(a) DEFINITIONS.—In this chapter:

10 “(1) AFFILIATED INDIVIDUAL.—The term ‘af-  
 11 filiated individual’ means, with respect to an indi-  
 12 vidual—

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

16 “(B) any individual, tenant, or lawful occu-  
 17 pant living in the household of that individual.

18 “(2) APPROPRIATE AGENCY.—The term ‘appro-  
 19 priate agency’ means, with respect to a covered  
 20 housing program, the Executive department (as de-  
 21 fined in section 101 of title 5, United States Code)  
 22 that carries out the covered housing program.

23 “(3) COVERED HOUSING PROGRAM.—The term  
 24 ‘covered housing program’ means—

1           “(A) the program under section 202 of the  
2           Housing Act of 1959 (12 U.S.C. 1701q);

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

6           “(C) the program under subtitle D of title  
7           VIII of the Cranston-Gonzalez National Afford-  
8           able Housing Act (42 U.S.C. 12901 et seq.);

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

12          “(E) the program under subtitle A of title  
13          II of the Cranston-Gonzalez National Afford-  
14          able Housing Act (42 U.S.C. 12741 et seq.);

15          “(F) the program under paragraph (3) of  
16          section 221(d) of the National Housing Act (12  
17          U.S.C. 1715l(d)) for insurance of mortgages  
18          that bear interest at a rate determined under  
19          the proviso under paragraph (5) of such section  
20          221(d);

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

23          “(H) the programs under sections 6 and 8  
24          of the United States Housing Act of 1937 (42  
25          U.S.C. 1437d and 1437f);

1           “(I) rural housing assistance provided  
2           under sections 514, 515, 516, 533, and 538 of  
3           the Housing Act of 1949 (42 U.S.C. 1484,  
4           1485, 1486, 1490m, and 1490p–2); and

5           “(J) the low-income housing tax credit  
6           program under section 42 of the Internal Rev-  
7           enue Code of 1986.

8           “(b) PROHIBITED BASIS FOR DENIAL OR TERMI-  
9           NATION OF ASSISTANCE OR EVICTION.—

10           “(1) IN GENERAL.—An applicant for or tenant  
11           of housing assisted under a covered housing program  
12           may not be denied admission to, denied assistance  
13           under, terminated from participation in, or evicted  
14           from the housing program or housing on the basis  
15           that the applicant or tenant is or has been a victim  
16           of domestic violence, dating violence, sexual assault,  
17           or stalking, if the applicant or tenant otherwise  
18           qualifies for admission, assistance, participation, or  
19           occupancy.

20           “(2) CONSTRUCTION OF LEASE TERMS.—An in-  
21           cident of actual or threatened domestic violence, dat-  
22           ing violence, sexual assault, or stalking shall not be  
23           construed as—

24           “(A) a serious or repeated violation of a  
25           lease for housing assisted under a covered hous-

1           ing program by the victim or threatened victim  
2           of such incident; or

3           “(B) good cause for terminating the assist-  
4           ance, tenancy, or occupancy rights to housing  
5           assisted under a covered housing program of  
6           the victim or threatened victim of such incident.

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

9           “(A) DENIAL OF ASSISTANCE, TENANCY,  
10          AND OCCUPANCY RIGHTS PROHIBITED.—No  
11          person may deny assistance, tenancy, or occu-  
12          pancy rights to housing assisted under a cov-  
13          ered housing program to a tenant solely on the  
14          basis of criminal activity directly relating to do-  
15          mestic violence, dating violence, sexual assault,  
16          or stalking that is engaged in by a member of  
17          the household of the tenant or any guest or  
18          other person under the control of the tenant, if  
19          the tenant or an affiliated individual of the ten-  
20          ant is the victim or threatened victim of such  
21          domestic violence, dating violence, sexual as-  
22          sault, or stalking.

23          “(B) BIFURCATION.—

24                 “(i) IN GENERAL.—Notwithstanding  
25                 subparagraph (A), a public housing agency

1 or owner or manager of housing assisted  
2 under a covered housing program may bi-  
3 furcate a lease for the housing in order to  
4 evict, remove, or terminate assistance to  
5 any individual who is a tenant or lawful oc-  
6 cupant of the housing and who engages in  
7 criminal activity directly relating to domes-  
8 tic violence, dating violence, sexual assault,  
9 or stalking against an affiliated individual  
10 or other individual, without evicting, re-  
11 moving, terminating assistance to, or oth-  
12 erwise penalizing a victim of such criminal  
13 activity who is also a tenant or lawful oc-  
14 cupant of the housing.

15 “(ii) EFFECT OF EVICTION ON OTHER  
16 TENANTS.—If a public housing agency or  
17 owner or manager of housing assisted  
18 under a covered housing program evicts,  
19 removes, or terminates assistance to an in-  
20 dividual under clause (i), and the indi-  
21 vidual is the sole tenant eligible to receive  
22 assistance under a covered housing pro-  
23 gram, the public housing agency or owner  
24 or manager of housing assisted under the  
25 covered housing program shall provide any

1 remaining tenant an opportunity to estab-  
2 lish eligibility for the covered housing pro-  
3 gram. If a tenant described in the pre-  
4 ceding sentence cannot establish eligibility,  
5 the public housing agency or owner or  
6 manager of the housing shall provide the  
7 tenant a reasonable time, as determined by  
8 the appropriate agency, to find new hous-  
9 ing or to establish eligibility for housing  
10 under another covered housing program.

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

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

19 “(I) the rights of access to or  
20 control of property, including civil  
21 protection orders issued to protect a  
22 victim of domestic violence, dating vio-  
23 lence, sexual assault, or stalking; or

1                   “(II) the distribution or posses-  
2                   sion of property among members of a  
3                   household in a case;

4                   “(ii) to limit any otherwise available  
5                   authority of a public housing agency or  
6                   owner or manager of housing assisted  
7                   under a covered housing program to evict  
8                   or terminate assistance to a tenant for any  
9                   violation of a lease not premised on the act  
10                  of violence in question against the tenant  
11                  or an affiliated person of the tenant, if the  
12                  public housing agency or owner or man-  
13                  ager does not subject an individual who is  
14                  or has been a victim of domestic violence,  
15                  dating violence, sexual assault, or stalking  
16                  to a more demanding standard than other  
17                  tenants in determining whether to evict or  
18                  terminate;

19                  “(iii) to limit the authority to termi-  
20                  nate assistance to a tenant or evict a ten-  
21                  ant from housing assisted under a covered  
22                  housing program if a public housing agen-  
23                  cy or owner or manager of the housing can  
24                  demonstrate that an actual and imminent  
25                  threat to other tenants or individuals em-



1           employed at or providing service to the prop-  
2           erty would be present if the assistance is  
3           not terminated or the tenant is not evicted;  
4           or

5           “(iv) to supersede any provision of  
6           any Federal, State, or local law that pro-  
7           vides greater protection than this section  
8           for victims of domestic violence, dating vio-  
9           lence, sexual assault, or stalking.

10          “(c) DOCUMENTATION.—

11           “(1) REQUEST FOR DOCUMENTATION.—If an  
12           applicant for, or tenant of, housing assisted under a  
13           covered housing program represents to a public  
14           housing agency or owner or manager of the housing  
15           that the individual is entitled to protection under  
16           subsection (b), the public housing agency or owner  
17           or manager may request, in writing, that the appli-  
18           cant or tenant submit to the public housing agency  
19           or owner or manager a form of documentation de-  
20           scribed in paragraph (3).

21           “(2) FAILURE TO PROVIDE CERTIFICATION.—

22           “(A) IN GENERAL.—If an applicant or ten-  
23           ant does not provide the documentation re-  
24           quested under paragraph (1) within 14 business  
25           days after the tenant receives a request in writ-

1           ing for such certification from a public housing  
2           agency or owner or manager of housing assisted  
3           under a covered housing program, nothing in  
4           this chapter may be construed to limit the au-  
5           thority of the public housing agency or owner or  
6           manager to—

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

9                   “(ii) deny assistance under the cov-  
10                  ered program to the applicant or tenant;

11                  “(iii) terminate the participation of  
12                  the applicant or tenant in the covered pro-  
13                  gram; or

14                  “(iv) evict the applicant, the tenant,  
15                  or a lawful occupant that commits viola-  
16                  tions of a lease.

17                  “(B) EXTENSION.—A public housing agen-  
18                  cy or owner or manager of housing may extend  
19                  the 14-day deadline under subparagraph (A) at  
20                  its discretion.

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

23                   “(A) a certification form approved by the  
24                   appropriate agency that—

1           “(i) states that an applicant or tenant  
2 is a victim of domestic violence, dating vio-  
3 lence, sexual assault, or stalking;

4           “(ii) states that the incident of domes-  
5 tic violence, dating violence, sexual assault,  
6 or stalking that is the ground for protec-  
7 tion under subsection (b) meets the re-  
8 quirements under subsection (b); and

9           “(iii) includes the name of the indi-  
10 vidual who committed the domestic vio-  
11 lence, dating violence, sexual assault, or  
12 stalking, if the name is known and safe to  
13 provide;

14           “(B) a document that—

15           “(i) is signed by—

16           “(I) an employee, agent, or vol-  
17 unteer of a victim service provider, an  
18 attorney, a medical professional, or a  
19 mental health professional from whom  
20 an applicant or tenant has sought as-  
21 sistance relating to domestic violence,  
22 dating violence, sexual assault, or  
23 stalking, or the effects of the abuse;  
24 and

25           “(II) the applicant or tenant; and

1           “(ii) states under penalty of perjury  
2           that the individual described in clause  
3           (i)(I) believes that the incident of domestic  
4           violence, dating violence, sexual assault, or  
5           stalking that is the ground for protection  
6           under subsection (b) meets the require-  
7           ments under subsection (b);

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

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

16          “(4) CONFIDENTIALITY.—Any information sub-  
17          mitted to a public housing agency or owner or man-  
18          ager under this subsection, including the fact that  
19          an individual is a victim of domestic violence, dating  
20          violence, sexual assault, or stalking shall be main-  
21          tained in confidence by the public housing agency or  
22          owner or manager and may not be entered into any  
23          shared database or disclosed to any other entity or  
24          individual, except to the extent that the disclosure  
25          is—

1           “(A) requested or consented to by the indi-  
2           vidual in writing;

3           “(B) required for use in an eviction pro-  
4           ceeding under subsection (b); or

5           “(C) otherwise required by applicable law.

6           “(5) DOCUMENTATION NOT REQUIRED.—Noth-  
7           ing in this subsection shall be construed to require  
8           a public housing agency or owner or manager of  
9           housing assisted under a covered housing program  
10          to request that an individual submit documentation  
11          of the status of the individual as a victim of domes-  
12          tic violence, dating violence, sexual assault, or stalk-  
13          ing.

14          “(6) COMPLIANCE NOT SUFFICIENT TO CON-  
15          STITUTE EVIDENCE OF UNREASONABLE ACT.—Com-  
16          pliance with subsection (b) by a public housing agen-  
17          cy or owner or manager of housing assisted under  
18          a covered housing program based on documentation  
19          received under this subsection, shall not be sufficient  
20          to constitute evidence of an unreasonable act or  
21          omission by the public housing agency or owner or  
22          manager or an employee or agent of the public hous-  
23          ing agency or owner or manager. Nothing in this  
24          paragraph shall be construed to limit the liability of  
25          a public housing agency or owner or manager of

1 housing assisted under a covered housing program  
2 for failure to comply with subsection (b).

3 “(7) RESPONSE TO CONFLICTING CERTIFI-  
4 CATION.—If a public housing agency or owner or  
5 manager of housing assisted under a covered hous-  
6 ing program receives documentation under this sub-  
7 section that contains conflicting information, the  
8 public housing agency or owner or manager may re-  
9 quire an applicant or tenant to submit third-party  
10 documentation, as described in subparagraph (B),  
11 (C), or (D) of paragraph (3).

12 “(8) PREEMPTION.—Nothing in this subsection  
13 shall be construed to supersede any provision of any  
14 Federal, State, or local law that provides greater  
15 protection than this subsection for victims of domes-  
16 tic violence, dating violence, sexual assault, or stalk-  
17 ing.

18 “(d) NOTIFICATION.—

19 “(1) DEVELOPMENT.—The Secretary of Hous-  
20 ing and Urban Development shall develop a notice of  
21 the rights of individuals under this section, including  
22 the right to confidentiality and the limits thereof,  
23 and include such notice in documents required by  
24 law to be provided to tenants assisted under a cov-  
25 ered housing program.

1           “(2) PROVISION.—The applicable public hous-  
2           ing agency or owner or manager of housing assisted  
3           under a covered housing program shall provide the  
4           notice developed under paragraph (1) to an appli-  
5           cant for or tenant of housing assisted under a cov-  
6           ered housing program—

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

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

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

19           “(e) EMERGENCY RELOCATION AND TRANSFERS.—  
20           Each appropriate agency shall develop a model emergency  
21           relocation and transfer plan for voluntary use by public  
22           housing agencies and owners or managers of housing as-  
23           sisted under a covered housing program that—

24                   “(1) allows tenants who are victims of domestic  
25                   violence, dating violence, sexual assault, or stalking

1 to relocate or transfer to another available and safe  
2 dwelling unit assisted under a covered housing pro-  
3 gram and retain their status as tenants under the  
4 covered housing program if—

5 “(A) the tenant expressly requests to  
6 move;

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

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

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

20 “(2) incorporates reasonable confidentiality  
21 measures to ensure that the public housing agency  
22 or owner or manager does not disclose the location  
23 of the dwelling unit of a tenant to a person that  
24 commits an act of domestic violence, dating violence,  
25 sexual assault, or stalking against the tenant;



1           “(3) describes how the appropriate agency will  
2           coordinate relocations or transfers between dwelling  
3           units assisted under a covered housing program;

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

6           “(5) is tailored to the specific type of the cov-  
7           ered housing program based on the volume and  
8           availability of dwelling units under the control or  
9           management of the public housing agency, owner, or  
10          manager; and

11          “(6) provides guidance for use in situations in  
12          which it is not feasible for an individual public hous-  
13          ing agency, owner, or manager to effectuate a trans-  
14          fer.

15          “(f) POLICIES AND PROCEDURES FOR EMERGENCY  
16          TRANSFER.—The Secretary of Housing and Urban Devel-  
17          opment shall establish policies and procedures under  
18          which a victim requesting an emergency transfer under  
19          subsection (e) may receive, subject to the availability of  
20          tenant protection vouchers for assistance under section  
21          8(o)(16) of the United States Housing Act of 1937 (42  
22          U.S.C. 1437f(o)(16)), assistance under such section.

23          “(g) IMPLEMENTATION.—The appropriate agency  
24          with respect to each covered housing program shall imple-

1 ment this section, as this section applies to the covered  
2 housing program.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) SECTION 6.—Section 6 of the United States  
5 Housing Act of 1937 (42 U.S.C. 1437d) is amend-  
6 ed—

7 (A) in subsection (c)—

8 (i) by striking paragraph (3); and

9 (ii) by redesignating paragraphs (4)  
10 and (5) as paragraphs (3) and (4), respec-  
11 tively;

12 (B) in subsection (l)—

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

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

19 (C) by striking subsection (u).

20 (2) SECTION 8.—Section 8 of the United States  
21 Housing Act of 1937 (42 U.S.C. 1437f) is amend-  
22 ed—

23 (A) in subsection (e), by striking para-  
24 graph (9);

25 (B) in subsection (d)(1)—

1 (i) in subparagraph (A), by striking  
2 “and that an applicant” and all that fol-  
3 lows through “assistance or admission”;  
4 and

5 (ii) in subparagraph (B)—

6 (I) in clause (ii), by striking “,  
7 and that an incident” and all that fol-  
8 lows through “victim of such vio-  
9 lence”; and

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

13 (C) in subsection (f)—

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

16 (ii) in paragraph (7), by striking the  
17 semicolon at the end and inserting a pe-  
18 riod; and

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

21 (D) in subsection (o)—

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

24 (ii) in paragraph (7)—

1 (I) in subparagraph (C), by strik-  
2 ing “and that an incident” and all  
3 that follows through “victim of such  
4 violence”; and

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

8 (iii) by striking paragraph (20); and

9 (E) by striking subsection (ee).

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

13 (A) to limit the rights or remedies avail-  
14 able to any person under section 6 or 8 of the  
15 United States Housing Act of 1937 (42 U.S.C.  
16 1437d and 1437f), as in effect on the day be-  
17 fore the date of enactment of this Act;

18 (B) to limit any right, remedy, or proce-  
19 dure otherwise available under any provision of  
20 part 5, 91, 880, 882, 883, 884, 886, 891, 903,  
21 960, 966, 982, or 983 of title 24, Code of Fed-  
22 eral Regulations, that—

23 (i) was issued under the Violence  
24 Against Women and Department of Jus-  
25 tice Reauthorization Act of 2005 (Public

1 Law 109–162; 119 Stat. 2960) or an  
2 amendment made by that Act; and

3 (ii) provides greater protection for vic-  
4 tims of domestic violence, dating violence,  
5 sexual assault, and stalking than this Act  
6 or the amendments made by this Act; or

7 (C) to disqualify an owner, manager, or  
8 other individual from participating in or receiv-  
9 ing the benefits of the low-income housing tax  
10 credit program under section 42 of the Internal  
11 Revenue Code of 1986 because of noncompli-  
12 ance with the provisions of this Act or the  
13 amendments made by this Act.

14 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**  
15 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**  
16 **ING VIOLENCE, SEXUAL ASSAULT, AND**  
17 **STALKING.**

18 Chapter 11 of subtitle B of the Violence Against  
19 Women Act of 1994 (42 U.S.C. 13975; as added by sec-  
20 tion 611 of Public Law 108–21 (117 Stat. 693)) is amend-  
21 ed—

22 (1) in the chapter heading, by striking  
23 **“CHILD VICTIMS OF DOMESTIC VIO-**  
24 **LENCE, STALKING, OR SEXUAL AS-**  
25 **SAULT”** and inserting **“VICTIMS OF DO-**

1       **MESTIC VIOLENCE, DATING VIO-**  
2       **LENCE, SEXUAL ASSAULT, OR STALK-**  
3       **ING**”; and

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

5               (A) in the header, by striking “**CHILD**  
6       **VICTIMS OF DOMESTIC VIOLENCE, STALK-**  
7       **ING, OR SEXUAL ASSAULT**” and inserting  
8       “**VICTIMS OF DOMESTIC VIOLENCE, DAT-**  
9       **ING VIOLENCE, SEXUAL ASSAULT, OR**  
10       **STALKING**”;

11              (B) in subsection (a)(1), by striking “flee-  
12       ing”;

13              (C) by striking subsection (f); and

14              (D) in subsection (g)—

15              (i) in paragraph (1), by striking  
16       “\$40,000,000 for each of the fiscal years  
17       2007 through 2011” and inserting  
18       “\$35,000,000 for each of fiscal years 2013  
19       through 2017”; and

20              (ii) in paragraph (3)—

21              (I) in subparagraph (A), by strik-  
22       ing “eligible” and inserting “quali-  
23       fied”; and

24              (II) by adding at the end the fol-  
25       lowing:

1           “(D) QUALIFIED APPLICATION DE-  
2           FINED.—In this paragraph, the term ‘qualified  
3           application’ means an application that—

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

6                   “(ii) does not propose any significant  
7           activities that may compromise victim safe-  
8           ty;

9                   “(iii) reflects an understanding of the  
10          dynamics of domestic violence, dating vio-  
11          lence, sexual assault, or stalking; and

12                   “(iv) does not propose prohibited ac-  
13          tivities, including mandatory services for  
14          victims, background checks of victims, or  
15          clinical evaluations to determine eligibility  
16          for services.”.

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

20           Subtitle N of the Violence Against Women Act of  
21 1994 (42 U.S.C. 14043e et seq.) is amended—

22                   (1) in section 41404(i) (42 U.S.C. 14043e-  
23           3(i)), by striking “\$10,000,000 for each of fiscal  
24           years 2007 through 2011” and inserting

1 “\$4,000,000 for each of fiscal years 2013 through  
2 2017”; and

3 (2) in section 41405(g) (42 U.S.C. 14043e–  
4 4(g)), by striking “\$10,000,000 for each of fiscal  
5 years 2007 through 2011” and inserting  
6 “\$4,000,000 for each of fiscal years 2013 through  
7 2017”.

## 8 **TITLE VII—ECONOMIC SECURITY** 9 **FOR VICTIMS OF VIOLENCE**

### 10 **SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE** 11 **RESPONSES TO ASSIST VICTIMS OF DOMES-** 12 **TIC AND SEXUAL VIOLENCE.**

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

## 17 **TITLE VIII—IMMIGRATION** 18 **PROVISIONS**

### 19 **SEC. 801. FRAUD PREVENTION INITIATIVES.**

20 (a) CREDIBLE EVIDENCE CONSIDERED.—Section  
21 240A(b)(2) of the Immigration and Nationality Act (8  
22 U.S.C. 1229b) is amended by striking subparagraph (D)  
23 and inserting the following:

24 “(D) CREDIBLE EVIDENCE CONSID-  
25 ERED.—In acting on applications under this



1 paragraph, the Attorney General shall consider  
2 any credible evidence relevant to the applica-  
3 tion, including credible evidence submitted by a  
4 national of the United States or an alien law-  
5 fully admitted for permanent residence accused  
6 of the conduct described in subparagraph (A)(i)  
7 so long as this evidence is not gathered in viola-  
8 tion of section 384 of the Illegal Immigration  
9 Reform and Immigrant Responsibility Act of  
10 1996.”.

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

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

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

21 “(bb) During the adjudication of each peti-  
22 tion under this paragraph, an investigative offi-  
23 cer from a local office of United States Citizen-  
24 ship and Immigration Services shall conduct an  
25 in-person interview of the alien who filed the

1 petition. The investigative officer may also  
2 gather other evidence so long as this evidence is  
3 not gathered in violation of section 384 of the  
4 Illegal Immigration Reform and Immigrant Re-  
5 sponsibility Act of 1996. The investigative offi-  
6 cer who conducted the in-person interview shall  
7 provide to the investigative officer who is re-  
8 sponsible for the adjudication and final deter-  
9 mination of eligibility a summary of the inter-  
10 view and any other evidence gathered and a de-  
11 termination of the credibility of the interviewee  
12 and other evidence gathered.

13 “(cc) All interviews under this clause shall  
14 be conducted under oath and subject to applica-  
15 ble penalties for perjury.

16 “(dd) The investigative officer who is re-  
17 sponsible for the adjudication and final deter-  
18 mination of eligibility shall determine whether  
19 the petitioner had filed previous applications or  
20 petitions for immigration benefits that had been  
21 denied and whether the petitioner had been the  
22 beneficiary of a previous petition filed pursuant  
23 to this section that had been denied. If either  
24 was the case, the investigative officer shall con-

1           sider the denials and the reasons for the denials  
2           as part of the adjudication of the petition.

3           “(ee) The investigative officer who is re-  
4           sponsible for the adjudication and final deter-  
5           mination of eligibility shall as part of the adju-  
6           dication of the petition consult with the inves-  
7           tigative officer at the local office of United  
8           States Citizenship and Immigration Services  
9           who had conducted the in-person interview of  
10          the alien who filed the petition.

11          “(ff) Upon the conclusion of the adjudica-  
12          tion process under this subparagraph, the inves-  
13          tigative officer who is responsible for the adju-  
14          dication and final determination of eligibility  
15          shall issue a final written determination to ap-  
16          prove or deny the petition. The investigative of-  
17          ficer shall not approve the petition unless the  
18          officer finds, in writing and with particularity,  
19          that all requirements under this paragraph, in-  
20          cluding proof that the alien is a victim of the  
21          conduct described in clause (iii)(I)(bb), have  
22          been proven by a preponderance of the evidence.

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

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

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

12          “(V)(aa) During the adjudication of a peti-  
13          tion under this paragraph, the investigative offi-  
14          cer who is responsible for the adjudication and  
15          final determination of eligibility shall determine  
16          whether any Federal, State, territorial, tribal,  
17          or local law enforcement agency has undertaken  
18          an investigation or prosecution of the abusive  
19          conduct alleged by the petitioning alien.

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

22                  “(AA) obtain as much information as  
23                  possible about the investigation or prosecu-  
24                  tion; and

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

3           “(cc) If an investigation or prosecution is  
4           pending, the adjudication of the petition shall  
5           be stayed pending the conclusion of the inves-  
6           tigation or prosecution. If no investigation has  
7           been undertaken or if a prosecutor’s office has  
8           not commenced a prosecution after the matter  
9           was referred to it, that fact shall be considered  
10          by the investigative officer as part of the adju-  
11          dication of the petition.

12          “(VI) If a petition filed under this para-  
13          graph is denied, any obligations under an un-  
14          derlying affidavit of support previously filed by  
15          the accused national of the United States or  
16          alien lawfully admitted for permanent residence  
17          shall be terminated.”;

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

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

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

1           (4) in subparagraph (B)(ii), by inserting after  
2       subclause (II) the following:

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

7           “(bb) During the adjudication of each peti-  
8       tion under this paragraph, an investigative offi-  
9       cer from a local office of United States Citizen-  
10      ship and Immigration Services shall conduct an  
11      in-person interview of the alien who filed the  
12      petition. The investigative officer may also  
13      gather other evidence so long as this evidence is  
14      not gathered in violation of section 384 of the  
15      Illegal Immigration Reform and Immigrant Re-  
16      sponsibility Act of 1996. The investigative offi-  
17      cer who conducted the in-person interview shall  
18      provide to the investigative officer who is re-  
19      sponsible for the adjudication and final deter-  
20      mination of eligibility a summary of the inter-  
21      view and any other evidence gathered and a de-  
22      termination of the credibility of the interviewee  
23      and other evidence gathered.

1           “(cc) All interviews under this clause shall  
2 be conducted under oath and subject to applica-  
3 ble penalties for perjury.

4           “(dd) The investigative officer who is re-  
5 sponsible for the adjudication and final deter-  
6 mination of eligibility shall determine whether  
7 the petitioner had filed previous applications or  
8 petitions for immigration benefits that had been  
9 denied and whether the petitioner had been the  
10 beneficiary of a previous petition filed pursuant  
11 to this section that had been denied. If either  
12 was the case, the investigative officer shall con-  
13 sider the denials and the reasons for the denials  
14 as part of the adjudication of the petition.

15           “(ee) The investigative officer who is re-  
16 sponsible for the adjudication and final deter-  
17 mination of eligibility shall as part of the adju-  
18 dication of the petition consult with the inves-  
19 tigative officer at the local office of United  
20 States Citizenship and Immigration Services  
21 who had conducted the in-person interview of  
22 the alien who filed the petition.

23           “(ff) Upon the conclusion of the adjudica-  
24 tion process under this subparagraph, the inves-  
25 tigative officer who is responsible for the adju-

1           dication and final determination of eligibility  
2           shall issue a final written determination to ap-  
3           prove or deny the petition. The investigative of-  
4           ficer shall not approve the petition unless the  
5           officer finds, in writing and with particularity,  
6           that all requirements under this paragraph, in-  
7           cluding proof that the alien is a victim of the  
8           conduct described in clause (ii)(I)(bb), have  
9           been proven by a preponderance of the evidence.

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

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

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

23           “(V)(aa) During the adjudication of a peti-  
24           tion under this clause, the investigative officer  
25           who is responsible for the adjudication and final



1 determination of eligibility shall determine  
2 whether any Federal, State, territorial, tribal,  
3 or local law enforcement agency has undertaken  
4 an investigation or prosecution of the abusive  
5 conduct alleged by the petitioning alien.

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

8 “(AA) obtain as much information as  
9 possible about the investigation or prosecu-  
10 tion; and

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

13 “(cc) If an investigation or prosecution is  
14 pending, the adjudication of the petition shall  
15 be stayed pending the conclusion of the inves-  
16 tigation or prosecution. If no investigation has  
17 been undertaken or if a prosecutor’s office has  
18 not commenced a prosecution after the matter  
19 was referred to it, that fact shall be considered  
20 by the investigative officer as part of the adju-  
21 dication of the petition.

22 “(VI) If a petition filed under this clause  
23 is denied, any obligations under an underlying  
24 affidavit of support previously filed by the ac-  
25 cused national of the United States or alien

1 lawfully admitted for permanent residence shall  
2 be terminated.”; and

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

7 **SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLI-**  
8 **CABLE TO U VISAS.**

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

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

13 “(A) IN GENERAL.—The petition”.

14 (2) By adding at the end the following:

15 “(B) CERTIFICATION REQUIREMENTS.—

16 Each certification submitted under subpara-  
17 graph (A) shall confirm under oath that—

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

21 “(ii) the petitioner has provided to law  
22 enforcement information that will assist in  
23 identifying the perpetrator of the criminal  
24 activity or the perpetrator’s identity is  
25 known.

1           “(C) REQUIREMENT FOR CERTIFI-  
2           CATION.—No application for a visa under sec-  
3           tion 101(a)(15)(U) may be granted unless ac-  
4           companied by the certification as described in  
5           this paragraph.”.

6 **SEC. 803. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A**  
7           **CITIZEN.**

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

10           (1) in subsection (d)—

11           (A) in paragraph (1), by striking “crime.”  
12           and inserting “crime described in paragraph  
13           (3)(B) and information on any permanent pro-  
14           tection or restraining order issued against the  
15           petitioner related to any specified crime de-  
16           scribed in paragraph (3)(B)(i).”; and

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

21           (2) in subsection (r)—

22           (A) in paragraph (1), by striking “crime.”  
23           and inserting “crime described in paragraph  
24           (5)(B) and information on any permanent pro-  
25           tection or restraining order issued against the

1 petitioner related to any specified crime de-  
2 scribed in subsection (5)(B)(i).”; and

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

7 (b) PROVISION OF INFORMATION TO K NON-  
8 IMMIGRANTS.—Section 833 of the International Marriage  
9 Broker Regulation Act of 2005 (8 U.S.C. 1375a) is  
10 amended in subsection (b)(1)(A), by striking “or” after  
11 “orders” and inserting “and”.

12 **SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE**  
13 **BROKERS.**

14 (a) IMPLEMENTATION OF THE INTERNATIONAL MAR-  
15 RIAGE BROKER ACT OF 2005.—Not later than 90 days  
16 after the date of the enactment of this Act, the Attorney  
17 General shall submit to Congress a report that includes  
18 the name of the component of the Department of Justice  
19 responsible for prosecuting violations of the International  
20 Marriage Broker Act of 2005 (subtitle D of Public Law  
21 109–162; 119 Stat. 3066) and the amendments made by  
22 this title.

23 (b) REGULATION OF INTERNATIONAL MARRIAGE  
24 BROKERS.—Section 833(d) of the International Marriage

1 Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is  
2 amended as follows:

3 (1) By amending paragraph (1) to read as fol-  
4 lows:

5 “(1) PROHIBITION ON MARKETING OF OR TO  
6 CHILDREN.—

7 “(A) IN GENERAL.—An international mar-  
8 riage broker shall not provide any individual or  
9 entity with personal contact information, photo-  
10 graph, or general information about the back-  
11 ground or interests of any individual under the  
12 age of 18.

13 “(B) COMPLIANCE.—To comply with the  
14 requirements of subparagraph (A), an inter-  
15 national marriage broker shall—

16 “(i) obtain a valid copy of each for-  
17 eign national client’s birth certificate or  
18 other proof of age document issued by an  
19 appropriate government entity;

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

23 “(iii) retain the original of such cer-  
24 tificate or document for 5 years after such  
25 date of receipt; and

1                   “(iv) produce such certificate or docu-  
2                   ment upon request to an appropriate au-  
3                   thority charged with the enforcement of  
4                   this paragraph.”.

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

8 **SEC. 805. GAO REPORT.**

9                   (a) REQUIREMENT FOR REPORT.—Not later than 1  
10 year after the date of the enactment of this Act, the Comp-  
11 troller General of the United States shall submit to the  
12 Committee on the Judiciary of the Senate and the Com-  
13 mittee on the Judiciary of the House of Representatives  
14 a report regarding the adjudication of petitions and appli-  
15 cations under section 101(a)(15)(U) of the Immigration  
16 and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the  
17 self-petitioning process for VAWA self-petitioners (as that  
18 term is defined in section 101(a)(51) of the Immigration  
19 and Nationality Act (8 U.S.C. 1101(a)(51)).

20                   (b) CONTENTS.—The report required by subsection  
21 (a) shall—

22                   (1) assess the efficiency and reliability of the  
23 process for reviewing such petitions and applications,  
24 including whether the process includes adequate  
25 safeguards against fraud and abuse; and

1           (2) identify possible improvements to the adju-  
2           dications of petitions and applications in order to re-  
3           duce fraud and abuse.

4 **SEC. 806. TEMPORARY NATURE OF U VISA STATUS.**

5           (a) IN GENERAL.—Section 245(m) of the Immigra-  
6           tion and Nationality Act (8 U.S.C. 1255(m)) is amended  
7           by striking “the alien is not described” and inserting “the  
8           individual who was convicted of the criminal activity re-  
9           ferred to in section 101(a)(15)(U)(i)(I) that was the basis  
10          for the alien being admitted into the United States (or  
11          otherwise provided nonimmigrant status) under section  
12          101(a)(15)(U) was himself or herself an alien and has  
13          been physically removed to the foreign state of which the  
14          alien with nonimmigrant status under section  
15          101(a)(15)(U) is a national, and if the alien with non-  
16          immigrant status under section 101(a)(15)(U) is not de-  
17          scribed”.

18          (b) DURATION OF NONIMMIGRANT STATUS.—Section  
19          214(p)(6) of such Act (8 U.S.C. 1184(p)(6)) is amended  
20          by striking “if the alien is eligible for relief under section  
21          245(m) and is unable to obtain such relief because regula-  
22          tions have not been issued to implement such section and  
23          shall be extended”.

24          (c) EFFECTIVE DATE.—The amendments made by  
25          this section shall apply to applications for adjustment of

1 status submitted on or after the date of the enactment  
2 of this Act, and to previously filed applications that are  
3 pending on the date of enactment of this Act.

4 **SEC. 807. ANNUAL REPORT ON IMMIGRATION APPLICA-**  
5 **TIONS MADE BY VICTIMS OF ABUSE.**

6 Not later than December 1, 2012, and annually  
7 thereafter, the Secretary of Homeland Security shall sub-  
8 mit to the Committee on the Judiciary of the Senate and  
9 the Committee on the Judiciary of the House of Rep-  
10 resentatives a report that includes the following:

11 (1) The number of aliens who—

12 (A) submitted an application for non-  
13 immigrant status under paragraph (15)(T)(i),  
14 (15)(U)(i), or (51) of section 101(a) of the Im-  
15 migration and Nationality Act (8 U.S.C.  
16 1101(a)) during the preceding fiscal year;

17 (B) were granted such nonimmigrant sta-  
18 tus during such fiscal year; or

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

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

24 (3) The mean amount of time and median  
25 amount of time between the receipt of an application



1 for such nonimmigrant status and the issuance of  
2 work authorization to an eligible applicant during  
3 the preceding fiscal year.

4 (4) The number of aliens granted continued  
5 presence in the United States under section  
6 107(c)(3) of the Trafficking Victims Protection Act  
7 of 2000 (22 U.S.C. 7105(c)(3)) during the pre-  
8 ceding fiscal year.

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

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

16 (7) Each type of criminal activity by reason of  
17 which an alien received nonimmigrant status under  
18 section 101(a)(15)(U) of the Immigration and Na-  
19 tionality Act (8 U.S.C. 1101(a)(15)(U)) during the  
20 preceding fiscal year and the number of occurrences  
21 of that criminal activity that resulted in such aliens  
22 receiving such status.

1 **SEC. 808. PROTECTION FOR CHILDREN OF VAWA SELF-PE-**  
2 **TITIONERS.**

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

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

7 (2) by redesignating subparagraph (F) as sub-  
8 paragraph (G); and

9 (3) by inserting after subparagraph (E) the fol-  
10 lowing:

11 “(F) a child of an alien who filed a pend-  
12 ing or approved petition for classification or ap-  
13 plication for adjustment of status or other ben-  
14 efit specified in section 101(a)(51) as a VAWA  
15 self-petitioner; or”.

16 **SEC. 809. PUBLIC CHARGE.**

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

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

23 “(i) is a VAWA self-petitioner;

24 “(ii) is an applicant for, or is granted,  
25 nonimmigrant status under section  
26 101(a)(15)(U); or

1                   “(iii) is a qualified alien described in  
2                   section 431(c) of the Personal Responsi-  
3                   bility and Work Opportunity Reconciliation  
4                   Act of 1996 (8 U.S.C. 1641(c)).”.

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

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

9                   “(7) AGE DETERMINATIONS.—

10                   “(A) CHILDREN.—An unmarried alien who  
11                   seeks to accompany, or follow to join, a parent  
12                   granted status under section 101(a)(15)(U)(i),  
13                   and who was under 21 years of age on the date  
14                   on which such parent petitioned for such status,  
15                   shall continue to be classified as a child for pur-  
16                   poses of section 101(a)(15)(U)(ii), if the alien  
17                   attains 21 years of age after such parent’s peti-  
18                   tion was filed but while it was pending.

19                   “(B) PRINCIPAL ALIENS.—An alien de-  
20                   scribed in clause (i) of section 101(a)(15)(U)  
21                   shall continue to be treated as an alien de-  
22                   scribed in clause (ii)(I) of such section if the  
23                   alien attains 21 years of age after the alien’s  
24                   application for status under such clause (i) is  
25                   filed but while it is pending.”.

1 **SEC. 811. HARDSHIP WAIVERS.**

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

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

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

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

10 (4) by inserting after subparagraph (C) the fol-  
11 lowing:

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

19 **SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL**  
20 **SECURITY PURPOSE.**

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

24 (1) in paragraph (1)—

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

4 (B) by inserting “Secretary’s or the” be-  
5 fore “Attorney General’s discretion”;

6 (2) in paragraph (2)—

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

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

12 (C) by inserting “in a manner that pro-  
13 tects the confidentiality of such information”  
14 after “law enforcement purpose”;

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

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

20 “(8) Notwithstanding subsection (a)(2), the  
21 Secretary of Homeland Security, the Secretary of  
22 State, or the Attorney General may provide in the  
23 discretion of either such Secretary or the Attorney  
24 General for the disclosure of information to national  
25 security officials to be used solely for a national se-

1 security purpose in a manner that protects the con-  
2 fidentiality of such information.”.

3 (b) GUIDELINES.—Subsection (d) (as added by sec-  
4 tion 817(4) of the Violence Against Women and Depart-  
5 ment of Justice Reauthorization Act of 2005) of section  
6 384 of the Illegal Immigration Reform and Immigrant Re-  
7 sponsibility Act of 1996 (8 U.S.C. 1367(d)) is amended  
8 by inserting “and severe forms of trafficking in persons  
9 or criminal activity listed in section 101(a)(15)(U) of the  
10 Immigration and Nationality Act (8 U.S.C.  
11 1101(a)(15)(u))” after “domestic violence”.

12 (c) IMPLEMENTATION.—Not later than 180 days  
13 after the date of enactment of this Act, the Attorney Gen-  
14 eral and Secretary of Homeland Security shall provide the  
15 guidance required by section 384(d) of the Illegal Immi-  
16 gration Reform and Immigrant Responsibility Act of 1996  
17 (8 U.S.C. 1367(d)), consistent with the amendments made  
18 by subsections (a) and (b).

19 (d) CLERICAL AMENDMENT.—Section 384(a)(1) of  
20 the Illegal Immigration Reform and Immigrant Responsi-  
21 bility Act of 1996 is amended by striking “241(a)(2)” in  
22 the matter following subparagraph (F) and inserting  
23 “237(a)(2)”.

1 **SEC. 813. GAO REPORT ON REQUIREMENTS TO COOPERATE**  
2 **WITH LAW ENFORCEMENT OFFICIALS.**

3 (a) REQUIREMENT FOR REPORT.—Not later than 3  
4 years after the date of enactment of this Act, the Comp-  
5 troller General of the United States shall submit a report  
6 to the Committee on the Judiciary of the Senate and the  
7 Committee on the Judiciary of the House of Representa-  
8 tives a report regarding the adjudication of petitions and  
9 applications under section 101(a)(15)(U) of the Immigra-  
10 tion and Nationality Act (8 U.S.C. 1101(a)(15)(U)).

11 (b) CONTENTS.—The report required by subsection  
12 (a) shall—

13 (1) assess the effectiveness of the requirements  
14 set out in Section 802 of this Act in ensuring that  
15 potential U visa recipients aid in the investigation,  
16 apprehension, and prosecution of criminals;

17 (2) determine the effect of the requirements set  
18 out in Section 802 of this Act, on the number of U  
19 visas issued annually; and

20 (3) determine the effect of the requirements set  
21 out in Section 802 of this Act, on the number of in-  
22 dividuals seeking U visas.

23 **SEC. 814. CONSIDERATION OF OTHER EVIDENCE.**

24 Section 237(a)(2)(E)(i) of the Immigration and Na-  
25 tionality Act (8 U.S.C. 1227(a)(2)(E)(i)) is amended by  
26 adding at the end the following: “If the conviction records

1 do not conclusively establish whether a crime of domestic  
2 violence constitutes a crime of violence (as defined in sec-  
3 tion 16 of title 18, United States Code), the Attorney Gen-  
4 eral may consider any other evidence that the Attorney  
5 General determines to be reliable in making this deter-  
6 mination, including sentencing reports and police re-  
7 ports.”.

8 **TITLE IX—SAFETY FOR INDIAN**  
9 **WOMEN**

10 **SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

11 Section 2015(a) of title I of the Omnibus Crime Con-  
12 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg-  
13 10(a)) is amended—

14 (1) in paragraph (2), by inserting “sex traf-  
15 ficking,” after “sexual assault,”;

16 (2) in paragraph (4), by inserting “sex traf-  
17 ficking,” after “sexual assault,”;

18 (3) in paragraph (5), by striking “and stalking”  
19 and all that follows and inserting “sexual assault,  
20 sex trafficking, and stalking,”;

21 (4) in paragraph (7)—

22 (A) by inserting “sex trafficking,” after  
23 “sexual assault,” each place it appears; and

24 (B) by striking “and” at the end;

25 (5) in paragraph (8)—



1 (A) by inserting “sex trafficking,” after  
2 “stalking,”; and

3 (B) by striking the period at the end and  
4 inserting a semicolon; and

5 (6) by adding at the end the following:

6 “(9) provide services to address the needs of  
7 youth who are victims of domestic violence, dating  
8 violence, sexual assault, sex trafficking, or stalking  
9 and the needs of children exposed to domestic vio-  
10 lence, dating violence, sexual assault, or stalking, in-  
11 cluding support for the nonabusing parent or the  
12 caretaker of the child; and

13 “(10) develop and promote legislation and poli-  
14 cies that enhance best practices for responding to  
15 violent crimes against Indian women, including the  
16 crimes of domestic violence, dating violence, sexual  
17 assault, sex trafficking, and stalking.”.

18 **SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.**

19 Section 2001(d) of title I of the Omnibus Crime Con-  
20 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d))  
21 is amended—

22 (1) in paragraph (1)—

23 (A) in subparagraph (B), by striking  
24 “and” at the end;

1 (B) in subparagraph (C), by striking the  
2 period at the end and inserting “; and”;

3 (C) by adding at the end the following:

4 “(D) developing and promoting State,  
5 local, or tribal legislation and policies that en-  
6 hance best practices for responding to violent  
7 crimes against Indian women, including the  
8 crimes of domestic violence, dating violence,  
9 sexual assault, stalking, and sex trafficking.”;  
10 and

11 (2) in paragraph (2)(B), by striking “individ-  
12 uals or”.

13 **SEC. 903. CONSULTATION.**

14 Section 903 of the Violence Against Women and De-  
15 partment of Justice Reauthorization Act of 2005 (42  
16 U.S.C. 14045d) is amended—

17 (1) in subsection (a)—

18 (A) by striking “and the Violence Against  
19 Women Act of 2000” and inserting “, the Vio-  
20 lence Against Women Act of 2000”; and

21 (B) by inserting “, and the Violence  
22 Against Women Reauthorization Act of 2012”  
23 before the period at the end;

24 (2) in subsection (b)—

1 (A) in the matter preceding paragraph (1),  
2 by striking “Secretary of the Department of  
3 Health and Human Services” and inserting  
4 “Secretary of Health and Human Services, the  
5 Secretary of the Interior,”; and

6 (B) in paragraph (2), by striking “and  
7 stalking” and inserting “stalking, and sex traf-  
8 ficking”; and

9 (3) by adding at the end the following:

10 “(c) ANNUAL REPORT.—The Attorney General shall  
11 submit to Congress an annual report on the annual con-  
12 sultations required under subsection (a) that—

13 “(1) contains the recommendations made under  
14 subsection (b) by Indian tribes during the year cov-  
15 ered by the report;

16 “(2) describes actions taken during the year  
17 covered by the report to respond to recommenda-  
18 tions made under subsection (b) during the year or  
19 a previous year; and

20 “(3) describes how the Attorney General will  
21 work in coordination and collaboration with Indian  
22 tribes, the Secretary of Health and Human Services,  
23 and the Secretary of the Interior to address the rec-  
24 ommendations made under subsection (b).

1 “(d) NOTICE.—Not later than 120 days before the  
2 date of a consultation under subsection (a), the Attorney  
3 General shall notify tribal leaders of the date, time, and  
4 location of the consultation.”.

5 **SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**  
6 **INDIAN WOMEN.**

7 (a) IN GENERAL.—Section 904(a) of the Violence  
8 Against Women and Department of Justice Reauthoriza-  
9 tion Act of 2005 (42 U.S.C. 3796gg–10 note) is amend-  
10 ed—

11 (1) in paragraph (1)—

12 (A) by striking “The National” and insert-  
13 ing “Not later than 2 years after the date of  
14 enactment of the Violence Against Women Re-  
15 authorization Act of 2012, the National”; and

16 (B) by inserting “and in Native villages  
17 (as defined in section 3 of the Alaska Native  
18 Claims Settlement Act (43 U.S.C. 1602))” be-  
19 fore the period at the end;

20 (2) in paragraph (2)(A)—

21 (A) in clause (iv), by striking “and” at the  
22 end;

23 (B) in clause (v), by striking the period at  
24 the end and inserting “; and”; and

25 (C) by adding at the end the following:

1 “(vi) sex trafficking.”;

2 (3) in paragraph (4), by striking “this Act” and  
3 inserting “the Violence Against Women Reauthoriza-  
4 tion Act of 2012”; and

5 (4) in paragraph (5), by striking “this section  
6 \$1,000,000 for each of fiscal years 2007 and 2008”  
7 and inserting “this subsection \$1,000,000 for each  
8 of fiscal years 2013 and 2014”.

9 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
10 905(b)(2) of the Violence Against Women and Depart-  
11 ment of Justice Reauthorization Act of 2005 (28 U.S.C.  
12 534 note) is amended by striking “fiscal years 2007  
13 through 2011” and inserting “fiscal years 2013 through  
14 2017”.

15 **SEC. 905. ASSISTANT UNITED STATES ATTORNEY DOMES-**  
16 **TRIC VIOLENCE TRIBAL LIAISONS.**

17 (a) APPOINTMENT.—The Attorney General is author-  
18 ized and encouraged to appoint the Assistant United  
19 States Attorney Tribal Liaison appointed in each judicial  
20 district that includes Indian country to also serve as a do-  
21 mestic violence tribal liaison.

22 (b) DUTIES.—The duties of a domestic violence tribal  
23 liaison appointed under this section shall include the fol-  
24 lowing:

1           (1) Encouraging and assisting in arrests and  
2 Federal prosecution for crimes, including mis-  
3 demeanor crimes, of domestic violence, dating vio-  
4 lence, sexual assault, and stalking that occur in In-  
5 dian country.

6           (2) Conducting training sessions for tribal law  
7 enforcement officers and other individuals and enti-  
8 ties responsible for responding to crimes in Indian  
9 country to ensure that such officers, individuals, and  
10 entities understand their arrest authority over non-  
11 Indian offenders.

12           (3) Developing multidisciplinary teams to com-  
13 bat domestic and sexual violence offenses against In-  
14 dians by non-Indians.

15           (4) Consulting and coordinating with tribal jus-  
16 tice officials and victims' advocates to address any  
17 backlog in the prosecution of crimes, including mis-  
18 demeanor crimes, of domestic violence, dating vio-  
19 lence, sexual assault, and stalking that occur in In-  
20 dian country.

21           (5) Developing working relationships and main-  
22 taining communication with tribal leaders, tribal  
23 community and victims' advocates, and tribal justice  
24 officials to gather information from, and share ap-  
25 propriate information with, tribal justice officials.

1 (c) INDIAN COUNTRY.—In this section, the term “In-  
2 dian country” has the meaning given such term in section  
3 1151 of title 18.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
5 are authorized to be appropriated such sums as may be  
6 necessary to carry out this section.

## 7 **TITLE X—CRIMINAL PROVISIONS**

### 8 **SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL** 9 **ABUSE.**

10 (a) SEXUAL ABUSE OF A MINOR OR WARD.—Section  
11 2243(b) of title 18, United States Code, is amended to  
12 read as follows:

13 “(b) OF A WARD.—

14 “(1) OFFENSES.—It shall be unlawful for any  
15 person to knowingly engage, or knowingly attempt to  
16 engage, in a sexual act with another person who is—

17 “(A) in official detention or supervised by,  
18 or otherwise under the control of, the United  
19 States—

20 “(i) during arrest;

21 “(ii) during pretrial release;

22 “(iii) while in official detention or cus-  
23 tody; or

24 “(iv) while on probation, supervised  
25 release, or parole;

1           “(B) under the professional custodial, su-  
2           pervisory, or disciplinary control or authority of  
3           the person engaging or attempting to engage in  
4           the sexual act; and

5           “(C) at the time of the sexual act—

6                   “(i) in the special maritime and terri-  
7                   torial jurisdiction of the United States;

8                   “(ii) in a Federal prison, or in any  
9                   prison, institution, or facility in which per-  
10                  sons are held in custody by direction of, or  
11                  pursuant to a contract or agreement with,  
12                  the United States; or

13                  “(iii) under supervision or other con-  
14                  trol by the United States, or by direction  
15                  of, or pursuant to a contract or agreement  
16                  with, the United States.

17           “(2) PENALTIES.—Whoever violates paragraph  
18           (1)(A) shall—

19                   “(A) be fined under this title, imprisoned  
20                   for not more than 15 years, or both; and

21                   “(B) if, in the course of committing the  
22                   violation of paragraph (1), the person engages  
23                   in conduct that would constitute an offense  
24                   under section 2241 or 2242 if committed in the  
25                   special maritime and territorial jurisdiction of



1 the United States, be subject to the penalties  
2 provided for under section 2241 or 2242, re-  
3 spectively.”.

4 (b) PENALTIES FOR SEXUAL ABUSE.—

5 (1) IN GENERAL.—Chapter 13 of title 18,  
6 United States Code, is amended by adding at the  
7 end the following:

8 **“§ 250. Penalties for sexual abuse**

9 “(a) OFFENSE.—It shall be unlawful for any person,  
10 in the course of committing an offense under this chapter  
11 or under section 901 of the Fair Housing Act (42 U.S.C.  
12 3631) to engage in conduct that would constitute an of-  
13 fense under chapter 109A if committed in the special mar-  
14 itime and territorial jurisdiction of the United States.

15 “(b) PENALTIES.—A person that violates subsection  
16 (a) shall be subject to the penalties under the provision  
17 of chapter 109A that would have been violated if the con-  
18 duct was committed in the special maritime and territorial  
19 jurisdiction of the United States, unless a greater penalty  
20 is otherwise authorized by law.”.

21 (2) CLERICAL AMENDMENT.—The table of sec-  
22 tions for chapter 13 of title 18, United States Code,  
23 is amended by adding at the end the following:

“250. Penalties for sexual abuse.”.

1 **SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.**

2 (a) SUITS BY PRISONERS.—Section 7(e) of the Civil  
3 Rights of Institutionalized Persons Act (42 U.S.C.  
4 1997e(e)) is amended by inserting before the period at the  
5 end the following: “or the commission of a sexual act (as  
6 defined in section 2246 of title 18, United States Code)”.

7 (b) UNITED STATES AS DEFENDANT.—Section  
8 1346(b)(2) of title 28, United States Code, is amended  
9 by inserting before the period at the end the following:  
10 “or the commission of a sexual act (as defined in section  
11 2246 of title 18)”.

12 (c) ADOPTION AND EFFECT OF NATIONAL STAND-  
13 ARDS.—Section 8 of the Prison Rape Elimination Act of  
14 2003 (42 U.S.C. 15607) is amended—

15 (1) by redesignating subsection (c) as sub-  
16 section (e); and

17 (2) by inserting after subsection (b) the fol-  
18 lowing:

19 “(c) APPLICABILITY TO DETENTION FACILITIES OP-  
20 ERATED BY THE DEPARTMENT OF HOMELAND SECU-  
21 RITY.—

22 “(1) IN GENERAL.—Not later than 180 days  
23 after the date of enactment of the Violence Against  
24 Women Reauthorization Act of 2012, the Secretary  
25 of Homeland Security shall publish a final rule  
26 adopting national standards for the detection, pre-

1       vention, reduction, and punishment of rape and sex-  
2       ual assault in facilities that maintain custody of  
3       aliens detained for a violation of the immigrations  
4       laws of the United States.

5           “(2) APPLICABILITY.—The standards adopted  
6       under paragraph (1) shall apply to detention facili-  
7       ties operated by the Department of Homeland Secu-  
8       rity and to detention facilities operated under con-  
9       tract with, or pursuant to an intergovernmental  
10      service agreement with, the Department.

11          “(3) COMPLIANCE.—The Secretary of Home-  
12      land Security shall—

13           “(A) assess compliance with the standards  
14      adopted under paragraph (1) on a regular  
15      basis; and

16           “(B) include the results of the assessments  
17      in performance evaluations of facilities com-  
18      pleted by the Department of Homeland Secu-  
19      rity.

20          “(4) CONSIDERATIONS.—In adopting standards  
21      under paragraph (1), the Secretary of Homeland Se-  
22      curity shall give due consideration to the rec-  
23      ommended national standards provided by the Com-  
24      mission under section 7(e).

1       “(d) APPLICABILITY TO CUSTODIAL FACILITIES OP-  
2 ERATED BY THE DEPARTMENT OF HEALTH AND HUMAN  
3 SERVICES.—

4           “(1) IN GENERAL.—Not later than 180 days  
5 after the date of enactment of the Violence Against  
6 Women Reauthorization Act of 2012, the Secretary  
7 of Health and Human Services shall publish a final  
8 rule adopting national standards for the detection,  
9 prevention, reduction, and punishment of rape and  
10 sexual assault in facilities that maintain custody of  
11 unaccompanied alien children (as defined in section  
12 462(g) of the Homeland Security Act of 2002 (6  
13 U.S.C. 279(g))).

14           “(2) APPLICABILITY.—The standards adopted  
15 under paragraph (1) shall apply to facilities operated  
16 by the Department of Health and Human Services  
17 and to facilities operated under contract with the  
18 Department.

19           “(3) COMPLIANCE.—The Secretary of Health  
20 and Human Services shall—

21           “(A) assess compliance with the standards  
22 adopted under paragraph (1) on a regular  
23 basis; and

24           “(B) include the results of the assessments  
25 in performance evaluations of facilities com-



1 a member of their immediate family (as defined in  
2 section 115), or their spouse or intimate partner; or

3 “(2) causes or attempts to cause serious bodily  
4 injury or serious emotional distress to such person,  
5 a member of their immediate family (as defined in  
6 section 115), or their spouse or intimate partner;

7 shall be punished as provided in subsection (b).

8 “(b) The punishment for an offense under this sec-  
9 tion is the same as that for an offense under section 2261,  
10 except that if—

11 “(1) the offense involves conduct in violation of  
12 a protection order; or

13 “(2) the victim of the offense is under the age  
14 of 18 years or over the age of 65 years, the offender  
15 has reached the age of 18 years at the time the of-  
16 fense was committed, and the offender knew or  
17 should have known that the victim was under the  
18 age of 18 years or over the age of 65 years;

19 the maximum term of imprisonment that may be imposed  
20 is increased by 5 years over the term of imprisonment oth-  
21 erwise provided for that offense in section 2261.”.

22 (b) CLERICAL AMENDMENT.—The item relating to  
23 section 2261A in the table of sections at the beginning  
24 of chapter 110A of title 18, United States Code, is amend-  
25 ed to read as follows:

“2261A. Stalking.”.

1 **SEC. 1004. AMENDMENTS TO THE FEDERAL ASSAULT STAT-**  
2 **UTE.**

3 (a) IN GENERAL.—Section 113 of title 18, United  
4 States Code, is amended—

5 (1) in subsection (a)—

6 (A) by striking paragraph (1) and insert-  
7 ing the following:

8 “(1) Assault with intent to commit murder or  
9 a violation of section 2241 or 2242, by a fine under  
10 this title, imprisonment for not more than 20 years,  
11 or both.”;

12 (B) in paragraph (2), by striking “felony  
13 under chapter 109A” and inserting “violation  
14 of section 2241 or 2242”;

15 (C) in paragraph (3), by striking “and  
16 without just cause or excuse,”;

17 (D) in paragraph (4), by striking “six  
18 months” and inserting “1 year”;

19 (E) in paragraph (5), by striking “1 year”  
20 and inserting “5 years”;

21 (F) in paragraph (7)—

22 (i) by striking “substantial bodily in-  
23 jury to an individual who has not attained  
24 the age of 16 years” and inserting “sub-  
25 stantial bodily injury to a spouse or inti-  
26 mate partner, a dating partner, or an indi-

1           vidual who has not attained the age of 16  
2           years”; and

3                   (ii) by striking “fine” and inserting  
4           “a fine”; and

5           (G) by adding at the end the following:

6           “(8) Assault of a spouse, intimate partner, or  
7           dating partner by strangling, suffocating, or at-  
8           tempting to strangle or suffocate, by a fine under  
9           this title, imprisonment for not more than 10 years,  
10          or both.”; and

11          (2) in subsection (b)—

12                   (A) by striking “(b) As used in this sub-  
13           section—” and inserting the following:

14          “(b) In this section—”;

15                   (B) in paragraph (1)(B), by striking  
16           “and” at the end;

17                   (C) in paragraph (2), by striking the pe-  
18           riod at the end and inserting a semicolon; and

19                   (D) by adding at the end the following:

20          “(3) the terms ‘dating partner’ and ‘spouse or  
21           intimate partner’ have the meanings given those  
22           terms in section 2266;

23                   “(4) the term ‘strangling’ means knowingly or  
24           recklessly impeding the normal breathing or circula-  
25           tion of the blood of a person by applying pressure



1 to the throat or neck, regardless of whether that  
2 conduct results in any visible injury or whether there  
3 is any intent to kill or protractedly injure the victim;  
4 and

5 “(5) the term ‘suffocating’ means knowingly or  
6 recklessly impeding the normal breathing of a person  
7 by covering the mouth of the person, the nose of the  
8 person, or both, regardless of whether that conduct  
9 results in any visible injury or whether there is any  
10 intent to kill or protractedly injure the victim.”.

11 (b) INDIAN MAJOR CRIMES.—Section 1153(a) of title  
12 18, United States Code, is amended by striking “assault  
13 with intent to commit murder, assault with a dangerous  
14 weapon, assault resulting in serious bodily injury (as de-  
15 fined in section 1365 of this title)” and inserting “a felony  
16 assault under section 113”.

17 **SEC. 1005. MANDATORY MINIMUM SENTENCE.**

18 Section 2241 of title 18, United States Code, is  
19 amended—

20 (1) in subsection (a), in the undesignated mat-  
21 ter following paragraph (2), by striking “any term  
22 of years or life” and inserting “not less than 10  
23 years or imprisoned for life”; and

24 (2) in subsection (b), in the undesignated mat-  
25 ter following paragraph (2), by striking “any term

1 of years or life” and inserting “not less than 5 years  
2 or imprisoned for life”.

3 **SEC. 1006. FEDERAL PROTECTION ORDERS.**

4 (a) FEDERAL PROTECTION ORDERS.—Chapter 110A  
5 of title 18, United States Code, is amended by inserting  
6 after section 2262 the following:

7 **“§ 2262A. Federal domestic violence protection orders  
8 involving Indians and Indian country**

9 “(a) PETITION FOR PROTECTION ORDER.—

10 “(1) IN GENERAL.—A victim of an act of do-  
11 mestic violence, or an Indian tribe as *parens patriae*  
12 on behalf of the victim of an act of domestic vio-  
13 lence, may petition a district court of the United  
14 States to issue a protection order against the person  
15 (whether an Indian or a non-Indian) who is alleged  
16 to have committed the act of domestic violence if—

17 “(A) the victim is an Indian or a minor  
18 who resides with or is in the care and custody  
19 of an Indian;

20 “(B) the victim resides or is employed at  
21 a place located in the Indian country of the In-  
22 dian tribe that files the petition; and

23 “(C) the person against whom the order is  
24 sought is alleged to have committed an act of  
25 domestic violence in the Indian country.

1           “(2) CONTENTS OF PETITION.—A petition filed  
2 under this section shall contain—

3           “(A) the facts that meet the requirements  
4 under paragraph (1);

5           “(B) the name of each victim on whose be-  
6 half the protection order is sought;

7           “(C) the name and, if known, the residen-  
8 tial address of the person against whom the  
9 order is sought;

10           “(D) a detailed description of the alleged  
11 act of domestic violence, including the date or  
12 approximate date and the location of the act of  
13 domestic violence; and

14           “(E) the relief sought.

15           “(3) ISSUANCE OF PROTECTION ORDER.—The  
16 court may issue a protection order in accordance  
17 with this section and subsections (b) and (c) of sec-  
18 tion 2265 and Rule 65(d)(1) of the Federal Rules  
19 of Civil Procedure if the court finds that such order  
20 is reasonably necessary to provide protection against  
21 violence, threats, or harassment against, contact or  
22 communication with, or physical proximity to—

23           “(A) a spouse or intimate partner who re-  
24 sides or is employed at a location in the Indian

1 country of the Indian tribe involved in the pro-  
2 ceeding; or

3 “(B) a minor who resides with or is in the  
4 care or custody of a spouse or intimate partner  
5 who resides or is employed at a location in the  
6 Indian country.

7 “(4) SCOPE OF PROTECTION ORDERS.—Any  
8 protection order under this section may—

9 “(A) prohibit the person against whom the  
10 order is sought from—

11 “(i) threatening to commit or commit-  
12 ting an act of domestic violence against or  
13 otherwise harassing the spouse or intimate  
14 partner or minor who resides with or is in  
15 the care or custody of the spouse or inti-  
16 mate partner;

17 “(ii) communicating, directly or indi-  
18 rectly, with the spouse or intimate partner  
19 or minor who resides with or is in the care  
20 or custody of the spouse or intimate part-  
21 ner; and

22 “(iii) knowingly coming within a spec-  
23 ified distance from the spouse or intimate  
24 partner or minor who resides with or is in

1           the care or custody of the spouse or inti-  
2           mate partner;

3           “(B) direct the person against whom the  
4           order is sought to stay away from the residence,  
5           school, or place of employment of the spouse or  
6           intimate partner, or any other specified place  
7           frequented by the spouse or intimate partner,  
8           regardless of whether the residence, school,  
9           place of employment, or other specified place is  
10          located in Indian country; and

11          “(C) exclude or bar the person against  
12          whom the order is sought from the Indian coun-  
13          try of the Indian tribe involved in the pro-  
14          ceeding or any portion or area of that Indian  
15          country.

16          “(5) EMERGENCY EX PARTE ORDERS.—If a pe-  
17          tition requests an emergency ex-parte protection  
18          order and from the facts alleged in the petition there  
19          appears to be a danger of a further, imminent act  
20          of domestic violence against a victim, the court may  
21          grant an emergency ex-parte protection order  
22          against the person against whom the order is sought  
23          in accordance with the requirements of section  
24          2265(b)(2).

1           “(6) DURATION OF PROTECTION ORDER.—A  
2 protection order under this section may be perma-  
3 nent or of such other shorter duration as the court  
4 determines necessary to protect a victim from a fur-  
5 ther act of domestic violence by the person against  
6 whom the order is sought.

7           “(b) VIOLATION OF PROTECTION ORDER.—A person  
8 who intentionally violates a protection order under this  
9 section shall be punished as provided in section 2262(b).”.

10          (b) VIOLATION OF FEDERAL PROTECTION ORDER.—  
11 Section 2262(b) of title 18, United States Code, is amend-  
12 ed in the matter preceding paragraph (1), by striking  
13 “this section” and inserting “this section or a protection  
14 order issued under section 2262A”.

15          (c) DEFINITIONS.—Section 2266 of title 18, United  
16 States Code, is amended by inserting after paragraph (10)  
17 the following:

18           “(11) ACT OF DOMESTIC VIOLENCE.—The term  
19 ‘act of domestic violence’ means an act or attempted  
20 act of violence or stalking, or a threatened act of vi-  
21 olence, by a person against a spouse or intimate  
22 partner, or a minor residing with or in the care or  
23 custody of the spouse or intimate partner.

24           “(12) INDIAN.—The term ‘Indian’ means a per-  
25 son who is a member of any Indian tribe, regardless

1 of whether that Indian tribe is the plaintiff Indian  
2 tribe under section 2262A.

3 “(13) INDIAN TRIBE.—The term ‘Indian tribe’  
4 has the meaning given the term in section 102 of the  
5 Federally Recognized Indian Tribe List Act of 1994  
6 (25 U.S.C. 479a).

7 “(14) MINOR.—The term ‘minor’ means a per-  
8 son under the age of 18 years.”.

9 (d) TECHNICAL AND CONFORMING AMENDMENT.—  
10 The table of sections for chapter 110A of title 18, United  
11 States Code, is amended by inserting after the item relat-  
12 ing to section 2262 the following:

“2262A. Federal domestic violence protection orders involving Indians and In-  
dian country.”.

Passed the House of Representatives May 16, 2012.

Attest:

*Clerk.*

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4970**

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**AN ACT**

To reauthorize the Violence Against Women Act of  
1994.