

112TH CONGRESS
2^D SESSION

H. R. 4970

To reauthorize the Violence Against Women Act of 1994.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

Mrs. ADAMS (for herself, Mrs. NOEM, Mrs. BLACKBURN, Mrs. BONO MACK, Mrs. McMORRIS RODGERS, Mrs. CAPITO, Ms. FOXX, Ms. BUERKLE, Mrs. ELLMERS, Ms. JENKINS, Mrs. EMERSON, Mrs. BLACK, Mrs. MYRICK, Mrs. SCHMIDT, Ms. GRANGER, Mrs. MILLER of Michigan, Mrs. LUMMIS, Mrs. HARTZLER, Mrs. ROBY, Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. MCCARTHY of California, Mr. GOWDY, Mr. ROSS of Florida, Mr. LATHAM, Mr. JOHNSON of Ohio, Mr. WEST, Mr. MILLER of Florida, Mr. NUGENT, Mr. AMODEI, Mr. BARLETTA, Mr. KELLY, Mr. WEBSTER, Mr. STIVERS, Mr. RENACCI, and Mr. DANIEL E. LUNGREN of California) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

1 SEC. 2. TABLE OF CONTENTS.

2 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.

**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. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

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 RE-
SPONSE 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.

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.

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.

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—

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

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

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

10 (4) by amending paragraph (16) to read as fol-
11 lows:

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

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

17 “(i) family, tribal, territorial, immi-
18 gration, employment, administrative agen-
19 cy, housing matters, campus administrative
20 or protection or stay away order pro-
21 ceedings, and other similar matters; and

22 “(ii) criminal justice investigations,
23 prosecutions and post-trial matters (includ-
24 ing sentencing, parole, and probation) that
25 impact the victim’s safety and privacy; and

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

9 (A) in subparagraph (B), by striking the
10 period after “privacy” and inserting a comma.

11 (5) by amending paragraph (18) to read as fol-
12 lows:

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

23 “(A) a first and last name;

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

1 “(C) contact information (including a post-
2 al, e-mail or Internet protocol address, or tele-
3 phone or facsimile number);

4 “(D) a social security number, driver li-
5 cense number, passport number, or student
6 identification number; and

7 “(E) any other information, including date
8 of birth, racial or ethnic background, or reli-
9 gious affiliation, that would serve to identify
10 any individual.”;

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

13 (7) in paragraph (21)—

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

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

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

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

21 (8) in paragraph (22)—

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

24 (B) by striking “150,000” and inserting
25 “250,000”;

1 (9) by amending paragraph (23) to read as fol-
2 lows:

3 “(23) SEXUAL ASSAULT.—The term ‘sexual as-
4 sault’ means any nonconsensual sexual act pro-
5 scribed by Federal, tribal, or State law, including
6 when the victim lacks capacity to consent.”;

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

9 “(33) UNDERSERVED POPULATIONS.—The
10 term ‘underserved populations’ means populations
11 who face barriers to accessing and using victim serv-
12 ices, and includes populations underserved because
13 of geographic location, underserved racial and ethnic
14 populations, populations underserved because of spe-
15 cial needs (such as language barriers, disabilities,
16 alienage status, or age), and any other population
17 determined to be underserved by the Attorney Gen-
18 eral or the Secretary of Health and Human Services,
19 as appropriate.”;

20 (11) by amending paragraph (37) to read as
21 follows:

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

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

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

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

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

13 “(41) CULTURALLY SPECIFIC SERVICES.—The
14 term ‘culturally specific services’ means community-
15 based services and resources that are culturally rel-
16 evant and linguistically specific to culturally specific
17 communities.

18 “(42) HOMELESS, HOMELESS INDIVIDUAL,
19 HOMELESS PERSON.—The terms ‘homeless’, ‘home-
20 less individual’, and ‘homeless person’—

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

23 “(B) includes—

24 “(i) an individual who—

1 “(I) is sharing the housing of
2 other persons due to loss of housing,
3 economic hardship, or a similar rea-
4 son;

5 “(II) is living in a motel, hotel,
6 trailer park, or campground due to
7 the lack of alternative adequate ac-
8 commodations;

9 “(III) is living in an emergency
10 or transitional shelter;

11 “(IV) is abandoned in a hospital;
12 or

13 “(V) is awaiting foster care
14 placement;

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

20 “(iii) migratory children (as defined in
21 section 1309 of the Elementary and Sec-
22 ondary Education Act of 1965; 20 U.S.C.
23 6399) who qualify as homeless under this
24 section because the children are living in
25 circumstances described in this paragraph.

1 “(43) POPULATION SPECIFIC ORGANIZATION.—

2 The term ‘population specific organization’ means a
3 nonprofit, nongovernmental organization that pri-
4 marily serves members of a specific underserved
5 population and has demonstrated experience and ex-
6 pertise providing targeted services to members of
7 that specific underserved population.

8 “(44) POPULATION SPECIFIC SERVICES.—The
9 term ‘population specific services’ means victim serv-
10 ices that—

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

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

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

20 “(A) a nonprofit, nongovernmental, or trib-
21 al organization that provides intervention and
22 related assistance, as specified in section
23 41601(b)(2)(C), to victims of sexual assault
24 without regard to the age of the victims; or

25 “(B) a governmental entity that—

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

3 “(ii) provides intervention and related
4 assistance, as specified in section
5 41601(b)(2)(C), to victims of sexual as-
6 sault without regard to the age of the vic-
7 tims;

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

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

14 “(46) SEX TRAFFICKING.—The term ‘sex traf-
15 ficking’ means any conduct proscribed by section
16 1591 of title 18, United States Code, whether or not
17 the conduct occurs in interstate or foreign commerce
18 or within the special maritime and territorial juris-
19 diction of the United States.

20 “(47) TRIBAL COALITION.—The term ‘tribal co-
21 alition’ means an established nonprofit, nongovern-
22 mental Indian organization, Alaska Native organiza-
23 tion, or a Native Hawaiian organization that—

24 “(A) provides education, support, and tech-
25 nical assistance to member Indian service pro-

1 viders in a manner that enables those member
2 providers to establish and maintain culturally
3 appropriate services, including shelter and rape
4 crisis services, designed to assist Indian women
5 and the dependents of those women who are
6 victims of domestic violence, dating violence,
7 sexual assault, and stalking; and

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

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

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

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

19 “(49) VICTIM SERVICES.—The term ‘victim
20 services’—

21 “(A) means services provided to victims of
22 domestic violence, dating violence, sexual as-
23 sault, or stalking, including telephonic or web-
24 based hotlines, legal advocacy, economic advo-
25 cacy, emergency and transitional shelter, ac-

1 companionment and advocacy through medical,
2 civil or criminal justice, immigration, and social
3 support systems, crisis intervention, short-term
4 individual and group support services, informa-
5 tion and referrals, culturally specific services,
6 population specific services, and other related
7 supportive services; and

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

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

19 “(A) assists domestic violence, dating vio-
20 lence, sexual assault, or stalking victims, includ-
21 ing domestic violence shelters, faith-based orga-
22 nizations, and other organizations; and

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

1 (13) by striking paragraphs (17) and (36), and
2 then reordering the remaining paragraphs of such
3 subsection (including the paragraphs added by para-
4 graph (12) of this subsection) in alphabetical order
5 based on the headings of such paragraphs, and re-
6 numbering such paragraphs as so reordered.

7 (b) GRANTS CONDITIONS.—Subsection (b) of section
8 40002 of the Violence Against Women Act of 1994 (42
9 U.S.C. 13925(b)) is amended—

10 (1) in paragraph (2)—

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

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

21 “(ii) disclose, reveal, or release indi-
22 vidual client information without the in-
23 formed, written, reasonably time-limited
24 consent of the person (or in the case of an
25 unemancipated minor, the minor and the

1 parent or guardian or in the case of legal
2 incapacity, a court-appointed guardian)
3 about whom information is sought, wheth-
4 er for this program or any other Federal,
5 State, tribal, or territorial grant program,
6 except that—

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

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

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

20 “(D) INFORMATION SHARING.—

21 “(i) IN GENERAL.—Grantees and sub-
22 grantees may share—

23 “(I) nonpersonally identifying
24 data in the aggregate regarding serv-
25 ices to their clients and nonpersonally

1 identifying demographic information
2 in order to comply with Federal,
3 State, tribal, or territorial reporting,
4 evaluation, or data collection require-
5 ments;

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

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

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

18 “(I) require an adult, youth, or
19 child victim of domestic violence, dat-
20 ing violence, sexual assault, or stalk-
21 ing to provide a consent to release his
22 or her personally identifying informa-
23 tion as a condition of eligibility for the
24 services provided by the grantee or
25 subgrantee; or

1 “(II) share any personally identi-
2 fying information in order to comply
3 with Federal reporting, evaluation, or
4 data collection requirements, whether
5 for this program or any other Federal
6 grant program.”;

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

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

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

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

19 “(G) CONFIDENTIALITY ASSESSMENT AND
20 ASSURANCES.—Grantees and subgrantees shall
21 certify their compliance with the confidentiality
22 and privacy provisions required under this sec-
23 tion.”;

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

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

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

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

15 (4) by inserting after paragraph (11) the fol-
16 lowing:

17 “(12) DELIVERY OF LEGAL ASSISTANCE.—Any
18 grantee or subgrantee providing legal assistance with
19 funds awarded under this title shall comply with the
20 eligibility requirements in section 1201(d) of the Vi-
21 olence Against Women Act of 2000 (42 U.S.C.
22 3796gg–6(d)).

23 “(13) CIVIL RIGHTS.—

24 “(A) NONDISCRIMINATION.—No person in
25 any State shall on the basis of actual or per-

1 received race, color, religion, national origin, sex,
2 or disability be excluded from participation in,
3 be denied the benefits of, or be subjected to dis-
4 crimination under, any program or activity
5 funded in whole or in part with funds made
6 available under the Violence Against Women
7 Act of 1994 (title IV of Public Law 103–322;
8 108 Stat. 1902), the Violence Against Women
9 Act of 2000 (division B of Public Law 106–
10 386; 114 Stat. 1491), the Violence Against
11 Women and Department of Justice Reauthor-
12 ization Act of 2005 (title IX of Public Law
13 109–162; 119 Stat. 3080), the Violence Against
14 Women Reauthorization Act of 2012, or any
15 other program or activity funded in whole or in
16 part with funds appropriated for grants, cooper-
17 ative agreements, and other assistance adminis-
18 tered by the Office on Violence Against Women.

19 “(B) REASONABLE ACCOMMODATION.—
20 Nothing in this paragraph shall prevent consid-
21 eration of an individual’s gender for purposes of
22 a program or activity described in subpara-
23 graph (A) if the grantee involved determines
24 that gender segregation or gender-specific pro-
25 gramming is necessary to the essential oper-

1 ation of such program or activity. In such a
2 case, alternative reasonable accommodations are
3 sufficient to meet the requirements of this para-
4 graph.

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

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

17 (c) CONFORMING AMENDMENT.—Section 41403(6)
18 of the Violence Against Women Act of 1994 (14043e-
19 2(6)) is amended to read as follows:

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

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

24 (a) REQUIREMENT FOR DOJ GRANT APPLICANTS TO
25 INCLUDE CERTAIN INFORMATION ABOUT FEDERAL

1 GRANTS IN DOJ GRANT APPLICATIONS.—Each applicant
2 for a grant from the Department of Justice shall submit,
3 as part of the application for the grant, the following in-
4 formation:

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

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

11 (b) ENHANCING GRANT EFFICIENCY AND COORDINA-
12 TION.—

13 (1) IN GENERAL.—The Attorney General, in
14 consultation with the Secretary of Health and
15 Human Services, shall, to the greatest extent prac-
16 ticable, take actions to further the coordination of
17 the administration of grants within the Department
18 of Justice to increase the efficiency of such adminis-
19 tration.

20 (2) REPORT.—Not later than 180 days after
21 the date of the enactment of this Act, the Attorney
22 General shall submit to the Committee on the Judi-
23 ciary and the Committee on Appropriations of the
24 Senate and the Committee on the Judiciary and the
25 Committee on Appropriations of the House of Rep-

1 representatives a report on the actions taken by the At-
2 torney General under paragraph (1) and the
3 progress of such actions in achieving coordination
4 described in such paragraph.

5 (c) REQUIRING OFFICE OF AUDIT, ASSESSMENT,
6 AND MANAGEMENT FUNCTIONS TO APPLY TO VAWA
7 GRANTS.—

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

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

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

15 “(3) Any program or activity funded in whole
16 or in part with funds made available under the Vio-
17 lence Against Women Act of 1994 (title IV of Public
18 Law 103–322; 108 Stat. 1902), the Violence
19 Against Women Act of 2000 (division B of Public
20 Law 106–386; 114 Stat. 1491), the Violence
21 Against Women and Department of Justice Reau-
22 thorization Act of 2005 (title IX of Public Law 109–
23 162; 119 Stat. 3080), the Violence Against Women
24 Reauthorization Act of 2012, or any other program
25 or activity funded in whole or in part with funds ap-

1 appropriated for grants, cooperative agreements, and
2 other assistance administered by the Office on Violence Against Women.”.

4 (2) EFFECTIVE DATE.—The amendments made
5 by subsection (a) shall apply with respect to grant
6 periods beginning on or after the date of the enactment of this Act.

8 (d) VAWA GRANT ACCOUNTABILITY.—Section
9 40002 of the Violence Against Women Act of 1994 (42
10 U.S.C. 13925) is further amended by adding at the end
11 the following:

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

15 “(1) AUDIT REQUIREMENT.—Beginning in fiscal
16 year 2013, and in each fiscal year thereafter, the
17 Inspector General of the Department of Justice or
18 the Inspector General of the Department of Health
19 and Human Services, as applicable, shall conduct an
20 audit of not fewer than 10 percent of all grantees
21 under this title to prevent waste, fraud, and abuse
22 of funds by such grantees.

23 “(2) MANDATORY EXCLUSION.—A grantee described in paragraph (1) that is found by the Inspector General of the Department of Justice or the In-

1 spectator General of the Department of Health and
2 Human Services, as applicable, to have an unre-
3 solved audit finding (as defined in paragraph (5))
4 shall not be eligible to receive grant funds under this
5 title during the 2 fiscal years beginning after the 12-
6 month period described in such paragraph.

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

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

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

20 “(4) UNRESOLVED AUDIT FINDING DEFINED.—
21 In this subsection, the term ‘unresolved audit find-
22 ing’ means, with respect to a grantee described in
23 paragraph (1), an audit report finding, statement, or
24 recommendation by the Inspector General of the De-
25 partment of Justice or the Inspector General of the

1 Department of Health and Human Service, as appli-
2 cable, that the grantee has utilized grant funds for
3 an unauthorized expenditure or otherwise unallow-
4 able cost that is not closed or resolved within 12
5 months from the date of an initial notification of the
6 finding, statement, or recommendation.

7 “(5) NONPROFIT ORGANIZATION REQUIRE-
8 MENTS.—

9 “(A) DEFINITION.—For purposes of this
10 paragraph, the term ‘nonprofit organization’
11 means an organization that is described in sec-
12 tion 501(c)(3) of the Internal Revenue Code of
13 1986 and is exempt from taxation under section
14 501(a) of such Code.

15 “(B) PROHIBITION.—The Attorney Gen-
16 eral shall not award a grant under any grant
17 program under this title to a nonprofit organi-
18 zation that holds money in offshore accounts
19 for the purpose of avoiding paying the tax de-
20 scribed in section 511(a) of the Internal Rev-
21 enue Code of 1986.

22 “(6) ADMINISTRATIVE EXPENSES.—Unless oth-
23 erwise explicitly provided in authorizing legislation,
24 not more than 5.0 percent of the amounts author-
25 ized to be appropriated under this title may be used

1 by the Attorney General for salaries and administra-
2 tive expenses of the Office on Violence Against
3 Women.

4 “(7) CONFERENCE EXPENDITURES.—

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

21 “(B) WRITTEN APPROVAL.—Written au-
22 thorization under subparagraph (A) shall in-
23 clude a written estimate of all costs associated
24 with the conference, including the cost of all

1 food and beverages, audio/visual equipment,
2 honoraria for speakers, and any entertainment.

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

14 “(8) PROHIBITION ON LOBBYING ACTIVITY.—

15 “(A) IN GENERAL.—Amounts authorized
16 to be appropriated under this title may not be
17 utilized by any grantee or subgrantee to lobby
18 any representative of the Federal Government
19 (including the Department of Justice) or a
20 State, local, or tribal government regarding the
21 award of grant funding.

22 “(B) PENALTY.—If the Attorney General
23 determines that any grantee or subgrantee re-
24 ceiving funds under this title has violated sub-
25 paragraph (A), the Attorney General shall—

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

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

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

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

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

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

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

6 **SEC. 5. EFFECTIVE DATE.**

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

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

16 **SEC. 101. STOP GRANTS.**

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

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

22 (A) in the matter preceding paragraph
23 (1)—

24 (i) by striking “equipment” and in-
25 serting “resources”; and

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

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

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

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

17 (E) in paragraph (4)—

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

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

24 (F) in paragraph (5)—

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

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

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

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

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

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

23 (J) in paragraph (9), as so redesignated by
24 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 sault” and inserting “such violence, as-
7 sault, 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 service 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 in those States
13 with State or federally recognized Indian tribes;

14 “(G) representatives from underserved
15 populations;

16 “(H) victim service providers;

17 “(I) population specific organizations; and

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

21 (ii) by striking paragraph (4);

22 (iii) by redesignating paragraph (3) as
23 paragraph (4);

24 (iv) by inserting after paragraph (2)
25 the following:

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

9 (v) in paragraph (4), as so redesign-
10 nated by clause (iii)—

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

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

17 (III) by inserting after subpara-
18 graph (A), the following:

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

21 “(C) for each fiscal year beginning on or
22 after the date that is 2 years after the date of
23 enactment of the Violence Against Women Re-
24 authorization Act of 2012, not less than 20 per-
25 cent shall be allocated for programs or projects

1 that meaningfully address sexual assault, in-
2 cluding stranger rape, acquaintance rape, alco-
3 hol or drug-facilitated rape, and rape within the
4 context of an intimate partner relationship;”;

5 (IV) in subparagraph (D), as so
6 redesignated by subclause (II), by
7 striking “culturally specific commu-
8 nity based” and inserting “population
9 specific”; and

10 (V) in subparagraph (E), as so
11 redesignated by subclause (II)—

12 (aa) by striking “for” and
13 inserting “to”; and

14 (bb) by striking “; and” and
15 inserting a period;

16 (D) by amending subsection (d) to read as

17 follows:

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

20 “(1) the certifications of qualification required
21 under subsection (c);

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

1 “(3) proof of compliance with the requirements
2 for paying fees and costs relating to domestic vio-
3 lence and protection order cases described in section
4 2011;

5 “(4) proof of compliance with the requirements
6 prohibiting polygraph examinations of victims of sex-
7 ual assault described in section 2013;

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

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

12 (E) in subsection (e)—

13 (i) in paragraph (2)—

14 (I) in subparagraph (A), by strik-
15 ing “domestic violence and sexual as-
16 sault” and inserting “domestic vio-
17 lence, dating violence, sexual assault,
18 and stalking”; and

19 (II) in subparagraph (D), by
20 striking “linguistically and culturally”
21 and inserting “population”; and

22 (ii) by adding at the end the fol-
23 lowing:

24 “(3) CONDITIONS.—In disbursing grants under
25 this part, the Attorney General may impose reason-

1 able conditions on grant awards disbursed after the
2 date of enactment of the Violence Against Women
3 Reauthorization Act of 2012 to ensure that the
4 States meet statutory, regulatory, and other pro-
5 grams requirements.”;

6 (F) in subsection (f), by striking the period
7 at the end and inserting “, except that, for pur-
8 poses of this subsection, the costs of the
9 projects for victim services or tribes for which
10 there is an exemption under section
11 40002(b)(1) of the Violence Against Women
12 Act of 1994 (42 U.S.C. 13925(b)(1)) shall not
13 count toward the total costs of the projects.”;
14 and

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

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

18 “(1) develop an implementation plan in con-
19 sultation with the entities listed in subsection (c)(2),
20 that identifies how the State will use the funds
21 awarded under this part; and

22 “(2) submit to the Attorney General as part of
23 the application submitted in accordance with sub-
24 section (d)—

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

3 “(B) documentation from each member of
4 the planning committee with respect to the
5 member’s participation in the planning process;

6 “(C) documentation from the prosecution,
7 law enforcement, court, and victim services pro-
8 grams to be assisted, describing—

9 “(i) the need for the grant funds;

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

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

14 “(iv) the demographic characteristics
15 of the populations to be served, including
16 age, disability, race, ethnicity, and lan-
17 guage background;

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

1 “(E) demographic data on the distribution
2 of underserved populations within the State and
3 a description of how the State will meet the
4 needs of underserved populations, including the
5 minimum allocation for population specific serv-
6 ices required under subsection (c)(4)(C);

7 “(F) a description of how the State plans
8 to meet the requirements of subsection (c)(5);

9 “(G) goals and objectives for reducing do-
10 mestic and dating violence-related homicides
11 within the State; and

12 “(H) any other information requested by
13 the Attorney General.”;

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

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

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

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

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

5 (B) in subsection (b)—

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

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

10 (iii) by striking paragraph (3);

11 (C) in subsection (c), by striking “, except
12 that such funds” and all that follows and in-
13 serting a period; and

14 (D) by amended subsection (d) to read as
15 follows:

16 “(d) NONCOOPERATION.—

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

23 “(2) COMPLIANCE PERIOD.—States, territories,
24 and Indian tribal governments shall have 3 years
25 from the date of enactment of the Violence Against

1 Women Reauthorization Act of 2012 to come into
2 compliance with this subsection.”; and

3 (4) in section 2011(a)(1) (42 U.S.C. 3796gg–
4 5(a)(1))—

5 (A) by inserting “modification, enforce-
6 ment, dismissal,” after “registration,” each
7 place it appears; and

8 (B) by striking “domestic violence, stalk-
9 ing, or sexual assault” and inserting “domestic
10 violence, dating violence, sexual assault, or
11 stalking”.

12 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
13 1001(a)(18) of title I of the Omnibus Crime Control and
14 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)), is
15 amended by striking “\$225,000,000 for each of fiscal
16 years 2007 through 2011” and inserting “\$222,000,000
17 for each of fiscal years 2013 through 2017”.

18 **SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND**

19 **ENFORCEMENT OF PROTECTION ORDERS.**

20 (a) IN GENERAL.—Part U of title I of the Omnibus
21 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
22 3796hh et seq.) is amended—

23 (1) in section 2101 (42 U.S.C. 3796hh)—

24 (A) in subsection (b)—

1 (i) in the matter preceding paragraph
2 (1), by striking “States,” and all that fol-
3 lows through “units of local government”
4 and inserting “grantees”;

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

9 (iii) in paragraph (2), by striking
10 “and training in police departments to im-
11 prove tracking of cases” and inserting
12 “data collection systems, and training in
13 police departments to improve tracking of
14 cases and classification of complaints”;

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

20 (v) in paragraph (5), by inserting
21 “and other victim services” after “legal ad-
22 vocacy service programs”;

23 (vi) in paragraph (6), by striking
24 “judges” and inserting “Federal, State,

1 tribal, territorial, and local judges, and
2 court-based and court-related personnel”;

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

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

11 (ix) by adding at the end the fol-
12 lowing:

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

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

24 “(16) To develop and promote State, local, or
25 tribal legislation and policies that enhance best prac-

1 tices for responding to the crimes of domestic vio-
2 lence, dating violence, sexual assault, and stalking,
3 including the appropriate treatment of victims.

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

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

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

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

18 “(A) Testing.

19 “(B) Counseling.

20 “(C) Prophylaxis.

21 “(21) To identify and inventory backlogs of sex-
22 ual assault evidence collection kits and to develop
23 protocols for responding to and addressing such
24 backlogs, including policies and protocols for noti-
25 fying and involving victims.

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

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

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

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

13 (B) in subsection (c)—

14 (i) in paragraph (1)—

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

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

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

25 (iii) in paragraph (4)—

1 (I) by inserting “modification,
2 enforcement, dismissal,” after “reg-
3 istration,” each place it appears;

4 (II) by inserting “dating vio-
5 lence,” after the second occurrence of
6 “domestic violence,”; and

7 (III) by striking “and” at the
8 end;

9 (iv) in paragraph (5)—

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

14 (II) by redesignating subpara-
15 graphs (A) and (B) as clauses (i) and
16 (ii), respectively, and adjusting the
17 margin accordingly;

18 (III) in clause (ii), as redesign-
19 nated by subclause (III) of this
20 clause, by striking “subparagraph
21 (A)” and inserting “clause (i)”;

22 (IV) by striking the period at the
23 end and inserting “; and”;

24 (v) by redesignating paragraphs (1)
25 through (5), as amended by this subpara-

1 graph, as subparagraphs (A) through (E),
2 respectively;

3 (vi) in the matter preceding subpara-
4 graph (A), as redesignated by clause (v) of
5 this subparagraph—

6 (I) by striking the second
7 comma; and

8 (II) by striking “grantees are
9 States” and inserting the following:
10 “grantees are—

11 “(1) States”; and

12 (vii) by adding at the end the fol-
13 lowing:

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

21 (C) in subsection (d)—

22 (i) in paragraph (1)—

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

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

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

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

9 “(f) ALLOCATION FOR SEXUAL ASSAULT.—Of the
10 amounts appropriated for purposes of this part for each
11 fiscal year, not less than 20 percent shall be available for
12 projects that address sexual assault, including stranger
13 rape, acquaintance rape, alcohol or drug-facilitated rape,
14 and rape within the context of an intimate partner rela-
15 tionship.”; and

16 (2) in section 2102(a) (42 U.S.C. 3796hh-
17 1(a))—

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

20 (B) in paragraph (4), by striking “non-
21 profit, private sexual assault and domestic vio-
22 lence programs” and inserting “victim service
23 providers and, as appropriate, population spe-
24 cific organizations”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
2 1001(a)(19) of title I of the Omnibus Crime Control and
3 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is
4 amended—

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

8 (2) by striking the second period.

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

10 Section 1201 of the Violence Against Women Act of
11 2000 (42 U.S.C. 3796gg-6) is amended—

12 (1) in subsection (a)—

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

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

18 (2) in subsection (b)—

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

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

24 (3) in subsection (c)—

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

4 (B) by striking paragraph (3) and insert-
5 ing the following:

6 “(3) to implement, expand, and establish efforts
7 and projects to provide competent, supervised pro
8 bono legal assistance for victims of domestic vio-
9 lence, dating violence, sexual assault, or stalking.”;
10 (4) in subsection (d)—

11 (A) in paragraph (1), by striking “this sec-
12 tion has completed” and all that follows and in-
13 serting the following: “this section—”

14 “(A) has demonstrated expertise in pro-
15 viding legal assistance or advocacy to victims of
16 domestic violence, dating violence, sexual as-
17 sault, or stalking in the targeted population; or

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

21 “(ii) has completed, or will complete, train-
22 ing in connection with domestic violence, dating
23 violence, stalking, or sexual assault and related
24 legal issues, including training on evidence-

1 based risk factors for domestic and dating vio-
2 lence homicide;” and

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

6 (5) in subsection (f)—

7 (A) in paragraph (1), by striking “this sec-
8 tion” and all that follows through the period at
9 the end and inserting “this section \$57,000,000
10 for each of fiscal years 2013 through 2017.”;
11 and

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

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

18 **SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMI-**

19 **LIES IN THE JUSTICE SYSTEM.**

20 (a) IN GENERAL.—Title III of division B of the Vie-
21 tims of Trafficking and Violence Protection Act of 2000
22 (Public Law 106–386; 114 Stat. 1509) is amended by
23 striking the section preceding section 1302 (42 U.S.C.
24 10420), as amended by section 306 of the Violence
25 Against Women and Department of Justice Reauthoriza-

1 tion Act of 2005 (Public Law 109–162; 119 Stat. 316),
2 and inserting the following:

3 **“SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION**
4 **IMPROVEMENTS.**

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

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

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

20 “(2) develop and promote State, local, and trib-
21 al legislation, policies, and best practices for improv-
22 ing civil and criminal court functions, responses,
23 practices, and procedures in cases involving a history
24 of domestic violence or sexual assault, or in cases in-

1 volving allegations of child sexual abuse, including
2 cases in which the victim proceeds pro se;

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

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

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

21 “(A) court infrastructure (such as special-
22 ized courts, consolidated courts, dockets, intake
23 centers, or interpreter services);

24 “(B) community-based initiatives within
25 the court system (such as court watch pro-

1 grams, victim assistants, pro se victim assist-
2 ance programs, or community-based supple-
3 mentary services);

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

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

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

12 “(F) other projects likely to improve court
13 responses to domestic violence, dating violence,
14 sexual assault, and stalking;

15 “(6) collect data and provide training and tech-
16 nical assistance, including developing State, local,
17 and tribal model codes and policies, to improve the
18 capacity of grantees and communities to address the
19 civil justice needs of victims of domestic violence,
20 dating violence, sexual assault, and stalking who
21 have legal representation, who are proceeding pro se,
22 or who are proceeding with the assistance of a legal
23 advocate; and

24 “(7) improve training and education to assist
25 judges, judicial personnel, attorneys, child welfare

1 personnel, and legal advocates in the civil justice
2 system regarding domestic violence, dating violence,
3 sexual assault, stalking, or child abuse.

4 “(c) CONSIDERATIONS.—

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

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

10 “(B) the extent to which the proposed pro-
11 grams and services serve underserved popu-
12 lations;

13 “(C) the extent to which the applicant
14 demonstrates cooperation and collaboration
15 with nonprofit, nongovernmental entities in the
16 local community with demonstrated histories of
17 effective work on domestic violence, dating vio-
18 lence, sexual assault, or stalking, including
19 State or tribal domestic violence coalitions,
20 State or tribal sexual assault coalitions, local
21 shelters, and programs for domestic violence
22 and sexual assault victims; and

23 “(D) the extent to which the applicant
24 demonstrates coordination and collaboration
25 with State, tribal, and local court systems, in-

1 including mechanisms for communication and re-
2 ferral.

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

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

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

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

20 “(3) if the applicant proposes to operate super-
21 vised visitation programs and services or safe visita-
22 tion exchange, demonstrates that adequate security
23 measures, including adequate facilities, procedures,
24 and personnel capable of preventing violence, and
25 adequate standards are, or will be, in place (includ-

1 ing the development of protocols or policies to ensure
2 that confidential information is not shared with
3 courts, law enforcement agencies, or child welfare
4 agencies unless necessary to ensure the safety of any
5 child or adult using the services of a program fund-
6 ed under this section);

7 “(4) certifies that the organizational policies of
8 the applicant do not require mediation or counseling
9 involving offenders and victims being physically
10 present in the same place, in cases where domestic
11 violence, dating violence, sexual assault, or stalking
12 is alleged;

13 “(5) certifies that any person providing legal
14 assistance through a program funded under this sec-
15 tion has completed or will complete training on do-
16 mestic violence, dating violence, sexual assault, and
17 stalking, including child sexual abuse, and related
18 legal issues; and

19 “(6) certifies that any person providing custody
20 evaluation or guardian ad litem services through a
21 program funded under this section has completed or
22 will complete training, developed with input from
23 and in collaboration with a tribal, State, territorial,
24 or local domestic violence, dating violence, sexual as-
25 sault, or stalking victim service provider or coalition,

1 on the dynamics of domestic violence and sexual as-
2 sault, including child sexual abuse, that includes
3 training on how to review evidence of past abuse and
4 the use of evidenced-based theories to make rec-
5 ommendations on custody and visitation.

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
7 is authorized to be appropriated to carry out this section,
8 \$22,000,000 for each of the fiscal years 2013 through
9 2017. Amounts appropriated pursuant to this subsection
10 shall remain available until expended.

11 “(f) ALLOTMENT FOR INDIAN TRIBES.—

12 “(1) IN GENERAL.—Not less than 10 percent of
13 the total amount available under this section for
14 each fiscal year shall be available for grants under
15 the program authorized by section 2015 of title I of
16 the Omnibus Crime Control and Safe Streets Act of
17 1968 (42 U.S.C. 3796gg–10).

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

21 (b) TECHNICAL AND CONFORMING AMENDMENT.—
22 Subtitle J of the Violence Against Women Act of 1994
23 (42 U.S.C. 14043 et seq.) is repealed.

1 **SEC. 105. COURT-APPOINTED SPECIAL ADVOCATE PRO-**
2 **GRAM.**

3 Subtitle B of title II of the Crime Control Act of 1990
4 (42 U.S.C. 13011 et seq.) is amended—

5 (1) in section 216 (42 U.S.C. 13012), by strik-
6 ing “January 1, 2010” and inserting “January 1,
7 2015”;

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

9 (A) in subsection (c)(2)(A), by striking
10 “Code of Ethics” and inserting “Standards for
11 Programs”; and

12 (B) by adding at the end the following new
13 subsection:

14 “(e) REPORTING.—An organization that receives a
15 grant under this section for a fiscal year shall submit to
16 the Administrator a report regarding the use of the grant
17 for the fiscal year, including a discussion of outcome per-
18 formance measures (which shall be established by the Ad-
19 ministrator) to determine the effectiveness of the pro-
20 grams of the organization in meeting the needs of children
21 in the child welfare system.”; and

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

1 **SEC. 106. OUTREACH AND SERVICES TO UNDERSERVED**
2 **POPULATIONS GRANT.**

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

6 **“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UN-**
7 **DERSERVED POPULATIONS.**

8 “(a) GRANTS AUTHORIZED.—

9 “(1) IN GENERAL.—Of the amounts appro-
10 priated under the grant programs identified in para-
11 graph (2), the Attorney General shall take 2 percent
12 of such appropriated amounts and combine them to
13 award grants to eligible entities described in sub-
14 section (b) of this section to develop and implement
15 outreach strategies targeted at adult or youth vic-
16 tims of domestic violence, dating violence, sexual as-
17 sault, or stalking in underserved populations and to
18 provide victim services to meet the needs of adult
19 and youth victims of domestic violence, dating vio-
20 lence, sexual assault, and stalking in underserved
21 populations. The requirements of the grant pro-
22 grams identified in paragraph (2) shall not apply to
23 this grant program.

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

1 “(A) Part T of title I of the Omnibus
2 Crime Control and Safe Streets Act of 1968
3 (STOP grants).

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

7 “(b) ELIGIBLE ENTITIES.—Eligible entities under
8 this section are—

9 “(1) population specific organizations that have
10 demonstrated experience and expertise in providing
11 population specific services in the relevant under-
12 served communities, or population specific organiza-
13 tions working in partnership with a victim service
14 provider or domestic violence or sexual assault coal-
15 tion;

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

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

24 “(c) PLANNING GRANTS.—The Attorney General
25 may use up to 20 percent of funds available under this

1 section to make one-time planning grants to eligible enti-
2 ties to support the planning and development of specially
3 designed and targeted programs for adult and youth vic-
4 tims in one or more underserved populations, including—

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

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

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

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

22 “(A) implementing prevention, outreach,
23 and intervention strategies to address the bar-
24 riers to accessing services;

1 “(B) promoting community engagement in
2 the prevention of domestic violence, dating vio-
3 lence, sexual assault, and stalking within the
4 targeted underserved populations; and

5 “(C) evaluating the program.

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

11 “(1) working with Federal, State, tribal, terri-
12 torial and local governments, agencies, and organiza-
13 tions to develop or enhance population specific vic-
14 tim services;

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

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

20 “(4) strengthening the effectiveness of criminal
21 and civil justice interventions by providing training
22 for law enforcement, prosecutors, judges and other
23 court personnel on domestic violence, dating vio-
24 lence, sexual assault, or stalking in underserved pop-
25 ulations; or

1 “(5) working in cooperation with an under-
2 served population to develop and implement out-
3 reach, education, prevention, and intervention strate-
4 gies that highlight available resources and the spe-
5 cific issues faced by victims of domestic violence,
6 dating violence, sexual assault, or stalking from un-
7 derserved populations.

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

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

18 “(g) DEFINITIONS AND GRANT CONDITIONS.—In
19 this section the definitions and grant conditions in section
20 40002 of the Violence Against Women Act of 1994 (42
21 U.S.C. 13925) shall apply.

22 “(h) AUTHORIZATION OF APPROPRIATIONS.—In ad-
23 dition to the funds identified in subsection (a)(1), there
24 are authorized to be appropriated to carry out this section

1 \$2,000,000 for each of the fiscal years 2013 through
2 2017.”.

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

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

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

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

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

13 (4) by amending paragraph (2) of subsection
14 (a) to read as follows:

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

18 “(A) Part U of title I of the Omnibus
19 Crime Control and Safe Streets Act of 1968
20 (42 U.S.C. 3796hh) (Grants to encourage ar-
21 rest policies).

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

1 “(C) Section 40295 of the Violence
2 Against Women Act of 1994 (42 U.S.C. 13971)
3 (Rural domestic violence, dating violence, sexual
4 assault, stalking, and child abuse enforcement
5 assistance).

6 “(D) Section 40802 of the Violence
7 Against Women Act of 1994 (42 U.S.C.
8 14041a) (Enhanced training and services to
9 end violence against women later in life).

10 “(E) Section 1402 of division B of the Vic-
11 tims of Trafficking and Violence Protection Act
12 of 2000 (42 U.S.C. 3796gg-7) (Education,
13 training, and enhanced services to end violence
14 against and abuse of women with disabilities).”;
15 and

16 (5) in subsection (g), by striking “linguistic
17 and”.

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

19 Section 2(c)(3) of the DNA Analysis Backlog Elimini-
20 nation Act of 2000 (42 U.S.C. 14135(c)(3)), is amend-
21 ed—

22 (1) in subparagraph (B), by striking “2014”
23 and inserting “2012”; and

24 (2) by adding at the end the following new sub-
25 paragraph:

1 “(C) For each of the fiscal years 2013 and
2 2014, not less than 75 percent of the grant amounts
3 shall be awarded for purposes under subsection
4 (a)(2).”.

5 **TITLE II—IMPROVING SERVICES**
6 **FOR VICTIMS OF DOMESTIC**
7 **VIOLENCE, DATING VIO-**
8 **LENCE, SEXUAL ASSAULT,**
9 **AND STALKING**

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

11 (a) GRANTS TO STATES AND TERRITORIES.—Section
12 41601(b) of the Violence Against Women Act of 1994 (42
13 U.S.C. 14043g(b)) is amended—

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

20 (2) in paragraph (2)—

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

1 (B) in subparagraph (C)(v), by striking
2 “linguistically and”.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
4 41601(f)(1) of the Violence Against Women Act of 1994
5 (42 U.S.C. 14043g(f)(1)) is amended by striking
6 “\$50,000,000 to remain available until expended for each
7 of the fiscal years 2007 through 2011” and inserting
8 “\$40,000,000 to remain available until expended for each
9 of fiscal years 2013 through 2017”.

10 **SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE,**
11 **SEXUAL ASSAULT, STALKING, AND CHILD**
12 **ABUSE ENFORCEMENT ASSISTANCE.**

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

15 (1) in subsection (a)(1)(H), by inserting “, in-
16 cluding sexual assault forensic examiners” before the
17 semicolon;

18 (2) in subsection (b)—

19 (A) in paragraph (1)—

20 (i) by striking “victim advocacy
21 groups” and inserting “victim service pro-
22 viders”; and

23 (ii) by inserting “, including devel-
24 oping multidisciplinary teams focusing on
25 high-risk cases with the goal of preventing

1 domestic and dating violence homicides”
2 before the semicolon;

3 (B) in paragraph (2)—

4 (i) by striking “and other long- and
5 short-term assistance” and inserting “legal
6 assistance, and other long-term and short-
7 term victim services and population spe-
8 cific services”; and

9 (ii) by striking “and” at the end;

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

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

13 “(4) to develop, expand, or strengthen pro-
14 grams addressing sexual assault, including sexual
15 assault forensic examiner programs, Sexual Assault
16 Response Teams, law enforcement training, and pro-
17 grams addressing rape kit backlogs.”; and

18 (3) in subsection (e)(1), by striking
19 “\$55,000,000 for each of the fiscal years 2007
20 through 2011” and inserting “\$50,000,000 for each
21 of fiscal years 2013 through 2017”.

1 **SEC. 203. TRAINING AND SERVICES TO END VIOLENCE**
2 **AGAINST WOMEN WITH DISABILITIES**
3 **GRANTS.**

4 Section 1402 of division B of the Victims of Traf-
5 ficking and Violence Protection Act of 2000 (42 U.S.C.
6 3796gg-7) is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (1), by inserting “(in-
9 cluding using evidence-based indicators to as-
10 sess the risk of domestic and dating violence
11 homicide)” after “risk reduction”;

12 (B) in paragraph (4), by striking “victim
13 service organizations” and inserting “victim
14 service providers”; and

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

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

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

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

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

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

7 “(a) DEFINITIONS.—In this section:

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

10 “(A) is—

11 “(i) a State;

12 “(ii) a unit of local government;

13 “(iii) a tribal government or tribal or-
14 ganization;

15 “(iv) a population specific organiza-
16 tion with demonstrated experience in as-
17 sisting individuals in later life;

18 “(v) a victim service provider; or

19 “(vi) a State, tribal, or territorial do-
20 mestic violence or sexual assault coalition;

21 and

22 “(B) is partnered with—

23 “(i) a law enforcement agency;

24 “(ii) an office of a prosecutor;

25 “(iii) a victim service provider; or

1 “(iv) a nonprofit program or govern-
2 ment agency with demonstrated experience
3 in assisting individuals in later life.

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

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

9 “(b) GRANT PROGRAM.—

10 “(1) GRANTS AUTHORIZED.—The Attorney
11 General may make grants to eligible entities to carry
12 out the activities described in paragraph (2).

13 “(2) MANDATORY AND PERMISSIBLE ACTIVI-
14 TIES.—

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

18 “(i) provide training programs to as-
19 sist law enforcement agencies, prosecutors,
20 agencies of States or units of local govern-
21 ment, population specific organizations,
22 victim service providers, victim advocates,
23 and relevant officers in Federal, tribal,
24 State, territorial, and local courts in recog-

1 nizing and addressing instances of elder
2 abuse;

3 “(ii) provide or enhance services for
4 victims of elder abuse;

5 “(iii) establish or support multidisci-
6 plinary collaborative community responses
7 to victims of elder abuse; and

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

15 “(B) PERMISSIBLE ACTIVITIES.—An eligi-
16 ble entity receiving a grant under this section
17 may use not more than 10 percent of the funds
18 received under the grant to—

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

24 “(ii) conduct outreach activities and
25 awareness campaigns to ensure that vic-

1 tims of elder abuse receive appropriate as-
2 sistance.

3 “(3) UNDERSERVED POPULATIONS.—In making
4 grants under this section, the Attorney General shall
5 give priority to proposals providing culturally spe-
6 cific or population specific services.

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

11 **TITLE III—SERVICES, PROTEC-**
12 **TION, AND JUSTICE FOR**
13 **YOUNG VICTIMS OF VIO-**
14 **LENCE**

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

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

18 (1) in subsection (a)—

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

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

24 (2) in subsection (c)(1), by striking
25 “\$80,000,000 for each of fiscal years 2007 through

1 2011” and inserting “\$50,000,000 for each of fiscal
2 years 2013 through 2017”.

3 **SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS,**
4 **SERVICES, AND EDUCATION FOR CHILDREN**
5 **AND YOUTH.**

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

10 **“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OP-**
11 **TIONS, SERVICES, AND EDUCATION FOR**
12 **CHILDREN AND YOUTH (CHOOSE CHILDREN**
13 **AND YOUTH).**

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

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

24 “(1) SERVICES TO ADVOCATE FOR AND RE-
25 SPOND TO YOUTH.—To develop, expand, and

1 strengthen victim interventions and services that tar-
2 get youth who are victims of domestic violence, dat-
3 ing violence, sexual assault, and stalking. Services
4 may include victim services, counseling, advocacy,
5 mentoring, educational support, transportation, legal
6 assistance in civil, criminal and administrative mat-
7 ters, such as family law cases, housing cases, child
8 welfare proceedings, campus administrative pro-
9 ceedings, and civil protection order proceedings,
10 services to address population specific services, and
11 other activities that support youth in finding safety,
12 stability, and justice and in addressing the emo-
13 tional, cognitive, and physical effects of trauma on
14 youth. Funds may be used to—

15 “(A) assess and analyze available services
16 for youth victims of domestic violence, dating
17 violence, sexual assault, and stalking, deter-
18 mining relevant barriers to such services in a
19 particular locality, and developing a community
20 protocol to address such problems collabo-
21 ratively;

22 “(B) develop and implement policies, prac-
23 tices, and procedures to effectively respond to
24 domestic violence, dating violence, sexual as-
25 sult, or stalking against youth; or

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

16 “(2) SUPPORTING YOUTH THROUGH EDU-
17 CATION AND PROTECTION.—To enable middle
18 schools, high schools, and institutions of higher edu-
19 cation to—

20 “(A) provide training to school personnel,
21 including health care providers and security
22 personnel, on the needs of students who are vic-
23 tims of domestic violence, dating violence, sex-
24 ual assault, or stalking;

1 “(B) develop and implement prevention
2 and intervention policies in middle and high
3 schools, including appropriate responses to, and
4 identification and referral procedures for, stu-
5 dents who are experiencing or perpetrating do-
6 mestic violence, dating violence, sexual assault,
7 or stalking, and procedures for handling the re-
8 quirements of court protective orders issued to
9 or against students;

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

14 “(D) provide scientifically valid educational
15 programming for students regarding domestic
16 violence, dating violence, sexual assault, and
17 stalking; or

18 “(E) develop strategies to increase identi-
19 fication, support, referrals, and prevention pro-
20 gramming for youth who are at high risk of do-
21 mestic violence, dating violence, sexual assault,
22 or stalking.

23 “(c) ELIGIBLE APPLICANTS.—

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

1 “(A) a victim service provider, tribal non-
2 profit organization, population specific organi-
3 zation, or community-based organization with a
4 demonstrated history of effective work address-
5 ing the needs of youth, including runaway or
6 homeless youth, who are victims of domestic vi-
7 olence, dating violence, sexual assault, or stalk-
8 ing; or

9 “(B) a victim service provider that is
10 partnered with an entity that has a dem-
11 onstrated history of effective work addressing
12 the needs of youth.

13 “(2) PARTNERSHIPS.—

14 “(A) EDUCATION.—To be eligible to re-
15 ceive a grant for the purposes described in sub-
16 section (b)(2), an entity described in paragraph
17 (1) shall be partnered with a public, charter,
18 tribal, or nationally accredited private middle or
19 high school, a school administered by the De-
20 partment of Defense under section 2164 of title
21 10, United States Code, or section 1402 of the
22 Defense Dependents’ Education Act of 1978, a
23 group of such schools, a school district, or an
24 institution of higher education.

1 “(B) OTHER PARTNERSHIPS.—All appli-
2 cants under this section are encouraged to work
3 in partnership with organizations and agencies
4 that work with the relevant youth population.
5 Such entities may include—

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

8 “(ii) a population specific or commu-
9 nity-based organization;

10 “(iii) batterer intervention programs
11 or sex offender treatment programs with
12 specialized knowledge and experience work-
13 ing with youth offenders; or

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

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

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

24 “(2) protect the confidentiality and privacy of
25 child and youth victim information, particularly in

1 the context of parental or third-party involvement
2 and consent, mandatory reporting duties, and work-
3 ing with other service providers with priority on vic-
4 tim safety and autonomy; and

5 “(3) ensure that all individuals providing inter-
6 vention or prevention programming to children or
7 youth through a program funded under this section
8 have completed, or will complete, sufficient training
9 in connection with domestic violence, dating violence,
10 sexual assault, and stalking.

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

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

17 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
18 is authorized to be appropriated to carry out this section,
19 \$15,000,000 for each of the fiscal years 2013 through
20 2017.

21 “(h) ALLOTMENT.—

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

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

7 (b) VAWA GRANT REQUIREMENTS.—Section
8 40002(b) of the Violence Against Women Act of 1994 (42
9 U.S.C. 13925(b)), as amended by section 3(b)(4), is fur-
10 ther amended by adding at the end the following:

11 “(14) REQUIREMENT FOR SCIENTIFICALLY
12 VALID PROGRAMS.—Any educational programming,
13 training, or public awareness communications re-
14 garding domestic violence, dating violence, sexual as-
15 sault, or stalking that are funded under this title
16 must be scientifically valid.”.

17 **SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAM-**
18 **PUSES.**

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

22 (1) in subsection (a)—

23 (A) in paragraph (1)—

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

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

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

7 (B) in paragraph (2), by striking
8 “\$500,000” and inserting “\$300,000”;
9 (2) in subsection (b)—

10 (A) in paragraph (2)—

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

13 (ii) by striking “assault and stalking,”
14 and inserting “assault, and stalking, in-
15 cluding the use of technology to commit
16 these crimes,”;

17 (B) in paragraph (4)—

18 (i) by inserting “and population spe-
19 cific services” after “strengthen victim
20 services programs”;

21 (ii) by striking “entities carrying out”
22 and all that follows through “stalking vic-
23 tim services programs” and inserting “vic-
24 tim service providers”; and

1 (iii) by inserting “, regardless of
2 whether the services provided by such pro-
3 gram are provided by the institution or in
4 coordination with community victim service
5 providers” before the period at the end;
6 and

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

8 “(9) To provide scientifically valid educational
9 programming for students regarding domestic vio-
10 lence, dating violence, sexual assault, and stalking.

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

15 (3) in subsection (c)—

16 (A) in paragraph (2)—

17 (i) in subparagraph (B), by striking
18 “any non-profit” and all that follows
19 through “victim services programs” and
20 inserting “victim service providers”;

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

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

1 “(D) describe how underserved populations
2 in the campus community will be adequately
3 served, including the provision of relevant popu-
4 lation specific services;” and

5 (B) in paragraph (3), by striking “2007
6 through 2011” and inserting “2013 through
7 2017”;

8 (4) in subsection (d)—

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

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

13 “(3) GRANTEE MINIMUM REQUIREMENTS.—
14 Each grantee shall comply with the following min-
15 imum requirements during the grant period:

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

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

24 “(C) The grantee shall train all campus
25 law enforcement to respond effectively to do-

1 mestic violence, dating violence, sexual assault,
2 and stalking.

3 “(D) The grantee shall train all members
4 of campus disciplinary boards to respond effec-
5 tively to situations involving domestic violence,
6 dating violence, sexual assault, or stalking.”;
7 and

8 (5) in subsection (e), by striking “\$12,000,000”
9 and all that follows through the period and inserting
10 “\$12,000,000 for each of the fiscal years 2013
11 through 2017.”.

12 **SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIO-**
13 **LENCE, DATING VIOLENCE, AND STALKING**
14 **EDUCATION AND PREVENTION.**

15 (a) IN GENERAL.—Section 485(f) of the Higher Edu-
16 cation Act of 1965 (20 U.S.C. 1092(f)) is amended—

17 (1) in paragraph (1)(F)—

18 (A) in clause (i)—

19 (i) in subclause (VIII), by striking
20 “and” after the semicolon;

21 (ii) by redesignating subclause (IX) as
22 subclause (XII); and

23 (iii) by inserting after subclause
24 (VIII) the following:

25 “(IX) domestic violence;

1 “(X) dating violence;

2 “(XI) stalking; and”; and

3 (B) in clause (ii), by inserting “national
4 origin,” after “religion,”;

5 (2) in paragraph (3), by inserting “, that with-
6 holds the names of victims as confidential,” after
7 “that is timely”;

8 (3) in paragraph (6)(A), by inserting after
9 clause (iii) the following:

10 “(v) The term ‘sexual assault’ means
11 an offense classified as a forcible or non-
12 forcible sex offense under the uniform
13 crime reporting system of the Department
14 of Justice, Federal Bureau of Investiga-
15 tion.”;

16 (4) in the first sentence of paragraph (7), by
17 inserting “, except that for the offenses of domestic
18 violence, dating violence, and stalking, such statistics
19 shall be compiled in accordance with the definitions
20 used in section 40002(a) of the Violence Against
21 Women Act of 1994 (42 U.S.C. 13925(a))” before
22 the period;

23 (5) by amending paragraph (8) to read as fol-
24 lows:

1 “(8)(A) Each institution of higher education
2 participating in any program under this title or title
3 IV of the Economic Opportunity Act of 1964, other
4 than a foreign institution of higher education, shall
5 develop and distribute as part of the report de-
6 scribed in paragraph (1) a statement of policy re-
7 garding—

8 “(i) such institution’s programs to prevent
9 domestic violence, dating violence, sexual as-
10 sult, and stalking; and

11 “(ii) the procedures that such institution
12 will follow once an incident of domestic violence,
13 dating violence, sexual assault, or stalking has
14 been reported.

15 “(B) The policy described in subparagraph (A)
16 shall address the following areas:

17 “(i) Possible sanctions or protective meas-
18 ures that such institution may impose following
19 a final determination of an institutional discipli-
20 nary procedure regarding rape, acquaintance
21 rape, domestic violence, dating violence, sexual
22 assault, or stalking.

23 “(ii) Procedures victims should follow if a
24 domestic violence, dating violence, sexual as-
25 sult, or stalking offense has occurred, includ-

1 ing information, provided to students in writ-
2 ing, about—

3 “(I) the importance of preserving evi-
4 dence that may be necessary to the proof
5 of criminal domestic violence, dating vio-
6 lence, sexual assault, or stalking;

7 “(II) the importance of obtaining a
8 protection order;

9 “(III) to whom the alleged offense
10 should be reported;

11 “(IV) options regarding the notifica-
12 tion of law enforcement and campus au-
13 thorities of such an occurrence, including
14 the victim’s options to—

15 “(aa) notify proper law enforce-
16 ment authorities, including on-campus
17 and local police;

18 “(bb) be assisted by campus au-
19 thorities in notifying law enforcement
20 authorities if the victim so chooses;
21 and

22 “(cc) decline to notify such au-
23 thorities; and

24 “(V) where applicable, the rights of
25 victims and the responsibilities of the insti-

1 tution regarding orders of protection, no
2 contact orders, restraining orders, and
3 similar lawful orders issued by a criminal,
4 civil, or tribal court.

5 “(iii) Information about how the institu-
6 tion will protect the confidentiality of victims,
7 including how publicly available recordkeeping
8 will be accomplished without the inclusion of
9 identifying information about the victim, to the
10 extent permissible by law.

11 “(iv) Notification of students about exist-
12 ing counseling, health, mental health, victim ad-
13 vocacy, legal assistance, and other services
14 available for victims both on-campus and in the
15 community.

16 “(v) Notification of victims about options
17 for, and available assistance in, changing aca-
18 demic, living, transportation, and working situ-
19 ations, if so requested by the victim and if such
20 accommodations are reasonably available, re-
21 gardless of whether the victim chooses to report
22 the crime to campus police or local law enforce-
23 ment.

24 “(C) A student or employee who reports to an
25 institution of higher education that the student or

1 employee has been a victim of domestic violence, dat-
2 ing violence, sexual assault, or stalking, whether the
3 offense occurred on or off campus, shall be provided
4 with a written explanation of the rights and options
5 of the student or employee, as described in clauses
6 (ii) through (v) of subparagraph (B).”;

7 (6) in paragraph (9), by striking “The Sec-
8 retary” and inserting “The Secretary, in consulta-
9 tion with the Attorney General,”;

10 (7) by moving the margins of paragraph (15)
11 two ems to the left;

12 (8) by striking paragraph (16) and inserting
13 the following:

14 “(16)(A) The Secretary shall seek the advice
15 and counsel of the Attorney General concerning the
16 development, and dissemination to institutions of
17 higher education, of best practices information about
18 campus safety and emergencies.

19 “(B) The Secretary shall seek the advice and
20 counsel of the Attorney General and the Secretary of
21 Health and Human Services concerning the develop-
22 ment, and dissemination to institutions of higher
23 education, of best practices information about pre-
24 venting and responding to incidents of domestic vio-
25 lence, dating violence, sexual assault, and stalking,

1 including elements of institutional policies that have
2 proven successful based on evidence-based outcome
3 measurements.”; and

4 (9) by striking paragraph (17) and inserting
5 the following:

6 “(17) No officer, employee, or agent of an insti-
7 tution participating in any program under this title
8 shall retaliate, intimidate, threaten, coerce, or other-
9 wise discriminate against any individual for the indi-
10 vidual exercising any right or responsibility under
11 any provision of this subsection.”.

12 (b) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect with respect to each annual
14 security report under section 485(f)(1) of the Higher Edu-
15 cation Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by
16 an institution of higher education on or after the date that
17 is one year after the date of enactment of this Act.

18 **TITLE IV—VIOLENCE**

19 **REDUCTION PRACTICES**

20 **SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DIS-**

21 **EASE CONTROL AND PREVENTION.**

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

1 “\$1,000,000 for each of the fiscal years 2013 through
2 2017”.

3 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES**
4 **THROUGH PREVENTION GRANTS.**

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

8 **“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES**
9 **THROUGH PREVENTION (SMART PREVEN-**
10 **TION).**

11 “(a) GRANTS AUTHORIZED.—The Attorney General,
12 in consultation with the Secretary of Health and Human
13 Services and the Secretary of Education, is authorized to
14 award grants for the purpose of preventing domestic vio-
15 lence, dating violence, sexual assault, and stalking by tak-
16 ing a comprehensive approach that focuses on youth, chil-
17 dren exposed to violence, and men as leaders and
18 influencers of social norms.

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

21 “(1) TEEN DATING VIOLENCE AWARENESS AND
22 PREVENTION.—To develop, maintain, or enhance
23 programs that change attitudes and behaviors
24 around the acceptability of domestic violence, dating
25 violence, sexual assault, and stalking and provide

1 education and skills training to young individuals
2 and individuals who influence young individuals. The
3 prevention program may use evidence-based, evi-
4 dence-informed, or innovative strategies and prac-
5 tices focused on youth. Such a program should in-
6 clude—

7 “(A) scientifically valid age education on
8 domestic violence, dating violence, sexual as-
9 sault, stalking, and sexual coercion, as well as
10 healthy relationship skills, in school, in the com-
11 munity, or in health care settings;

12 “(B) community-based collaboration and
13 training for those with influence on youth, such
14 as parents, teachers, coaches, health care pro-
15 viders, faith-leaders, older teens, and mentors;

16 “(C) education and outreach to change en-
17 vironmental factors contributing to domestic vi-
18 olence, dating violence, sexual assault, and
19 stalking; and

20 “(D) policy development targeted to pre-
21 vention, including school-based policies and pro-
22 tocols.

23 “(2) CHILDREN EXPOSED TO VIOLENCE AND
24 ABUSE.—To develop, maintain or enhance programs
25 designed to prevent future incidents of domestic vio-

1 lence, dating violence, sexual assault, and stalking
2 by preventing, reducing and responding to children’s
3 exposure to violence in the home. Such programs
4 may include—

5 “(A) providing services for children ex-
6 posed to domestic violence, dating violence, sex-
7 ual assault or stalking, including direct coun-
8 seling or advocacy, and support for the non-
9 abusing parent; and

10 “(B) training and coordination for edu-
11 cational, after-school, and childcare programs
12 on how to safely and confidentially identify chil-
13 dren and families experiencing domestic vio-
14 lence, dating violence, sexual assault, or stalk-
15 ing and properly refer children exposed and
16 their families to services and violence prevention
17 programs.

18 “(3) ENGAGING MEN AS LEADERS AND ROLE
19 MODELS.—To develop, maintain or enhance pro-
20 grams that work with men to prevent domestic vio-
21 lence, dating violence, sexual assault, and stalking
22 by helping men to serve as role models and social
23 influencers of other men and youth at the individual,
24 school, community or statewide levels.

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

3 “(1) a victim service provider, community-based
4 organization, tribe or tribal organization, or other
5 nonprofit, nongovernmental organization that has a
6 history of effective work preventing domestic vio-
7 lence, dating violence, sexual assault, or stalking and
8 expertise in the specific area for which they are ap-
9 plying for funds; or

10 “(2) a partnership between a victim service pro-
11 vider, community-based organization, tribe or tribal
12 organization, or other nonprofit, nongovernmental
13 organization that has a history of effective work pre-
14 venting domestic violence, dating violence, sexual as-
15 sault, or stalking and at least one of the following
16 that has expertise in serving children exposed to do-
17 mestic violence, dating violence, sexual assault, or
18 stalking, youth domestic violence, dating violence,
19 sexual assault, or stalking prevention, or engaging
20 men to prevent domestic violence, dating violence,
21 sexual assault, or stalking:

22 “(A) A public, charter, tribal, or nationally
23 accredited private middle or high school, a
24 school administered by the Department of De-
25 fense under section 2164 of title 10, United

1 States Code or section 1402 of the Defense De-
2 pendants' Education Act of 1978, a group of
3 schools, or a school district.

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

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

12 “(D) A nonprofit, nongovernmental entity
13 providing services for runaway or homeless
14 youth affected by domestic violence, dating vio-
15 lence, sexual assault, or stalking.

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

20 “(F) Any other agencies, population-spe-
21 cific organizations, or nonprofit, nongovern-
22 mental organizations with the capacity to pro-
23 vide necessary expertise to meet the goals of the
24 program.

25 “(d) GRANTEE REQUIREMENTS.—

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

8 “(2) POLICIES AND PROCEDURES.—Applicants
9 under this section shall establish and implement
10 policies, practices, and procedures that—

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

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

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

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

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

7 “(A) include outcome-based evaluation;
8 and

9 “(B) identify any other community, school,
10 or State-based efforts that are working on do-
11 mestic violence, dating violence, sexual assault,
12 or stalking prevention and explain how the
13 grantee or partnership will add value, coordi-
14 nate with other programs, and not duplicate ex-
15 isting efforts.

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

19 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
20 is authorized to be appropriated to carry out this section,
21 \$15,000,000 for each of fiscal years 2013 through 2017.

22 “(g) ALLOTMENT.—

23 “(1) IN GENERAL.—Not less than 25 percent of
24 the total amounts appropriated under this section in
25 each fiscal year shall be used for each set of pur-

1 poses described in paragraphs (1), (2), and (3) of
2 subsection (b).

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

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

8 (1) Sections 41304 and 41305 of the Violence
9 Against Women Act of 1994 (42 U.S.C. 14043d-3
10 and 14043d-4).

11 (2) Section 403 of the Violence Against Women
12 and Department of Justice Reauthorization Act of
13 2005 (42 U.S.C. 14045c).

1 **TITLE V—STRENGTHENING THE**
2 **HEALTH CARE SYSTEM’S RE-**
3 **SPONSE TO DOMESTIC VIO-**
4 **LENCE, DATING VIOLENCE,**
5 **SEXUAL ASSAULT, AND**
6 **STALKING**

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

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

14 **“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTH CARE**
15 **SYSTEM’S RESPONSE TO DOMESTIC VIO-**
16 **LENCE, DATING VIOLENCE, SEXUAL ASSAULT,**
17 **AND STALKING.**

18 “(a) IN GENERAL.—The Secretary shall award
19 grants for—

20 “(1) the development or enhancement and im-
21 plementation of interdisciplinary training for health
22 professionals, public health staff, and allied health
23 professionals;

24 “(2) the development or enhancement and im-
25 plementation of education programs for medical,

1 nursing, dental, and other health profession students
2 and residents to prevent and respond to domestic vi-
3 olence, dating violence, sexual assault, and stalking;
4 and

5 “(3) the development or enhancement and im-
6 plementation of comprehensive statewide strategies
7 to improve the response of clinics, public health fa-
8 cilities, hospitals, and other health settings (includ-
9 ing behavioral and mental health programs) to do-
10 mestic violence, dating violence, sexual assault, and
11 stalking.

12 “(b) USE OF FUNDS.—

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

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

18 “(i) are designed to train medical,
19 psychology, dental, social work, nursing,
20 and other health profession students, in-
21 terns, residents, fellows, or current health
22 care providers to identify and provide
23 health care services (including mental or
24 behavioral health care services and refer-
25 rals to appropriate community services) to

1 individuals who are or who have been vic-
2 tims of domestic violence, dating violence,
3 sexual assault, or stalking; and

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

17 “(B) design and implement comprehensive
18 strategies to improve the response of the health
19 care system to domestic or sexual violence in
20 clinical and public health settings, hospitals,
21 clinics, and other health settings (including be-
22 havioral and mental health), under subsection
23 (a)(3) through—

24 “(i) the implementation, dissemina-
25 tion, and evaluation of policies and proce-

1 dures to guide health professionals and
2 public health staff in identifying and re-
3 sponding to domestic violence, dating vio-
4 lence, sexual assault, and stalking, includ-
5 ing strategies to ensure that health infor-
6 mation is maintained in a manner that
7 protects the patient’s privacy and safety,
8 and safely uses health information tech-
9 nology to improve documentation, identi-
10 fication, assessment, treatment, and follow-
11 up care;

12 “(ii) the development of on-site access
13 to services to address the safety, medical,
14 and mental health needs of patients by in-
15 creasing the capacity of existing health
16 care professionals and public health staff
17 to address domestic violence, dating vio-
18 lence, sexual assault, and stalking, or by
19 contracting with or hiring domestic or sex-
20 ual assault advocates to provide such serv-
21 ices or to model other services appropriate
22 to the geographic and cultural needs of a
23 site;

24 “(iii) the development of measures
25 and methods for the evaluation of the

1 practice of identification, intervention, and
2 documentation regarding victims of domes-
3 tic violence, dating violence, sexual assault,
4 and stalking, including the development
5 and testing of quality improvement meas-
6 urements; and

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

16 “(2) PERMISSIBLE USES.—

17 “(A) CHILD AND ELDER ABUSE.—To the
18 extent consistent with the purpose of this sec-
19 tion, a grantee may use amounts received under
20 this section to address, as part of a comprehen-
21 sive programmatic approach implemented under
22 the grant, issues relating to child or elder
23 abuse.

24 “(B) RURAL AREAS.—Grants funded
25 under paragraphs (1) and (2) of subsection (a)

1 may be used to offer to rural areas community-
2 based training opportunities (which may include
3 the use of distance learning networks and other
4 available technologies needed to reach isolated
5 rural areas) for medical, nursing, and other
6 health profession students and residents on do-
7 mestic violence, dating violence, sexual assault,
8 stalking, and, as appropriate, other forms of vi-
9 olence and abuse.

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

12 “(i) the development of training mod-
13 ules and policies that address the overlap
14 of child abuse, domestic violence, dating vi-
15 olence, sexual assault, and stalking and
16 elder abuse, as well as childhood exposure
17 to domestic and sexual violence;

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

22 “(iii) the inclusion of the health ef-
23 fects of lifetime exposure to violence and
24 abuse as well as related protective factors
25 and behavioral risk factors in health pro-

1 professional training schools, including med-
2 ical, dental, nursing, social work, and men-
3 tal and behavioral health curricula, and al-
4 lied health service training courses; or

5 “(iv) the integration of knowledge of
6 domestic violence, dating violence, sexual
7 assault, and stalking into health care ac-
8 creditation and professional licensing ex-
9 aminations, such as medical, dental, social
10 work, and nursing boards, and where ap-
11 propriate, other allied health exams.

12 “(c) REQUIREMENTS FOR GRANTEES.—

13 “(1) CONFIDENTIALITY AND SAFETY.—

14 “(A) IN GENERAL.—Grantees under this
15 section shall ensure that all programs developed
16 with grant funds address issues of confiden-
17 tiality and patient safety and comply with appli-
18 cable confidentiality and nondisclosure require-
19 ments under section 40002(b)(2) of the Vio-
20 lence Against Women Act of 1994 and the
21 Family Violence Prevention and Services Act,
22 and that faculty and staff associated with deliv-
23 ering educational components are fully trained
24 in procedures that will protect the immediate
25 and ongoing security and confidentiality of the

1 patients, patient records, and staff. Such grant-
2 ees shall consult entities with demonstrated ex-
3 pertise in the confidentiality and safety needs of
4 victims of domestic violence, dating violence,
5 sexual assault, and stalking on the development
6 and adequacy of confidentiality and security pro-
7 cedures, and provide documentation of such
8 consultation.

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

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

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

1 “(4) APPLICATION.—

2 “(A) SUBSECTION (a) (1) AND (2) GRANT-
3 EES.—An entity desiring a grant under para-
4 graph (1) or (2) of subsection (a) shall submit
5 an application to the Secretary at such time, in
6 such manner, and containing such information
7 and assurances as the Secretary may require,
8 including—

9 “(i) documentation that the applicant
10 represents a team of entities working col-
11 laboratively to strengthen the response of
12 the health care system to domestic vio-
13 lence, dating violence, sexual assault, or
14 stalking, and which includes at least one of
15 each of—

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

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

22 “(III) a government or nonprofit
23 entity with a history of effective work
24 in the fields of domestic violence, dat-

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

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

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

17 “(i) documentation that all training,
18 education, screening, assessment, services,
19 treatment, and any other approach to pa-
20 tient care will be informed by an under-
21 standing of violence and abuse victimiza-
22 tion and trauma-specific approaches that
23 will be integrated into prevention, interven-
24 tion, and treatment activities;

1 “(ii) strategies for the development
2 and implementation of policies to prevent
3 and address domestic violence, dating vio-
4 lence, sexual assault, and stalking over the
5 lifespan in health care settings;

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

15 “(iv) with respect to an application
16 for a grant under which the grantee will
17 have contact with patients, a plan, devel-
18 oped in collaboration with local victim serv-
19 ice providers, to respond appropriately to
20 and make correct referrals for individuals
21 who disclose that they are victims of do-
22 mestic violence, dating violence, sexual as-
23 sault, stalking, or other types of violence,
24 and documentation provided by the grantee

1 of an ongoing collaborative relationship
2 with a local victim service provider; and

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

11 “(d) ELIGIBLE ENTITIES.—

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

15 “(A) a nonprofit organization with a his-
16 tory of effective work in the field of training
17 health professionals with an understanding of,
18 and clinical skills pertinent to, domestic vio-
19 lence, dating violence, sexual assault, or stalk-
20 ing, and lifetime exposure to violence and
21 abuse;

22 “(B) an accredited school of allopathic or
23 osteopathic medicine, psychology, nursing, den-
24 tistry, social work, or allied health;

1 “(C) a health care provider membership or
2 professional organization, or a health care sys-
3 tem; or

4 “(D) a State, tribal, territorial, or local en-
5 tity.

6 “(2) SUBSECTION (a)(3) GRANTEES.—To be eli-
7 gible to receive funding under subsection (a)(3), an
8 entity shall be—

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

18 “(B) a local victim service provider, a local
19 department (or other division) of health, a local
20 health clinic, hospital, or health system, or any
21 other community-based organization with a his-
22 tory of effective work in the field of domestic vi-
23 olence, dating violence, sexual assault, or stalk-
24 ing and health care, including physical or men-
25 tal health care.

1 “(e) TECHNICAL ASSISTANCE.—

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

12 “(2) AVAILABILITY OF MATERIALS.—The Sec-
13 retary shall make publicly available materials devel-
14 oped by grantees under this section, including mate-
15 rials on training, best practices, and research and
16 evaluation.

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

19 “(A) the distribution of funds under this
20 section; and

21 “(B) the programs and activities supported
22 by such funds.

23 “(f) RESEARCH AND EVALUATION.—

24 “(1) IN GENERAL.—Of the funds made avail-
25 able to carry out this section for any fiscal year, the

1 Secretary may use not more than 20 percent to
2 make a grant or enter into a contract for research
3 and evaluation of—

4 “(A) grants awarded under this section;
5 and

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

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

15 “(A) research on the effects of domestic vi-
16 olence, dating violence, sexual assault, and
17 childhood exposure to domestic violence, dating
18 violence, or sexual assault on health behaviors,
19 health conditions, and health status of individ-
20 uals, families, and populations, including under-
21 served populations;

22 “(B) research to determine effective health
23 care interventions to respond to and prevent do-
24 mestic violence, dating violence, sexual assault,
25 and stalking;

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

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

13 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
14 is authorized to be appropriated to carry out this section
15 \$10,000,000 for each of fiscal years 2013 through 2017.

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

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

20 (1) Section 40297 of the Violence Against
21 Women Act of 1994 (42 U.S.C. 13973).

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

1 **TITLE VI—SAFE HOMES FOR VIC-**
2 **TIMS OF DOMESTIC VIO-**
3 **LENCE, DATING VIOLENCE,**
4 **SEXUAL ASSAULT, AND**
5 **STALKING**

6 **SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMES-**
7 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**
8 **ASSAULT, AND STALKING.**

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

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

14 **“CHAPTER 1—GRANT PROGRAMS”;**

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

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

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

“CHAPTER 2—HOUSING RIGHTS**“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

“(a) DEFINITIONS.—In this chapter:

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

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

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

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

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

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

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

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

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

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

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

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

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

21 “(I) rural housing assistance provided
22 under sections 514, 515, 516, 533, and 538 of
23 the Housing Act of 1949 (42 U.S.C. 1484,
24 1485, 1486, 1490m, and 1490p-2); and

1 “(J) the low-income housing tax credit
2 program under section 42 of the Internal Rev-
3 enue Code of 1986.

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

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

16 “(2) CONSTRUCTION OF LEASE TERMS.—An in-
17 cident of actual or threatened domestic violence, dat-
18 ing violence, sexual assault, or stalking shall not be
19 construed as—

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

24 “(B) good cause for terminating the assist-
25 ance, tenancy, or occupancy rights to housing

1 assisted under a covered housing program of
2 the victim or threatened victim of such incident.

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

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

19 “(B) BIFURCATION.—

20 “(i) IN GENERAL.—Notwithstanding
21 subparagraph (A), a public housing agency
22 or owner or manager of housing assisted
23 under a covered housing program may bi-
24 furcate a lease for the housing in order to
25 evict, remove, or terminate assistance to

1 any individual who is a tenant or lawful oc-
2 cupant of the housing and who engages in
3 criminal activity directly relating to domes-
4 tic violence, dating violence, sexual assault,
5 or stalking against an affiliated individual
6 or other individual, without evicting, re-
7 moving, terminating assistance to, or oth-
8 erwise penalizing a victim of such criminal
9 activity who is also a tenant or lawful oc-
10 cupant of the housing.

11 “(ii) EFFECT OF EVICTION ON OTHER
12 TENANTS.—If a public housing agency or
13 owner or manager of housing assisted
14 under a covered housing program evicts,
15 removes, or terminates assistance to an in-
16 dividual under clause (i), and the indi-
17 vidual is the sole tenant eligible to receive
18 assistance under a covered housing pro-
19 gram, the public housing agency or owner
20 or manager of housing assisted under the
21 covered housing program shall provide any
22 remaining tenant an opportunity to estab-
23 lish eligibility for the covered housing pro-
24 gram. If a tenant described in the pre-
25 ceding sentence cannot establish eligibility,

1 the public housing agency or owner or
2 manager of the housing shall provide the
3 tenant a reasonable time, as determined by
4 the appropriate agency, to find new hous-
5 ing or to establish eligibility for housing
6 under another covered housing program.

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

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

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

20 “(II) the distribution or posses-
21 sion of property among members of a
22 household in a case;

23 “(ii) to limit any otherwise available
24 authority of a public housing agency or
25 owner or manager of housing assisted

1 under a covered housing program to evict
2 or terminate assistance to a tenant for any
3 violation of a lease not premised on the act
4 of violence in question against the tenant
5 or an affiliated person of the tenant, if the
6 public housing agency or owner or man-
7 ager does not subject an individual who is
8 or has been a victim of domestic violence,
9 dating violence, sexual assault, or stalking
10 to a more demanding standard than other
11 tenants in determining whether to evict or
12 terminate;

13 “(iii) to limit the authority to termi-
14 nate assistance to a tenant or evict a ten-
15 ant from housing assisted under a covered
16 housing program if a public housing agen-
17 cy or owner or manager of the housing can
18 demonstrate that an actual and imminent
19 threat to other tenants or individuals em-
20 ployed at or providing service to the prop-
21 erty would be present if the assistance is
22 not terminated or the tenant is not evicted;
23 or

24 “(iv) to supersede any provision of
25 any Federal, State, or local law that pro-

1 vides greater protection than this section
2 for victims of domestic violence, dating vio-
3 lence, sexual assault, or stalking.

4 “(c) DOCUMENTATION.—

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

15 “(2) FAILURE TO PROVIDE CERTIFICATION.—

16 “(A) IN GENERAL.—If an applicant or ten-
17 ant does not provide the documentation re-
18 quested under paragraph (1) within 14 business
19 days after the tenant receives a request in writ-
20 ing for such certification from a public housing
21 agency or owner or manager of housing assisted
22 under a covered housing program, nothing in
23 this chapter may be construed to limit the au-
24 thority of the public housing agency or owner or
25 manager to—

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

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

5 “(iii) terminate the participation of
6 the applicant or tenant in the covered pro-
7 gram; or

8 “(iv) evict the applicant, the tenant,
9 or a lawful occupant that commits viola-
10 tions of a lease.

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

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

17 “(A) a certification form approved by the
18 appropriate agency that—

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

22 “(ii) states that the incident of domes-
23 tic violence, dating violence, sexual assault,
24 or stalking that is the ground for protec-

1 tion under subsection (b) meets the re-
2 quirements under subsection (b); and

3 “(iii) includes the name of the indi-
4 vidual who committed the domestic vio-
5 lence, dating violence, sexual assault, or
6 stalking, if the name is known and safe to
7 provide;

8 “(B) a document that—

9 “(i) is signed by—

10 “(I) an employee, agent, or vol-
11 unteer of a victim service provider, an
12 attorney, a medical professional, or a
13 mental health professional from whom
14 an applicant or tenant has sought as-
15 sistance relating to domestic violence,
16 dating violence, sexual assault, or
17 stalking, or the effects of the abuse;
18 and

19 “(II) the applicant or tenant; and

20 “(ii) states under penalty of perjury
21 that the individual described in clause
22 (i)(I) believes that the incident of domestic
23 violence, dating violence, sexual assault, or
24 stalking that is the ground for protection

1 under subsection (b) meets the require-
2 ments under subsection (b);

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

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

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

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

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

25 “(C) otherwise required by applicable law.

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

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

23 “(7) RESPONSE TO CONFLICTING CERTIFI-
24 CATION.—If a public housing agency or owner or
25 manager of housing assisted under a covered hous-

1 ing program receives documentation under this sub-
2 section that contains conflicting information, the
3 public housing agency or owner or manager may re-
4 quire an applicant or tenant to submit third-party
5 documentation, as described in subparagraph (B),
6 (C), or (D) of paragraph (3).

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

13 “(d) NOTIFICATION.—

14 “(1) DEVELOPMENT.—The Secretary of Hous-
15 ing and Urban Development shall develop a notice of
16 the rights of individuals under this section, including
17 the right to confidentiality and the limits thereof.

18 “(2) PROVISION.—The applicable public hous-
19 ing agency or owner or manager of housing assisted
20 under a covered housing program shall provide the
21 notice developed under paragraph (1), together with
22 the form described in subsection (c)(3)(A), to an ap-
23 plicant for or tenant of housing assisted under a
24 covered housing program—

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

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

7 “(C) together with any notification of evic-
8 tion or notification of termination of assistance;
9 and

10 “(D) in multiple languages, consistent with
11 guidance issued by the Secretary of Housing
12 and Urban Development in accordance with Ex-
13 ecutive Order 13166 (42 U.S.C. 2000d–1 note;
14 relating to access to services for persons with
15 limited English proficiency).

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

21 “(1) allows tenants who are victims of domestic
22 violence, dating violence, sexual assault, or stalking
23 to relocate or transfer to another available and safe
24 dwelling unit assisted under a covered housing pro-

1 gram and retain their status as tenants under the
2 covered housing program if—

3 “(A) the tenant expressly requests to
4 move;

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

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

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

18 “(2) incorporates reasonable confidentiality
19 measures to ensure that the public housing agency
20 or owner or manager does not disclose the location
21 of the dwelling unit of a tenant to a person that
22 commits an act of domestic violence, dating violence,
23 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 (a) AMENDMENTS.—Chapter 11 of subtitle B of the
19 Violence Against Women Act of 1994 (42 U.S.C. 13975;
20 as added by section 611 of Public Law 108–21 (117 Stat.
21 693)) is amended—

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”; and

13 (C) in subsection (g)—

14 (i) in paragraph (1), by striking
15 “\$40,000,000 for each of fiscal years 2007
16 through 2011” and inserting “\$35,000,000
17 for each of fiscal years 2013 through
18 2017”; and

19 (ii) in paragraph (3)—

20 (I) in subparagraph (A), by strik-
21 ing “eligible” and inserting “quali-
22 fied”; and

23 (II) by adding at the end the fol-
24 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 (b) TECHNICAL CORRECTION.—Chapter 11 of sub-
18 title B of the Violence Against Women Act of 1994 (relat-
19 ing to research on effective interventions to address vio-
20 lence; 42 U.S.C. 13973; as added by section 505 of Public
21 Law 109–162 (119 Stat. 3028)), and section 40297 of
22 such chapter (42 U.S.C. 13973), are hereby redesignated
23 as chapter 12 and section 40299A, respectively.

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

4 Subtitle N of the Violence Against Women Act of
5 1994 (42 U.S.C. 14043e et seq.) is amended—

6 (1) in section 41404(i) (42 U.S.C. 14043e–
7 3(i)), by striking “\$10,000,000 for each of fiscal
8 years 2007 through 2011” and inserting
9 “\$4,000,000 for each of fiscal years 2013 through
10 2017”; and

11 (2) in section 41405(g) (42 U.S.C. 14043e–
12 4(g)), by striking “\$10,000,000 for each of fiscal
13 years 2007 through 2011” and inserting
14 “\$4,000,000 for each of fiscal years 2013 through
15 2017”.

16 **TITLE VII—ECONOMIC SECURITY**
17 **FOR VICTIMS OF VIOLENCE**

18 **SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE**
19 **RESPONSES TO ASSIST VICTIMS OF DOMES-**
20 **TIC AND SEXUAL VIOLENCE.**

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

1 **TITLE VIII—IMMIGRATION**
2 **PROVISIONS**

3 **SEC. 801. FRAUD PREVENTION INITIATIVES.**

4 (a) CREDIBLE EVIDENCE CONSIDERED.—Section
5 240A(b)(2) of the Immigration and Nationality Act (8
6 U.S.C. 1229b) is amended by striking subparagraph (D)
7 and inserting the following:

8 “(D) CREDIBLE EVIDENCE CONSID-
9 ERED.—In adjudicating applications under this
10 paragraph, the Secretary of Homeland Security
11 shall consider any credible evidence relevant to
12 the application, including credible evidence sub-
13 mitted by a national of the United States or an
14 alien lawfully admitted for permanent residence
15 accused of the conduct described in subpara-
16 graph (A)(i).”.

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

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

23 “(III)(aa) Upon filing, each peti-
24 tion under this clause shall be trans-
25 ferred to a local service center of

1 United States Citizenship and Immi-
2 gration Services and assigned to an
3 investigative officer for adjudication
4 and final determination of eligibility.

5 “(bb) During the adjudication of
6 each petition under this paragraph, an
7 investigative officer from a local serv-
8 ice center of United States Citizenship
9 and Immigration Services shall con-
10 duct an in-person interview of the
11 alien who filed the petition. The inves-
12 tigative officer may also gather other
13 evidence and interview other wit-
14 nesses, including the accused United
15 States citizen or lawful permanent
16 resident, if they consent to be inter-
17 viewed.

18 “(cc) All interviews under this
19 clause shall be conducted under oath
20 and subject to applicable penalties for
21 perjury.

22 “(dd) Upon the conclusion of the
23 adjudication process under this sub-
24 paragraph, the investigative officer
25 shall issue a final written determina-

1 tion to approve or deny the petition.
2 The investigative officer shall not ap-
3 prove the petition unless the officer
4 finds, in writing and with particu-
5 larity, that all requirements under
6 this paragraph, including proof that
7 the alien is a victim of the conduct de-
8 scribed in clause (iii)(I)(bb), have
9 been proven by clear and convincing
10 evidence.

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

13 “(aa) the petition shall not
14 be granted unless the petition is
15 supported by clear and con-
16 vincing evidence; and

17 “(bb) all credible evidence
18 submitted by an accused national
19 of the United States or alien law-
20 fully admitted for permanent res-
21 idence shall be considered.

22 “(V)(aa) During the adjudication
23 of a petition under this paragraph,
24 the investigative officer at the local
25 service center of United States Citi-

1 zenship and Immigration Services
2 shall determine whether any Federal,
3 State, territorial, tribal, or local law
4 enforcement agency has undertaken
5 an investigation or prosecution of the
6 abusive conduct alleged by the peti-
7 tioning alien.

8 “(bb) If an investigation or pros-
9 ecution was commenced, the investiga-
10 tive officer shall—

11 “(AA) obtain as much infor-
12 mation as possible about the in-
13 vestigation or prosecution; and

14 “(BB) consider that infor-
15 mation as part of the adjudica-
16 tion of the petition.

17 “(cc) If an investigation or pros-
18 ecution is pending, the adjudication of
19 the petition shall be stayed pending
20 the conclusion of the investigation or
21 prosecution. If no investigation has
22 been undertaken or if a prosecutor’s
23 office has not commenced a prosecu-
24 tion after the matter was referred to
25 it, that fact shall be considered by the

1 investigative officer as part of the ad-
2 judication of the petition.

3 “(VI)(aa) If an investigative offi-
4 cer makes a written finding that the
5 petitioning alien made a material mis-
6 representation on a petition, during
7 an interview, or during any other as-
8 pect of the adjudication—

9 “(AA) the alien’s petition
10 shall be denied and the alien
11 shall be removed from the coun-
12 try on an expedited basis;

13 “(BB) the alien shall be per-
14 manently ineligible for any lawful
15 immigration status or benefits;

16 “(CC) any public assistance
17 or other public benefits received
18 by the alien or the alien’s bene-
19 ficiaries shall be immediately dis-
20 continued; and

21 “(DD) the alien and the
22 alien’s beneficiaries shall not be
23 eligible for any programs or ini-
24 tiatives undertaken by the De-
25 partment of Homeland Security

1 or any other agency or depart-
2 ment to delay or exempt removal,
3 including deferred action.

4 “(bb) Upon receiving any evi-
5 dence of any material misrepresenta-
6 tion on a petition, during an inter-
7 view, or during any other aspect of
8 the adjudication, the appropriate offi-
9 cer of United States Citizenship and
10 Immigration Services and the Sec-
11 retary of Homeland Security shall—

12 “(AA) deny the petition and
13 process the alien for expedited re-
14 moval, pursuant to item
15 (aa)(AA); and

16 “(BB) refer the matter and
17 all evidence to the Federal Bu-
18 reau of Investigation for a crimi-
19 nal investigation.

20 “(VII) If a petition filed under
21 this paragraph is denied, any obliga-
22 tions under an underlying affidavit of
23 support previously filed by the ac-
24 cused national of the United States or

1 alien lawfully admitted for permanent
2 residence shall be terminated.”;

3 (2) in subparagraph (A)(iv), 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 (iii).”;

7 (3) in subparagraph (A)(vii), by adding at the
8 end the following: “The petition shall be adjudicated
9 according to the procedures that apply to self-peti-
10 tioners under clause (iii).”;

11 (4) in subparagraph (B)(ii), by inserting after
12 subclause (II) the following:

13 “(III)(aa) Upon filing, each peti-
14 tion under this clause shall be trans-
15 ferred to a local service center of
16 United States Citizenship and Immi-
17 gration Services and assigned to an
18 investigative officer for adjudication
19 and final determination of eligibility.

20 “(bb) During the adjudication of
21 each petition under this paragraph, an
22 investigative officer from a local serv-
23 ice center of United States Citizenship
24 and Immigration Services shall con-
25 duct an in-person interview of the

1 alien who filed the petition. The inves-
2 tigative officer may also gather other
3 evidence and interview other wit-
4 nesses, including the accused United
5 States citizen or lawful permanent
6 resident, if they consent to be inter-
7 viewed.

8 “(cc) All interviews under this
9 clause shall be conducted under oath
10 and subject to applicable penalties for
11 perjury.

12 “(dd) Upon the conclusion of the
13 adjudication process under this sub-
14 paragraph, the investigative officer
15 shall issue a final written determina-
16 tion to approve or deny the petition.
17 The investigative officer shall not ap-
18 prove the petition unless the officer
19 finds, in writing and with particu-
20 larity, that all requirements under
21 this paragraph, including proof that
22 the alien is a victim of the conduct de-
23 scribed in clause (ii)(I)(bb), have been
24 proven by clear and convincing evi-
25 dence.

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

3 “(aa) the petition shall not
4 be granted unless the petition is
5 supported by clear and con-
6 vincing evidence; and

7 “(bb) all credible evidence
8 submitted by an accused national
9 of the United States or alien law-
10 fully admitted for permanent res-
11 idence shall be considered.

12 “(V)(aa) During the adjudication
13 of a petition under this clause, the in-
14 vestigative officer at the local service
15 center of United States Citizenship
16 and Immigration Services shall deter-
17 mine whether any Federal, State, ter-
18 ritorial, tribal, or local law enforce-
19 ment agency has undertaken an inves-
20 tigation or prosecution of the abusive
21 conduct alleged by the petitioning
22 alien.

23 “(bb) If an investigation or pros-
24 ecution was commenced, the investiga-
25 tive officer shall—

1 “(AA) obtain as much infor-
2 mation as possible about the in-
3 vestigation or prosecution; and

4 “(BB) consider that infor-
5 mation as part of the adjudica-
6 tion of the petition.

7 “(cc) If an investigation or pros-
8 ecution is pending, the adjudication of
9 the petition shall be stayed pending
10 the conclusion of the investigation or
11 prosecution. If no investigation has
12 been undertaken or if a prosecutor’s
13 office has not commenced a prosecu-
14 tion after the matter was referred to
15 it, that fact shall be considered by the
16 investigative officer as part of the ad-
17 judication of the petition.

18 “(VI)(aa) If an investigative offi-
19 cer makes a written finding that the
20 petitioning alien made a material mis-
21 representation on a petition, during
22 an interview, or during any other as-
23 pect of the adjudication—

24 “(AA) the alien’s petition
25 shall be denied and the alien

1 shall be removed from the coun-
2 try on an expedited basis;

3 “(BB) the alien shall be per-
4 manently ineligible for any lawful
5 immigration status or benefits;

6 “(CC) any public assistance
7 or other public benefits received
8 by the alien or the alien’s bene-
9 ficiaries shall be immediately dis-
10 continued; and

11 “(DD) the alien and the
12 alien’s beneficiaries shall not be
13 eligible for any programs or ini-
14 tiatives undertaken by the De-
15 partment of Homeland Security
16 or any other agency or depart-
17 ment to delay or exempt removal,
18 including deferred action.

19 “(bb) Upon receiving any evi-
20 dence of any material misrepresenta-
21 tion on a petition, during an inter-
22 view, or during any other aspect of
23 the adjudication, the appropriate offi-
24 cer of United States Citizenship and

1 Immigration Services and the Sec-
2 retary of Homeland Security shall—

3 “(AA) deny the petition and
4 process the alien for expedited re-
5 moval, pursuant to subclause
6 (VI)(aa)(AA); and

7 “(BB) refer the matter and
8 all evidence to the Federal Bu-
9 reau of Investigation for a crimi-
10 nal investigation.

11 “(VII) If a petition filed under
12 this clause is denied, any obligations
13 under an underlying affidavit of sup-
14 port previously filed by the accused
15 national of the United States or alien
16 lawfully admitted for permanent resi-
17 dence shall be terminated.”; and

18 (5) in subparagraph (B)(iii), 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 (ii).”.

22 **SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLI-**
23 **CABLE TO U VISAS.**

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

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

3 “(A) IN GENERAL.—The petition”.

4 (2) By adding at the end the following:

5 “(B) CERTIFICATION REQUIREMENTS.—

6 Each certification submitted under subpara-
7 graph (A) shall confirm under oath that—

8 “(i) the petitioner reported the crimi-
9 nal activity to a law enforcement agency
10 within 60 days of its occurrence;

11 “(ii) the statute of limitations for
12 prosecuting an offense based on the crimi-
13 nal activity has not lapsed;

14 “(iii) the criminal activity is actively
15 under investigation or a prosecution has
16 been commenced; and

17 “(iv) the petitioner has provided to
18 law enforcement information that will as-
19 sist in identifying the perpetrator of the
20 criminal activity or the perpetrator’s iden-
21 tity is known.

22 “(C) REQUIREMENT FOR CERTIFI-
23 CATION.—No application for a visa under sec-
24 tion 101(a)(15)(U) may be granted unless ac-

1 compared by the certification as described in
2 this paragraph.”.

3 **SEC. 803. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A**
4 **CITIZEN.**

5 (a) IN GENERAL.—Section 214 of the Immigration
6 and Naturalization Act (8 U.S.C. 1184) is amended—

7 (1) in subsection (d)—

8 (A) in paragraph (1), by striking “crime.”
9 and inserting “crime described in paragraph
10 (3)(B) and information on any permanent pro-
11 tection or restraining order issued against the
12 petitioner related to any specified crime de-
13 scribed in paragraph (3)(B)(i).”; and

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

18 (2) in subsection (r)—

19 (A) in paragraph (1), by striking “crime.”
20 and inserting “crime described in paragraph
21 (5)(B) and information on any permanent pro-
22 tection or restraining order issued against the
23 petitioner related to any specified crime de-
24 scribed in subsection (5)(B)(i).”; and

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

5 (b) PROVISION OF INFORMATION TO K NON-
6 IMMIGRANTS.—Section 883 of the International Marriage
7 Broker Regulation Act of 2005 (8 U.S.C. 1375a) is
8 amended in subsection (b)(1)(A), by striking “or” after
9 “orders” and inserting “and”.

10 **SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE**
11 **BROKERS.**

12 (a) IMPLEMENTATION OF THE INTERNATIONAL MAR-
13 RIAGE BROKER ACT OF 2005.—Not later than 90 days
14 after the date of the enactment of this Act, the Attorney
15 General shall submit to Congress a report that includes
16 the name of the component of the Department of Justice
17 responsible for prosecuting violations of the International
18 Marriage Broker Act of 2005 (subtitle D of Public Law
19 109–162; 119 Stat. 3066) and the amendments made by
20 this title.

21 (b) REGULATION OF INTERNATIONAL MARRIAGE
22 BROKERS.—Section 833(d) of the International Marriage
23 Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is
24 amended as follows:

1 (1) By amending paragraph (1) to read as fol-
2 lows:

3 “(1) PROHIBITION ON MARKETING OF OR TO
4 CHILDREN.—

5 “(A) IN GENERAL.—An international mar-
6 riage broker shall not provide any individual or
7 entity with personal contact information, photo-
8 graph, or general information about the back-
9 ground or interests of any individual under the
10 age of 18.

11 “(B) COMPLIANCE.—To comply with the
12 requirements of subparagraph (A), an inter-
13 national marriage broker shall—

14 “(i) obtain a valid copy of each for-
15 eign national client’s birth certificate or
16 other proof of age document issued by an
17 appropriate government entity;

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

21 “(iii) retain the original of such cer-
22 tificate or document for 5 years after such
23 date of receipt; and

24 “(iv) produce such certificate or docu-
25 ment upon request to an appropriate au-

1 thority charged with the enforcement of
2 this paragraph.”.

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

6 **SEC. 805. GAO REPORT.**

7 (a) REQUIREMENT FOR REPORT.—Not later than 1
8 year after the date of the enactment of this Act, the Comp-
9 troller General of the United States shall submit to the
10 Committee on the Judiciary of the Senate and the Com-
11 mittee on the Judiciary of the House of Representatives
12 a report regarding the adjudication of petitions and appli-
13 cations under section 101(a)(15)(U) of the Immigration
14 and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the
15 self-petitioning process for VAWA self-petitioners (as that
16 term is defined in section 101(a)(51) of the Immigration
17 and Nationality Act (8 U.S.C. 1101(a)(51)).

18 (b) CONTENTS.—The report required by subsection

19 (a) shall—

20 (1) assess the efficiency and reliability of the
21 process for reviewing such petitions and applications,
22 including whether the process includes adequate
23 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 of the Immigration
6 and Nationality Act (8 U.S.C. 1255) is amended by strik-
7 ing subsection (m).

8 (b) DURATION OF NONIMMIGRANT STATUS.—Section
9 214(p)(6) of such Act (8 U.S.C. 1184(p)(6)) is amended
10 by striking “Such alien’s nonimmigrant status shall be ex-
11 tended beyond the 4-year period authorized under this sec-
12 tion if the alien is eligible for relief under section 245(m)
13 and is unable to obtain such relief because regulations
14 have not been issued to implement such section and shall
15 be extended during the pendency of an application for ad-
16 justment of status under section 245(m).”.

17 (c) SURVIVING RELATIVE CONSIDERATION FOR CER-
18 TAIN PETITIONS AND APPLICATIONS.—Section
19 204(l)(2)(E) of such Act (8 U.S.C. 1154(l)(2)(E)) is
20 amended by striking “or in ‘U’ nonimmigrant status as
21 described in section 101(a)(15)(U)(ii);” and inserting a
22 semicolon.

23 (d) EFFECTIVE DATE.—The amendments made by
24 this section shall apply to applications for adjustment of
25 status submitted on or after the date of the enactment

1 of this Act, and to previously filed applications that are
2 pending on the date of enactment of this Act.

3 **SEC. 807. ANNUAL REPORT ON IMMIGRATION APPLICA-**
4 **TIONS MADE BY VICTIMS OF ABUSE.**

5 Not later than December 1, 2012, and annually
6 thereafter, the Secretary of Homeland Security shall sub-
7 mit to the Committee on the Judiciary of the Senate and
8 the Committee on the Judiciary of the House of Rep-
9 resentatives a report that includes the following:

10 (1) The number of aliens who—

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

16 (B) were granted such nonimmigrant sta-
17 tus during such fiscal year; or

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

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

23 (3) The mean amount of time and median
24 amount of time between the receipt of an application
25 for such nonimmigrant status and the issuance of

1 work authorization to an eligible applicant during
2 the preceding fiscal year.

3 (4) The number of aliens granted continued
4 presence in the United States under section
5 107(c)(3) of the Trafficking Victims Protection Act
6 of 2000 (22 U.S.C. 7105(c)(3)) during the pre-
7 ceding fiscal year.

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

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

15 **SEC. 808. PROTECTION FOR CHILDREN OF VAWA SELF-PE-**
16 **TITIONERS.**

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

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

21 (2) by redesignating subparagraph (F) as sub-
22 paragraph (G); and

23 (3) by inserting after subparagraph (E) the fol-
24 lowing:

1 “(F) a child of an alien who filed a pend-
2 ing or approved petition for classification or ap-
3 plication for adjustment of status or other ben-
4 efit specified in section 101(a)(51) as a VAWA
5 self-petitioner; or”.

6 **SEC. 809. PUBLIC CHARGE.**

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

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

13 “(i) is a VAWA self-petitioner;

14 “(ii) is an applicant for, or is granted,
15 nonimmigrant status under section
16 101(a)(15)(U); or

17 “(iii) is a qualified alien described in
18 section 431(e) of the Personal Responsi-
19 bility and Work Opportunity Reconciliation
20 Act of 1996 (8 U.S.C. 1641(c)).”.

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

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

25 “(7) AGE DETERMINATIONS.—

1 “(A) CHILDREN.—An unmarried alien who
2 seeks to accompany, or follow to join, a parent
3 granted status under section 101(a)(15)(U)(i),
4 and who was under 21 years of age on the date
5 on which such parent petitioned for such status,
6 shall continue to be classified as a child for pur-
7 poses of section 101(a)(15)(U)(ii), if the alien
8 attains 21 years of age after such parent’s peti-
9 tion was filed but while it was pending.

10 “(B) PRINCIPAL ALIENS.—An alien de-
11 scribed in clause (i) of section 101(a)(15)(U)
12 shall continue to be treated as an alien de-
13 scribed in clause (ii)(I) of such section if the
14 alien attains 21 years of age after the alien’s
15 application for status under such clause (i) is
16 filed but while it is pending.”.

17 **SEC. 811. HARDSHIP WAIVERS.**

18 (a) IN GENERAL.—Section 216(c)(4) of the Immigra-
19 tion and Nationality Act (8 U.S.C. 1186a(c)(4)) is amend-
20 ed—

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

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

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

3 (4) by inserting after subparagraph (C) the fol-
4 lowing:

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

12 (b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of
13 the Immigration and Nationality Act (8 U.S.C.
14 1186a(c)(4)), as amended by subsection (a), is further
15 amended—

16 (1) in the matter preceding subparagraph (A),
17 by striking “The Attorney General, in the Attorney
18 General’s” and inserting “The Secretary of Home-
19 land Security, in the Secretary’s”; and

20 (2) in the undesignated paragraph at the end—

21 (A) in the first sentence, by striking “At-
22 torney General” and inserting “Secretary of
23 Homeland Security”;

24 (B) in the second sentence, by striking
25 “Attorney General” and inserting “Secretary”;

1 (C) in the third sentence, by striking “At-
2 torney General.” and inserting “Secretary.”;
3 and

4 (D) in the fourth sentence, by striking
5 “Attorney General” and inserting “Secretary”.

6 **SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL**
7 **SECURITY PURPOSE.**

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

11 (1) in paragraph (1)—

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

15 (B) by inserting “Secretary’s or the” be-
16 fore “Attorney General’s discretion”;

17 (2) in paragraph (2)—

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

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

23 (C) by inserting “in a manner that pro-
24 tects the confidentiality of such information”
25 after “law enforcement purpose”;

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

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

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

14 (b) GUIDELINES.—Section 384(d) of the Illegal Im-
15 migration Reform and Immigrant Responsibility Act of
16 1996 (8 U.S.C. 1367(d)) is amended by inserting “and
17 severe forms of trafficking in persons or criminal activity
18 listed in section 101(a)(15)(U) of the Immigration and
19 Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domes-
20 tic violence”.

21 (c) IMPLEMENTATION.—Not later than 180 days
22 after the date of enactment of this Act, the Attorney Gen-
23 eral and Secretary of Homeland Security shall provide the
24 guidance required by section 384(d) of the Illegal Immi-
25 gration Reform and Immigrant Responsibility Act of 1996

1 (8 U.S.C. 1367(d)), consistent with the amendments made
2 by subsections (a) and (b).

3 (d) CLERICAL AMENDMENT.—Section 384(a)(1) of
4 the Illegal Immigration Reform and Immigrant Responsi-
5 bility Act of 1986 is amended by striking “241(a)(2)” in
6 the matter following subparagraph (F) and inserting
7 “237(a)(2)”.

8 **SEC. 813. GAO REPORT ON REQUIREMENTS TO COOPERATE**
9 **WITH LAW ENFORCEMENT OFFICIALS.**

10 (a) REQUIREMENT FOR REPORT.—Not later than
11 three years after the date of enactment of this Act, the
12 Comptroller General of the United States shall submit a
13 report to the Committee on the Judiciary of the Senate
14 and the Committee on the Judiciary of the House of Rep-
15 resentatives a report regarding the adjudication of peti-
16 tions and applications under section 101(a)(15)(U) of the
17 Immigration and Nationality Act (8 U.S.C.
18 1101(a)(15)(U)).

19 (b) CONTENTS.—The report required by subsection
20 (a) shall—

21 (1) assess the effectiveness of the requirements
22 set out in Section 802 of this Act in ensuring that
23 potential U visa recipients aid in the investigation,
24 apprehension, and prosecution of criminals;

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

4 (3) determine the effect of the requirements set
5 out in Section 802 of this Act, on the number of in-
6 dividuals seeking U visas.

7 **TITLE IX—SAFETY FOR INDIAN**
8 **WOMEN**

9 **SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

10 Section 2015(a) of title I of the Omnibus Crime Con-
11 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg–
12 10(a)) is amended—

13 (1) in paragraph (2), by inserting “sex traf-
14 ficking,” after “sexual assault,”;

15 (2) in paragraph (4), by inserting “sex traf-
16 ficking,” after “sexual assault,”;

17 (3) in paragraph (5), by striking “and stalking”
18 and all that follows and inserting “sexual assault,
19 sex trafficking, and stalking,”;

20 (4) in paragraph (7)—

21 (A) by inserting “sex trafficking,” after
22 “sexual assault,” each place it appears; and

23 (B) by striking “and” at the end;

24 (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 **TITLE X—CRIMINAL PROVISIONS**

16 **SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL** 17 **ABUSE.**

18 (a) SEXUAL ABUSE OF A MINOR OR WARD.—Section
19 2243(b) of title 18, United States Code, is amended to
20 read as follows:

21 “(b) OF A WARD.—

22 “(1) OFFENSES.—It shall be unlawful for any
23 person to knowingly engage, or knowingly attempt to
24 engage, in a sexual act with another person who is—

1 “(A) in official detention or supervised by,
2 or otherwise under the control of, the United
3 States—

4 “(i) during arrest;

5 “(ii) during pretrial release;

6 “(iii) while in official detention or cus-
7 tody; or

8 “(iv) while on probation, supervised
9 release, or parole;

10 “(B) under the professional custodial, su-
11 pervisory, or disciplinary control or authority of
12 the person engaging or attempting to engage in
13 the sexual act; and

14 “(C) at the time of the sexual act—

15 “(i) in the special maritime and terri-
16 torial jurisdiction of the United States;

17 “(ii) in a Federal prison, or in any
18 prison, institution, or facility in which per-
19 sons are held in custody by direction of, or
20 pursuant to a contract or agreement with,
21 the United States; or

22 “(iii) under supervision or other con-
23 trol by the United States, or by direction
24 of, or pursuant to a contract or agreement
25 with, the United States.

1 “(2) PENALTIES.—Whoever violates paragraph
2 (1)(A) shall—

3 “(A) be fined under this title, imprisoned
4 for not more than 15 years, or both; and

5 “(B) if, in the course of committing the
6 violation of paragraph (1), the person engages
7 in conduct that would constitute an offense
8 under section 2241 or 2242 if committed in the
9 special maritime and territorial jurisdiction of
10 the United States, be subject to the penalties
11 provided for under section 2241 or 2242, re-
12 spectively.”.

13 (b) PENALTIES FOR SEXUAL ABUSE.—

14 (1) IN GENERAL.—Chapter 13 of title 18,
15 United States Code, is amended by adding at the
16 end the following:

17 **“§ 250. Penalties for sexual abuse**

18 “(a) OFFENSE.—It shall be unlawful for any person,
19 in the course of committing an offense under this chapter
20 or under section 901 of the Fair Housing Act (42 U.S.C.
21 3631) to engage in conduct that would constitute an of-
22 fense under chapter 109A if committed in the special mar-
23 itime and territorial jurisdiction of the United States.

24 “(b) PENALTIES.—A person that violates subsection
25 (a) shall be subject to the penalties under the provision

1 of chapter 109A that would have been violated if the con-
2 duct was committed in the special maritime and territorial
3 jurisdiction of the United States, unless a greater penalty
4 is otherwise authorized by law.”.

5 (2) CLERICAL AMENDMENT.—The table of sec-
6 tions for chapter 13 of title 18, United States Code,
7 is amended by adding at the end the following:

“250. Penalties for sexual abuse.”.

8 **SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.**

9 (a) SUITS BY PRISONERS.—Section 7(e) of the Civil
10 Rights of Institutionalized Persons Act (42 U.S.C.
11 1997e(e)) is amended by inserting before the period at the
12 end the following: “or the commission of a sexual act (as
13 defined in section 2246 of title 18, United States Code)”.

14 (b) UNITED STATES AS DEFENDANT.—Section
15 1346(b)(2) of title 28, United States Code, is amended
16 by inserting before the period at the end the following:
17 “or the commission of a sexual act (as defined in section
18 2246 of title 18)”.

19 (c) ADOPTION AND EFFECT OF NATIONAL STAND-
20 ARDS.—Section 8 of the Prison Rape Elimination Act of
21 2003 (42 U.S.C. 15607) is amended—

22 (1) by redesignating subsection (c) as sub-
23 section (e); and

24 (2) by inserting after subsection (b) the fol-
25 lowing:

1 “(c) APPLICABILITY TO DETENTION FACILITIES OP-
2 ERATED BY THE DEPARTMENT OF HOMELAND SECU-
3 RITY.—

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 Homeland Security shall publish a final rule
8 adopting national standards for the detection, pre-
9 vention, reduction, and punishment of rape and sex-
10 ual assault in facilities that maintain custody of
11 aliens detained for a violation of the immigrations
12 laws of the United States.

13 “(2) APPLICABILITY.—The standards adopted
14 under paragraph (1) shall apply to detention facili-
15 ties operated by the Department of Homeland Secu-
16 rity and to detention facilities operated under con-
17 tract with the Department.

18 “(3) COMPLIANCE.—The Secretary of Home-
19 land Security shall—

20 “(A) assess compliance with the standards
21 adopted under paragraph (1) on a regular
22 basis; and

23 “(B) include the results of the assessments
24 in performance evaluations of facilities com-

1 pleted by the Department of Homeland Secu-
2 rity.

3 “(4) CONSIDERATIONS.—In adopting standards
4 under paragraph (1), the Secretary of Homeland Se-
5 curity shall give due consideration to the rec-
6 ommended national standards provided by the Com-
7 mission under section 7(e).

8 “(d) APPLICABILITY TO CUSTODIAL FACILITIES OP-
9 ERATED BY THE DEPARTMENT OF HEALTH AND HUMAN
10 SERVICES.—

11 “(1) IN GENERAL.—Not later than 180 days
12 after the date of enactment of the Violence Against
13 Women Reauthorization Act of 2012, the Secretary
14 of Health and Human Services shall publish a final
15 rule adopting national standards for the detection,
16 prevention, reduction, and punishment of rape and
17 sexual assault in facilities that maintain custody of
18 unaccompanied alien children (as defined in section
19 462(g) of the Homeland Security Act of 2002 (6
20 U.S.C. 279(g))).

21 “(2) APPLICABILITY.—The standards adopted
22 under paragraph (1) shall apply to facilities operated
23 by the Department of Health and Human Services
24 and to facilities operated under contract with the
25 Department.

1 “(3) COMPLIANCE.—The Secretary of Health
2 and Human Services shall—

3 “(A) assess compliance with the standards
4 adopted under paragraph (1) on a regular
5 basis; and

6 “(B) include the results of the assessments
7 in performance evaluations of facilities com-
8 pleted by the Department of Health and
9 Human Services.

10 “(4) CONSIDERATIONS.—In adopting standards
11 under paragraph (1), the Secretary of Health and
12 Human Services shall give due consideration to the
13 recommended national standards provided by the
14 Commission under section 7(e).”.

15 **SEC. 1003. CRIMINAL PROVISION RELATING TO STALKING,**
16 **INCLUDING CYBERSTALKING.**

17 (a) IN GENERAL.—Section 2261A of title 18, United
18 States Code, is amended to read as follows:

19 **“SEC. 2261A. STALKING.**

20 “(a) Whoever uses the mail, any interactive computer
21 service, or any facility of interstate or foreign commerce
22 to engage in a course of conduct or travels in interstate
23 or foreign commerce or within the special maritime and
24 territorial jurisdiction of the United States, or enters or
25 leaves Indian country, with the intent to kill, injure, har-

1 ass, or intimidate another person, or place another person
2 under surveillance with the intent to kill, injure, harass,
3 or intimidate such person and in the course of, or as a
4 result of, such travel or course of conduct—

5 “(1) places that person in reasonable fear of
6 the death of, or serious bodily injury to such person,
7 a member of their immediate family (as defined in
8 section 115), or their spouse or intimate partner; or

9 “(2) causes or attempts to cause serious bodily
10 injury or serious emotional distress to such person,
11 a member of their immediate family (as defined in
12 section 115), or their spouse or intimate partner;

13 shall be punished as provided in subsection (b).

14 “(b) The punishment for an offense under this sec-
15 tion is the same as that for an offense under section 2261,
16 except that if—

17 “(1) the offense involves conduct in violation of
18 a protection order; or

19 “(2) the victim of the offense is under the age
20 of 18 years or over the age of 65 years, the offender
21 has reached the age of 18 years at the time the of-
22 fense was committed, and the offender knew or
23 should have known that the victim was under the
24 age of 18 years or over the age of 65 years;

1 the maximum term of imprisonment that may be imposed
2 is increased by 5 years over the term of imprisonment oth-
3 erwise provided for that offense in section 2261”.

4 (b) CLERICAL AMENDMENT.—The item relating to
5 section 2261A in the table of sections at the beginning
6 of chapter 110A of title 18, United States Code, is amend-
7 ed to read as follows:

“2261A. Stalking.”.

8 **SEC. 1004. AMENDMENTS TO THE FEDERAL ASSAULT STAT-**
9 **UTE.**

10 (a) IN GENERAL.—Section 113 of title 18, United
11 States Code, is amended—

12 (1) in subsection (a)—

13 (A) by striking paragraph (1) and insert-
14 ing the following:

15 “(1) Assault with intent to commit murder or
16 a violation of section 2241 or 2242, by a fine under
17 this title, imprisonment for not more than 20 years,
18 or both.”;

19 (B) in paragraph (2), by striking “felony
20 under chapter 109A” and inserting “violation
21 of section 2241 or 2242”;

22 (C) in paragraph (3), by striking “and
23 without just cause or excuse,”;

24 (D) in paragraph (4), by striking “six
25 months” and inserting “1 year”;

1 (E) in paragraph (5), by striking “1 year”
2 and inserting “5 years”;

3 (F) in paragraph (7)—

4 (i) by striking “substantial bodily in-
5 jury to an individual who has not attained
6 the age of 16 years” and inserting “sub-
7 stantial bodily injury to a spouse or inti-
8 mate partner, a dating partner, or an indi-
9 vidual who has not attained the age of 16
10 years”; and

11 (ii) by striking “fine” and inserting
12 “a fine”; and

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

14 “(8) Assault of a spouse, intimate partner, or
15 dating partner by strangling, suffocating, or at-
16 tempting to strangle or suffocate, by a fine under
17 this title, imprisonment for not more than 10 years,
18 or both.”; and

19 (2) in subsection (b)—

20 (A) by striking “(b) As used in this sub-
21 section—” and inserting the following:

22 “(b) In this section—”;

23 (B) in paragraph (1)(B), by striking
24 “and” at the end;

1 (C) in paragraph (2), by striking the pe-
2 riod at the end and inserting a semicolon; and

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

4 “(3) the terms ‘dating partner’ and ‘spouse or
5 intimate partner’ have the meanings given those
6 terms in section 2266;

7 “(4) the term ‘strangling’ means knowingly or
8 recklessly impeding the normal breathing or circula-
9 tion of the blood of a person by applying pressure
10 to the throat or neck, regardless of whether that
11 conduct results in any visible injury or whether there
12 is any intent to kill or protractedly injure the victim;
13 and

14 “(5) the term ‘suffocating’ means knowingly or
15 recklessly impeding the normal breathing of a person
16 by covering the mouth of the person, the nose of the
17 person, or both, regardless of whether that conduct
18 results in any visible injury or whether there is any
19 intent to kill or protractedly injure the victim.”.

20 (b) INDIAN MAJOR CRIMES.—Section 1153(a) of title
21 18, United States Code, is amended by striking “assault
22 with intent to commit murder, assault with a dangerous
23 weapon, assault resulting in serious bodily injury (as de-
24 fined in section 1365 of this title)” and inserting “a felony
25 assault under section 113”.

1 (c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B)
2 of title 18, United States Code, is amended by inserting
3 “or tribal” after “State”.

4 **SEC. 1005. MANDATORY MINIMUM SENTENCE.**

5 Section 2241 of title 18, United States Code, is
6 amended—

7 (1) in subsection (a), in the undesignated mat-
8 ter following paragraph (2), by striking “any term
9 of years or life” and inserting “not less than 10
10 years or imprisoned for life”; and

11 (2) in subsection (b), in the undesignated mat-
12 ter following paragraph (2), by striking “any term
13 of years or life” and inserting “not less than 5 years
14 or imprisoned for life”.

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