

\$3,473,634,000,000 for the period of fiscal years 2013 through 2022.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$7,818,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

#### TITLE V—CONGRESSIONAL POLICY CHANGES

##### SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula between 2018 and 2055 to gradually reduce benefits on a progressive basis for works with career-average earnings above the 40th percentile of new retired workers.

(2) The normal retirement age will increase by 3 months each year starting with individuals reaching age 62 in 2017 and stopping with the normal retirement age reaches the age of 70 for individuals reaching the age of 62 in 2032.

(3) The earliest eligibility age will be increased by 3 months per year starting with individuals reaching age 62 in 2021 and will stop with the reaches age 64 for individuals reaching the age 62 in 2028 or later.

##### SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2014, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel and Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal standards for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new "high-risk pool" for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3-month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

##### SEC. 503. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant commit-

tees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax as follows:

(1) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate of 17 percent on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers is \$30,320, \$19,350 for head of household, and \$15,160 for single filers. The personal exemption amount is \$6,530. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax of 17 percent on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of good and services less purchases of inputs from other firms less wages, salaries, and pensions paid to workers less purchases of plant and equipment.

(3) The individuals and businesses would be subject to taxation on only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should provide the ability to fill out a tax return no larger than a postcard.

#### TITLE VI—SENSE OF CONGRESS

##### SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the policy of Congress to vote on the Executive In Need of Scrutiny Act, legislation that would require all regulations that impose a burden greater than \$100 million in economic aggregate may not be implement as law unless Congress gives their consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily require regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed \$100,000,000 in aggregate economic costs.

#### SENATE CONCURRENT RESOLUTION 43—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 43

*Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, April 26, 2012, through Sunday, May 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12 noon on Monday, May 7, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, May 4, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, May 7, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.*

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2091. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table.

SA 2092. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2093. Mr. REID (for Mr. LEAHY) proposed an amendment to the bill S. 1925, supra.

SA 2094. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, supra.

SA 2095. Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, Mr. CORKER, and Mr. JOHANNES) proposed an amendment to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, supra.

SA 2096. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2097. Mr. BLUMENTHAL (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 2091. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an

amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 364, strike line 3 and all that follows through page 377, line 17, and insert the following:

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

“(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) is issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) DISMISSAL OF CERTAIN CASES.—

“(1) DEFINITION OF VICTIM.—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

“(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

“(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

“(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

“(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

“(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse or intimate partner of a member of the participating tribe.

“(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

“(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal

jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

“(3) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(f) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”.

#### SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

#### SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse,”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon,

assault resulting in serious bodily injury (as defined in section 1365 of this title)" and inserting "a felony assault under section 113".

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting "or tribal" after "State".

#### SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking "The National" and inserting "Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National"; and

(B) by inserting "and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))" before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking "and" at the end;

(B) in clause (v), by striking the period at the end and inserting "and"; and

(C) by adding at the end the following:

"(vi) sex trafficking.";

(3) in paragraph (4), by striking "this Act" and inserting "the Violence Against Women Reauthorization Act of 2011"; and

(4) in paragraph (5), by striking "this section \$1,000,000 for each of fiscal years 2007 and 2008" and inserting "this subsection \$1,000,000 for each of fiscal years 2012 and 2013".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking "fiscal years 2007 through 2011" and inserting "fiscal years 2012 through 2016".

#### SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

#### SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C.

2812(f)) is amended by striking "2 years" and inserting "3 years".

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

#### SEC. 910. LIMITATION.

Nothing in this Act or an amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

**SA 2092.** Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 364, strike line 3 and all that follows through page 377, line 17, and insert the following:

"(3) APPLICABILITY.—Nothing in this section—

"(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

"(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

"(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

"(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

"(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

"(A) occurs in the Indian country of the participating tribe; and

"(B) violates the portion of a protection order that—

"(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

"(ii) was issued against the defendant;

"(iii) is enforceable by the participating tribe; and

"(iv) is consistent with section 2265(b) of title 18, United States Code.

"(d) DISMISSAL OF CERTAIN CASES.—

"(1) DEFINITION OF VICTIM.—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

"(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

"(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

"(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

"(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

"(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

"(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

"(i) resides in the Indian country of the participating tribe;

"(ii) is employed in the Indian country of the participating tribe; or

"(iii) is a spouse or intimate partner of a member of the participating tribe.

"(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

"(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

"(1) all applicable rights under this Act;

"(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

"(3) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

"(f) PETITIONS TO STAY DETENTION.—

"(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

"(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

"(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

"(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

"(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

"(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

"(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

"(B) prosecution;

"(C) trial and appellate courts;

"(D) probation systems;

"(E) detention and correctional facilities;

"(F) alternative rehabilitation centers;

"(G) culturally appropriate services and assistance for victims and their families; and

"(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

"(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic

violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”.

#### SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

#### SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse,”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

#### SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act”

and inserting “the Violence Against Women Reauthorization Act of 2011”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2012 and 2013”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

#### SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

#### SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking “2 years” and inserting “3 years”.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

#### SEC. 910. LIMITATION.

Nothing in this Act or an amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

**SA 2093.** Mr. REID (for Mr. LEAHY) proposed an amendment to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows: Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Violence Against Women Reauthorization Act of 2011”.

#### SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Universal definitions and grant conditions.
- Sec. 4. 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. Sex offender management.
- Sec. 106. Court-appointed special advocate program.

Sec. 107. Criminal provision relating to stalking, including cyberstalking.

Sec. 108. Outreach and services to underserved populations grant.

Sec. 109. Culturally specific services grant.

#### 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. Enhanced training and services to end abuse 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 HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Consolidation of grants to strengthen the healthcare 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—PROTECTION OF BATTERED IMMIGRANTS

Sec. 801. U nonimmigrant definition.

Sec. 802. Annual report on immigration applications made by victims of abuse.

Sec. 803. Protection for children of VAWA self-petitioners.

Sec. 804. Public charge.

Sec. 805. Requirements applicable to U visas.

Sec. 806. Hardship waivers.

Sec. 807. Protections for a fiancée or fiancé of a citizen.

Sec. 808. Regulation of international marriage brokers.

Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.

Sec. 810. Diversity immigrant visa petition fee.

Sec. 811. Budgetary effects.

Sec. 812. Disclosure of information for national security purposes.

#### 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. Tribal jurisdiction over crimes of domestic violence.

Sec. 905. Tribal protection orders.

Sec. 906. Amendments to the Federal assault statute.

Sec. 907. Analysis and research on violence against Indian women.

Sec. 908. Effective dates; pilot project.

Sec. 909. Indian law and order commission; Report on the Alaska Rural Justice and Law Enforcement Commission.

Sec. 910. Limitation.

#### TITLE X—OTHER MATTERS

Sec. 1001. Criminal provisions relating to sexual abuse.

Sec. 1002. Sexual abuse in custodial settings.

Sec. 1003. Anonymous online harassment.

Sec. 1004. Stalker database.

Sec. 1005. Federal victim assistants reauthorization.

Sec. 1006. Child abuse training programs for judicial personnel and practitioners reauthorization.

Sec. 1007. Mandatory minimum sentence.

Sec. 1008. Removal of drunk drivers.

#### SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

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

(1) by redesignating—

(A) paragraph (1) as paragraph (2);

(B) paragraph (2) as paragraph (3);

(C) paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;

(E) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(F) paragraph (18) as paragraph (20);

(G) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(H) paragraphs (21) through (23) as paragraphs (26) through (28), respectively;

(I) paragraphs (24) through (33) as paragraphs (30) through (39), respectively;

(J) paragraphs (34) and (35) as paragraphs (43) and (44); and

(K) paragraph (37) as paragraph (45);

(2) by inserting before paragraph (2), as redesignated, the following:

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

(3) in paragraph (3), as redesignated, by striking “serious harm.” and inserting “serious harm to an unemancipated minor.”;

(4) in paragraph (4), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;

(5) by striking paragraph (5), as in effect before the amendments made by this subsection;

(6) by inserting after paragraph (7), as redesignated, the following:

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

“(7) CULTURALLY SPECIFIC.—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g)).”;

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

(8) by inserting after paragraph (11), as redesignated, the following:

“(12) HOMELESS.—The term ‘homeless’ has the meaning provided in 42 U.S.C. 14043e-2(6).”;

(9) in paragraph (18), as redesignated, by inserting “or Village Public Safety Officers” after “government victim service programs”;

(10) in paragraph (21), as redesignated, by inserting at the end the following:

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (20), as redesignated, to read as follows:

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

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.”;

(13) by inserting after paragraph (20), as redesignated, the following:

“(21) POPULATION SPECIFIC ORGANIZATION.—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(22) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.”;

(14) in paragraph (23), as redesignated, by striking “services” and inserting “assistance”;

(15) by inserting after paragraph (24), as redesignated, the following:

“(25) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be

part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(16) in paragraph (26), as redesignated—

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

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

(C) by inserting at the end the following:

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

(17) in paragraph (27), as redesignated—

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

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

(18) by striking paragraph (28), as redesignated, and inserting the following:

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

(19) by inserting after paragraph (28), as redesignated, the following:

“(29) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.”;

(20) by striking paragraph (35), as redesignated, and inserting the following:

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

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

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

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

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

(21) by amending paragraph (39), as redesignated, to read as follows:

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

(22) by inserting after paragraph (39), as redesignated, the following:

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

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

“(41) VICTIM SERVICES OR SERVICES.—The terms ‘victim services’ and ‘services’ means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy,

emergency and transitional shelter, accommodation and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

“(42) VICTIM SERVICE PROVIDER.—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.”; and

(24) by striking paragraph (43), as redesignated, and inserting the following:

“(43) YOUTH.—The term ‘youth’ means a person who is 11 to 24 years old.”.

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

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

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

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

“(D) INFORMATION SHARING.—

“(i) Grantees and subgrantees may share—

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

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

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

“(ii) In no circumstances may—

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

“(II) any personally identifying information be shared in order to comply with Fed-

eral, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.”;

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

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

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

(E) by inserting after subparagraph (F), as redesignated, the following:

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

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

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

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

“Final reports of such evaluations shall be made available to the public via the agency’s website.”; and

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

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

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual’s sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

“(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.



“(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) CONFERRAL.—

“(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

“(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

“(i) the administration of grants;

“(ii) unmet needs;

“(iii) promising practices in the field; and

“(iv) emerging trends.

“(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011.

“(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

“(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

“(ii) is made available to the public on the Office on Violence Against Women's website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

“(A) AUDIT REQUIREMENT.—

“(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(ii) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

“(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

“(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is

barred from receiving grants under paragraph (2), the Attorney General shall—

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

“(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

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

“(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

“(C) CONFERENCE EXPENDITURES.—

“(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

“(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

“(iii) all reimbursements required under subparagraph (A)(v) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.”

#### SEC. 4. EFFECTIVE DATE.

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

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

#### SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2012 through 2016”;

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

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

(i) by striking “equipment” and inserting “resources”; and

(ii) by inserting “for the protection and safety of victims,” after “women.”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))”;

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

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

(E) in paragraph (4)—

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

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

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

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

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

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

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;

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

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

(i) in subparagraph (A), by striking “triage protocols to ensure that dangerous or potentially lethal cases are identified and

prioritized” and inserting “the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases”; and

(ii) by striking “and” at the end;

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

(i) by striking “to provide” and inserting “providing”;

(ii) by striking “nonprofit nongovernmental”;

(iii) by striking the comma after “local governments”;

(iv) in the matter following subparagraph (C), by striking “paragraph (14)” and inserting “paragraph (13)”;

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

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

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

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

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

“(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

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

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

(A) in subsection (a), by striking “nonprofit nongovernmental victim service programs” and inserting “victim service providers”;

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

(C) in subsection (c)—

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

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

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

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

“(D) prosecution offices;

“(E) State and local courts;

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

“(G) representatives from underserved populations, including culturally specific populations;

“(H) victim service providers;

“(I) population specific organizations; and

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

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b-1b).”;

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

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

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

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

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

(IV) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”;

(v) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

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

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

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

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

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

(E) in subsection (e)—

(i) in paragraph (2)—

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

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

(ii) by adding at the end the following:

“(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.”;

(F) in subsection (f), by striking the period at the end and inserting “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not

count toward the total costs of the projects.”; and

(G) by adding at the end the following:

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

“(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

“(2) submit to the Attorney General—

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

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

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

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

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

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

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

“(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

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

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

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

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

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

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

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

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

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

(B) in subsection (b)—

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

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

(iii) by striking paragraph (3); and

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

“(d) NONCOOPERATION.—



“(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.”

“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.”; and

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

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

(B) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”; and

(C) by striking “victim of domestic violence” and all that follows through “sexual assault” and inserting “victim of domestic violence, dating violence, sexual assault, or stalking”.

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

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

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

(A) in subsection (b)—

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

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

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

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

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

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

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

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

(ix) by adding at the end the following:

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

“(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the

crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

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

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

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

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

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

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

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

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

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

(B) in subsection (c)—

(i) in paragraph (1)—

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

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

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (3)—

(I) by striking “spouses” each place it appears and inserting “parties”; and

(II) by striking “spouse” and inserting “party”;

(iv) in paragraph (4)—

(I) by inserting “, dating violence, sexual assault, or stalking” after “felony domestic violence”;

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

(III) by inserting “dating violence,” after “victim of domestic violence.”; and

(IV) by striking “and” at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after January 5, 2006”;

(II) by inserting “, trial of, or sentencing for” after “investigation of” each place it appears;

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

(IV) in clause (ii), as redesignated by subparagraph (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

and

(V) by striking the period at the end and inserting “; and”;

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

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

(I) by striking the comma that immediately follows another comma; and

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

“(1) States”; and

(viii) by adding at the end the following:

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

(C) in subsection (d)—

(i) in paragraph (1)—

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

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

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

(D) by adding at the end the following:

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

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

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

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

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

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

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2012 through 2016.”; and

(2) by striking the period that immediately follows another period.

#### SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

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

(1) in subsection (a)—

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

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

(2) in subsection (b)—

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

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

(3) in subsection (c)—

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

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

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

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

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

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

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

and

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

(5) in subsection (f) in paragraph (1), by striking “this section” and all that follows and inserting the following: “this section \$57,000,000 for each of fiscal years 2012 through 2016.”.

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

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

#### “SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

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

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

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

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

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

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

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

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

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

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

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

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

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

“(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

“(A) victims of domestic violence; and

“(B) nonoffending parents in matters—

“(i) that involve allegations of child sexual abuse;

“(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

“(iii) in which the other parent is represented by counsel;

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

“(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(c) CONSIDERATIONS.—

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

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

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

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

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

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

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual

assault, stalking, or child sexual abuse, as appropriate;

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

“(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

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

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

“(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

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

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”.

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

#### SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2012 through 2016.”.

**SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.**

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

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) **REPORTING.**—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

**SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.**

(a) **INTERSTATE DOMESTIC VIOLENCE.**—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting “is present” after “Indian Country or”; and

(2) by inserting “or presence” after “as a result of such travel”;

(b) **STALKING.**—Section 2261A of title 18, United States Code, is amended to read as follows:

**“§ 2261A. Stalking**

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person; or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication system or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.”.

(c) **INTERSTATE VIOLATION OF PROTECTION ORDER.**—Section 2262(a)(2) of title 18, United States Code, is amended by inserting “is present” after “Indian Country or”.

**SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.**

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

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

“(a) **GRANTS AUTHORIZED.**—

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

“(2) **PROGRAMS COVERED.**—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

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

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

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

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

“(c) **PLANNING GRANTS.**—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

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

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

“(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual

assault, and stalking within the targeted underserved populations, and evaluating the program.

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

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

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

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

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

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

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

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

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2012 through 2016.

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

**SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.**

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

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

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

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

(4) by striking subsection (a)(2) and inserting:

“(2) **PROGRAMS COVERED.**—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

“(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”; and

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

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

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

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

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

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting “or tribal programs and activities” after “nongovernmental organizations”; and

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

(3) in paragraph (4)—

(A) by inserting “(including the District of Columbia and Puerto Rico)” after “The Attorney General shall allocate to each State”;

(B) by striking “the District of Columbia, Puerto Rico,” after “Guam”;

(C) by striking “0.125 percent” and inserting “0.25 percent”; and

(D) by striking “The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016”.

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

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

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

(2) in subsection (b)—

(A) in paragraph (1)—

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

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

(B) in paragraph (2)—

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

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

“(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual

assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”.

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

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

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”;

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

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

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

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2012 through 2016”.

### **SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.**

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

#### **“Subtitle H—Enhanced Training and Services to End Abuse Later in Life**

##### **“SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.**

“(a) DEFINITIONS.—In this section—

“(1) the term ‘exploitation’ has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

“(2) the term ‘later life’, relating to an individual, means the individual is 50 years of age or older; and

“(3) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) GRANT PROGRAM.—

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

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

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

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

“(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

“(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual

assault, stalking, exploitation, and neglect; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

“(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

“(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

“(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

“(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

“(A) the entity is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

“(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

“(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

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

“(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

“(i) a law enforcement agency;

“(ii) a prosecutor’s office;

“(iii) a victim service provider; and

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

“(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2012 through 2016.”.

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

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

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”; and

(B) by adding at the end the following:

“(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of \$150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of \$35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.”.

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

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

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

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

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

“(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

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

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

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

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools,

high schools, and institutions of higher education to—

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

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

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

“(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking and the impact of such violence on youth; or

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

“(c) ELIGIBLE APPLICANTS.—

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

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

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

“(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

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

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

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

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

“(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish

and implement policies, practices, and procedures that—

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

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

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

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

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2012 through 2016.

“(g) ALLOTMENT.—

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

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”.

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

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

(1) in subsection (a)—

(A) in paragraph (1)—

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

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

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

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

(2) in subsection (b)—

(A) in paragraph (2)—

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

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

(B) in paragraph (4)—

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

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

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

(C) by adding at the end the following:

“(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

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

(3) in subsection (c)—

(A) in paragraph (2)—

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

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

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

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

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2012 through 2016”;

(4) in subsection (d)—

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

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

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

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

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

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”; and

(5) in subsection (e), by striking “there are” and all that follows through the period and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2012 through 2016.”.

#### **SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.**

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting “, when the victim of such crime elects or is unable to make such a report.”; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking “and” after the semicolon;

(ii) in clause (ii)—

(I) by striking “sexual orientation” and inserting “national origin, sexual orientation, gender identity.”; and

(II) by striking the period and inserting “; and”;

(iii) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”;

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(5) by striking paragraph (8) and inserting the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

“(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

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

“(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

“(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

“(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

“(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

“(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

“(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

“(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

“(ff) the information described in clauses (i) through (vii); and

“(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

“(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(iii) Procedures victims should follow if a sex offense, domestic violence, dating vio-

lence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—

“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

“(I) such proceedings shall—

“(aa) provide a prompt, fair, and impartial investigation and resolution; and

“(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

“(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

“(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

“(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

“(bb) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

“(cc) of any change to the results that occurs prior to the time that such results become final; and

“(dd) when such results become final.

“(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available record-keeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or



employee's rights and options, as described in clauses (ii) through (vii) of subparagraph (B).";

(6) in paragraph (9), by striking "The Secretary" and inserting "The Secretary, in consultation with the Attorney General of the United States,";

(7) by striking paragraph (16) and inserting the following:

"(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

"(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.";

(8) by striking paragraph (17) and inserting the following:

"(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.";

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

#### **TITLE IV—VIOLENCE REDUCTION PRACTICES**

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

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking "\$2,000,000 for each of the fiscal years 2007 through 2011" and inserting "\$1,000,000 for each of the fiscal years 2012 through 2016".

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

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

##### **"SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).**

"(a) **GRANTS AUTHORIZED.**—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

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

"(1) **TEEN DATING VIOLENCE AWARENESS AND PREVENTION.**—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The

prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

"(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

"(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

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

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

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

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

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

"(3) **ENGAGING MEN AS LEADERS AND ROLE MODELS.**—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

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

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

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

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

"(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

"(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

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

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

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

"(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

"(d) **GRANTEE REQUIREMENTS.**—

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

"(2) **POLICIES AND PROCEDURES.**—Applicants under this section shall establish and implement policies, practices, and procedures that—

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

"(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

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

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

"(3) **PREFERENCE.**—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

"(A) include outcome-based evaluation; and

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

"(e) **DEFINITIONS AND GRANT CONDITIONS.**—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

"(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated under this section may only be used for programs and activities described under this section.

"(g) **ALLOTMENT.**—

"(1) **IN GENERAL.**—Not less than 25 percent of the total amounts appropriated under this

section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.”

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

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

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

#### **TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

##### **SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

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

##### **“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

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

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

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

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

“(b) USE OF FUNDS.—

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

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

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

“(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

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

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

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

“(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

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

“(2) PERMISSIBLE USES.—

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

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

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

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

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

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

ioral health curricula, and allied health service training courses; or

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

“(C) REQUIREMENTS FOR GRANTEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

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

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

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

“(3) APPLICATION.—

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

“(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

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

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

“(II) a health care facility or system; or

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

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

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

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

integrated into prevention, intervention, and treatment activities;

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

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

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

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

“(d) ELIGIBLE ENTITIES.—

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

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

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

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

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

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

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

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

“(e) TECHNICAL ASSISTANCE.—

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

“(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available mate-

rials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

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

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

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

“(f) RESEARCH AND EVALUATION.—

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

“(A) grants awarded under this section; and

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

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

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

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

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

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

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 for each of fiscal years 2012 through 2016.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”

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

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

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

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

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

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

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

#### **“CHAPTER 1—GRANT PROGRAMS”;**

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

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

(4) by adding at the end the following:

## **“CHAPTER 2—HOUSING RIGHTS**

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

“(a) DEFINITIONS.—In this chapter:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

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

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

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

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

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

“(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the

basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

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

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

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

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

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

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for vic-

tims of domestic violence, dating violence, sexual assault, or stalking.

“(C) DOCUMENTATION.—

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

“(2) FAILURE TO PROVIDE CERTIFICATION.—

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

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

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

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

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

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

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

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

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

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

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

“(B) a document that—

“(i) is signed by—

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

“(II) the applicant or tenant; and

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

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

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

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing

agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

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

“(C) otherwise required by applicable law.

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

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

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

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

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

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

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

“(C) with any notification of eviction or notification of termination of assistance; and

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

“(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another

available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

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

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

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

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

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

(b) **CONFORMING AMENDMENTS.**—

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

(A) in subsection (c)—

(i) by striking paragraph (3); and

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

(B) in subsection (1)—

(i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

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

(C) by striking subsection (u).

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

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

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

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

(C) in subsection (f)—

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

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

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

(D) in subsection (o)—

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

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and

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

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

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

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

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

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

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

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

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

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

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

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

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

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

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking “ and” at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

“(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and”;

(iv) in subparagraph (C), as redesignated by clause (ii), by striking “ employment counseling.”; and

(D) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011”

and inserting “\$35,000,000 for each of fiscal years 2012 through 2016”; and

(ii) in paragraph (3)—

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

(II) by adding at the end the following:

“(D) **QUALIFIED APPLICATION DEFINED.**—In this paragraph, the term ‘qualified application’ means an application that—

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

“(ii) does not propose any activities that may compromise victim safety, including—

“(I) background checks of victims; or

“(II) clinical evaluations to determine eligibility for services;

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

“(iv) does not propose prohibited activities, including mandatory services for victims.”.

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

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

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”; and

(2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”.

## **TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE**

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

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

## **TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS**

**SEC. 801. U NONIMMIGRANT DEFINITION.**

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting “stalking;” after “sexual exploitation;”.

**SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.**

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

(1) The number of aliens who—

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

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

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

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

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

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

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

#### SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

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

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

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

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

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

#### SEC. 804. PUBLIC CHARGE.

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

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

“(i) is a VAWA self-petitioner;

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

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

#### SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) RECAPTURE OF UNUSED U VISAS.—Section 214(p)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(2)) is amended by—

(1) in subparagraph (A), by striking “The number” and inserting “Except as provided in subparagraph (C), the number”; and

(2) by adding at the end the following:

“(C) Beginning in fiscal year 2012, if the numerical limitation set forth in subparagraph (A) is reached before the end of the fiscal year, up to 5,000 additional visas, of the aggregate number of visas that were available and not issued to nonimmigrants described in section 101(a)(15)(U) in fiscal years 2006 through 2011, may be issued until the end of the fiscal year.”.

(3) SUNSET DATE.—The amendments made by paragraphs (1) and (2) are repealed on the date on which the aggregate number of visas that were available and not issued in fiscal years 2006 through 2011 have been issued pursuant to section 214(p)(2)(C) of the Immigration and Nationality Act.

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

“(7) AGE DETERMINATIONS.—

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

“(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien’s applica-

tion for status under such clause (i) is filed but while it is pending.”.

#### SEC. 806. HARDSHIP WAIVERS.

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

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

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

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

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

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

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking “The Attorney General, in the Attorney General’s” and inserting “The Secretary of Homeland Security, in the Secretary’s”; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(B) in the second sentence, by striking “Attorney General” and inserting “Secretary”;

(C) in the third sentence, by striking “Attorney General.” and inserting “Secretary.”; and

(D) in the fourth sentence, by striking “Attorney General” and inserting “Secretary”.

#### SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

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

(1) in subsection (d)—

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

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking “a consular officer” and inserting “the Secretary of Homeland Security”; and

(ii) by striking “the officer” and inserting “the Secretary”; and

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

(2) in subsection (r)—

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

(B) by amending paragraph (4)(B)(ii) to read as follows:

“(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).”;

(3) in paragraph (5)(B)(i), by striking “abuse, and stalking.” and inserting “abuse,

stalking, or an attempt to commit any such crime.”.

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking “State any” and inserting “State, for inclusion in the mailing described in clause (i), any”; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

“(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center’s Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

“(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

“(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

“(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant’s attention—

“(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

“(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

“(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.”; and

(2) in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

#### SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this Act.



(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking “Federal and State sex offender public registries” and inserting “the National Sex Offender Public Website”.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

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

“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

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

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

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

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

“(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”;

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking “REGISTRIES,” and inserting “WEBSITE,”; and

(ii) by striking “Registry or State sex offender public registry,” and inserting “Website,”; and

(B) in subparagraph (B)(ii), by striking “or stalking,” and inserting “stalking, or an attempt to commit any such crime.”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,” and inserting “Website”; and

(ii) in clause (iii)(II), by striking “background information collected by the international marriage broker under paragraph (2)(B);” and inserting “signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);”;

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking “A penalty may be imposed under clause (i) by the Attorney General only” and inserting “At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General”;

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

“(B) FEDERAL CRIMINAL PENALTIES.—

“(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special mari-

time and territorial jurisdiction of the United States—

“(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

“(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

“(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

“(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

“(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

“(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.”; and

(C) in subparagraph (C), by striking the period at the end and inserting “including equitable remedies.”;

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

“(6) ENFORCEMENT.—

“(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

“(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.”.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking “STUDY AND REPORT,” and inserting “STUDIES AND REPORTS.”; and

(2) by adding at the end the following:

“(4) CONTINUING IMPACT STUDY AND REPORT.—

“(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

“(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2011, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

“(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).”.

#### SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110-229; 48 U.S.C. 1806 note), is amended by striking “except that,” and all that follows through the end, and inserting the following: “except that—

“(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) has abandoned or lost such status by reason of absence from the United States, such alien’s presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

“(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien’s physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.”.

#### SEC. 810. DIVERSITY IMMIGRANT VISA PETITION FEE.

(a) REQUIREMENT FOR FEE.—Section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

“(iv) Each petition filed under this subparagraph shall include a petition fee in the amount of \$30.”.

(b) DEPOSIT OF FEE.—

(1) IN GENERAL.—For purposes of fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)), as added by subsection (a), a portion of such funds shall be transferred to and deposited in the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) (referred to in this section as the “Trust Funds”), at such times and in such manner as is determined appropriate by the Secretary of the Treasury, in such amounts as are equal to the increases in disbursements from the Trust Funds by reason of the application of section 805(a).

(2) REMAINDER.—To the extent the total amount collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act exceeds the total amount transferred to the Trust Funds pursuant to paragraph (1), such excess amount shall not be available for obligation and shall be deposited, in its entirety, in the general fund of the Treasury.

(c) SUNSET OF FEES.—The fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8

U.S.C. 1154(a)(1)(I)), as added by subsection (a), shall apply only to petitions filed before December 31, 2015.

#### SEC. 811. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

#### SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

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

(1) in paragraph (1)—

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

(B) by inserting "Secretary's or the" before "Attorney General's discretion";

(2) in paragraph (2)—

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

(B) by inserting "Secretary or the" before "Attorney General for"; and

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

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

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

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

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

(1) by inserting ", Secretary of State," after "The Attorney General";

(2) by inserting ", Department of State," after "Department of Justice"; and

(3) by inserting "and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))" after "domestic violence".

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

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking "241(a)(2)" in the matter following subparagraph (F) and inserting "237(a)(2)".

#### TITLE IX—SAFETY FOR INDIAN WOMEN

##### SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

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

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

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

(3) in paragraph (5), by striking "and stalking" and all that follows and inserting "sexual assault, sex trafficking, and stalking,";

(4) in paragraph (7)—

(A) by inserting "sex trafficking," after "sexual assault," each place it appears; and

(B) by striking "and" at the end;

(5) in paragraph (8)—

(A) by inserting "sex trafficking," after "stalking,"; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

"(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the non-abusing parent or the caretaker of the youth or child; and

"(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking."

##### SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

"(d) TRIBAL COALITION GRANTS.—

"(1) PURPOSE.—The Attorney General shall award a grant to tribal coalitions for purposes of—

"(A) increasing awareness of domestic violence and sexual assault against Indian women;

"(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

"(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

"(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

"(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

"(A) each tribal coalition that—

"(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

"(ii) is recognized by the Office on Violence Against Women; and

"(iii) provides services to Indian tribes; and

"(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

"(3) USE OF AMOUNTS.—For each of fiscal years 2012 through 2016, of the amounts appropriated to carry out this subsection—

"(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

"(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year

"(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a

tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

"(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application."

##### SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking "and the Violence Against Women Act of 2000" and inserting "the Violence Against Women Act of 2000"; and

(B) by inserting "and the Violence Against Women Reauthorization Act of 2011" before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "Secretary of the Department of Health and Human Services" and inserting "Secretary of Health and Human Services, the Secretary of the Interior,"; and

(B) in paragraph (2), by striking "and stalking" and inserting "stalking, and sex trafficking"; and

(3) by adding at the end the following:

"(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

"(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

"(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

"(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

"(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation."

##### SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90-284 (25 U.S.C. 1301 et seq.) (commonly known as the "Indian Civil Rights Act of 1968") is amended by adding at the end the following:

##### "SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

"(a) DEFINITIONS.—In this section:

"(1) DATING VIOLENCE.—The term 'dating violence' means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

"(2) DOMESTIC VIOLENCE.—The term 'domestic violence' means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

"(3) INDIAN COUNTRY.—The term 'Indian country' has the meaning given the term in section 1151 of title 18, United States Code.

"(4) PARTICIPATING TRIBE.—The term 'participating tribe' means an Indian tribe that

elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

“(5) PROTECTION ORDER.—The term ‘protection order’—

“(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

“(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

“(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term ‘special domestic violence criminal jurisdiction’ means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

“(7) SPOUSE OR INTIMATE PARTNER.—The term ‘spouse or intimate partner’ has the meaning given the term in section 2266 of title 18, United States Code.

“(b) NATURE OF THE CRIMINAL JURISDICTION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

“(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

“(3) APPLICABILITY.—Nothing in this section—

“(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

“(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

“(4) EXCEPTIONS.—

“(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

“(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

“(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term ‘victim’ means a person specifically protected by a protection order that the defendant allegedly violated.

“(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

“(i) resides in the Indian country of the participating tribe;

“(ii) is employed in the Indian country of the participating tribe; or

“(iii) is a spouse, intimate partner, or dating partner of—

“(I) a member of the participating tribe; or

“(II) an Indian who resides in the Indian country of the participating tribe.

“(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for

criminal conduct that falls into one or more of the following categories:

“(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

“(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

“(A) occurs in the Indian country of the participating tribe; and

“(B) violates the portion of a protection order that—

“(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

“(ii) was issued against the defendant;

“(iii) is enforceable by the participating tribe; and

“(iv) is consistent with section 2265(b) of title 18, United States Code.

“(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

“(1) all applicable rights under this Act;

“(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

“(3) the right to a trial by an impartial jury that is drawn from sources that—

“(A) reflect a fair cross section of the community; and

“(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

“(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

“(e) PETITIONS TO STAY DETENTION.—

“(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

“(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

“(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

“(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

“(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

“(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

“(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

“(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

“(B) prosecution;

“(C) trial and appellate courts;

“(D) probation systems;

“(E) detention and correctional facilities;

“(F) alternative rehabilitation centers;

“(G) culturally appropriate services and assistance for victims and their families; and

“(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

“(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

“(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

“(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

“(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.”.

#### SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.”.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

#### SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse.”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(F) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating,

or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

#### SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National”; and

(B) by inserting “and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2011”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$1,000,000 for each of fiscal years 2012 and 2013”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

#### SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

#### SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking “2 years” and inserting “3 years”.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

#### SEC. 910. LIMITATION.

Nothing in this Act or any amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

### TITLE X—OTHER MATTERS

#### SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

“(b) OF A WARD.—

“(1) OFFENSES.—

“(A) IN GENERAL.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

“(i) in official detention or under official supervision or other official control of, the United States—

“(I) during or after arrest;

“(II) after release pretrial;

“(iii) while on bail, probation, supervised release, or parole;

“(IV) after release following a finding of juvenile delinquency; or

“(V) after release pending any further judicial proceedings;

“(ii) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

“(iii) at the time of the sexual act—

“(I) in the special maritime and territorial jurisdiction of the United States;

“(II) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

“(III) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

“(B) SEXUAL CONTACT.—It shall be unlawful for any person to knowingly engage in sexual contact with, or cause sexual contact by, another person, if to do so would violate subparagraph (A) had the sexual contact been a sexual act.

“(2) PENALTIES.—

“(A) IN GENERAL.—A person that violates paragraph (1)(A) shall—

“(i) be fined under this title, imprisoned for not more than 15 years, or both; and

“(ii) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.

“(B) SEXUAL CONTACT.—A person that violates paragraph (1)(B) shall be fined under this title, imprisoned for not more than 2 years, or both.”.

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

#### “§ 250. Penalties for sexual abuse

“(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

“(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“250. Penalties for sexual abuse.”.

#### SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(5) DEFINITION.—As used in this section, the term ‘detention facilities operated under contract with the Department’ includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

“(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”

#### SEC. 1003. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking “annoy”;

(2) in subparagraph (C)—

(A) by striking “annoy”; and

(B) by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”;

(3) in subparagraph (E), by striking “harass any person at the called number or who receives the communication” and inserting “harass any specific person”.

#### SEC. 1004. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking “\$3,000,000” and all that follows and inserting “\$3,000,000 for fiscal years 2012 through 2016”.

#### SEC. 1005. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103-322; 108 Stat. 1910) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

#### SEC. 1006. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2012 through 2016”.

#### SEC. 1007. MANDATORY MINIMUM SENTENCE.

Section 2241(a) of title 18, United States Code, is amended in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 5 years or imprisoned for life”.

#### SEC. 1008. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is amended by striking “for which the term of imprisonment” and inserting “, including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

**SA 2094.** Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

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

(1) in subsection (a), by adding at the end the following:

“(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

“(7) To ensure that the collection and processing of DNA evidence from crimes, including sexual assault and other serious violent crimes, is carried out in an appropriate and timely manner.

“(8) To ensure effective communication among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested.”;

(2) in subsection (c)(3)(B)—

(A) by striking “2014” and inserting “2017”;

and

(B) by striking “40” and inserting “70”;

(3) by striking subsection (j) and inserting the following:

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for grants under this section \$151,000,000 for each of fiscal years 2013 through 2017.”; and

(4) by adding at the end the following:

“(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall, not later than 1 year after receiving such grant, complete the audit described in paragraph (1)(A) in accordance with the plan submitted under such paragraph.

“(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

“(o) DEVELOPMENT OF PROTOCOLS AND PRACTICES.—

“(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011 the Director of the National Institute of Justice, in consultation with Federal, State, and local government laboratories and law enforcement agencies, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence.

“(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

“(3) DEFINITION OF BACKLOG FOR DNA CASE WORK.—The Director shall develop and publish a definition of the term ‘backlog for

DNA case work' for purposes of this section—

“(A) taking into consideration the different stages at which a backlog may develop, including the investigation and prosecution of a crime by law enforcement personnel, prosecutors, and others, and the laboratory analysis of crime scene samples; and

“(B) which may include different criteria or thresholds for the different stages.”.

**SA 2095.** Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, Mr. CORKER, and Mr. JOHANNES) proposed an amendment to amend SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

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

#### SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Universal definitions and grant conditions.

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

- Sec. 101. Stop grants.
- Sec. 102. Grants to encourage accountability 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. Sex offender management.
- Sec. 106. Court-appointed special advocate program.
- Sec. 107. Criminal provision relating to stalking, including cyberstalking.
- Sec. 108. Outreach and services to underserved populations grant.
- Sec. 109. Culturally specific services grant.
- Sec. 110. Reauthorization of child abuse training programs for judicial personnel and practitioners.
- Sec. 111. Offset of restitution and other State judicial debts against income tax refund.

#### 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 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 HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 501. Consolidation of grants to strengthen the healthcare 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. Application of special rule for battered spouse or child.
- 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. Disclosure of information for national security purposes.

#### 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. Amendments to the Federal assault statute.
- Sec. 905. Analysis and research on violence against Indian women.
- Sec. 906. Effective date.
- Sec. 907. Tribal protection orders.
- Sec. 908. Alaska Rural Justice and Law Enforcement Commission.

#### TITLE X—VIOLENT CRIME AGAINST WOMEN

- Sec. 1001. Criminal provisions relating to sexual abuse.
- Sec. 1002. Sexual abuse in custodial settings.
- Sec. 1003. Report on compliance with the DNA Fingerprint Act of 2005.
- Sec. 1004. Reducing the rape kit backlog.
- Sec. 1005. Report on capacity utilization.
- Sec. 1006. Mandatory minimum sentence for aggravated sexual abuse.
- Sec. 1007. Removal of drunk drivers.
- Sec. 1008. Enhanced penalties for interstate domestic violence resulting in death, life-threatening bodily injury, permanent disfigurement, and serious bodily injury.
- Sec. 1009. Finding Fugitive Sex Offenders Act.
- Sec. 1010. Minimum penalties for the possession of child pornography.

- Sec. 1011. Audit of Office for Victims of Crime.

#### TITLE XI—THE SAFER ACT

- Sec. 1101. Short title.
- Sec. 1102. Debbie Smith grants for auditing sexual assault evidence backlogs.
- Sec. 1103. Sexual Assault Forensic Evidence Registry.
- Sec. 1104. Reports to Congress.

#### SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

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

- (1) by redesignating—
  - (A) paragraph (1) as paragraph (2);
  - (B) paragraph (2) as paragraph (4);
  - (C) paragraphs (3) through (5) as paragraphs (5) through (7), respectively;
  - (D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;
  - (E) paragraphs (10) through (16) as paragraphs (14) through (20), respectively;
  - (F) paragraph (18) as paragraph (23);
  - (G) paragraphs (19) and (20) as paragraphs (25) and (26), respectively;
  - (H) paragraphs (21) and (22) as paragraphs (28) and (29), respectively;
  - (I) paragraphs (23) through (33) as paragraphs (31) through (41), respectively;
  - (J) paragraphs (34) and (35) as paragraphs (43) and (44); and
  - (K) paragraph (37) as paragraph (47);
- (2) by inserting before paragraph (2), as redesignated, the following:
 

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

(3) by inserting after paragraph (2), as redesignated, the following:
 

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

(4) in paragraph (4), as redesignated, by striking “serious harm.” and inserting “serious harm to unemancipated minor.”;

(5) in paragraph (5), as redesignated, by striking “The term” through “that—” and inserting “The term ‘community-based organization’ means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—”;

(6) by inserting after paragraph (7), as redesignated, the following:

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

“(9) CULTURALLY SPECIFIC.—The term ‘culturally specific’ means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g))).”;

(7) in paragraph (10), as redesignated, by inserting “or intimate partner” after “former spouse” and “as a spouse”;

(8) by inserting after paragraph (13), as redesignated, the following:

“(14) HOMELESS.—The term ‘homeless’ has the meaning provided in 42 U.S.C. 14043e-2(6).”;

(9) in paragraph (18), as redesignated, by inserting “or Village Public Safety Officers” after “government victim service programs”;

(10) in paragraph (21), as redesignated, by inserting at the end the following:
 

“Intake or referral, by itself, does not constitute legal assistance.”;

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (22), as redesignated, to read as follows:



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

“(A) a first and last name;

“(B) a home or other physical address;

“(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

“(D) a social security number, driver license number, passport number, or student identification number; and

“(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.”;

(13) by inserting after paragraph (22), as redesignated, the following:

“(23) POPULATION SPECIFIC ORGANIZATION.—The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(24) POPULATION SPECIFIC SERVICES.—The term ‘population specific services’ means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.”;

(14) in paragraph (25), as redesignated, by striking “services” and inserting “assistance”;

(15) in paragraph (26), as redesignated, by striking “52” and inserting “57”;

(16) by inserting after paragraph (26), as redesignated, the following:

“(27) RAPE CRISIS CENTER.—The term ‘rape crisis center’ means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.”;

(17) in paragraph (28), as redesignated—

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

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

(C) by inserting at the end the following:

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

(18) in paragraph (29), as redesignated, by striking “150,000” and inserting “250,000”;

(19) by inserting after paragraph (29), as redesignated, the following:

“(30) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.”;

(20) by striking paragraph (31), as redesignated, and inserting the following:

“(31) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law,

including when the victim lacks capacity to consent.”;

(21) by amending paragraph (41), as redesignated, to read as follows:

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

(22) by inserting after paragraph (41), as redesignated, the following:

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

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

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

“(46) VICTIM SERVICE PROVIDER.—The term ‘victim service provider’ means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.”;

(24) by striking paragraph (47), as redesignated, and inserting the following:

“(47) YOUTH.—The term ‘youth’ means a person who is 11 to 20 years old.”.

(b) GRANTS CONDITIONS.—Subsection (b) of section 4002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

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

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

“(D) INFORMATION SHARING.—

“(i) Grantees and subgrantees may share—

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

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

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement, intelligence, national security, or prosecution purposes.

“(ii) In no circumstances may—

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

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

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

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

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

and

(E) by inserting after subparagraph (F), as redesignated, the following:

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

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

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

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

“Final reports of such evaluations shall be made available to the public via the agency’s website.”; and

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

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

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in the United States shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be

subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) EXCEPTION.—If gender segregation or gender-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's gender. In such circumstances, alternative reasonable accommodations are sufficient to meet the requirements of this paragraph.

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

“(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

“(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance provided under this title may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“(15) ACCOUNTABILITY.—All grants awarded by the Attorney General that are authorized under this Act shall be subject to the following accountability provisions:

“(A) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct an audit of not fewer than 10 percent of all recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees.

“(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in subparagraph (E).

“(C) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

“(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (B), the Attorney General shall—

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

“(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(E) UNRESOLVED AUDIT FINDING DEFINED.—In this paragraph, the term ‘unresolved audit finding’ means an audit report finding, state-

ment, or recommendation that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date of an initial notification of the finding or recommendation.

“(F) NONPROFIT ORGANIZATION REQUIREMENTS.—

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

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

“(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

“(G) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

“(H) CONFERENCE EXPENDITURES.—

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

“(ii) WRITTEN APPROVAL.—Written approval under clause (i) may not be delegated and shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

“(iii) REPORT.—The Deputy Attorney General and Deputy Secretary shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved and denied.

“(I) PROHIBITION ON LOBBYING ACTIVITY.—

“(i) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

“(I) lobby any representative of the Department of Justice regarding the award of grant funding; or

“(II) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

“(ii) PENALTY.—If the Attorney General determines that any recipient of a grant under this Act has violated clause (i), the Attorney General shall—

“(I) require the grant recipient to repay the grant in full; and

“(II) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

“(J) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Assistant Attorney General for the Office of Justice Programs, the Director of the Office on Violence Against Women, and the Deputy Secretary for Health and Human Services shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives an annual certification that—

“(i) all audits issued by the Office of the Inspector General under subparagraph (A) have been completed and reviewed by the Assistant Attorney General for the Office of Justice Programs;

“(ii) all mandatory exclusions required under subparagraph (B) have been issued;

“(iii) all reimbursements required under subparagraph (D) have been made; and

“(iv) includes a list of any grant recipients excluded under subparagraph (B) from the previous year.”

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

### SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking “\$225,000,000 for each of fiscal years 2007 through 2011” and inserting “\$222,000,000 for each of fiscal years 2012 through 2016”;

(2) in section 2001 (42 U.S.C. 3796gg), by striking “against women” each place that term appears and inserting “against victims”;

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

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

(i) by striking “equipment” and inserting “resources”; and

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

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

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

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

(E) in paragraph (4)—

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

(ii) by inserting “, classifying,” after “identifying”;

(F) in paragraph (5)—

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

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

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

(iv) by striking “including crimes” and all that follows and inserting “including crimes of domestic violence, dating violence, sexual assault, and stalking”;;

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

(H) in paragraph (6), as redesignated by subparagraph (G), by striking “sexual assault and domestic violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;;

(I) in paragraph (7), as redesignated by subparagraph (G), by striking “and dating violence” and inserting “dating violence, and stalking”;;

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

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

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

(ii) by striking “and” at the end;

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

(i) by striking “to provide” and inserting “providing”;;

(ii) by striking “nonprofit nongovernmental”;;

(iii) by striking the comma after “local governments”; and

(iv) by striking the period at the end and inserting a semicolon;

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

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

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

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

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

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

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

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

(A) in subsection (a), by striking “nonprofit nongovernmental victim service programs” and inserting “victim service providers”;

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

(C) in subsection (c)—

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

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

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

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

“(D) prosecution offices;

“(E) State and local courts;

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

“(G) representatives from underserved populations;

“(H) victim service providers;

“(I) population specific organizations; and

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

(ii) by striking paragraph (4);

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

(iv) by inserting after paragraph (2), as amended by clause (i), the following:

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

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

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

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

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

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

(IV) in subparagraph (C), as redesignated by subclause (II), by striking “culturally specific community based” and inserting “population specific”; and

(V) in subparagraph (D) as redesignated by subclause (II) by striking “for” and inserting “to”; and

(vi) by adding at the end the following:

“(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 30 percent of the total amount granted to a State under this part shall be allocated for programs or projects that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”;

(D) by striking subsection (d) and inserting the following:

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

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

“(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

“(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

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

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

(E) in subsection (e)—

(i) in paragraph (2)—

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

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

(ii) by adding at the end the following:

“(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other programs requirements.”;

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

(G) by adding at the end the following:

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

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

“(2) submit to the Attorney General—

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

“(B) documentation from each member of the planning committee as to their participation in the planning process;

“(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

“(i) the need for the grant funds;

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

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

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

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

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

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

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

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

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

(A) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this part unless the State, Indian tribal government, unit of local government, or another governmental entity—

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

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

(B) in subsection (b)—

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

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

(iii) by striking paragraph (3);

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

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

“(d) NONCOOPERATION.—

“(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

“(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this subsection.”; and

(6) in section 2011(a)(1) (42 U.S.C. 3796gg-5(a)(1))—

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

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

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

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

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

(A) in subsection (b)—

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

(ii) in paragraph (1), by inserting “and enforcement of protection orders across State and tribal lines but not policies that mandate the arrest of an individual by law enforcement in responding to an incident of domestic violence in the absence of probable cause” before the period;

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

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

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

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

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

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

(ix) by adding at the end the following:

“(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases

involving domestic violence, dating violence, sexual assault, and stalking.

“(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.

“(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

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

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

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

“(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

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

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

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

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

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

(B) in subsection (c)—

(i) in paragraph (1)—

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

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

(ii) in paragraph (2), by inserting “except for a court,” before “demonstrate”;

(iii) in paragraph (4)—

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

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

(III) by striking “and” at the end;

(iv) in paragraph (5)—

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

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

(III) in clause (ii), as redesignated by subclause (III) of this clause, by striking “subparagraph (A)” and inserting “clause (i)”;

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

(v) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

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

(I) by striking the comma that immediately follows another comma; and

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

“(1) States”; and

(vii) by adding at the end the following:

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

(C) in subsection (d)—

(i) in paragraph (1)—

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

(II) in subparagraph (A), by inserting “and the defendant is in custody or has been served with the information or indictment” before the semicolon; and

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

(D) by adding at the end the following:

“(f) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 30 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”; and

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

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

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

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

(1) by striking “\$75,000,000” and all that follows through “2011.” and inserting “\$73,000,000 for each of fiscal years 2012 through 2016.”; and

(2) by striking the period that immediately follows another period.

#### SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

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

(1) in subsection (a)—

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

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

(2) in subsection (b)—

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

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

(3) in subsection (c)—

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

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

“(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.”;

(4) in subsection (d)—

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

“(A) has demonstrated expertise in providing legal assistance or advocacy to victims of domestic violence, dating violence,

sexual assault, or stalking in the targeted population; or

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

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

and

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

(5) in subsection (f)(1), by striking “this section” and all that follows and inserting the following: “this section \$57,000,000 for each of fiscal years 2012 through 2016.”.

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

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 316), and inserting the following:

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

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

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

“(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

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

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

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

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

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

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

sistance programs, or community-based supplementary services);

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

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

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

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

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

“(7) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

“(c) CONSIDERATIONS.—

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

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

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

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

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

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

“(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

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

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

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

“(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

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

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) ALLOTMENT FOR INDIAN TRIBES.—

“(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

“(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).”.

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

#### **SEC. 105. SEX OFFENDER MANAGEMENT.**

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking “\$5,000,000” and all that follows and inserting “\$5,000,000 for each of fiscal years 2012 through 2016.”.

#### **SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.**

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

(1) in section 216 (42 U.S.C. 13012), by striking “January 1, 2010” and inserting “January 1, 2015”;

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking “Code of Ethics” in section (c)(2) and inserting “Standards for Programs”; and

(B) by adding at the end the following:

“(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.”; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

#### **SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.**

Section 2261A of title 18, United States Code, is amended to read as follows:

##### **“§ 2261A. Stalking**

“Whoever—

“(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

“(A) places that person in reasonable fear of the death of, or serious bodily injury to—

“(i) that person;

“(ii) an immediate family member (as defined in section 115) of that person; or

“(iii) a spouse or intimate partner of that person; or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

“(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

“(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

“(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A), shall be punished as provided in section 2261(b) of this title.”.

#### **SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.**

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

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

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult, or youth, victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (3) shall not apply to this grant program.

“(2) PROGRAMS COVERED.—The programs covered by paragraph (2) are the programs carried out under the following provisions:

“(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (STOP Grants).

“(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies).

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

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

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

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

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

“(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

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

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

“(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

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

“(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;

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

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

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

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

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

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

“(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in sub-

section (a)(1), there are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2012 through 2016.

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

#### **SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.**

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

(1) in the section heading, by striking “and linguistically”;

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

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

(4) by striking subsection (a)(2) and inserting:

“(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

“(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies and Enforcement of Protection Orders).

“(B) Section 1401 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-6) (Legal Assistance for Victims).

“(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

“(D) Section 40802a of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg-7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).”; and

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

#### **SEC. 110. REAUTHORIZATION OF CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.**

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2012 through 2016.”.

#### **SEC. 111. OFFSET OF RESTITUTION AND OTHER STATE JUDICIAL DEBTS AGAINST INCOME TAX REFUND.**

(a) IN GENERAL.—Section 6402 of the Internal Revenue Code of 1986 (relating to authority to make credits or refunds) is amended—

(1) by redesignating subsections (g) through (l) as subsections (h) through (m), respectively; and

(2) by inserting after subsection (f) the following:

“(g) COLLECTION OF PAST-DUE, LEGALLY ENFORCEABLE RESTITUTION AND OTHER STATE JUDICIAL DEBTS.—

“(1) IN GENERAL.—In any State which wishes to collect past-due, legally enforceable State judicial debts, the chief justice of the State's highest court shall designate a single State entity to communicate judicial debt information to the Secretary. In making such designation, the chief justice of the State's highest court shall select, whenever practicable, a relevant State official or agency responsible under State law for collecting the State's income tax or other statewide excise at the time of the designation. Upon receiving notice from a State designated entity that a named person owes a past-due, legally enforceable State judicial debt to or in such State, the Secretary shall, under such conditions as may be prescribed by the Secretary—



“(A) reduce the amount of any overpayment payable to such person by the amount of such State judicial debt;

“(B) pay the amount by which such overpayment is reduced under subparagraph (A) to such State designated entity and notify such State designated entity of such person's name, taxpayer identification number, address, and the amount collected; and

“(C) notify the person making such overpayment that the overpayment has been reduced by an amount necessary to satisfy a past-due, legally enforceable State judicial debt.

If an offset is made pursuant to a joint return, the notice under subparagraph (B) shall include the names, taxpayer identification numbers, and addresses of each person filing such return.

“(2) PRIORITIES FOR OFFSET.—Any overpayment by a person shall be reduced pursuant to this subsection—

“(A) after such overpayment is reduced pursuant to—

“(i) subsection (a) with respect to any liability for any internal revenue tax on the part of the person who made the overpayment; and

“(ii) subsection (c) with respect to past-due support;

“(iii) subsection (d) with respect to any past-due, legally enforceable debt owed to a Federal agency; and

“(iv) subsection (e) with respect to any past-due, legally enforceable State income tax obligations; and

“(B) before such overpayment is credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).

If the Secretary receives notice from 1 or more State designated entities of more than 1 debt subject to paragraph (1) that is owed by such person to such State agency or State judicial branch, any overpayment by such person shall be applied against such debts in the order in which such debts accrued.

“(3) NOTICE; CONSIDERATION OF EVIDENCE.—Rules similar to the rules of subsection (e)(4) shall apply with respect to debts under this subsection.

“(4) PAST-DUE, LEGALLY ENFORCEABLE STATE JUDICIAL DEBT.—

“(A) IN GENERAL.—For purposes of this subsection, the term ‘past-due, legally enforceable State judicial debt’ means a debt—

“(i) which resulted from a judgment or sentence rendered by any court or tribunal of competent jurisdiction which—

“(I) handles criminal or traffic cases in the State; and

“(II) has determined an amount of State judicial debt to be due; and

“(ii) which resulted from a State judicial debt which has been assessed and is past-due but not collected.

“(B) STATE JUDICIAL DEBT.—For purposes of this paragraph, the term ‘State judicial debt’ includes court costs, fees, fines, assessments, restitution to victims of crime, and other monies resulting from a judgment or sentence rendered by any court or tribunal of competent jurisdiction handling criminal or traffic cases in the State.

“(5) REGULATIONS.—The Secretary shall issue regulations prescribing the time and manner in which State designated entities must submit notices of past-due, legally enforceable State judicial debts and the necessary information that must be contained in or accompany such notices. The regulations shall specify the types of State judicial monies and the minimum amount of debt to which the reduction procedure established by paragraph (1) may be applied. The regulations shall require State designated entities to pay a fee to reimburse the Secretary for the cost of applying such procedure. Any fee

paid to the Secretary pursuant to the preceding sentence shall be used to reimburse appropriations which bore all or part of the cost of applying such procedure.

“(6) ERRONEOUS PAYMENT TO STATE.—Any State designated entity receiving notice from the Secretary that an erroneous payment has been made to such State designated entity under paragraph (1) shall pay promptly to the Secretary, in accordance with such regulations as the Secretary may prescribe, an amount equal to the amount of such erroneous payment (without regard to whether any other amounts payable to such State designated entity under such paragraph have been paid to such State designated entity).”.

(b) DISCLOSURE OF RETURN INFORMATION.—Section 6103(l)(10) of the Internal Revenue Code of 1986 (relating to disclosure of certain information to agencies requesting a reduction under subsection (c), (d), (e), or (f) of section 6402) is amended by striking “or (f)” each place it appears in the text and heading and inserting “(f), or (g)”.

(c) CONFORMING AMENDMENTS.—

(1) Section 6402(a) of the Internal Revenue Code of 1986 is amended by striking “and (f)” and inserting “(f), and (g)”.

(2) Paragraph (2) of section 6402(d) of such Code is amended by striking “subsections (e) and (f)” and inserting “subsections (e), (f), and (g)”.

(3) Paragraph (3)(B) of section 6402(e) of such Code is amended to read as follows:

“(B) before such overpayment is—

“(i) reduced pursuant to subsection (g) with respect to past-due, legally enforceable State judicial debts; and

“(ii) credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).”.

(4) Section 6402(h) of such Code, as so redesignated, is amended by striking “or (f)” and inserting “(f), or (g)”.

(5) Section 6402(j) of such Code, as so redesignated, is amended by striking “or (f)” and inserting “(f), or (g)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to refunds payable for taxable years beginning after December 31, 2011.

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

### SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

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

(1) in paragraph (1)—

(A) by striking “governmental and nongovernmental”; and

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

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “nonprofit, nongovernmental organizations for programs and activities” and inserting “nongovernmental or tribal programs and activities”; and

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

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011” and inserting “\$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016”.

### SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

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

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

(2) in subsection (b)—

(A) in paragraph (1)—

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

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

(B) in paragraph (2)—

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

(ii) by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.”; and

(3) in subsection (e)(1), by striking “\$55,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”.

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

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

(1) in subsection (b)—

(A) in paragraph (1), by inserting “(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)” after “risk reduction”; and

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

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

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

(3) in subsection (e), by striking “\$10,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$9,000,000 for each of fiscal years 2012 through 2016”.

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

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

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

“(a) DEFINITIONS.—In this section—

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

“(A) is—

“(i) a State;

“(ii) a unit of local government;

“(iii) a tribal government or tribal organization;

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

“(v) a victim service provider; or

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

“(B) is partnered with—

“(i) a law enforcement agency;  
 “(ii) an office of a prosecutor;  
 “(iii) a victim service provider; or  
 “(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

“(2) the term ‘exploitation’ means domestic violence, dating violence, sexual assault, or stalking;

“(3) the term ‘later life’, relating to an individual, means the individual is 60 years of age or older; and

“(4) the term ‘neglect’ means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

“(b) GRANT PROGRAM.—

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

“(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

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

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

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

“(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

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

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

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

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

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

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2012 through 2016.”.

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

#### SEC. 301. RAPE PREVENTION EDUCATION GRANT.

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “, territorial or tribal” after “crisis centers, State”; and

(B) in paragraph (6), by inserting “and alcohol” after “about drugs”; and

(2) in subsection (c)(1), by striking “\$80,000,000 for each of fiscal years 2007 through 2011” and inserting “\$50,000,000 for each of fiscal years 2012 through 2016”.

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

(a) IN GENERAL.—Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c-3) and inserting the following:

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

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

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

“(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

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

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

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

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

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

“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures

for handling the requirements of court protective orders issued to or against students;

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

“(D) provide scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities; or

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

“(c) ELIGIBLE APPLICANTS.—

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

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

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

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents’ Education Act of 1978, a group of schools, a school district, or an institution of higher education.

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

“(i) a State, tribe, unit of local government, or territory;

“(ii) a population specific or community-based organization;

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

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

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

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

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

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

“(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 4002 shall apply.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2012 through 2016.

“(g) ALLOTMENT.—

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

“(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968.

“(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.”

(b) VAWA GRANT REQUIREMENTS.—Section 40002(b) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended by adding at the end the following:

“(12) REQUIREMENT FOR SCIENTIFICALLY VALID PROGRAMS.—All grant funds made available by this Act shall be used to provide scientifically valid educational programming, training, public awareness communications regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities, as appropriate.”

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

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

(1) in subsection (a)—

(A) in paragraph (1)—

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

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

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

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

(2) in subsection (b)—

(A) in paragraph (2)—

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

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

(B) in paragraph (4)—

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

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

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

(C) by adding at the end the following:

“(9) To provide scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities.

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

(3) in subsection (c)—

(A) in paragraph (2)—

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

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

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

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

(B) in paragraph (3), by striking “2007 through 2011” and inserting “2012 through 2016”;

(4) in subsection (d)—

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

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

“(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

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

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

“(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

“(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.”;

(5) in subsection (e), by striking “there are” and all that follows through the period and inserting “there is authorized to be appropriated \$12,000,000 for each of fiscal years 2012 through 2016.”

### SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)(F)—

(A) in clause (i)(VIII), by striking “and” after the semicolon;

(B) in clause (ii)—

(i) by striking “sexual orientation” and inserting “national origin, sexual orientation,”;

(ii) by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.”;

(2) in paragraph (3), by inserting “, that withholds the names of victims as confidential,” after “that is timely”;

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

“(i) The terms ‘dating violence’, ‘domestic violence’, and ‘stalking’ have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

“(v) The term ‘sexual assault’ means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”;

(4) in paragraph (7)—

(A) by striking “paragraph (1)(F)” and inserting “clauses (i) and (ii) of paragraph (1)(F)”;

(B) by inserting after “Hate Crime Statistics Act.” the following: “For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).”;

(5) by striking paragraph (8) and inserting the following:

“(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

“(i) such institution’s programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

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

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

“(i) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

“(ii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

“(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

“(II) to whom the alleged offense should be reported;

“(III) options regarding law enforcement and campus authorities, including notification of the victim’s option to—

“(aa) notify proper law enforcement authorities, including on-campus and local police;

“(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

“(cc) decline to notify such authorities; and

“(IV) where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

“(iii) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

“(iv) Notification of students about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

“(v) Notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

“(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee’s rights and options, as described

in clauses (ii) through (vii) of subparagraph (B).”;

(6) in paragraph (9), by striking “The Secretary” and inserting “The Secretary, in consultation with the Attorney General of the United States.”;

(7) by striking paragraph (16) and inserting the following:

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

“(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.”; and

(8) by striking paragraph (17) and inserting the following:

“(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

#### **TITLE IV—VIOLENCE REDUCTION PRACTICES**

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

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for each of the fiscal years 2007 through 2011” and inserting “\$500,000 for each of fiscal years 2012 through 2016”.

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

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

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

“(a) **GRANTS AUTHORIZED.**—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

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

“(1) **TEEN DATING VIOLENCE AWARENESS AND PREVENTION.**—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based,

evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) scientifically valid age appropriate education that is produced by accredited entities on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

“(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

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

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

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

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

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

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

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

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following:

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

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

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

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

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

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovern-

mental organizations with the capacity to provide necessary expertise to meet the goals of the program.

“(d) **GRANTEE REQUIREMENTS.**—

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

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

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

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

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

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

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

“(A) include outcome-based evaluation; and

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

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

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2012 through 2016.

“(g) **ALLOTMENT.**—

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

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

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

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

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

#### **TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

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

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

**“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEMS RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

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

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

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

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

“(b) USE OF FUNDS.—

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

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

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

“(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

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

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

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

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

identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements; and

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

“(2) PERMISSIBLE USES.—

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

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

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

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

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

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

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

“(c) REQUIREMENTS FOR GRANTEEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

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

“(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to

receive information and referrals without affirmatively disclosing abuse.

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

“(3) APPLICATION.—

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

“(B) SUBSECTION (a)(1) AND (2) GRANTEEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

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

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

“(II) a health care facility or system; or

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

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

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

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

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

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

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

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

“(d) ELIGIBLE ENTITIES.—

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

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

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

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

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

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

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

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

“(e) TECHNICAL ASSISTANCE.—

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

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

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

“(A) the distribution of funds under this section; and

“(B) the programs and activities supported by such funds.

“(f) RESEARCH AND EVALUATION.—

“(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

“(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent

domestic violence, dating violence, sexual assault, and stalking;

“(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2012 through 2016.

“(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.”

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

## **TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

### **SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

#### **“CHAPTER 1—GRANT PROGRAMS”;**

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking “subtitle” and inserting “chapter”;

(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);

“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

“(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

“(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

“(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

“(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

“(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

“(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

“(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

“(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

“(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered



housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

“(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

“(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

“(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

“(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

“(i) deny admission by the applicant or tenant to the covered program;

“(ii) deny assistance under the covered program to the applicant or tenant;

“(iii) terminate the participation of the applicant or tenant in the covered program; or

“(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

“(B) EXTENSION.—A public housing agency or owner or manager of housing may extend

the 14-day deadline under subparagraph (A) at its discretion.

“(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

“(A) a certification form approved by the appropriate agency that—

“(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

“(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

“(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

“(B) a document that—

“(i) is signed by—

“(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

“(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

“(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.

“(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a cov-

ered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

“(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

“(d) NOTIFICATION.—

“(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

“(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

“(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

“(C) with any notification of eviction or notification of termination of assistance; and

“(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to access to services for persons with limited English proficiency).

“(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

“(A) the tenant expressly requests the transfer; and

“(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

“(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

“(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

“(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

“(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.”

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—  
 (i) by striking paragraph (3); and  
 (ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;  
 (B) in subsection (1)—  
 (i) in paragraph (5), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and  
 (ii) in paragraph (6), by striking “; except that” and all that follows through “stalking.”; and  
 (C) by striking subsection (u).  
 (2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—  
 (A) in subsection (c), by striking paragraph (9);  
 (B) in subsection (d)(1)—  
 (i) in subparagraph (A), by striking “and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission”; and  
 (ii) in subparagraph (B)—  
 (I) in clause (ii), by striking “, and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and  
 (II) in clause (iii), by striking “, except that.” and all that follows through “stalking.”;  
 (C) in subsection (f)—  
 (i) in paragraph (6), by adding “and” at the end;  
 (ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and  
 (iii) by striking paragraphs (8), (9), (10), and (11);  
 (D) in subsection (o)—  
 (i) in paragraph (6)(B), by striking the last sentence;  
 (ii) in paragraph (7)—  
 (I) in subparagraph (C), by striking “and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence”; and  
 (II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and  
 (iii) by striking paragraph (20); and  
 (E) by striking subsection (ee).  
 (3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—  
 (A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;  
 (B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—  
 (i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or  
 (C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

**SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

Chapter 11 of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking “CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT” and inserting “VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING”; and  
 (2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “child victims of domestic violence, stalking, or sexual assault” and inserting “victims of domestic violence, dating violence, sexual assault, or stalking”;  
 (B) in subsection (a)(1), by striking “fleeing”; and  
 (C) in subsection (g)—

(i) in paragraph (1), by striking “\$40,000,000 for each of fiscal years 2007 through 2011” and inserting “\$35,000,000 for each of fiscal years 2012 through 2016”; and  
 (ii) in paragraph (3)—  
 (I) in subparagraph (A), by striking “eligible” and inserting “qualified”; and  
 (II) by adding at the end the following:

“(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term ‘qualified application’ means an application that—  
 “(i) has been submitted by an eligible applicant;  
 “(ii) does not propose any significant activities that may compromise victim safety;  
 “(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and  
 “(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.”.

“(F) PRIORITY OF ONGOING IMMIGRATION AND LAW ENFORCEMENT INVESTIGATIONS OR PROSECUTIONS.—

“(i) DETERMINATION.—During the adjudication of an application under this paragraph, the Director shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the petitioning alien for—  
 “(I) conduct relating to the battering or abuse alleged by the petitioning alien under this paragraph;  
 “(II) a violation of any immigration law; or  
 “(III) a violation of any other criminal law.”.

**SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e-3(i)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”; and  
 (2) in section 41405(g) (42 U.S.C. 14043e-4(g)), by striking “\$10,000,000 for each of fiscal years 2007 through 2011” and inserting “\$4,000,000 for each of fiscal years 2012 through 2016”.

**TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE**

**SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.**

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

**TITLE VIII—IMMIGRATION PROVISIONS**

**SEC. 801. APPLICATION OF SPECIAL RULE FOR BATTERED SPOUSE OR CHILD.**

Section 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229b) is amended

by striking subparagraph (D) and inserting the following:

“(D) CREDIBLE EVIDENCE CONSIDERED.—In adjudicating applications under this paragraph, the Secretary of Homeland Security shall consider any credible evidence relevant to the application, including credible evidence submitted by a national of the United States or an alien lawfully admitted for permanent residence accused of the conduct described in subparagraph (A)(i). The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary of Homeland Security.

“(E) FRAUD DETECTION EFFORTS.—

“(i) IN GENERAL.—Upon filing of an application under this paragraph, the Director of United States Citizenship and Immigration Services shall—

“(I) review such an application for completeness and clear indicators of fraud or misrepresentation of material fact;  
 “(II) conduct an in-person interview of the alien who filed the application; and

“(III) facilitate cooperation between the service center that adjudicates all applications under this paragraph and the local service centers that have the resources to investigate and interview the applicant to review any evidence that may pertain to the application.

“(ii) GUIDELINES.—The Director may issue guidelines for alternatives to the in-person interview so long as the guidelines do not jeopardize national security and include measures to detect fraud and abuse.

“(iii) EVIDENCE.—The Director may gather other evidence and interview other witnesses, including the accused United States citizen or legal permanent resident, if such individual consents to be interviewed.

“(F) PRIORITY OF ONGOING IMMIGRATION AND LAW ENFORCEMENT INVESTIGATIONS OR PROSECUTIONS.—

“(i) DETERMINATION.—During the adjudication of an application under this paragraph, the Director shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the petitioning alien for—

“(I) conduct relating to the battering or abuse alleged by the petitioning alien under this paragraph;  
 “(II) a violation of any immigration law; or

“(III) a violation of any other criminal law.”.

“(ii) USE OF INFORMATION.—If such an investigation or prosecution was commenced, the investigative officer of United States Citizenship and Immigration Services shall—

“(I) obtain as much information as possible about the investigation or prosecution; and  
 “(II) consider that information as part of the adjudication of the application.

“(iii) PENDING INVESTIGATION.—If such an investigation or prosecution is pending, the adjudication of the application shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor’s office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the application.

“(iv) EFFECT OF DETERMINATION TO REMOVE OR INDICT.—If such an investigation determines that the alien is removable, or if the alien is indicted, the application under this paragraph shall be denied.

“(v) EFFECT OF NOT GUILTY DETERMINATION.—If an investigation has been undertaken and a determination was made that a prosecution was not warranted or if a criminal proceeding finds the United States citizen or legal permanent resident not guilty

of the charges, such determination shall be binding and the application under this paragraph shall be denied.

“(G) EFFECT OF MATERIAL MISREPRESENTATION.—If an alien makes a material misrepresentation during the application process under this paragraph, the Secretary of Homeland Security shall—

“(i) deny the application and remove the alien on an expedited basis; and

“(ii) make the alien ineligible for any taxpayer funded benefits or immigration benefits.”.

#### SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended as follows:

(1) By striking “The petition” and inserting the following:

“(A) IN GENERAL.—The petition”.

(2) By adding at the end the following:

“(B) CERTIFICATION REQUIREMENTS.—Each certification submitted under subparagraph (A) shall confirm under penalty of perjury that—

“(i) the petitioner reported the criminal activity to a law enforcement agency within 120 days of its occurrence;

“(ii) the statute of limitations for prosecuting an offense based on the criminal activity has not lapsed;

“(iii) the criminal activity is actively under investigation or a prosecution has been commenced; and

“(iv) the petitioner has provided to a law enforcement agency information that will assist in identifying the perpetrator of the criminal activity, or the perpetrator's identity is known.

“(C) REQUIREMENT FOR CERTIFICATION.—No application for a visa under section 101(a)(15)(U) may be granted unless accompanied by the certification as described in this paragraph.”.

#### SEC. 803. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Naturalization Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).”; and

(B) in paragraph (3)(B)(i), by striking “abuse, stalking.” And inserting “abuse, stalking, or an attempt to commit any such crime.”; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.” and inserting “crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).”; and

(B) in paragraph (5)(B)(i), by striking “abuse, stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 883 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

#### SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the

name of the component of the Department of Justice responsible for prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this title.

(b) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:

(1) By amending paragraph (1) to read as follows:

“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

“(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.”.

(2) In paragraph (2)(B)(ii), by striking “or stalking.” and inserting “stalking, or an attempt to commit any such crime.”.

(3) In paragraph (5)(B)—

(A) by striking “In circumstances” and inserting the following:

“(i) IN GENERAL.—In circumstances”; and

(B) by adding at the end the following:

“(ii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.”.

#### SEC. 805. GAO REPORT.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51))).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and

(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

#### SEC. 806. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immi-

grant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary's or the” before “Attorney General's discretion”; and

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary or the” before “Attorney General for”; and

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”; and

(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

### TITLE IX—SAFETY FOR INDIAN WOMEN

#### SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking,”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—

(A) by inserting “sex trafficking,” after “stalking,”; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.

#### SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—

(1) in paragraph (1)—  
(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and  
(C) by adding at the end the following:

“(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.”; and

(2) in paragraph (2)(B), by striking “individuals or”.

#### SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—  
(A) by striking “and the Violence Against Women Act of 2000” and inserting “, the Violence Against Women Act of 2000”; and

(B) by inserting “, and the Violence Against Women Reauthorization Act of 2011” before the period at the end;

(2) in subsection (b)—  
(A) in the matter preceding paragraph (1), by striking “Secretary of the Department of Health and Human Services” and inserting “Secretary of Health and Human Services, the Secretary of the Interior.”; and

(B) in paragraph (2), by striking “and stalking” and inserting “stalking, and sex trafficking”; and

(3) by adding at the end the following:

“(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

“(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

“(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

“(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

“(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.”.

#### SEC. 904. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—  
(A) by striking paragraph (1) and inserting the following:

“(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.”;

(B) in paragraph (2), by striking “felony under chapter 109A” and inserting “violation of section 2241 or 2242”;

(C) in paragraph (3) by striking “and without just cause or excuse.”;

(D) in paragraph (4), by striking “six months” and inserting “1 year”;

(E) in paragraph (5), by striking “1 year,” and inserting “5 years.”;

(F) in paragraph (7)—

(i) by striking “substantial bodily injury to an individual who has not attained the age of 16 years” and inserting “substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years”; and

(ii) by striking “fine” and inserting “a fine”; and

(G) by adding at the end the following:

“(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.”; and

(2) in subsection (b)—

(A) by striking “(b) As used in this subsection—” and inserting the following:

“(b) DEFINITIONS.—In this section—”;

(B) in paragraph (1)(B), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) the terms ‘dating partner’ and ‘spouse or intimate partner’ have the meanings given those terms in section 2266;

“(4) the term ‘strangling’ means knowingly or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

“(5) the term ‘suffocating’ means knowingly or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.”.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking “assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)” and inserting “a felony assault under section 113”.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting “or tribal” after “State”.

#### SEC. 905. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking “The National” and inserting “Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National”; and

(B) by inserting “and in Native villages” (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))” before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) in clause (v), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2011”; and

(4) in paragraph (5), by striking “this section \$1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection \$500,000 for each of fiscal years 2012 and 2013”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against

Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2012 through 2016”.

#### SEC. 906. EFFECTIVE DATE.

The amendments made by this title shall take effect on the date of enactment of this Act.

#### SEC. 907. TRIBAL PROTECTION ORDERS.

Section 2265(e) of title 18, United States Code, is amended—

(1) in the subsection heading, by striking “COURT JURISDICTION” and inserting “PROTECTION ORDERS”;

(2) by striking “For purposes of this section” and inserting the following:

“(1) TRIBAL COURT JURISDICTION.—For purposes of this section and subject to paragraph (2); and

(3) by adding at the end the following:

“(2) UNITED STATES COURT JURISDICTION.—

“(A) IN GENERAL.—An Indian tribe may petition a district court of the United States in whose district the tribe is located for an appropriately tailored protection order excluding any person from areas within the Indian country of the tribe.

“(B) REQUIRED SHOWING.—The court shall issue a protection order prohibiting the person identified in a petition under subparagraph (A) from entering all or part of the Indian country of the tribe upon a showing that—

“(i) the person identified in the petition has assaulted an Indian spouse or intimate partner who resides or works in such Indian country, or an Indian child who resides with or is in the care or custody of such spouse or intimate partner; and

“(ii) a protection order is reasonably necessary to protect the safety and well-being of the spouse, intimate partner, or child described in clause (i).

“(C) FACTORS TO CONSIDER.—In determining the areas from which the person identified in a protection order issued under subparagraph (B) shall be excluded, the court shall consider all appropriate factors, including the places of residence, work, or school of—

“(i) the person identified in the protection order; and

“(ii) the spouse, intimate partner, or child described in subparagraph (B)(i).

“(D) PENALTY FOR WILLFUL VIOLATION.—A person who willfully violates a protection order issued under subparagraph (B) shall be punished as provided in section 2261(b).”.

#### SEC. 908. ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives, and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than 1 year after the date of enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

#### TITLE X—VIOLENT CRIME AGAINST WOMEN

##### SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

“(b) OF A WARD.—

“(1) OFFENSES.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

“(A) in official detention or supervised by, or otherwise under the control of, the United States—

“(i) during arrest;

“(ii) during pretrial release;

“(iii) while in official detention or custody;

or

“(iv) while on probation, supervised release, or parole;

“(B) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

“(C) at the time of the sexual act—

“(i) in the special maritime and territorial jurisdiction of the United States;

“(ii) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

“(iii) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

“(2) PENALTIES.—A person that violates paragraph (1) shall—

“(A) be fined under this title, imprisoned for not more than 15 years, or both; and

“(B) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.”.

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

**“§ 250. Penalties for sexual abuse**

“(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

“(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“250. Penalties for sexual abuse.”.

**SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.**

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)”.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: “or the commission of a sexual act (as defined in section 2246 of title 18)”.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

“(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”.

**SEC. 1003. REPORT ON COMPLIANCE WITH THE DNA FINGERPRINT ACT OF 2005.**

(a) REPORT REQUIRED.—Not later than 180 days after date of the enactment of this Act, the Secretary of Homeland Security shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) describes, in detail, the measures and procedures taken by the Secretary to comply with any regulation promulgated pursuant to section 3(e)(1) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(e)(1)); and

(2) provides a detailed explanation of the circumstances and specific cases, if available, in which—

(A) the Secretary failed to comply with any regulation promulgated pursuant to such section 3(e)(1);

(B) the Secretary requested the Attorney General approve additional limitations to, or exceptions from, any regulation promulgated pursuant to such section 3(e)(1); or

(C) the Secretary consulted with the Attorney General to determine that the collection of DNA samples is not feasible because of operational exigencies or resource limitations.

**SEC. 1004. REDUCING THE RAPE KIT BACKLOG.**

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended by adding at the end the following:

“(C) For each of fiscal years 2012 through 2014, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (2) and (3) of subsection (a).”.

**SEC. 1005. REPORT ON CAPACITY UTILIZATION.**

(a) REPORT REQUIRED.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall prepare a study on the availability of services for victims of domestic violence, dating violence, sexual assault, and stalking.

(b) CONTENT.—The report required by subsection (a) shall address the following:

(1) The services or categories of services that are currently being offered or provided to victims of domestic violence, dating violence, sexual assault, and stalking.

(2) The approximate number of victims receiving these services.

(3) The approximate number of victims, and the percentage of the total population of victims, who request services but are not provided services.

(4) The reasons why victims are not provided services, including—

(A) shelter or service organization lack of resources;

(B) shelter or organization limitations not associated with funding;

(C) geographical, logistical, or physical barriers;

(D) characteristics of the perpetrator; and

(E) characteristics or background of the victim.

(5) For any refusal to provide services to a victim, the reasons for the denial of services, including victim characteristics or background, including—

(A) employment history;

(B) criminal history;

(C) illegal or prescription drug use;

(D) financial situation;

(E) status of the victim as a parent;

(F) personal hygiene;

(G) current or past disease or illness;

(H) religious association or belief;

(I) physical characteristics of the victim or the provider facility

(J) gender;

(K) race;

(L) national origin or status as alien;

(M) failure to follow shelter or organization rules or procedures;

(N) previous contact or experiences with the shelter or service organization; or

(O) any other victim characteristic or background that is determined to be the cause of the denial of services.

(6) The frequency or prevalence of denial of services from organizations who receive Federal funds.

(7) The frequency or prevalence of denial of service from organizations who do not receive Federal funds.

**SEC. 1006. MANDATORY MINIMUM SENTENCE FOR AGGRAVATED SEXUAL ABUSE.**

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 10 years or imprisoned for life”; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 5 years or imprisoned for life”.

#### SEC. 1007. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is amended by striking “for which the term of imprisonment” and inserting “, including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is”.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) APPLICATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendment made by subsection (a) shall apply to a conviction for drunk driving that occurred before, on, or after such date.

(B) TWO OR MORE PRIOR CONVICTIONS.—An alien who has received two or more convictions for drunk driving prior to the date of the enactment of this Act may not be subject to removal for the commission of an aggravated felony pursuant to section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)), as amended by subsection (a), on the basis of such convictions until the date that the alien is convicted of a drunk driving offense after such date of enactment.

#### SEC. 1008. ENHANCED PENALTIES FOR INTER-STATE DOMESTIC VIOLENCE RESULTING IN DEATH, LIFE-THREATENING BODILY INJURY, PERMANENT DISFIGUREMENT, AND SERIOUS BODILY INJURY.

Section 2261(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “not less than 15 years” after “any term of years”;

(2) in paragraph (2), by striking “20 years” and inserting “25 years”; and

(3) in paragraph (3), by striking “10 years” and inserting “15 years”.

#### SEC. 1009. FINDING FUGITIVE SEX OFFENDERS ACT.

(a) IN GENERAL.—Section 3486(a)(1) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i)(II), by striking “or” at the end;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

“(ii) an unregistered sex offender conducted by the United States Marshals Service, the Director of the United States Marshals Service; or”;

(2) in subparagraph (D)—

(A) by striking “paragraph, the term” and inserting the following: “paragraph—

“(i) the term”;

(B) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(ii) the term ‘sex offender’ means an individual required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.).”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3486(a) of title 18, United States Code, is amended—

(1) in paragraph (6)(A), by striking “United State” and inserting “United States”;

(2) in paragraph (9), by striking “(1)(A)(ii)” and inserting “(1)(A)(iii)”;

(3) in paragraph (10), by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”.

(c) SUBPOENA AUTHORITY.—Section 566(e)(1) of title 28, United States Code, is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(C) issue administrative subpoenas in accordance with section 3486 of title 18, solely for the purpose of investigating unregistered sex offenders (as defined in such section 3486).”.

#### SEC. 1010. MINIMUM PENALTIES FOR THE POSSESSION OF CHILD PORNOGRAPHY.

(a) CERTAIN ACTIVITIES RELATING TO MATERIAL INVOLVING THE SEXUAL EXPLOITATION OF MINORS.—Section 2252(b)(2) of title 18, United States Code, is amended by inserting after “but if” the following: “any visual depiction involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not less than 1 year nor more than 20 years, or if”.

(b) CERTAIN ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY.—Section 2252A(b)(2) of title 18, United States Code, is amended by inserting after “but, if” the following: “any image of child pornography involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not less than 1 year nor more than 20 years, or if”.

#### SEC. 1011. AUDIT OF OFFICE FOR VICTIMS OF CRIME.

(a) AUDIT.—The Comptroller General of the United States shall conduct an objective and credible audit of the expenditure of funds by the Office for Victims of Crime (in this section referred to as the “Office”) from the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) (in this section referred to as the “Fund”).

(b) REPORT.—Not later than 9 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the audit conducted under subsection (a) that—

(1) addresses whether the Office provides amounts from the Fund to individuals or entities that support individuals who are not victims of crime;

(2) addresses whether the Office is authorized to provide amounts from the Fund to individuals or entities described in paragraph (1);

(3) addresses whether the Office provides amounts from the Fund for legal services for victims of crime; and

(4) if the Office no longer provides amounts from the Fund for the services described in paragraph (3), contains an explanation for why the Office no longer provides amounts for such services.

#### TITLE XI—THE SAFER ACT

##### SEC. 1101. SHORT TITLE.

This title may be cited as the “Sexual Assault Forensic Evidence Registry Act of 2012” or the “SAFER Act of 2012”.

##### SEC. 1102. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2012 through 2016, not less than 7 percent of the grant amounts distributed under paragraph (1) shall be awarded for the purpose described in subsection (a)(6).”; and

(3) by adding at the end the following new subsection:

“(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall—

“(A) not later than 1 year after receiving such grant—

“(i) complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph; and

“(ii) for each sample of sexual assault evidence identified in such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry established under subsection (o) the information listed in subsection (o)(2);

“(B) not later than 21 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry the information listed in subsection (o)(2) with respect to the sample; and

“(C) not later than 30 days after a change in the status referred to in subsection (o)(2)(A)(v) of a sample with respect to which the State or unit of local government has entered information into such Registry, update such status.

“(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) SAMPLES EXEMPT FROM REGISTRY REQUIREMENT.—A State or unit of local government is not required under paragraph (2) to enter into the Registry described in such paragraph information with respect to a sample of sexual assault evidence if—

“(A) the sample is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

“(B) the sample relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.



“(B) FINAL DISPOSITION.—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal right or privilege for a private laboratory described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).”.

#### SEC. 1103. SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.

(a) IN GENERAL.—Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135), as amended by section 1102 of this title, is further amended by adding at the end the following new subsection:

“(o) SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.—

“(1) IN GENERAL.—Subject to subsection (j), not later than 1 year after the date of enactment of the SAFER Act of 2012, the Attorney General shall establish a Sexual Assault Forensic Evidence Registry (in this subsection referred to as the ‘Registry’) that—

“(A) allows States and units of local government to enter information into the Registry about samples of sexual assault evidence that are in the possession of such States or units of local government and are awaiting testing; and

“(B) tracks the testing and processing of such samples.

“(2) INFORMATION IN REGISTRY.—

“(A) IN GENERAL.—A State or unit of local government that chooses to enter information into the Registry about a sample of sexual assault evidence shall include the following information:

“(i) The date of the sexual assault to which the sample relates.

“(ii) The city, county, or other appropriate locality in which the sexual assault occurred.

“(iii) The date on which the sample was collected.

“(iv) The date on which information relating to the sample was entered into the Registry.

“(v) The status of the progression of the sample through testing and other stages of the evidentiary handling process, including the identity of the entity in possession of the sample.

“(vi) The date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault for the sexual assault.

“(vii) Such other information as the Attorney General considers appropriate.

“(B) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that the Registry does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved, except for the information listed in subparagraph (A).

“(3) SAMPLE IDENTIFICATION NUMBER.—

“(A) IN GENERAL.—A State or unit of local government that chooses to enter informa-

tion about a sample of sexual assault evidence into the Registry shall assign to the sample a unique numeric or alphanumeric identifier.

“(B) UNIQUE IDENTIFIER REQUIRED.—In assigning the identifier under subparagraph (A), a State or unit of local government may use a case-numbering system used for other purposes, but the Attorney General shall ensure that the identifier assigned to each sample is unique with respect to all samples entered by all States and units of local government.

“(4) UPDATE OF INFORMATION.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall, not later than 30 days after a change in the status of the sample referred to in paragraph (2)(A)(v), update such status.

“(5) INTERNET ACCESS.—The Attorney General shall make publicly available aggregate non-individualized and non-personally identifying data gathered from the Registry, to allow for comparison of backlog data by States and units of local government, on an appropriate Internet website.

“(6) TECHNICAL ASSISTANCE.—The Attorney General shall—

“(A) provide a means by which an entity that does not have access to the Internet may enter information into the Registry; and

“(B) provide the technical assistance necessary to allow States and units of local government to participate in the Registry.”.

(b) FUNDING.—Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(j)) is amended—

(1) by inserting “and for carrying out subsection (o)” after “for grants under subsection (a)”; and

(2) by adding at the end the following new sentence: “For each of fiscal years 2012 through 2016, not less than 1 percent of the amount authorized to be appropriated under the previous sentence for such fiscal year shall be for carrying out subsection (o).”

#### SEC. 1104. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(6) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title; and

(3) summarizes the processing status of the samples of sexual assault evidence about which information has been entered into the Sexual Assault Forensic Evidence Registry established under section 2(o) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1103(a) of this title, including the number of samples that have not been tested.

**SA 2096.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

On page 200, line 3, insert “transportation,” after “shelter.”.

**SA 2097.** Mr. BLUMENTHAL (for himself and Mr. KIRK) submitted an

amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

On page 256, after line 17, insert the following:

#### SEC. 110. FACILITATION OF STALKING, DOMESTIC VIOLENCE, AND SEXUAL OFFENSES BY IMPERSONATION OR OTHER MEANS.

(a) IN GENERAL.—Chapter 110A of title 18, United States Code, is amended by inserting after section 2265A the following:

##### “§ 2265B. Electronic disclosure of identifying information intended to facilitate interstate stalking, domestic violence, sexual offenses, or other offenses

“(a) DEFINITIONS.—In this section—

“(1) the term ‘domestic assault’ has the meaning given that term in section 117(b);

“(2) the term ‘interactive computer service’ has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f));

“(3) the term ‘means of identification’ has the meaning given that term in section 1028(d); and

“(4) the term ‘telecommunications device’ has the meaning given that term in section 223(h) of the Communications Act of 1934 (47 U.S.C. 223(h)).

“(b) OFFENSE.—It shall be unlawful for any person to use the mail, any interactive computer service, telecommunications device, electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to knowingly and intentionally publish or otherwise disclose the name, address, telephone number, picture, or means of identification of another individual with the intent, by such publication or disclosure, to facilitate—

“(1) any violation of section 1589, 1591, 1592, 2241, 2242, 2243, 2244, 2251, 2251A, 2260, 2261A, 2421, 2422, or 2423;

“(2) any conduct that would constitute a violation of section 2261 if the conduct were directly committed by such person; or

“(3) any conduct that would constitute domestic assault if the conduct were directly committed by such person, if such person has a final conviction on not less than 2 separate prior occasions in Federal, State, or Indian tribal court proceedings for offenses that would be, if subject to Federal jurisdiction—

“(A) an assault, sexual abuse, or a serious violent felony against a spouse or intimate partner; or

“(B) an offense under chapter 110A.

“(c) PENALTY.—Any person who commits a violation—

“(1) under subsection (b)(1) shall be imprisoned for not more than the maximum term of imprisonment or fined not more than the maximum fine prescribed for the punishment of the specific underlying crime at issue; and

“(2) under subsection (b)(3) shall be fined not more than the maximum fine prescribed for a violation of section 117, imprisoned not more than the maximum term of imprisonment prescribed for section 117, or both.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 110A of title 18, United States Code, is amended by inserting after the item relating to section 2265 the following:

“2265A. Repeat offenders.

“2265B. Electronic disclosure of identifying information intended to facilitate interstate stalking, domestic violence, sexual offenses, or other offenses.”.

# AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on April 26, 2012, at 10:30 a.m. in room SR-328A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON ARMED SERVICES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 26, 2012, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m. to conduct a hearing entitled "Legislative Proposals in the United States Department of Housing and Urban Development's FY 2013 Budget."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 26, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Tax Filing Season: Improving the Taxpayer Experience."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 26, 2012, at 2 p.m., to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m. to conduct a hearing entitled "Biological Security: The Risk of Dual-Use Research."

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 26, 2012, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON VETERANS AFFAIRS

Mr. SCHUMER. Mr. President, I ask for unanimous consent that the Committee on Veterans' Affairs be authorized to meet during session on April 26, 2012.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 26, 2012, at 3 p.m., to hold an East Asian and Pacific Affairs subcommittee hearing entitled, "U.S. Policy on Burma."

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on April 26, 2012, at 2:30 p.m. to conduct a hearing entitled, "Financial Literacy: Empowering Americans to Prevent the Next Financial Crisis."

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON SEAPOWERS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that two fellows in the office of Senator PATTY MURRAY, Stephanie Doherty Wilkinson and Eric Brooks, be granted floor privileges for the remainder of the 112th Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that John Tracy of my staff be granted the privileges of the floor for the rest of today.

The PRESIDING OFFICER. Without objection, it is so ordered.

## THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to Calendar Nos. 371 through 381 en bloc, all post office naming bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate proceeded to consider the bills.

Mr. REID. I ask unanimous consent that the bills be read a third time and passed en bloc, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and that any statements relating to the bills be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ARMY SPECIALIST MATTHEW TROY MORRIS POST OFFICE BUILDING

The bill (H.R. 298) to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building" was ordered to a third reading, read the third time, and passed.

## SPECIALIST MICHEAL E. PHILLIPS POST OFFICE

The bill (H.R. 1423) to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office" was ordered to a third reading, read the third time, and passed.

## JOHN J. COOK POST OFFICE

The bill (H.R. 2079) to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office" was ordered to a third reading, read the third time, and passed.

## SERGEANT JASON W. VAUGHN POST OFFICE

The bill (H.R. 2213) to designate the facility of the United States Postal Service located at 801 West Eastport Street in Luka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office" was ordered to a third reading, read the third time, and passed.

## CORPORAL STEVEN BLAINE RICCIONE POST OFFICE

The bill (H.R. 2244) to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office" was ordered to a third reading, read the third time, and passed.