

Calendar No. 406

112TH CONGRESS
2^D SESSION**H. R. 4970**

IN THE SENATE OF THE UNITED STATES

MAY 21, 2012

Received; read twice and placed on the calendar

AN ACT

To reauthorize the Violence Against Women Act of 1994.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. TABLE OF CONTENTS.**

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

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

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

- Sec. 101. STOP grants.

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

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

- Sec. 201. Sexual assault services program.
- Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
- Sec. 203. Training and services to end violence against women with disabilities grants.
- Sec. 204. Grant for training and services to end violence against women in later life.

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

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

TITLE IV—VIOLENCE REDUCTION PRACTICES

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

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

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

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

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

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

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

TITLE VIII—IMMIGRATION PROVISIONS

Sec. 801. Fraud prevention initiatives.
 Sec. 802. Clarification of the requirements applicable to U visas.
 Sec. 803. Protections for a fiancée or fiancé of a citizen.
 Sec. 804. Regulation of international marriage brokers.
 Sec. 805. GAO report.
 Sec. 806. Temporary Nature of U Visa Status.
 Sec. 807. Annual report on immigration applications made by victims of abuse.
 Sec. 808. Protection for children of VAWA self-petitioners.
 Sec. 809. Public charge.
 Sec. 810. Age-Out Protection for U Visa Applicants.
 Sec. 811. Hardship waivers.
 Sec. 812. Disclosure of Information for National Security Purpose.
 Sec. 813. GAO report on requirements to cooperate with law enforcement officials.
 Sec. 814. Consideration of other evidence.

TITLE IX—SAFETY FOR INDIAN WOMEN

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

TITLE X—CRIMINAL PROVISIONS

Sec. 1001. Criminal provisions relating to sexual abuse.
 Sec. 1002. Sexual abuse in custodial settings.
 Sec. 1003. Criminal provision relating to stalking, including cyberstalking.
 Sec. 1004. Amendments to the Federal assault statute.
 Sec. 1005. Mandatory minimum sentence.
 Sec. 1006. Federal protection orders.

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

2 (a) DEFINITIONS.—Subsection (a) of section 4002
 3 of the Violence Against Women Act of 1994 (42 U.S.C.
 4 13925(a)) is amended—

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

7 (2) in paragraph (3), by striking “an organiza-
 8 tion” and inserting “a nonprofit, nongovernmental,

1 or tribal organization that serves a specific geo-
2 graphic community”;

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

6 (4) by amending paragraph (16) to read as fol-
7 lows:

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

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

13 “(i) family, tribal, territorial, immi-
14 gration, employment, administrative agen-
15 cy, housing matters, campus administrative
16 or protection or stay away order pro-
17 ceedings, and other similar matters; and

18 “(ii) criminal justice investigations,
19 prosecutions and post-trial matters (includ-
20 ing sentencing, parole, and probation) that
21 impact the victim’s safety and privacy; and

22 “(B) may include services and assistance
23 to victims of domestic violence, dating violence,
24 sexual assault, or stalking who are also victims
25 of severe forms of trafficking in persons as de-

1 fined by section 103 of the Trafficking Victims
2 Protection Act of 2000 (22 U.S.C. 7102);
3 except that intake or referral, without other action,
4 does not constitute legal assistance.”.

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

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

17 “(A) a first and last name;

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

19 “(C) contact information (including a post-
20 al, e-mail or Internet protocol address, or tele-
21 phone or facsimile number);

22 “(D) a social security number, driver li-
23 cense number, passport number, or student
24 identification number; and

1 “(E) any other information, including date
2 of birth, racial or ethnic background, or reli-
3 gious affiliation, that would serve to identify
4 any individual.”;

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

7 (7) in paragraph (21)—

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

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

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

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

15 (8) in paragraph (22)—

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

18 (B) by striking “150,000” and inserting
19 “250,000”;

20 (9) by amending paragraph (23) to read as fol-
21 lows:

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

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

3 “(33) UNDERSERVED POPULATIONS.—The
4 term ‘underserved populations’ means populations
5 who face barriers to accessing and using victim serv-
6 ices, and includes populations underserved because
7 of geographic location or religion, underserved racial
8 and ethnic populations, populations underserved be-
9 cause of special needs (such as language barriers,
10 disabilities, alienage status, or age), and any other
11 population determined to be underserved by the At-
12 torney General or the Secretary of Health and
13 Human Services, as appropriate.”;

14 (11) by amending paragraph (37) to read as
15 follows:

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

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

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

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

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

7 “(41) CULTURALLY SPECIFIC SERVICES.—The
8 term ‘culturally specific services’ means community-
9 based services and resources that are culturally rel-
10 evant and linguistically specific to culturally specific
11 communities.

12 “(42) HOMELESS, HOMELESS INDIVIDUAL,
13 HOMELESS PERSON.—The terms ‘homeless’, ‘home-
14 less individual’, and ‘homeless person’—

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

17 “(B) includes—

18 “(i) an individual who—

19 “(I) is sharing the housing of
20 other persons due to loss of housing,
21 economic hardship, or a similar rea-
22 son;

23 “(II) is living in a motel, hotel,
24 trailer park, or campground due to

1 the lack of alternative adequate ac-
2 commodations;

3 “(III) is living in an emergency
4 or transitional shelter;

5 “(IV) is abandoned in a hospital;
6 or

7 “(V) is awaiting foster care
8 placement;

9 “(ii) an individual who has a primary
10 nighttime residence that is a public or pri-
11 vate place not designed for or ordinarily
12 used as a regular sleeping accommodation
13 for human beings; or

14 “(iii) migratory children (as defined in
15 section 1309 of the Elementary and Sec-
16 ondary Education Act of 1965; 20 U.S.C.
17 6399) who qualify as homeless under this
18 section because the children are living in
19 circumstances described in this paragraph.

20 “(43) POPULATION SPECIFIC ORGANIZATION.—

21 The term ‘population specific organization’ means a
22 nonprofit, nongovernmental organization that pri-
23 marily serves members of a specific underserved
24 population and has demonstrated experience and ex-

1 pertise providing targeted services to members of
2 that specific underserved population.

3 “(44) POPULATION SPECIFIC SERVICES.—The
4 term ‘population specific services’ means victim serv-
5 ices that—

6 “(A) address the safety, health, economic,
7 legal, housing, workplace, immigration, con-
8 fidentiality, or other needs of victims of domes-
9 tic violence, dating violence, sexual assault, or
10 stalking; and

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

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

15 “(A) a nonprofit, nongovernmental, or trib-
16 al organization that provides intervention and
17 related assistance, as specified in section
18 41601(b)(2)(C), to victims of sexual assault
19 without regard to the age of the victims; or

20 “(B) a governmental entity that—

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

23 “(ii) provides intervention and related
24 assistance, as specified in section
25 41601(b)(2)(C), to victims of sexual as-

1 sault without regard to the age of the vic-
2 tims;

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

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

9 “(46) SEX TRAFFICKING.—The term ‘sex traf-
10 ficking’ means any conduct proscribed by section
11 1591 of title 18, United States Code, whether or not
12 the conduct occurs in interstate or foreign commerce
13 or within the special maritime and territorial juris-
14 diction of the United States.

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

19 “(A) provides education, support, and tech-
20 nical assistance to member Indian service pro-
21 viders in a manner that enables those member
22 providers to establish and maintain culturally
23 appropriate services, including shelter and rape
24 crisis services, designed to assist Indian women
25 and the dependents of those women who are

1 victims of domestic violence, dating violence,
2 sexual assault, and stalking; and

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

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

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

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

14 “(49) VICTIM SERVICES.—The term ‘victim
15 services’—

16 “(A) means services provided to victims of
17 domestic violence, dating violence, sexual as-
18 sault, or stalking, including telephonic or web-
19 based hotlines, legal advocacy, economic advo-
20 cacy, emergency and transitional shelter, ac-
21 companiment and advocacy through medical,
22 civil or criminal justice, immigration, and social
23 support systems, crisis intervention, short-term
24 individual and group support services, informa-
25 tion and referrals, culturally specific services,

1 population specific services, and other related
2 supportive services; and

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

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

14 “(A) assists domestic violence, dating vio-
15 lence, sexual assault, or stalking victims, includ-
16 ing domestic violence shelters, faith-based orga-
17 nizations, and other organizations; and

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

21 (13) by striking paragraphs (17), (29), and
22 (36), and then reordering the remaining paragraphs
23 of such subsection (including the paragraphs added
24 by paragraph (12) of this subsection) in alphabetical

1 order based on the headings of such paragraphs, and
2 renumbering such paragraphs as so reordered.

3 (b) GRANTS CONDITIONS.—Subsection (b) of section
4 40002 of the Violence Against Women Act of 1994 (42
5 U.S.C. 13925(b)) is amended—

6 (1) in paragraph (2)—

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

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

17 “(ii) disclose, reveal, or release indi-
18 vidual client information without the in-
19 formed, written, reasonably time-limited
20 consent of the person (or in the case of an
21 unemancipated minor, the minor and the
22 parent or guardian or in the case of legal
23 incapacity, a court-appointed guardian)
24 about whom information is sought, wheth-
25 er for this program or any other Federal,

1 State, tribal, or territorial grant program,
2 except that—

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

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

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

16 “(D) INFORMATION SHARING.—

17 “(i) IN GENERAL.—Grantees and sub-
18 grantees may share—

19 “(I) nonpersonally identifying
20 data in the aggregate regarding serv-
21 ices to their clients and nonpersonally
22 identifying demographic information
23 in order to comply with Federal,
24 State, tribal, or territorial reporting,

1 evaluation, or data collection require-
2 ments;

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

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

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

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

23 “(II) share any personally identi-
24 fying information in order to comply
25 with Federal reporting, evaluation, or

1 data collection requirements, whether
2 for this program or any other Federal
3 grant program.”;

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

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

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

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

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

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

23 “(3) APPROVED ACTIVITIES.—In carrying out
24 the activities under this title, grantees and sub-
25 grantees may collaborate with and provide informa-

1 tion to Federal, State, local, tribal, and territorial
2 public officials and agencies to develop and imple-
3 ment policies, and develop and promote State, local,
4 or tribal legislation or model codes, designed to re-
5 duce or eliminate domestic violence, dating violence,
6 sexual assault, and stalking.”;

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

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

12 (4) by inserting after paragraph (11) the fol-
13 lowing:

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

20 “(13) CIVIL RIGHTS.—

21 “(A) NONDISCRIMINATION.—No person in
22 any State shall on the basis of actual or per-
23 ceived race, color, religion, national origin, sex,
24 or disability be denied the assistance of, or ex-
25 cluded from receiving services from, a grantee

1 under any program or activity funded in whole
2 or in part with funds made available under the
3 Violence Against Women Act of 1994 (title IV
4 of Public Law 103–322; 108 Stat. 1902), the
5 Violence Against Women Act of 2000 (division
6 B of Public Law 106–386; 114 Stat. 1491), the
7 Violence Against Women and Department of
8 Justice Reauthorization Act of 2005 (title IX of
9 Public Law 109–162; 119 Stat. 3080), the Vio-
10 lence Against Women Reauthorization Act of
11 2012, or any other program or activity funded
12 in whole or in part with funds appropriated for
13 grants, cooperative agreements, and other as-
14 sistance administered by the Office on Violence
15 Against Women.

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

1 sufficient to meet the requirements of this para-
2 graph.

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

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

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

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

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

22 (a) REQUIREMENT FOR DOJ GRANT APPLICANTS TO
23 INCLUDE CERTAIN INFORMATION ABOUT FEDERAL
24 GRANTS IN DOJ GRANT APPLICATIONS.—Each applicant
25 for a grant from the Department of Justice shall submit,

1 as part of the application for the grant, the following in-
2 formation:

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

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

9 (b) ENHANCING GRANT EFFICIENCY AND COORDINA-
10 TION.—

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

18 (2) REPORT.—Not later than 180 days after
19 the date of the enactment of this Act, the Attorney
20 General shall submit to the Committee on the Judi-
21 ciary and the Committee on Appropriations of the
22 Senate and the Committee on the Judiciary and the
23 Committee on Appropriations of the House of Rep-
24 resentatives a report on the actions taken by the At-
25 torney General under paragraph (1) and the

1 progress of such actions in achieving coordination
2 described in such paragraph.

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

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

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

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

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

1 other assistance administered by the Office on Violence Against Women.”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 tive expenses of the Office on Violence Against
2 Women.

3 “(7) CONFERENCE EXPENDITURES.—

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

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

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

12 “(8) PROHIBITION ON LOBBYING ACTIVITY.—

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

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

1 General or the Secretary of Health and Human
2 Services, as applicable, shall—

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

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

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

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

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

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

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

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

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

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

17 “(d) TRAINING AND RESOURCES FOR VAWA GRANT-
18 EES.—

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

22 “(A) develop standards, protocols, and
23 sample tools and forms to provide guidance to
24 grantees and subgrantees under any program or
25 activity described in paragraph (2) regarding fi-

1 nancial record-keeping and accounting practices
2 required of such grantees and subgrantees as
3 recipients of funds from the disbursing agency;

4 “(B) provide training to such grantees and
5 subgrantees regarding such standards, proto-
6 cols, and sample tools and forms; and

7 “(C) publish on the public Internet website
8 of the Office of Violence Against Women infor-
9 mation to assist such grantees and subgrantees
10 with compliance with such standards, protocols,
11 and sample tools and forms.

12 “(2) VAWA PROGRAMS AND ACTIVITIES.—For
13 purposes of paragraph (1), a program or activity de-
14 scribed in this paragraph is any program or activity
15 funded in whole or in part with funds made available
16 under this title, the Violence Against Women Act of
17 2000 (division B of Public Law 106–386; 114 Stat.
18 1491), the Violence Against Women and Depart-
19 ment of Justice Reauthorization Act of 2005 (title
20 IX of Public Law 109–162; 119 Stat. 3080), the Vi-
21 olence Against Women Reauthorization Act of 2012,
22 or any other program or activity funded in whole or
23 in part with funds appropriated for grants, coopera-
24 tive agreements, and other assistance administered
25 by the Office on Violence Against Women.”.

1 **SEC. 5. EFFECTIVE DATE.**

2 Except as otherwise specifically provided in this Act,
3 the provisions of titles I, II, III, IV, VII, and sections 3,
4 602, 901, and 902 of this Act shall not take effect until
5 the first day of the fiscal year following the date of enact-
6 ment of this Act.

7 **TITLE I—ENHANCING JUDICIAL**
8 **AND LAW ENFORCEMENT**
9 **TOOLS TO COMBAT VIOLENCE**
10 **AGAINST WOMEN**

11 **SEC. 101. STOP GRANTS.**

12 (a) STOP GRANTS.—Part T of title I of the Omnibus
13 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
14 3711 et seq.) is amended—

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

17 (A) in the matter preceding paragraph
18 (1)—

19 (i) by striking “equipment” and in-
20 sserting “resources”; and

21 (ii) by inserting “for the protection
22 and safety of victims,” before “and specifi-
23 cally,”;

24 (B) in paragraph (1), by striking “sexual
25 assault” and all that follows through “dating

1 violence” and inserting “domestic violence, dat-
2 ing violence, sexual assault, and stalking”;

3 (C) in paragraph (2), by striking “sexual
4 assault and domestic violence” and inserting
5 “domestic violence, dating violence, sexual as-
6 sult, and stalking”;

7 (D) in paragraph (3), by striking “sexual
8 assault and domestic violence” and inserting
9 “domestic violence, dating violence, sexual as-
10 sult, and stalking, as well as the appropriate
11 treatment of victims”;

12 (E) in paragraph (4)—

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

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

19 (F) in paragraph (5)—

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

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

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

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

8 (H) in paragraph (6), as so redesignated
9 by subparagraph (G), by striking “sexual as-
10 sult and domestic violence” and inserting “do-
11 mestic violence, dating violence, sexual assault,
12 and stalking”;

13 (I) in paragraph (7), as so redesignated by
14 subparagraph (G), by striking “and dating vio-
15 lence” and inserting “dating violence, and
16 stalking”;

17 (J) in paragraph (9), as so redesignated by
18 subparagraph (G)—

19 (i) by striking “domestic violence or
20 sexual assault” and inserting “domestic vi-
21 olence, dating violence, sexual assault, or
22 stalking”; and

23 (ii) by striking “such violence or as-
24 sult” and inserting “such violence, as-
25 sult, or stalking”;

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

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

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

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

15 (i) in the matter preceding subpara-
16 graph (A)—

17 (I) by striking “to provide” and
18 inserting “providing”;

19 (II) by striking “nonprofit non-
20 governmental”; and

21 (III) by striking the comma after
22 “local governments”;

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

1 (iii) by striking the period at the end
2 of subparagraph (C) and inserting a semi-
3 colon;

4 (M) by inserting after paragraph (13), as
5 so redesignated by subparagraph (G), the fol-
6 lowing:

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

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

14 “(16) developing and strengthening policies,
15 protocols, best practices, and training for law en-
16 forcement agencies and prosecutors relating to the
17 investigation and prosecution of sexual assault cases
18 and the appropriate treatment of victims;

19 “(17) developing, enlarging, or strengthening
20 programs addressing sexual assault against men,
21 women, and youth in correctional and detention set-
22 tings;

23 “(18) identifying and conducting inventories of
24 backlogs of sexual assault evidence collection kits
25 and developing protocols and policies for responding

1 to and addressing such backlogs, including protocols
2 and policies for notifying and involving victims; and

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

8 (N) in the flush text at the end, by strik-
9 ing “paragraph (14)” and inserting “paragraph
10 (13)”;

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

12 (A) in subsection (a), by striking “non-
13 profit nongovernmental victim services pro-
14 grams” and inserting “victim service pro-
15 viders”;

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

18 (C) in subsection (c)—

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

21 “(2) grantees and subgrantees shall develop a
22 plan for implementation and may consult and co-
23 ordinate with—

24 “(A) the State sexual assault coalition;

25 “(B) the State domestic violence coalition;

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

3 “(D) prosecution offices;

4 “(E) State and local courts;

5 “(F) tribal governments or tribal coalitions
6 in those States with State or federally recog-
7 nized Indian tribes;

8 “(G) representatives from underserved
9 populations;

10 “(H) victim service providers;

11 “(I) population specific organizations; and

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

15 (ii) by redesignating paragraphs (3)
16 and (4) as paragraphs (4) and (5), respec-
17 tively;

18 (iii) by inserting after paragraph (2)
19 the following:

20 “(3) grantees shall coordinate the State imple-
21 mentation plan described in paragraph (2) with the
22 State plans described in section 307 of the Family
23 Violence Prevention and Services Act (42 U.S.C.
24 10407) and the plans described in the Victims of
25 Crime Act of 1984 (42 U.S.C. 10601 et seq.) and

1 section 393A of the Public Health Service Act (42
2 U.S.C. 280b–1b); and”;

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

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

8 (II) by redesignating subpara-
9 graphs (B) and (C) as subparagraphs
10 (D) and (E);

11 (III) by inserting after subpara-
12 graph (A), the following:

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

15 “(C) for each fiscal year beginning on or
16 after the date that is 2 years after the date of
17 enactment of the Violence Against Women Re-
18 authorization Act of 2012, not less than 20 per-
19 cent shall be allocated for programs or projects
20 that meaningfully address sexual assault, in-
21 cluding stranger rape, acquaintance rape, alco-
22 hol or drug-facilitated rape, and rape within the
23 context of an intimate partner relationship;”;

24 and

1 (IV) in subparagraph (E), as so
2 redesignated by subclause (II), by
3 striking “; and” and inserting a pe-
4 riod;

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

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

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

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

14 “(3) proof of compliance with the requirements
15 for paying fees and costs relating to domestic vio-
16 lence and protection order cases described in section
17 2011;

18 “(4) proof of compliance with the requirements
19 prohibiting polygraph examinations of victims of sex-
20 ual assault described in section 2013;

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

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

25 (E) in subsection (e)—

1 (i) in paragraph (2)—

2 (I) in subparagraph (A), by strik-
3 ing “domestic violence and sexual as-
4 sault” and inserting “domestic vio-
5 lence, dating violence, sexual assault,
6 and stalking”; and

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

9 (ii) by adding at the end the fol-
10 lowing:

11 “(3) CONDITIONS.—In disbursing grants under
12 this part, the Attorney General may impose reason-
13 able conditions on grant awards disbursed after the
14 date of enactment of the Violence Against Women
15 Reauthorization Act of 2012 to ensure that the
16 States meet statutory, regulatory, and other pro-
17 grams requirements.”;

18 (F) in subsection (f), by striking the period
19 at the end and inserting “, except that, for pur-
20 poses of this subsection, the costs of the
21 projects for victim services or tribes for which
22 there is an exemption under section
23 40002(b)(1) of the Violence Against Women
24 Act of 1994 (42 U.S.C. 13925(b)(1)) shall not

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

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

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

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

10 “(2) submit to the Attorney General as part of
11 the application submitted in accordance with sub-
12 section (d)—

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

15 “(B) documentation from each member of
16 the planning committee with respect to the
17 member’s participation in the planning process;

18 “(C) documentation from the prosecution,
19 law enforcement, court, and victim services pro-
20 grams to be assisted, describing—

21 “(i) the need for the grant funds;

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

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

1 “(iv) the demographic characteristics
2 of the populations to be served, including
3 age, disability, race, ethnicity, and lan-
4 guage background;

5 “(D) a description of how the State will
6 ensure that any subgrantees will consult with
7 victim service providers during the course of de-
8 veloping their grant applications to ensure that
9 the proposed activities are designed to promote
10 the safety, confidentiality, and economic inde-
11 pendence of victims;

12 “(E) demographic data on the distribution
13 of underserved populations within the State and
14 a description of how the State will meet the
15 needs of underserved populations, including the
16 minimum allocation for population specific serv-
17 ices required under subsection (c)(4)(C);

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

21 “(G) goals and objectives for reducing do-
22 mestic and dating violence-related homicides
23 within the State; and

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

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

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

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

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

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

12 “(1) IN GENERAL.—A State, Indian tribal gov-
13 ernment, or unit of local government shall not be en-
14 titled to funds under this subchapter unless the
15 State, Indian tribal government, unit of local govern-
16 ment, or another governmental entity—

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

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

24 (B) in subsection (b)—

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

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

5 (iii) by striking paragraph (3);

6 (C) in subsection (c), by striking “, except
7 that such funds” and all that follows and in-
8 serting a period; and

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

11 “(d) NONCOOPERATION.—

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

18 “(2) COMPLIANCE PERIOD.—States, territories,
19 and Indian tribal governments shall have 3 years
20 from the date of enactment of the Violence Against
21 Women Reauthorization Act of 2012 to come into
22 compliance with this subsection.”; and

23 (4) in section 2011(a)(1) (42 U.S.C. 3796gg–
24 5(a)(1))—

1 (A) by inserting “modification, enforce-
2 ment, dismissal,” after “registration,” each
3 place it appears; and

4 (B) by striking “domestic violence, stalk-
5 ing, or sexual assault” and inserting “domestic
6 violence, dating violence, sexual assault, or
7 stalking”.

8 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section
9 1001(a)(18) of title I of the Omnibus Crime Control and
10 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)), is
11 amended by striking “\$225,000,000 for each of fiscal
12 years 2007 through 2011” and inserting “\$222,000,000
13 for each of fiscal years 2013 through 2017”.

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

16 (a) **IN GENERAL.**—Part U of title I of the Omnibus
17 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
18 3796hh et seq.) is amended—

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

20 (A) in subsection (b)—

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

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

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

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

16 (v) in paragraph (5), by inserting
17 “and other victim services” after “legal ad-
18 vocacy service programs”;

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

23 (vii) in paragraph (8), by striking
24 “and sexual assault” and inserting “, dat-
25 ing violence, sexual assault, and stalking”;

1 (viii) in paragraph (10), by striking
2 “non-profit, non-governmental victim serv-
3 ices organizations,” and inserting “victim
4 service providers, population specific orga-
5 nizations,”; and

6 (ix) by adding at the end the fol-
7 lowing:

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

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

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

24 “(17) To develop, implement, or enhance sexual
25 assault nurse examiner programs or sexual assault

1 forensic examiner programs, including the hiring
2 and training of such examiners.

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

6 “(19) To develop and strengthen policies, proto-
7 cols, and training for law enforcement officers and
8 prosecutors regarding the investigation and prosecu-
9 tion of sexual assault cases and the appropriate
10 treatment of victims of sexual assault.

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

13 “(A) Testing.

14 “(B) Counseling.

15 “(C) Prophylaxis.

16 “(21) To identify and inventory backlogs of sex-
17 ual assault evidence collection kits and to develop
18 protocols for responding to and addressing such
19 backlogs, including policies and protocols for noti-
20 fying and involving victims.

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

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

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

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

10 (B) in subsection (c)—

11 (i) in paragraph (1)—

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

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

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

22 (iii) in paragraph (4)—

23 (I) by inserting “modification,
24 enforcement, dismissal,” after “reg-
25 istration,” each place it appears;

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

3 (III) by striking “and” at the
4 end;

5 (iv) in paragraph (5)—

6 (I) in the matter preceding sub-
7 paragraph (A), by striking “, not later
8 than 3 years after the date of enact-
9 ment of this section,”;

10 (II) by redesignating subpara-
11 graphs (A) and (B) as clauses (i) and
12 (ii), respectively, and adjusting the
13 margin accordingly;

14 (III) in clause (ii), as redesign-
15 ated by subclause (II) of this clause,
16 by striking “subparagraph (A)” and
17 inserting “clause (i)”; and

18 (IV) by striking the period at the
19 end and inserting “; and”;

20 (v) by redesignating paragraphs (1)
21 through (5), as amended by this subpara-
22 graph, as subparagraphs (A) through (E),
23 respectively, and adjusting the margin ac-
24 cordingly;

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

4 (I) by striking the second
5 comma; and

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

9 “(1) States”; and

10 (vii) by adding at the end the fol-
11 lowing:

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

19 (C) in subsection (d)—

20 (i) in paragraph (1)—

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

24 (II) in subparagraph (A), by in-
25 serting “and the defendant is in cus-

1 tody or has been served with the in-
2 formation or indictment” before the
3 semicolon; and

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

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

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

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

19 (2) in section 2102(a) (42 U.S.C. 3796hh-
20 1(a))—

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

23 (B) in paragraph (4), by striking “non-
24 profit, private sexual assault and domestic vio-
25 lence programs” and inserting “victim service

1 providers and, as appropriate, population spe-
2 cific organizations”.

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

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

10 (2) by striking the second period.

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

12 Section 1201 of the Violence Against Women Act of
13 2000 (42 U.S.C. 3796gg–6) is amended—

14 (1) in subsection (a)—

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

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

20 (2) in subsection (b)—

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

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

1 (3) in subsection (c)—

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

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

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

11 (4) in subsection (d)—

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

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

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

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

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

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

6 (5) in subsection (f)—

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

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

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

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

19 **LIES IN THE JUSTICE SYSTEM.**

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

1 tion Act of 2005 (Public Law 109–162; 119 Stat. 3016),
2 and inserting the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 “(c) CONSIDERATIONS.—

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

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

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

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

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

1 including mechanisms for communication and re-
2 ferral.

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

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

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

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

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

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

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

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

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

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

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

11 “(f) ALLOTMENT FOR INDIAN TRIBES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 “(a) GRANTS AUTHORIZED.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(C) evaluating the program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 **SEC. 109. ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT**
6 **TRAINING PROGRAMS.**

7 Section 40152(e) of the Violence Against Women Act
8 of 1994 (42 U.S.C. 13941(e)) is amended by striking “to
9 carry out this section” and all that follows through the
10 period at the end and inserting “to carry out this section
11 \$5,000,000 for each of fiscal years 2013 through 2017.”.

12 **SEC. 110. CHILD ABUSE TRAINING PROGRAMS FOR JUDI-**
13 **CIAL PERSONNEL AND PRACTITIONERS.**

14 Section 224(a) of the Victims of Child Abuse Act of
15 1990 (42 U.S.C. 13024(a)) is amended by striking
16 “\$2,300,000” and all that follows through the period at
17 the end and inserting “\$2,300,000 for each of fiscal years
18 2013 through 2017.”.

1 **TITLE II—IMPROVING SERVICES**
2 **FOR VICTIMS OF DOMESTIC**
3 **VIOLENCE, DATING VIO-**
4 **LENCE, SEXUAL ASSAULT,**
5 **AND STALKING**

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

7 (a) GRANTS TO STATES AND TERRITORIES.—Section
8 41601(b) of the Violence Against Women Act of 1994 (42
9 U.S.C. 14043g(b)) is amended—

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

16 (2) in paragraph (2)—

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

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

23 (3) in paragraph (4)—

24 (A) in the first sentence—

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

3 (ii) by striking “1.50 percent” and in-
4 serting “0.75 percent”; and

5 (iii) by striking “, except that” and all
6 that follows through “of the total appro-
7 priations”; and

8 (B) in the last sentence, by striking “the
9 preceding formula” and inserting “this para-
10 graph”.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
12 41601(f)(1) of the Violence Against Women Act of 1994
13 (42 U.S.C. 14043g(f)(1)) is amended by striking
14 “\$50,000,000 to remain available until expended for each
15 of the fiscal years 2007 through 2011” and inserting
16 “\$40,000,000 to remain available until expended for each
17 of fiscal years 2013 through 2017”.

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

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

23 (1) in subsection (a)(1)(H), by inserting “, in-
24 cluding sexual assault forensic examiners” before the
25 semicolon;

1 (2) in subsection (b)—

2 (A) in paragraph (1)—

3 (i) by striking “victim advocacy
4 groups” and inserting “victim service pro-
5 viders”; and

6 (ii) by inserting “, including devel-
7 oping multidisciplinary teams focusing on
8 high-risk cases with the goal of preventing
9 domestic and dating violence homicides”
10 before the semicolon;

11 (B) in paragraph (2)—

12 (i) by striking “and other long- and
13 short-term assistance” and inserting “legal
14 assistance, and other long-term and short-
15 term victim services and population spe-
16 cific services”; and

17 (ii) by striking “and” at the end;

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

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

21 “(4) to develop, expand, or strengthen pro-
22 grams addressing sexual assault, including sexual
23 assault forensic examiner programs, Sexual Assault
24 Response Teams, law enforcement training, and pro-
25 grams addressing rape kit backlogs.”; and

1 (3) in subsection (e)(1), by striking
2 “\$55,000,000 for each of the fiscal years 2007
3 through 2011” and inserting “\$50,000,000 for each
4 of fiscal years 2013 through 2017”.

5 **SEC. 203. TRAINING AND SERVICES TO END VIOLENCE**
6 **AGAINST WOMEN WITH DISABILITIES**
7 **GRANTS.**

8 Section 1402 of division B of the Victims of Traf-
9 ficking and Violence Protection Act of 2000 (42 U.S.C.
10 3796gg-7) is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (1), by inserting “(in-
13 cluding using evidence-based indicators to as-
14 sess the risk of domestic and dating violence
15 homicide)” after “risk reduction”;

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

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

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

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

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

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

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

11 “(a) DEFINITIONS.—In this section:

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

14 “(A) is—

15 “(i) a State;

16 “(ii) a unit of local government;

17 “(iii) a tribal government or tribal or-
18 ganization;

19 “(iv) a population specific organiza-
20 tion with demonstrated experience in as-
21 sisting individuals in later life;

22 “(v) a victim service provider; or

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

25 and

1 “(B) is partnered with—

2 “(i) a law enforcement agency;

3 “(ii) an office of a prosecutor;

4 “(iii) a victim service provider; or

5 “(iv) a nonprofit program or govern-

6 ment agency with demonstrated experience

7 in assisting individuals in later life.

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

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

13 “(b) GRANT PROGRAM.—

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

23 “(2) MANDATORY AND PERMISSIBLE ACTIVI-
24 TIES.—

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

4 “(i) provide training programs to as-
5 sist law enforcement agencies, prosecutors,
6 agencies of States or units of local govern-
7 ment, population specific organizations,
8 victim service providers, victim advocates,
9 and relevant officers in Federal, tribal,
10 State, territorial, and local courts in recog-
11 nizing and addressing instances of elder
12 abuse;

13 “(ii) provide or enhance services for
14 victims of elder abuse;

15 “(iii) establish or support multidisci-
16 plinary collaborative community responses
17 to victims of elder abuse; and

18 “(iv) conduct cross-training for law
19 enforcement agencies, prosecutors, agen-
20 cies of States or units of local government,
21 attorneys, health care providers, population
22 specific organizations, faith-based advo-
23 cates, victim service providers, and courts
24 to better serve victims of elder abuse.

1 “(B) PERMISSIBLE ACTIVITIES.—An eligi-
2 ble entity receiving a grant under this section
3 may use not more than 10 percent of the funds
4 received under the grant to—

5 “(i) provide training programs to as-
6 sist attorneys, health care providers, faith-
7 based leaders, or other community-based
8 organizations in recognizing and address-
9 ing instances of elder abuse; or

10 “(ii) conduct outreach activities and
11 awareness campaigns to ensure that vic-
12 tims of elder abuse receive appropriate as-
13 sistance.

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

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

1 **TITLE III—SERVICES, PROTEC-**
2 **TION, AND JUSTICE FOR**
3 **YOUNG VICTIMS OF VIO-**
4 **LENCE**

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

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

8 (1) in subsection (a)—

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

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

14 (2) in subsection (c)(1), by striking
15 “\$80,000,000 for each of fiscal years 2007 through
16 2011” and inserting “\$50,000,000 for each of fiscal
17 years 2013 through 2017”; and

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

20 “(3) **FUNDING FORMULA.**—Amounts provided
21 under this section shall be allotted to each State,
22 territory, and the District of Columbia based on
23 population. If the amounts appropriated under para-
24 graph (1) exceed \$48,000,000 in any fiscal year, a
25 minimum allocation of \$150,000 shall be awarded to

1 each State and territory and the District of Colum-
2 bia. Any remaining funds shall be allotted to each
3 State and territory and the District of Columbia
4 based on population.”.

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

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

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

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

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

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

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

24 “(B) develop and implement policies, prac-
25 tices, and procedures to effectively respond to

1 domestic violence, dating violence, sexual as-
2 sault, or stalking against youth; or

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

18 “(2) SUPPORTING YOUTH THROUGH EDU-
19 CATION AND PROTECTION.—To enable secondary or
20 elementary schools that serve students in any of
21 grades five through twelve and institutions of higher
22 education to—

23 “(A) provide training to school personnel,
24 including health care providers and security
25 personnel, on the needs of students who are vic-

1 tims of domestic violence, dating violence, sex-
2 ual assault, or stalking;

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

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

18 “(D) provide evidence-based educational
19 programs for students regarding domestic vio-
20 lence, dating violence, sexual assault, and stalk-
21 ing; or

22 “(E) develop strategies to increase identi-
23 fication, support, referrals, and prevention pro-
24 grams for youth who are at high risk of domes-

1 tic violence, dating violence, sexual assault, or
2 stalking.

3 “(c) ELIGIBLE APPLICANTS.—

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

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

14 “(B) a victim service provider that is
15 partnered with an entity that has a dem-
16 onstrated history of effective work addressing
17 the needs of youth.

18 “(2) PARTNERSHIPS.—

19 “(A) EDUCATION.—To be eligible to re-
20 ceive a grant for the purposes described in sub-
21 section (b)(2), an entity described in paragraph
22 (1) shall be partnered with an elementary
23 school or secondary school (as such terms are
24 defined in section 9101 of the Elementary and
25 Secondary Education Act of 1965), charter

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

14 “(B) OTHER PARTNERSHIPS.—All appli-
15 cants under this section are encouraged to work
16 in partnership with organizations and agencies
17 that work with the relevant youth population.
18 Such entities may include—

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

21 “(ii) a population specific or commu-
22 nity-based organization;

23 “(iii) batterer intervention programs
24 or sex offender treatment programs with

1 specialized knowledge and experience work-
2 ing with youth offenders; or

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

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

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

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

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

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

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

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

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

14 “(h) ALLOTMENT.—

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

19 “(2) INDIAN TRIBES.—Not less than 10 percent
20 of the total amount appropriated under this section
21 for each fiscal year shall be made available for
22 grants under the program authorized by section
23 2015 of the Omnibus Crime Control and Safe
24 Streets Act of 1968 (42 U.S.C. 3796gg-10).”.

1 (b) VAWA GRANT REQUIREMENTS.—Section
2 40002(b) of the Violence Against Women Act of 1994 (42
3 U.S.C. 13925(b)), as amended by section 3(b)(4), is fur-
4 ther amended by adding at the end the following:

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

11 **SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAM-**
12 **PUSES.**

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

16 (1) in subsection (a)—

17 (A) in paragraph (1)—

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

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

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

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

3 (2) in subsection (b)—

4 (A) in paragraph (2)—

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

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

11 (B) in paragraph (4)—

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

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

19 (iii) by inserting “, regardless of
20 whether the services provided by such pro-
21 gram are provided by the institution or in
22 coordination with community victim service
23 providers” before the period at the end;
24 and

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

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

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

8 (3) in subsection (c)—

9 (A) in paragraph (2)—

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

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

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

20 “(D) describe how underserved populations
21 in the campus community will be adequately
22 served, including the provision of relevant popu-
23 lation specific services;”; and

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

4 (4) in subsection (d)—

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

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

8 “(3) GRANTEE MINIMUM REQUIREMENTS.—

9 Each grantee shall comply with the following min-
10 imum requirements during the grant period:

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

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

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

23 “(D) The grantee shall train all members
24 of campus disciplinary boards to respond effec-
25 tively to situations involving domestic violence,

1 dating violence, sexual assault, or stalking.”;
2 and
3 (5) in subsection (e), by striking “\$12,000,000”
4 and all that follows through the period and inserting
5 “\$12,000,000 for each of the fiscal years 2013
6 through 2017.”.

7 **SEC. 304. NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.**

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

12 **“PART LL—NATIONAL CENTER FOR CAMPUS**
13 **PUBLIC SAFETY**

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

16 “(a) AUTHORITY TO ESTABLISH AND OPERATE CEN-
17 TER.—

18 “(1) IN GENERAL.—The Director of the Office
19 of Community Oriented Policing Services is author-
20 ized to establish and operate a National Center for
21 Campus Public Safety (referred to in this section as
22 the ‘Center’).

23 “(2) GRANT AUTHORITY.—The Director of the
24 Office of Community Oriented Policing Services is
25 authorized to award grants to institutions of higher

1 education and other nonprofit organizations to assist
2 in carrying out the functions of the Center required
3 under subsection (b).

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

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

10 “(2) foster quality research to strengthen the
11 safety and security of institutions of higher edu-
12 cation;

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

19 “(4) develop protocols, in conjunction with the
20 Attorney General, the Secretary of Homeland Secu-
21 rity, the Secretary of Education, State, local, and
22 tribal governments and law enforcement agencies,
23 private and nonprofit organizations and associations,
24 and other stakeholders, to prevent, protect against,
25 respond to, and recover from, natural and man-made

1 emergencies or dangerous situations involving an im-
2 mediate threat to the health or safety of the campus
3 community;

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

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

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

19 “(8) develop standardized formats and models
20 for mutual aid agreements and memoranda of un-
21 derstanding between campus security agencies and
22 other public safety organizations and mental health
23 agencies; and

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

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

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

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

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

19 (b) JUSTICE PROGRAM CONSOLIDATIONS.—Effective
20 30 days after the date of enactment of this section, the
21 Office of Dispute Resolution of the Department of Justice
22 and the jurisdiction and employees of such office shall
23 be—

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

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

3 **TITLE IV—VIOLENCE**
4 **REDUCTION PRACTICES**

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

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

13 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES**
14 **THROUGH PREVENTION GRANTS.**

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

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

21 “(a) GRANTS AUTHORIZED.—The Attorney General,
22 in consultation with the Secretary of Health and Human
23 Services and the Secretary of Education, is authorized to
24 award grants for the purpose of preventing domestic vio-
25 lence, dating violence, sexual assault, and stalking by tak-

1 ing a comprehensive approach that focuses on youth, chil-
2 dren exposed to violence, and men as leaders and
3 influencers of social norms.

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

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

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

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

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

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

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

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

20 “(B) training and coordination for edu-
21 cational, after-school, and childcare programs
22 on how to safely and confidentially identify chil-
23 dren and families experiencing domestic vio-
24 lence, dating violence, sexual assault, or stalk-
25 ing and properly refer children exposed and

1 their families to services and violence prevention
2 programs.

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

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

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

19 “(2) a partnership between a victim service pro-
20 vider, community-based organization, tribe or tribal
21 organization, or other nonprofit, nongovernmental
22 organization that has a history of effective work pre-
23 venting domestic violence, dating violence, sexual as-
24 sault, or stalking and at least one of the following
25 that has expertise in serving children exposed to do-

1 mestic violence, dating violence, sexual assault, or
2 stalking, youth domestic violence, dating violence,
3 sexual assault, or stalking prevention, or engaging
4 men to prevent domestic violence, dating violence,
5 sexual assault, or stalking:

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

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

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

21 “(D) A nonprofit, nongovernmental entity
22 providing services for runaway or homeless
23 youth affected by domestic violence, dating vio-
24 lence, sexual assault, or stalking.

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

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

10 “(d) GRANTEE REQUIREMENTS.—

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

18 “(2) POLICIES AND PROCEDURES.—Applicants
19 under this section shall establish and implement
20 policies, practices, and procedures that are con-
21 sistent with the best practices developed under sec-
22 tion 402 of the Violence Against Women and De-
23 partment of Justice Reauthorization Act of 2005
24 (42 U.S.C. 280b–4) and—

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

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

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

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

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

22 “(A) include outcome-based evaluation;
23 and

24 “(B) identify any other community, school,
25 or State-based efforts that are working on do-

1 mestic violence, dating violence, sexual assault,
2 or stalking prevention and explain how the
3 grantee or partnership will add value, coordi-
4 nate with other programs, and not duplicate ex-
5 isting efforts.

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

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

12 “(g) ALLOTMENT.—

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

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

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

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

1 (2) Section 403 of the Violence Against Women
2 and Department of Justice Reauthorization Act of
3 2005 (42 U.S.C. 14045e).

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

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

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

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

21 “(a) IN GENERAL.—The Secretary shall award
22 grants for—

23 “(1) the development or enhancement and im-
24 plementation of interdisciplinary training for health

1 professionals, public health staff, and allied health
2 professionals;

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

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

16 “(b) USE OF FUNDS.—

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

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

22 “(i) are designed to train medical,
23 psychology, dental, social work, nursing,
24 and other health profession students, in-
25 terns, residents, fellows, or current health

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

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

21 “(B) design and implement comprehensive
22 strategies to improve the response of the health
23 care system to domestic or sexual violence in
24 clinical and public health settings, hospitals,
25 clinics, and other health settings (including be-

1 havioral and mental health), under subsection
2 (a)(3) through—

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

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

1 to the geographic and cultural needs of a
2 site;

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

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

20 “(2) PERMISSIBLE USES.—

21 “(A) CHILD AND ELDER ABUSE.—To the
22 extent consistent with the purpose of this sec-
23 tion, a grantee may use amounts received under
24 this section to address, as part of a comprehen-
25 sive programmatic approach implemented under

1 the grant, issues relating to child or elder
2 abuse.

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

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

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

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

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

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

16 “(c) REQUIREMENTS FOR GRANTEES.—

17 “(1) CONFIDENTIALITY AND SAFETY.—

18 “(A) IN GENERAL.—Grantees under this
19 section shall ensure that all programs developed
20 with grant funds address issues of confiden-
21 tiality and patient safety and comply with appli-
22 cable confidentiality and nondisclosure require-
23 ments under section 40002(b)(2) of the Vio-
24 lence Against Women Act of 1994 and the
25 Family Violence Prevention and Services Act,

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

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

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

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

6 “(4) APPLICATION.—

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

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

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

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

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

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

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

22 “(i) documentation that all training,
23 education, screening, assessment, services,
24 treatment, and any other approach to pa-
25 tient care will be informed by an under-

1 standing of violence and abuse victimiza-
2 tion and trauma-specific approaches that
3 will be integrated into prevention, interven-
4 tion, and treatment activities;

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

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

19 “(iv) with respect to an application
20 for a grant under which the grantee will
21 have contact with patients, a plan, devel-
22 oped in collaboration with local victim serv-
23 ice providers, to respond appropriately to
24 and make correct referrals for individuals
25 who disclose that they are victims of do-

1 mestic violence, dating violence, sexual as-
2 sault, stalking, or other types of violence,
3 and documentation provided by the grantee
4 of an ongoing collaborative relationship
5 with a local victim service provider; and

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

14 “(d) ELIGIBLE ENTITIES.—

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

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

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

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

7 “(D) a State, tribal, territorial, or local en-
8 tity.

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

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

21 “(B) a local victim service provider, a local
22 department (or other division) of health, a local
23 health clinic, hospital, or health system, or any
24 other community-based organization with a his-
25 tory of effective work in the field of domestic vi-

1 olence, dating violence, sexual assault, or stalk-
2 ing and health care, including physical or men-
3 tal health care.

4 “(e) TECHNICAL ASSISTANCE.—

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

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

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

22 “(A) the distribution of funds under this
23 section; and

24 “(B) the programs and activities supported
25 by such funds.

1 “(f) RESEARCH AND EVALUATION.—

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

7 “(A) grants awarded under this section;
8 and

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

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

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

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

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

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

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

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

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

24 (1) Chapter 11 of subtitle B of the Violence
25 Against Women Act of 1994 (relating to research on

1 effective interventions to address violence; 42 U.S.C.
2 13973; as added by section 505 of Public Law 109–
3 162 (119 Stat. 3028)).

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

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

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

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

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

19 **“CHAPTER 1—GRANT PROGRAMS”;**

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

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

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

2 **“CHAPTER 2—HOUSING RIGHTS**

3 **“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DO-**
4 **MESTIC VIOLENCE, DATING VIOLENCE, SEX-**
5 **UAL ASSAULT, AND STALKING.**

6 “(a) DEFINITIONS.—In this chapter:

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(I) rural housing assistance provided
25 under sections 514, 515, 516, 533, and 538 of

1 the Housing Act of 1949 (42 U.S.C. 1484,
2 1485, 1486, 1490m, and 1490p-2); and

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

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

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

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

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

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

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

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

21 “(B) BIFURCATION.—

22 “(i) IN GENERAL.—Notwithstanding
23 subparagraph (A), a public housing agency
24 or owner or manager of housing assisted
25 under a covered housing program may bi-

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

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

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

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

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

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

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

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

16 “(iii) to limit the authority to termi-
17 nate assistance to a tenant or evict a ten-
18 ant from housing assisted under a covered
19 housing program if a public housing agen-
20 cy or owner or manager of the housing can
21 demonstrate that an actual and imminent
22 threat to other tenants or individuals em-
23 ployed at or providing service to the prop-
24 erty would be present if the assistance is

1 not terminated or the tenant is not evicted;
2 or

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

8 “(c) DOCUMENTATION.—

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

19 “(2) FAILURE TO PROVIDE CERTIFICATION.—

20 “(A) IN GENERAL.—If an applicant or ten-
21 ant does not provide the documentation re-
22 quested under paragraph (1) within 14 business
23 days after the tenant receives a request in writ-
24 ing for such certification from a public housing
25 agency or owner or manager of housing assisted

1 under a covered housing program, nothing in
2 this chapter may be construed to limit the au-
3 thority of the public housing agency or owner or
4 manager to—

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

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

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

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

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

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

21 “(A) a certification form approved by the
22 appropriate agency that—

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

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

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

11 “(B) a document that—

12 “(i) is signed by—

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

22 “(II) the applicant or tenant; and

23 “(ii) states under penalty of perjury
24 that the individual described in clause
25 (i)(I) believes that the incident of domestic

1 violence, dating violence, sexual assault, or
2 stalking that is the ground for protection
3 under subsection (b) meets the require-
4 ments under subsection (b);

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

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

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

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

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

3 “(C) otherwise required by applicable law.

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

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

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

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

16 “(d) NOTIFICATION.—

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

24 “(2) PROVISION.—The applicable public hous-
25 ing agency or owner or manager of housing assisted

1 under a covered housing program shall provide the
2 notice developed under paragraph (1) to an appli-
3 cant for or tenant of housing assisted under a cov-
4 ered housing program—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (b) CONFORMING AMENDMENTS.—

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

7 (A) in subsection (c)—

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

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

12 (B) in subsection (l)—

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

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

19 (C) by striking subsection (u).

20 (2) SECTION 8.—Section 8 of the United States
21 Housing Act of 1937 (42 U.S.C. 1437f) is amend-
22 ed—

23 (A) in subsection (e), by striking para-
24 graph (9);

25 (B) in subsection (d)(1)—

- 1 (i) in subparagraph (A), by striking
2 “and that an applicant” and all that fol-
3 lows through “assistance or admission”;
4 and
- 5 (ii) in subparagraph (B)—
- 6 (I) in clause (ii), by striking “,
7 and that an incident” and all that fol-
8 lows through “victim of such vio-
9 lence”; and
- 10 (II) in clause (iii), by striking “,
11 except that:” and all that follows
12 through “stalking.”;
- 13 (C) in subsection (f)—
- 14 (i) in paragraph (6), by adding “and”
15 at the end;
- 16 (ii) in paragraph (7), by striking the
17 semicolon at the end and inserting a pe-
18 riod; and
- 19 (iii) by striking paragraphs (8), (9),
20 (10), and (11);
- 21 (D) in subsection (o)—
- 22 (i) in paragraph (6)(B), by striking
23 the last sentence;
- 24 (ii) in paragraph (7)—

1 (I) in subparagraph (C), by strik-
2 ing “and that an incident” and all
3 that follows through “victim of such
4 violence”; and

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

8 (iii) by striking paragraph (20); and

9 (E) by striking subsection (ee).

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

13 (A) to limit the rights or remedies avail-
14 able to any person under section 6 or 8 of the
15 United States Housing Act of 1937 (42 U.S.C.
16 1437d and 1437f), as in effect on the day be-
17 fore the date of enactment of this Act;

18 (B) to limit any right, remedy, or proce-
19 dure otherwise available under any provision of
20 part 5, 91, 880, 882, 883, 884, 886, 891, 903,
21 960, 966, 982, or 983 of title 24, Code of Fed-
22 eral Regulations, that—

23 (i) was issued under the Violence
24 Against Women and Department of Jus-
25 tice Reauthorization Act of 2005 (Public

1 Law 109–162; 119 Stat. 2960) or an
2 amendment made by that Act; and

3 (ii) provides greater protection for vic-
4 tims of domestic violence, dating violence,
5 sexual assault, and stalking than this Act
6 or the amendments made by this Act; or

7 (C) to disqualify an owner, manager, or
8 other individual from participating in or receiv-
9 ing the benefits of the low-income housing tax
10 credit program under section 42 of the Internal
11 Revenue Code of 1986 because of noncompli-
12 ance with the provisions of this Act or the
13 amendments made by this Act.

14 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
15 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
16 **ING VIOLENCE, SEXUAL ASSAULT, AND**
17 **STALKING.**

18 Chapter 11 of subtitle B of the Violence Against
19 Women Act of 1994 (42 U.S.C. 13975; as added by sec-
20 tion 611 of Public Law 108–21 (117 Stat. 693)) is amend-
21 ed—

22 (1) in the chapter heading, by striking
23 **“CHILD VICTIMS OF DOMESTIC VIO-**
24 **LENCE, STALKING, OR SEXUAL AS-**
25 **SAULT”** and inserting **“VICTIMS OF DO-**

1 **MESTIC VIOLENCE, DATING VIO-**
2 **LENCE, SEXUAL ASSAULT, OR STALK-**
3 **ING**”; and

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

5 (A) in the header, by striking “**CHILD**
6 **VICTIMS OF DOMESTIC VIOLENCE, STALK-**
7 **ING, OR SEXUAL ASSAULT**” and inserting
8 “**VICTIMS OF DOMESTIC VIOLENCE, DAT-**
9 **ING VIOLENCE, SEXUAL ASSAULT, OR**
10 **STALKING**”;

11 (B) in subsection (a)(1), by striking “flee-
12 ing”;

13 (C) by striking subsection (f); and

14 (D) in subsection (g)—

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

20 (ii) in paragraph (3)—

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

24 (II) by adding at the end the fol-
25 lowing:

1 “(D) QUALIFIED APPLICATION DE-
2 FINED.—In this paragraph, the term ‘qualified
3 application’ means an application that—

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

6 “(ii) does not propose any significant
7 activities that may compromise victim safe-
8 ty;

9 “(iii) reflects an understanding of the
10 dynamics of domestic violence, dating vio-
11 lence, sexual assault, or stalking; and

12 “(iv) does not propose prohibited ac-
13 tivities, including mandatory services for
14 victims, background checks of victims, or
15 clinical evaluations to determine eligibility
16 for services.”.

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

20 Subtitle N of the Violence Against Women Act of
21 1994 (42 U.S.C. 14043e et seq.) is amended—

22 (1) in section 41404(i) (42 U.S.C. 14043e-
23 3(i)), by striking “\$10,000,000 for each of fiscal
24 years 2007 through 2011” and inserting

1 “\$4,000,000 for each of fiscal years 2013 through
2 2017”; and

3 (2) in section 41405(g) (42 U.S.C. 14043e–
4 4(g)), by striking “\$10,000,000 for each of fiscal
5 years 2007 through 2011” and inserting
6 “\$4,000,000 for each of fiscal years 2013 through
7 2017”.

8 **TITLE VII—ECONOMIC SECURITY** 9 **FOR VICTIMS OF VIOLENCE**

10 **SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE** 11 **RESPONSES TO ASSIST VICTIMS OF DOMES-** 12 **TIC AND SEXUAL VIOLENCE.**

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

17 **TITLE VIII—IMMIGRATION** 18 **PROVISIONS**

19 **SEC. 801. FRAUD PREVENTION INITIATIVES.**

20 (a) CREDIBLE EVIDENCE CONSIDERED.—Section
21 240A(b)(2) of the Immigration and Nationality Act (8
22 U.S.C. 1229b) is amended by striking subparagraph (D)
23 and inserting the following:

24 “(D) CREDIBLE EVIDENCE CONSID-
25 ERED.—In acting on applications under this

1 paragraph, the Attorney General shall consider
2 any credible evidence relevant to the applica-
3 tion, including credible evidence submitted by a
4 national of the United States or an alien law-
5 fully admitted for permanent residence accused
6 of the conduct described in subparagraph (A)(i)
7 so long as this evidence is not gathered in viola-
8 tion of section 384 of the Illegal Immigration
9 Reform and Immigrant Responsibility Act of
10 1996.”.

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

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

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

21 “(bb) During the adjudication of each peti-
22 tion under this paragraph, an investigative offi-
23 cer from a local office of United States Citizen-
24 ship and Immigration Services shall conduct an
25 in-person interview of the alien who filed the

1 petition. The investigative officer may also
2 gather other evidence so long as this evidence is
3 not gathered in violation of section 384 of the
4 Illegal Immigration Reform and Immigrant Re-
5 sponsibility Act of 1996. The investigative offi-
6 cer who conducted the in-person interview shall
7 provide to the investigative officer who is re-
8 sponsible for the adjudication and final deter-
9 mination of eligibility a summary of the inter-
10 view and any other evidence gathered and a de-
11 termination of the credibility of the interviewee
12 and other evidence gathered.

13 “(cc) All interviews under this clause shall
14 be conducted under oath and subject to applica-
15 ble penalties for perjury.

16 “(dd) The investigative officer who is re-
17 sponsible for the adjudication and final deter-
18 mination of eligibility shall determine whether
19 the petitioner had filed previous applications or
20 petitions for immigration benefits that had been
21 denied and whether the petitioner had been the
22 beneficiary of a previous petition filed pursuant
23 to this section that had been denied. If either
24 was the case, the investigative officer shall con-

1 sider the denials and the reasons for the denials
2 as part of the adjudication of the petition.

3 “(ee) The investigative officer who is re-
4 sponsible for the adjudication and final deter-
5 mination of eligibility shall as part of the adju-
6 dication of the petition consult with the inves-
7 tigative officer at the local office of United
8 States Citizenship and Immigration Services
9 who had conducted the in-person interview of
10 the alien who filed the petition.

11 “(ff) Upon the conclusion of the adjudica-
12 tion process under this subparagraph, the inves-
13 tigative officer who is responsible for the adju-
14 dication and final determination of eligibility
15 shall issue a final written determination to ap-
16 prove or deny the petition. The investigative of-
17 ficer shall not approve the petition unless the
18 officer finds, in writing and with particularity,
19 that all requirements under this paragraph, in-
20 cluding proof that the alien is a victim of the
21 conduct described in clause (iii)(I)(bb), have
22 been proven by a preponderance of the evidence.

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

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

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

12 “(V)(aa) During the adjudication of a peti-
13 tion under this paragraph, the investigative offi-
14 cer who is responsible for the adjudication and
15 final determination of eligibility shall determine
16 whether any Federal, State, territorial, tribal,
17 or local law enforcement agency has undertaken
18 an investigation or prosecution of the abusive
19 conduct alleged by the petitioning alien.

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

22 “(AA) obtain as much information as
23 possible about the investigation or prosecu-
24 tion; and

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

3 “(cc) If an investigation or prosecution is
4 pending, the adjudication of the petition shall
5 be stayed pending the conclusion of the inves-
6 tigation or prosecution. If no investigation has
7 been undertaken or if a prosecutor’s office has
8 not commenced a prosecution after the matter
9 was referred to it, that fact shall be considered
10 by the investigative officer as part of the adju-
11 dication of the petition.

12 “(VI) If a petition filed under this para-
13 graph is denied, any obligations under an un-
14 derlying affidavit of support previously filed by
15 the accused national of the United States or
16 alien lawfully admitted for permanent residence
17 shall be terminated.”;

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

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

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

1 (4) in subparagraph (B)(ii), by inserting after
2 subclause (II) the following:

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

7 “(bb) During the adjudication of each peti-
8 tion under this paragraph, an investigative offi-
9 cer from a local office of United States Citizen-
10 ship and Immigration Services shall conduct an
11 in-person interview of the alien who filed the
12 petition. The investigative officer may also
13 gather other evidence so long as this evidence is
14 not gathered in violation of section 384 of the
15 Illegal Immigration Reform and Immigrant Re-
16 sponsibility Act of 1996. The investigative offi-
17 cer who conducted the in-person interview shall
18 provide to the investigative officer who is re-
19 sponsible for the adjudication and final deter-
20 mination of eligibility a summary of the inter-
21 view and any other evidence gathered and a de-
22 termination of the credibility of the interviewee
23 and other evidence gathered.

1 “(cc) All interviews under this clause shall
2 be conducted under oath and subject to applica-
3 ble penalties for perjury.

4 “(dd) The investigative officer who is re-
5 sponsible for the adjudication and final deter-
6 mination of eligibility shall determine whether
7 the petitioner had filed previous applications or
8 petitions for immigration benefits that had been
9 denied and whether the petitioner had been the
10 beneficiary of a previous petition filed pursuant
11 to this section that had been denied. If either
12 was the case, the investigative officer shall con-
13 sider the denials and the reasons for the denials
14 as part of the adjudication of the petition.

15 “(ee) The investigative officer who is re-
16 sponsible for the adjudication and final deter-
17 mination of eligibility shall as part of the adju-
18 dication of the petition consult with the inves-
19 tigative officer at the local office of United
20 States Citizenship and Immigration Services
21 who had conducted the in-person interview of
22 the alien who filed the petition.

23 “(ff) Upon the conclusion of the adjudica-
24 tion process under this subparagraph, the inves-
25 tigative officer who is responsible for the adju-

1 dication and final determination of eligibility
2 shall issue a final written determination to ap-
3 prove or deny the petition. The investigative of-
4 ficer shall not approve the petition unless the
5 officer finds, in writing and with particularity,
6 that all requirements under this paragraph, in-
7 cluding proof that the alien is a victim of the
8 conduct described in clause (ii)(I)(bb), have
9 been proven by a preponderance of the evidence.

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

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

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

23 “(V)(aa) During the adjudication of a peti-
24 tion under this clause, the investigative officer
25 who is responsible for the adjudication and final

1 determination of eligibility shall determine
2 whether any Federal, State, territorial, tribal,
3 or local law enforcement agency has undertaken
4 an investigation or prosecution of the abusive
5 conduct alleged by the petitioning alien.

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

8 “(AA) obtain as much information as
9 possible about the investigation or prosecu-
10 tion; and

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

13 “(cc) If an investigation or prosecution is
14 pending, the adjudication of the petition shall
15 be stayed pending the conclusion of the inves-
16 tigation or prosecution. If no investigation has
17 been undertaken or if a prosecutor’s office has
18 not commenced a prosecution after the matter
19 was referred to it, that fact shall be considered
20 by the investigative officer as part of the adju-
21 dication of the petition.

22 “(VI) If a petition filed under this clause
23 is denied, any obligations under an underlying
24 affidavit of support previously filed by the ac-
25 cused national of the United States or alien

1 lawfully admitted for permanent residence shall
2 be terminated.”; and

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

7 **SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLI-**
8 **CABLE TO U VISAS.**

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

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

13 “(A) IN GENERAL.—The petition”.

14 (2) By adding at the end the following:

15 “(B) CERTIFICATION REQUIREMENTS.—
16 Each certification submitted under subpara-
17 graph (A) shall confirm under oath that—

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

21 “(ii) the petitioner has provided to law
22 enforcement information that will assist in
23 identifying the perpetrator of the criminal
24 activity or the perpetrator’s identity is
25 known.

1 “(C) REQUIREMENT FOR CERTIFI-
2 CATION.—No application for a visa under sec-
3 tion 101(a)(15)(U) may be granted unless ac-
4 companied by the certification as described in
5 this paragraph.”.

6 **SEC. 803. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A**
7 **CITIZEN.**

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

10 (1) in subsection (d)—

11 (A) in paragraph (1), by striking “crime.”
12 and inserting “crime described in paragraph
13 (3)(B) and information on any permanent pro-
14 tection or restraining order issued against the
15 petitioner related to any specified crime de-
16 scribed in paragraph (3)(B)(i).”; and

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

21 (2) in subsection (r)—

22 (A) in paragraph (1), by striking “crime.”
23 and inserting “crime described in paragraph
24 (5)(B) and information on any permanent pro-
25 tection or restraining order issued against the

1 petitioner related to any specified crime de-
2 scribed in subsection (5)(B)(i).”; and

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

7 (b) PROVISION OF INFORMATION TO K NON-
8 IMMIGRANTS.—Section 833 of the International Marriage
9 Broker Regulation Act of 2005 (8 U.S.C. 1375a) is
10 amended in subsection (b)(1)(A), by striking “or” after
11 “orders” and inserting “and”.

12 **SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE**
13 **BROKERS.**

14 (a) IMPLEMENTATION OF THE INTERNATIONAL MAR-
15 RIAGE BROKER ACT OF 2005.—Not later than 90 days
16 after the date of the enactment of this Act, the Attorney
17 General shall submit to Congress a report that includes
18 the name of the component of the Department of Justice
19 responsible for prosecuting violations of the International
20 Marriage Broker Act of 2005 (subtitle D of Public Law
21 109–162; 119 Stat. 3066) and the amendments made by
22 this title.

23 (b) REGULATION OF INTERNATIONAL MARRIAGE
24 BROKERS.—Section 833(d) of the International Marriage

1 Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is
2 amended as follows:

3 (1) By amending paragraph (1) to read as fol-
4 lows:

5 “(1) PROHIBITION ON MARKETING OF OR TO
6 CHILDREN.—

7 “(A) IN GENERAL.—An international mar-
8 riage broker shall not provide any individual or
9 entity with personal contact information, photo-
10 graph, or general information about the back-
11 ground or interests of any individual under the
12 age of 18.

13 “(B) COMPLIANCE.—To comply with the
14 requirements of subparagraph (A), an inter-
15 national marriage broker shall—

16 “(i) obtain a valid copy of each for-
17 eign national client’s birth certificate or
18 other proof of age document issued by an
19 appropriate government entity;

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

23 “(iii) retain the original of such cer-
24 tificate or document for 5 years after such
25 date of receipt; and

1 “(iv) produce such certificate or docu-
2 ment upon request to an appropriate au-
3 thority charged with the enforcement of
4 this paragraph.”.

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

8 **SEC. 805. GAO REPORT.**

9 (a) REQUIREMENT FOR REPORT.—Not later than 1
10 year after the date of the enactment of this Act, the Comp-
11 troller General of the United States shall submit to the
12 Committee on the Judiciary of the Senate and the Com-
13 mittee on the Judiciary of the House of Representatives
14 a report regarding the adjudication of petitions and appli-
15 cations under section 101(a)(15)(U) of the Immigration
16 and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the
17 self-petitioning process for VAWA self-petitioners (as that
18 term is defined in section 101(a)(51) of the Immigration
19 and Nationality Act (8 U.S.C. 1101(a)(51)).

20 (b) CONTENTS.—The report required by subsection
21 (a) shall—

22 (1) assess the efficiency and reliability of the
23 process for reviewing such petitions and applications,
24 including whether the process includes adequate
25 safeguards against fraud and abuse; and

1 (2) identify possible improvements to the adju-
2 dications of petitions and applications in order to re-
3 duce fraud and abuse.

4 **SEC. 806. TEMPORARY NATURE OF U VISA STATUS.**

5 (a) IN GENERAL.—Section 245(m) of the Immigra-
6 tion and Nationality Act (8 U.S.C. 1255(m)) is amended
7 by striking “the alien is not described” and inserting “the
8 individual who was convicted of the criminal activity re-
9 ferred to in section 101(a)(15)(U)(i)(I) that was the basis
10 for the alien being admitted into the United States (or
11 otherwise provided nonimmigrant status) under section
12 101(a)(15)(U) was himself or herself an alien and has
13 been physically removed to the foreign state of which the
14 alien with nonimmigrant status under section
15 101(a)(15)(U) is a national, and if the alien with non-
16 immigrant status under section 101(a)(15)(U) is not de-
17 scribed”.

18 (b) DURATION OF NONIMMIGRANT STATUS.—Section
19 214(p)(6) of such Act (8 U.S.C. 1184(p)(6)) is amended
20 by striking “if the alien is eligible for relief under section
21 245(m) and is unable to obtain such relief because regula-
22 tions have not been issued to implement such section and
23 shall be extended”.

24 (c) EFFECTIVE DATE.—The amendments made by
25 this section shall apply to applications for adjustment of

1 status submitted on or after the date of the enactment
2 of this Act, and to previously filed applications that are
3 pending on the date of enactment of this Act.

4 **SEC. 807. ANNUAL REPORT ON IMMIGRATION APPLICA-**
5 **TIONS MADE BY VICTIMS OF ABUSE.**

6 Not later than December 1, 2012, and annually
7 thereafter, the Secretary of Homeland Security shall sub-
8 mit to the Committee on the Judiciary of the Senate and
9 the Committee on the Judiciary of the House of Rep-
10 resentatives a report that includes the following:

11 (1) The number of aliens who—

12 (A) submitted an application for non-
13 immigrant status under paragraph (15)(T)(i),
14 (15)(U)(i), or (51) of section 101(a) of the Im-
15 migration and Nationality Act (8 U.S.C.
16 1101(a)) during the preceding fiscal year;

17 (B) were granted such nonimmigrant sta-
18 tus during such fiscal year; or

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

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

24 (3) The mean amount of time and median
25 amount of time between the receipt of an application

1 for such nonimmigrant status and the issuance of
2 work authorization to an eligible applicant during
3 the preceding fiscal year.

4 (4) The number of aliens granted continued
5 presence in the United States under section
6 107(c)(3) of the Trafficking Victims Protection Act
7 of 2000 (22 U.S.C. 7105(c)(3)) during the pre-
8 ceding fiscal year.

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

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

16 (7) Each type of criminal activity by reason of
17 which an alien received nonimmigrant status under
18 section 101(a)(15)(U) of the Immigration and Na-
19 tionality Act (8 U.S.C. 1101(a)(15)(U)) during the
20 preceding fiscal year and the number of occurrences
21 of that criminal activity that resulted in such aliens
22 receiving such status.

1 **SEC. 808. PROTECTION FOR CHILDREN OF VAWA SELF-PE-**
2 **TITIONERS.**

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

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

7 (2) by redesignating subparagraph (F) as sub-
8 paragraph (G); and

9 (3) by inserting after subparagraph (E) the fol-
10 lowing:

11 “(F) a child of an alien who filed a pend-
12 ing or approved petition for classification or ap-
13 plication for adjustment of status or other ben-
14 efit specified in section 101(a)(51) as a VAWA
15 self-petitioner; or”.

16 **SEC. 809. PUBLIC CHARGE.**

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

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

23 “(i) is a VAWA self-petitioner;

24 “(ii) is an applicant for, or is granted,
25 nonimmigrant status under section
26 101(a)(15)(U); or

1 “(iii) is a qualified alien described in
2 section 431(c) of the Personal Responsi-
3 bility and Work Opportunity Reconciliation
4 Act of 1996 (8 U.S.C. 1641(c)).”.

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

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

9 “(7) AGE DETERMINATIONS.—

10 “(A) CHILDREN.—An unmarried alien who
11 seeks to accompany, or follow to join, a parent
12 granted status under section 101(a)(15)(U)(i),
13 and who was under 21 years of age on the date
14 on which such parent petitioned for such status,
15 shall continue to be classified as a child for pur-
16 poses of section 101(a)(15)(U)(ii), if the alien
17 attains 21 years of age after such parent’s peti-
18 tion was filed but while it was pending.

19 “(B) PRINCIPAL ALIENS.—An alien de-
20 scribed in clause (i) of section 101(a)(15)(U)
21 shall continue to be treated as an alien de-
22 scribed in clause (ii)(I) of such section if the
23 alien attains 21 years of age after the alien’s
24 application for status under such clause (i) is
25 filed but while it is pending.”.

1 **SEC. 811. HARDSHIP WAIVERS.**

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

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

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

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

10 (4) by inserting after subparagraph (C) the fol-
11 lowing:

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

19 **SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL**
20 **SECURITY PURPOSE.**

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

24 (1) in paragraph (1)—

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

4 (B) by inserting “Secretary’s or the” be-
5 fore “Attorney General’s discretion”;

6 (2) in paragraph (2)—

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

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

12 (C) by inserting “in a manner that pro-
13 tects the confidentiality of such information”
14 after “law enforcement purpose”;

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

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

20 “(8) Notwithstanding subsection (a)(2), the
21 Secretary of Homeland Security, the Secretary of
22 State, or the Attorney General may provide in the
23 discretion of either such Secretary or the Attorney
24 General for the disclosure of information to national
25 security officials to be used solely for a national se-

1 security purpose in a manner that protects the con-
2 fidentiality of such information.”.

3 (b) GUIDELINES.—Subsection (d) (as added by sec-
4 tion 817(4) of the Violence Against Women and Depart-
5 ment of Justice Reauthorization Act of 2005) of section
6 384 of the Illegal Immigration Reform and Immigrant Re-
7 sponsibility Act of 1996 (8 U.S.C. 1367(d)) is amended
8 by inserting “and severe forms of trafficking in persons
9 or criminal activity listed in section 101(a)(15)(U) of the
10 Immigration and Nationality Act (8 U.S.C.
11 1101(a)(15)(u))” after “domestic violence”.

12 (c) IMPLEMENTATION.—Not later than 180 days
13 after the date of enactment of this Act, the Attorney Gen-
14 eral and Secretary of Homeland Security shall provide the
15 guidance required by section 384(d) of the Illegal Immi-
16 gration Reform and Immigrant Responsibility Act of 1996
17 (8 U.S.C. 1367(d)), consistent with the amendments made
18 by subsections (a) and (b).

19 (d) CLERICAL AMENDMENT.—Section 384(a)(1) of
20 the Illegal Immigration Reform and Immigrant Responsi-
21 bility Act of 1996 is amended by striking “241(a)(2)” in
22 the matter following subparagraph (F) and inserting
23 “237(a)(2)”.

1 **SEC. 813. GAO REPORT ON REQUIREMENTS TO COOPERATE**
2 **WITH LAW ENFORCEMENT OFFICIALS.**

3 (a) REQUIREMENT FOR REPORT.—Not later than 3
4 years after the date of enactment of this Act, the Comp-
5 troller General of the United States shall submit a report
6 to the Committee on the Judiciary of the Senate and the
7 Committee on the Judiciary of the House of Representa-
8 tives a report regarding the adjudication of petitions and
9 applications under section 101(a)(15)(U) of the Immigra-
10 tion and Nationality Act (8 U.S.C. 1101(a)(15)(U)).

11 (b) CONTENTS.—The report required by subsection
12 (a) shall—

13 (1) assess the effectiveness of the requirements
14 set out in Section 802 of this Act in ensuring that
15 potential U visa recipients aid in the investigation,
16 apprehension, and prosecution of criminals;

17 (2) determine the effect of the requirements set
18 out in Section 802 of this Act, on the number of U
19 visas issued annually; and

20 (3) determine the effect of the requirements set
21 out in Section 802 of this Act, on the number of in-
22 dividuals seeking U visas.

23 **SEC. 814. CONSIDERATION OF OTHER EVIDENCE.**

24 Section 237(a)(2)(E)(i) of the Immigration and Na-
25 tionality Act (8 U.S.C. 1227(a)(2)(E)(i)) is amended by
26 adding at the end the following: “If the conviction records

1 do not conclusively establish whether a crime of domestic
2 violence constitutes a crime of violence (as defined in sec-
3 tion 16 of title 18, United States Code), the Attorney Gen-
4 eral may consider any other evidence that the Attorney
5 General determines to be reliable in making this deter-
6 mination, including sentencing reports and police re-
7 ports.”.

8 **TITLE IX—SAFETY FOR INDIAN**
9 **WOMEN**

10 **SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

11 Section 2015(a) of title I of the Omnibus Crime Con-
12 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg-
13 10(a)) is amended—

14 (1) in paragraph (2), by inserting “sex traf-
15 ficking,” after “sexual assault,”;

16 (2) in paragraph (4), by inserting “sex traf-
17 ficking,” after “sexual assault,”;

18 (3) in paragraph (5), by striking “and stalking”
19 and all that follows and inserting “sexual assault,
20 sex trafficking, and stalking,”;

21 (4) in paragraph (7)—

22 (A) by inserting “sex trafficking,” after
23 “sexual assault,” each place it appears; and

24 (B) by striking “and” at the end;

25 (5) in paragraph (8)—

1 (A) by inserting “sex trafficking,” after
2 “stalking,”; and

3 (B) by striking the period at the end and
4 inserting a semicolon; and

5 (6) by adding at the end the following:

6 “(9) provide services to address the needs of
7 youth who are victims of domestic violence, dating
8 violence, sexual assault, sex trafficking, or stalking
9 and the needs of children exposed to domestic vio-
10 lence, dating violence, sexual assault, or stalking, in-
11 cluding support for the nonabusing parent or the
12 caretaker of the child; and

13 “(10) develop and promote legislation and poli-
14 cies that enhance best practices for responding to
15 violent crimes against Indian women, including the
16 crimes of domestic violence, dating violence, sexual
17 assault, sex trafficking, and stalking.”.

18 **SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.**

19 Section 2001(d) of title I of the Omnibus Crime Con-
20 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d))
21 is amended—

22 (1) in paragraph (1)—

23 (A) in subparagraph (B), by striking
24 “and” at the end;

1 (B) in subparagraph (C), by striking the
2 period at the end and inserting “; and”;

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

4 “(D) developing and promoting State,
5 local, or tribal legislation and policies that en-
6 hance best practices for responding to violent
7 crimes against Indian women, including the
8 crimes of domestic violence, dating violence,
9 sexual assault, stalking, and sex trafficking.”;
10 and

11 (2) in paragraph (2)(B), by striking “individ-
12 uals or”.

13 **SEC. 903. CONSULTATION.**

14 Section 903 of the Violence Against Women and De-
15 partment of Justice Reauthorization Act of 2005 (42
16 U.S.C. 14045d) is amended—

17 (1) in subsection (a)—

18 (A) by striking “and the Violence Against
19 Women Act of 2000” and inserting “, the Vio-
20 lence Against Women Act of 2000”; and

21 (B) by inserting “, and the Violence
22 Against Women Reauthorization Act of 2012”
23 before the period at the end;

24 (2) in subsection (b)—

1 (A) in the matter preceding paragraph (1),
2 by striking “Secretary of the Department of
3 Health and Human Services” and inserting
4 “Secretary of Health and Human Services, the
5 Secretary of the Interior,”; and

6 (B) in paragraph (2), by striking “and
7 stalking” and inserting “stalking, and sex traf-
8 ficking”; and

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

10 “(c) ANNUAL REPORT.—The Attorney General shall
11 submit to Congress an annual report on the annual con-
12 sultations required under subsection (a) that—

13 “(1) contains the recommendations made under
14 subsection (b) by Indian tribes during the year cov-
15 ered by the report;

16 “(2) describes actions taken during the year
17 covered by the report to respond to recommenda-
18 tions made under subsection (b) during the year or
19 a previous year; and

20 “(3) describes how the Attorney General will
21 work in coordination and collaboration with Indian
22 tribes, the Secretary of Health and Human Services,
23 and the Secretary of the Interior to address the rec-
24 ommendations made under subsection (b).

1 “(d) NOTICE.—Not later than 120 days before the
2 date of a consultation under subsection (a), the Attorney
3 General shall notify tribal leaders of the date, time, and
4 location of the consultation.”.

5 **SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**
6 **INDIAN WOMEN.**

7 (a) IN GENERAL.—Section 904(a) of the Violence
8 Against Women and Department of Justice Reauthoriza-
9 tion Act of 2005 (42 U.S.C. 3796gg–10 note) is amend-
10 ed—

11 (1) in paragraph (1)—

12 (A) by striking “The National” and insert-
13 ing “Not later than 2 years after the date of
14 enactment of the Violence Against Women Re-
15 authorization Act of 2012, the National”; and

16 (B) by inserting “and in Native villages
17 (as defined in section 3 of the Alaska Native
18 Claims Settlement Act (43 U.S.C. 1602))” be-
19 fore the period at the end;

20 (2) in paragraph (2)(A)—

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

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

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

1 “(vi) sex trafficking.”;

2 (3) in paragraph (4), by striking “this Act” and
3 inserting “the Violence Against Women Reauthoriza-
4 tion Act of 2012”; and

5 (4) in paragraph (5), by striking “this section
6 \$1,000,000 for each of fiscal years 2007 and 2008”
7 and inserting “this subsection \$1,000,000 for each
8 of fiscal years 2013 and 2014”.

9 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
10 905(b)(2) of the Violence Against Women and Depart-
11 ment of Justice Reauthorization Act of 2005 (28 U.S.C.
12 534 note) is amended by striking “fiscal years 2007
13 through 2011” and inserting “fiscal years 2013 through
14 2017”.

15 **SEC. 905. ASSISTANT UNITED STATES ATTORNEY DOMES-**
16 **TRIC VIOLENCE TRIBAL LIAISONS.**

17 (a) APPOINTMENT.—The Attorney General is author-
18 ized and encouraged to appoint the Assistant United
19 States Attorney Tribal Liaison appointed in each judicial
20 district that includes Indian country to also serve as a do-
21 mestic violence tribal liaison.

22 (b) DUTIES.—The duties of a domestic violence tribal
23 liaison appointed under this section shall include the fol-
24 lowing:

1 (1) Encouraging and assisting in arrests and
2 Federal prosecution for crimes, including mis-
3 demeanor crimes, of domestic violence, dating vio-
4 lence, sexual assault, and stalking that occur in In-
5 dian country.

6 (2) Conducting training sessions for tribal law
7 enforcement officers and other individuals and enti-
8 ties responsible for responding to crimes in Indian
9 country to ensure that such officers, individuals, and
10 entities understand their arrest authority over non-
11 Indian offenders.

12 (3) Developing multidisciplinary teams to com-
13 bat domestic and sexual violence offenses against In-
14 dians by non-Indians.

15 (4) Consulting and coordinating with tribal jus-
16 tice officials and victims' advocates to address any
17 backlog in the prosecution of crimes, including mis-
18 demeanor crimes, of domestic violence, dating vio-
19 lence, sexual assault, and stalking that occur in In-
20 dian country.

21 (5) Developing working relationships and main-
22 taining communication with tribal leaders, tribal
23 community and victims' advocates, and tribal justice
24 officials to gather information from, and share ap-
25 propriate information with, tribal justice officials.

1 (c) INDIAN COUNTRY.—In this section, the term “In-
2 dian country” has the meaning given such term in section
3 1151 of title 18.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated such sums as may be
6 necessary to carry out this section.

7 **TITLE X—CRIMINAL PROVISIONS**

8 **SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL** 9 **ABUSE.**

10 (a) SEXUAL ABUSE OF A MINOR OR WARD.—Section
11 2243(b) of title 18, United States Code, is amended to
12 read as follows:

13 “(b) OF A WARD.—

14 “(1) OFFENSES.—It shall be unlawful for any
15 person to knowingly engage, or knowingly attempt to
16 engage, in a sexual act with another person who is—

17 “(A) in official detention or supervised by,
18 or otherwise under the control of, the United
19 States—

20 “(i) during arrest;

21 “(ii) during pretrial release;

22 “(iii) while in official detention or cus-
23 tody; or

24 “(iv) while on probation, supervised
25 release, or parole;

1 “(B) under the professional custodial, su-
2 pervisory, or disciplinary control or authority of
3 the person engaging or attempting to engage in
4 the sexual act; and

5 “(C) at the time of the sexual act—

6 “(i) in the special maritime and terri-
7 torial jurisdiction of the United States;

8 “(ii) in a Federal prison, or in any
9 prison, institution, or facility in which per-
10 sons are held in custody by direction of, or
11 pursuant to a contract or agreement with,
12 the United States; or

13 “(iii) under supervision or other con-
14 trol by the United States, or by direction
15 of, or pursuant to a contract or agreement
16 with, the United States.

17 “(2) PENALTIES.—Whoever violates paragraph
18 (1)(A) shall—

19 “(A) be fined under this title, imprisoned
20 for not more than 15 years, or both; and

21 “(B) if, in the course of committing the
22 violation of paragraph (1), the person engages
23 in conduct that would constitute an offense
24 under section 2241 or 2242 if committed in the
25 special maritime and territorial jurisdiction of

1 the United States, be subject to the penalties
2 provided for under section 2241 or 2242, re-
3 spectively.”.

4 (b) PENALTIES FOR SEXUAL ABUSE.—

5 (1) IN GENERAL.—Chapter 13 of title 18,
6 United States Code, is amended by adding at the
7 end the following:

8 **“§ 250. Penalties for sexual abuse**

9 “(a) OFFENSE.—It shall be unlawful for any person,
10 in the course of committing an offense under this chapter
11 or under section 901 of the Fair Housing Act (42 U.S.C.
12 3631) to engage in conduct that would constitute an of-
13 fense under chapter 109A if committed in the special mar-
14 itime and territorial jurisdiction of the United States.

15 “(b) PENALTIES.—A person that violates subsection
16 (a) shall be subject to the penalties under the provision
17 of chapter 109A that would have been violated if the con-
18 duct was committed in the special maritime and territorial
19 jurisdiction of the United States, unless a greater penalty
20 is otherwise authorized by law.”.

21 (2) CLERICAL AMENDMENT.—The table of sec-
22 tions for chapter 13 of title 18, United States Code,
23 is amended by adding at the end the following:

“250. Penalties for sexual abuse.”.

1 **SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.**

2 (a) SUITS BY PRISONERS.—Section 7(e) of the Civil
3 Rights of Institutionalized Persons Act (42 U.S.C.
4 1997e(e)) is amended by inserting before the period at the
5 end the following: “or the commission of a sexual act (as
6 defined in section 2246 of title 18, United States Code)”.

7 (b) UNITED STATES AS DEFENDANT.—Section
8 1346(b)(2) of title 28, United States Code, is amended
9 by inserting before the period at the end the following:
10 “or the commission of a sexual act (as defined in section
11 2246 of title 18)”.

12 (c) ADOPTION AND EFFECT OF NATIONAL STAND-
13 ARDS.—Section 8 of the Prison Rape Elimination Act of
14 2003 (42 U.S.C. 15607) is amended—

15 (1) by redesignating subsection (c) as sub-
16 section (e); and

17 (2) by inserting after subsection (b) the fol-
18 lowing:

19 “(c) APPLICABILITY TO DETENTION FACILITIES OP-
20 ERATED BY THE DEPARTMENT OF HOMELAND SECU-
21 RITY.—

22 “(1) IN GENERAL.—Not later than 180 days
23 after the date of enactment of the Violence Against
24 Women Reauthorization Act of 2012, the Secretary
25 of Homeland Security shall publish a final rule
26 adopting national standards for the detection, pre-

1 vention, reduction, and punishment of rape and sex-
2 ual assault in facilities that maintain custody of
3 aliens detained for a violation of the immigrations
4 laws of the United States.

5 “(2) APPLICABILITY.—The standards adopted
6 under paragraph (1) shall apply to detention facili-
7 ties operated by the Department of Homeland Secu-
8 rity and to detention facilities operated under con-
9 tract with, or pursuant to an intergovernmental
10 service agreement with, the Department.

11 “(3) COMPLIANCE.—The Secretary of Home-
12 land Security shall—

13 “(A) assess compliance with the standards
14 adopted under paragraph (1) on a regular
15 basis; and

16 “(B) include the results of the assessments
17 in performance evaluations of facilities com-
18 pleted by the Department of Homeland Secu-
19 rity.

20 “(4) CONSIDERATIONS.—In adopting standards
21 under paragraph (1), the Secretary of Homeland Se-
22 curity shall give due consideration to the rec-
23 ommended national standards provided by the Com-
24 mission under section 7(e).

1 “(d) APPLICABILITY TO CUSTODIAL FACILITIES OP-
2 ERATED BY THE DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES.—

4 “(1) IN GENERAL.—Not later than 180 days
5 after the date of enactment of the Violence Against
6 Women Reauthorization Act of 2012, the Secretary
7 of Health and Human Services shall publish a final
8 rule adopting national standards for the detection,
9 prevention, reduction, and punishment of rape and
10 sexual assault in facilities that maintain custody of
11 unaccompanied alien children (as defined in section
12 462(g) of the Homeland Security Act of 2002 (6
13 U.S.C. 279(g))).

14 “(2) APPLICABILITY.—The standards adopted
15 under paragraph (1) shall apply to facilities operated
16 by the Department of Health and Human Services
17 and to facilities operated under contract with the
18 Department.

19 “(3) COMPLIANCE.—The Secretary of Health
20 and Human Services shall—

21 “(A) assess compliance with the standards
22 adopted under paragraph (1) on a regular
23 basis; and

24 “(B) include the results of the assessments
25 in performance evaluations of facilities com-

1 pleted by the Department of Health and
2 Human Services.

3 “(4) CONSIDERATIONS.—In adopting standards
4 under paragraph (1), the Secretary of Health and
5 Human Services shall give due consideration to the
6 recommended national standards provided by the
7 Commission under section 7(e).”.

8 **SEC. 1003. CRIMINAL PROVISION RELATING TO STALKING,**
9 **INCLUDING CYBERSTALKING.**

10 (a) IN GENERAL.—Section 2261A of title 18, United
11 States Code, is amended to read as follows:

12 **“§ 2261A. Stalking**

13 “(a) Whoever uses the mail, any interactive computer
14 service, or any facility of interstate or foreign commerce
15 to engage in a course of conduct or travels in interstate
16 or foreign commerce or within the special maritime and
17 territorial jurisdiction of the United States, or enters or
18 leaves Indian country, with the intent to kill, injure, har-
19 ass, or intimidate another person, or place another person
20 under surveillance with the intent to kill, injure, harass,
21 or intimidate such person and in the course of, or as a
22 result of, such travel or course of conduct—

23 “(1) places that person in reasonable fear of
24 the death of, or serious bodily injury to such person,

1 a member of their immediate family (as defined in
2 section 115), or their spouse or intimate partner; or

3 “(2) causes or attempts to cause serious bodily
4 injury or serious emotional distress to such person,
5 a member of their immediate family (as defined in
6 section 115), or their spouse or intimate partner;

7 shall be punished as provided in subsection (b).

8 “(b) The punishment for an offense under this sec-
9 tion is the same as that for an offense under section 2261,
10 except that if—

11 “(1) the offense involves conduct in violation of
12 a protection order; or

13 “(2) the victim of the offense is under the age
14 of 18 years or over the age of 65 years, the offender
15 has reached the age of 18 years at the time the of-
16 fense was committed, and the offender knew or
17 should have known that the victim was under the
18 age of 18 years or over the age of 65 years;

19 the maximum term of imprisonment that may be imposed
20 is increased by 5 years over the term of imprisonment oth-
21 erwise provided for that offense in section 2261.”.

22 (b) CLERICAL AMENDMENT.—The item relating to
23 section 2261A in the table of sections at the beginning
24 of chapter 110A of title 18, United States Code, is amend-
25 ed to read as follows:

“2261A. Stalking.”.

1 **SEC. 1004. AMENDMENTS TO THE FEDERAL ASSAULT STAT-**
2 **UTE.**

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

5 (1) in subsection (a)—

6 (A) by striking paragraph (1) and insert-
7 ing the following:

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

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

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

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

19 (E) in paragraph (5), by striking “1 year”
20 and inserting “5 years”;

21 (F) in paragraph (7)—

22 (i) by striking “substantial bodily in-
23 jury to an individual who has not attained
24 the age of 16 years” and inserting “sub-
25 stantial bodily injury to a spouse or inti-
26 mate partner, a dating partner, or an indi-

1 vidual who has not attained the age of 16
2 years”; and

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

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

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

11 (2) in subsection (b)—

12 (A) by striking “(b) As used in this sub-
13 section—” and inserting the following:

14 “(b) In this section—”;

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

17 (C) in paragraph (2), by striking the pe-
18 riod at the end and inserting a semicolon; and

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

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

23 “(4) the term ‘strangling’ means knowingly or
24 recklessly impeding the normal breathing or circula-
25 tion of the blood of a person by applying pressure

1 to the throat or neck, regardless of whether that
2 conduct results in any visible injury or whether there
3 is any intent to kill or protractedly injure the victim;
4 and

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

11 (b) INDIAN MAJOR CRIMES.—Section 1153(a) of title
12 18, United States Code, is amended by striking “assault
13 with intent to commit murder, assault with a dangerous
14 weapon, assault resulting in serious bodily injury (as de-
15 fined in section 1365 of this title)” and inserting “a felony
16 assault under section 113”.

17 **SEC. 1005. MANDATORY MINIMUM SENTENCE.**

18 Section 2241 of title 18, United States Code, is
19 amended—

20 (1) in subsection (a), in the undesignated mat-
21 ter following paragraph (2), by striking “any term
22 of years or life” and inserting “not less than 10
23 years or imprisoned for life”; and

24 (2) in subsection (b), in the undesignated mat-
25 ter following paragraph (2), by striking “any term

1 of years or life” and inserting “not less than 5 years
2 or imprisoned for life”.

3 **SEC. 1006. FEDERAL PROTECTION ORDERS.**

4 (a) FEDERAL PROTECTION ORDERS.—Chapter 110A
5 of title 18, United States Code, is amended by inserting
6 after section 2262 the following:

7 **“§ 2262A. Federal domestic violence protection orders
8 involving Indians and Indian country**

9 “(a) PETITION FOR PROTECTION ORDER.—

10 “(1) IN GENERAL.—A victim of an act of do-
11 mestic violence, or an Indian tribe as *parens patriae*
12 on behalf of the victim of an act of domestic vio-
13 lence, may petition a district court of the United
14 States to issue a protection order against the person
15 (whether an Indian or a non-Indian) who is alleged
16 to have committed the act of domestic violence if—

17 “(A) the victim is an Indian or a minor
18 who resides with or is in the care and custody
19 of an Indian;

20 “(B) the victim resides or is employed at
21 a place located in the Indian country of the In-
22 dian tribe that files the petition; and

23 “(C) the person against whom the order is
24 sought is alleged to have committed an act of
25 domestic violence in the Indian country.

1 “(2) CONTENTS OF PETITION.—A petition filed
2 under this section shall contain—

3 “(A) the facts that meet the requirements
4 under paragraph (1);

5 “(B) the name of each victim on whose be-
6 half the protection order is sought;

7 “(C) the name and, if known, the residen-
8 tial address of the person against whom the
9 order is sought;

10 “(D) a detailed description of the alleged
11 act of domestic violence, including the date or
12 approximate date and the location of the act of
13 domestic violence; and

14 “(E) the relief sought.

15 “(3) ISSUANCE OF PROTECTION ORDER.—The
16 court may issue a protection order in accordance
17 with this section and subsections (b) and (c) of sec-
18 tion 2265 and Rule 65(d)(1) of the Federal Rules
19 of Civil Procedure if the court finds that such order
20 is reasonably necessary to provide protection against
21 violence, threats, or harassment against, contact or
22 communication with, or physical proximity to—

23 “(A) a spouse or intimate partner who re-
24 sides or is employed at a location in the Indian

1 country of the Indian tribe involved in the pro-
2 ceeding; or

3 “(B) a minor who resides with or is in the
4 care or custody of a spouse or intimate partner
5 who resides or is employed at a location in the
6 Indian country.

7 “(4) SCOPE OF PROTECTION ORDERS.—Any
8 protection order under this section may—

9 “(A) prohibit the person against whom the
10 order is sought from—

11 “(i) threatening to commit or commit-
12 ting an act of domestic violence against or
13 otherwise harassing the spouse or intimate
14 partner or minor who resides with or is in
15 the care or custody of the spouse or inti-
16 mate partner;

17 “(ii) communicating, directly or indi-
18 rectly, with the spouse or intimate partner
19 or minor who resides with or is in the care
20 or custody of the spouse or intimate part-
21 ner; and

22 “(iii) knowingly coming within a spec-
23 ified distance from the spouse or intimate
24 partner or minor who resides with or is in

1 the care or custody of the spouse or inti-
2 mate partner;

3 “(B) direct the person against whom the
4 order is sought to stay away from the residence,
5 school, or place of employment of the spouse or
6 intimate partner, or any other specified place
7 frequented by the spouse or intimate partner,
8 regardless of whether the residence, school,
9 place of employment, or other specified place is
10 located in Indian country; and

11 “(C) exclude or bar the person against
12 whom the order is sought from the Indian coun-
13 try of the Indian tribe involved in the pro-
14 ceeding or any portion or area of that Indian
15 country.

16 “(5) EMERGENCY EX PARTE ORDERS.—If a pe-
17 tition requests an emergency ex-parte protection
18 order and from the facts alleged in the petition there
19 appears to be a danger of a further, imminent act
20 of domestic violence against a victim, the court may
21 grant an emergency ex-parte protection order
22 against the person against whom the order is sought
23 in accordance with the requirements of section
24 2265(b)(2).

1 “(6) DURATION OF PROTECTION ORDER.—A
2 protection order under this section may be perma-
3 nent or of such other shorter duration as the court
4 determines necessary to protect a victim from a fur-
5 ther act of domestic violence by the person against
6 whom the order is sought.

7 “(b) VIOLATION OF PROTECTION ORDER.—A person
8 who intentionally violates a protection order under this
9 section shall be punished as provided in section 2262(b).”.

10 (b) VIOLATION OF FEDERAL PROTECTION ORDER.—
11 Section 2262(b) of title 18, United States Code, is amend-
12 ed in the matter preceding paragraph (1), by striking
13 “this section” and inserting “this section or a protection
14 order issued under section 2262A”.

15 (c) DEFINITIONS.—Section 2266 of title 18, United
16 States Code, is amended by inserting after paragraph (10)
17 the following:

18 “(11) ACT OF DOMESTIC VIOLENCE.—The term
19 ‘act of domestic violence’ means an act or attempted
20 act of violence or stalking, or a threatened act of vi-
21 olence, by a person against a spouse or intimate
22 partner, or a minor residing with or in the care or
23 custody of the spouse or intimate partner.

24 “(12) INDIAN.—The term ‘Indian’ means a per-
25 son who is a member of any Indian tribe, regardless

1 of whether that Indian tribe is the plaintiff Indian
2 tribe under section 2262A.

3 “(13) INDIAN TRIBE.—The term ‘Indian tribe’
4 has the meaning given the term in section 102 of the
5 Federally Recognized Indian Tribe List Act of 1994
6 (25 U.S.C. 479a).

7 “(14) MINOR.—The term ‘minor’ means a per-
8 son under the age of 18 years.”.

9 (d) TECHNICAL AND CONFORMING AMENDMENT.—
10 The table of sections for chapter 110A of title 18, United
11 States Code, is amended by inserting after the item relat-
12 ing to section 2262 the following:

“2262A. Federal domestic violence protection orders involving Indians and In-
dian country.”.

Passed the House of Representatives May 16, 2012.

Attest:

KAREN L. HAAS,

Clerk.

Calendar No. 406

112TH CONGRESS
2^D SESSION

H. R. 4970

AN ACT

To reauthorize the Violence Against Women Act of
1994.

MAY 21, 2012

Received; read twice and placed on the calendar