

112TH CONGRESS
2^D SESSION

H. R. 4982

To reauthorize the Violence Against Women Act of 1994.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

Mrs. BIGGERT (for herself and Mr. DOLD) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Financial Services, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reauthorize the Violence Against Women Act of 1994.

1 SECTION 1. SHORT TITLE.

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

4 SEC. 2. TABLE OF CONTENTS.

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Universal definitions and grant conditions.
- Sec. 4. Effective date.

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

Sec. 101. STOP grants.

- Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
- Sec. 103. Legal assistance for victims.
- Sec. 104. Consolidation of grants to support families in the justice system.
- Sec. 105. Sex offender management.
- Sec. 106. Court-appointed special advocate program.
- Sec. 107. Criminal provision relating to stalking, including cyberstalking.
- Sec. 108. Outreach and services to underserved populations grant.
- Sec. 109. Culturally specific services grant.

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

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

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

- Sec. 301. Rape prevention and education grant.
- Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
- Sec. 303. Grants to combat violent crimes on campuses.
- Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.

TITLE IV—VIOLENCE REDUCTION PRACTICES

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

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

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

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

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

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

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

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

- Sec. 801. U nonimmigrant definition.
- Sec. 802. Annual report on immigration applications made by victims of abuse.
- Sec. 803. Protection for children of VAWA self-petitioners.
- Sec. 804. Public charge.
- Sec. 805. Protections for a fiancée or fiancé of a citizen.
- Sec. 806. Regulation of international marriage brokers.
- Sec. 807. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.

TITLE IX—SAFETY FOR INDIAN WOMEN

- Sec. 901. Grants to Indian tribal governments.
- Sec. 902. Grants to Indian tribal coalitions.
- Sec. 903. Consultation.
- Sec. 904. Tribal jurisdiction over crimes of domestic violence.
- Sec. 905. Tribal protection orders.
- Sec. 906. Amendments to the Federal assault statute.
- Sec. 907. Analysis and research on violence against Indian women.
- Sec. 908. Effective dates; pilot project.

TITLE X—OTHER MATTERS

- Sec. 1001. Criminal provisions relating to sexual abuse.
- Sec. 1002. Sexual abuse in custodial settings.
- Sec. 1003. Anonymous online harassment.
- Sec. 1004. Stalker database.
- Sec. 1005. Federal victim assistants reauthorization.
- Sec. 1006. Child abuse training programs for judicial personnel and practitioners reauthorization.
- Sec. 1007. Mandatory minimum sentence.
- Sec. 1008. Removal of drunk drivers.

1 SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

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

4 13925(a)) is amended—

5 (1) by redesignating—

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

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

8 (C) paragraphs (3) and (4) as paragraphs

9 (4) and (5), respectively;

1 (D) paragraphs (6) through (9) as para-
2 graphs (8) through (11), respectively;

3 (E) paragraphs (10) through (16) as para-
4 graphs (13) through (19), respectively;

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

6 (G) paragraphs (19) and (20) as para-
7 graphs (23) and (24), respectively;

8 (H) paragraphs (21) through (23) as para-
9 graphs (26) through (28), respectively;

10 (I) paragraphs (24) through (33) as para-
11 graphs (30) through (39), respectively;

12 (J) paragraphs (34) and (35) as para-
13 graphs (43) and (44); and

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

15 (2) by inserting before paragraph (2), as redес-
16 igned, the following:

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

21 (3) in paragraph (3), as redesignated, by strik-
22 ing “serious harm.” and inserting “serious harm to
23 an unemancipated minor.”;

24 (4) in paragraph (4), as redesignated, by strik-
25 ing “The term” through “that—” and inserting

1 “The term ‘community-based organization’ means a
2 nonprofit, nongovernmental, or tribal organization
3 that serves a specific geographic community that—
4 ”;

5 (5) by striking paragraph (5), as in effect be-
6 fore the amendments made by this subsection;

7 (6) by inserting after paragraph (7), as redesign-
8 nated, the following:

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

14 “(7) CULTURALLY SPECIFIC.—The term ‘cul-
15 turally specific’ means primarily directed toward ra-
16 cial and ethnic minority groups (as defined in sec-
17 tion 1707(g) of the Public Health Service Act (42
18 U.S.C. 300u–6(g)).”;

19 (7) in paragraph (8), as redesignated, by insert-
20 ing “or intimate partner” after “former spouse” and
21 “as a spouse”;

22 (8) by inserting after paragraph (11), as redesi-
23 gnated, the following:

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

1 (9) in paragraph (18), as redesignated, by in-
2 serting “or Village Public Safety Officers” after
3 “government victim service programs;

4 (10) in paragraph (21), as redesignated, by in-
5 serting at the end the following:

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

8 (11) by striking paragraph (17), as in effect be-
9 fore the amendments made by this subsection;

10 (12) by amending paragraph (20), as redesign-
11 ated, to read as follows:

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

22 “(A) a first and last name;

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

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

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

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

11 (13) by inserting after paragraph (20), as re-
12 designated, the following:

13 “(21) POPULATION SPECIFIC ORGANIZATION.—
14 The term ‘population specific organization’ means a
15 nonprofit, nongovernmental organization that pri-
16 marily serves members of a specific underserved
17 population and has demonstrated experience and ex-
18 pertise providing targeted services to members of
19 that specific underserved population.

20 “(22) POPULATION SPECIFIC SERVICES.—The
21 term ‘population specific services’ means victim-cen-
22 tered services that address the safety, health, eco-
23 nomic, legal, housing, workplace, immigration, con-
24 fidentiality, or other needs of victims of domestic vi-
25 olence, dating violence, sexual assault, or stalking,

1 and that are designed primarily for and are targeted
2 to a specific underserved population.”;

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

5 (15) by inserting after paragraph (24), as re-
6 designated, the following:

7 “(25) RAPE CRISIS CENTER.—The term ‘rape
8 crisis center’ means a nonprofit, nongovernmental,
9 or tribal organization, or governmental entity in a
10 State other than a Territory that provides interven-
11 tion and related assistance, as specified in 42 U.S.C.
12 14043g(b)(2)(C), to victims of sexual assault with-
13 out regard to their age. In the case of a govern-
14 mental entity, the entity may not be part of the
15 criminal justice system (such as a law enforcement
16 agency) and must be able to offer a comparable level
17 of confidentiality as a nonprofit entity that provides
18 similar victim services.”;

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

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

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

24 (C) by inserting at the end the following:

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

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

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

6 (B) by striking “150,000” and inserting
7 “250,000”;

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

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

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

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

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

24 “(35) TRIBAL COALITION.—The term ‘tribal coalition’ means an established nonprofit, nongovern-

25

1 mental Indian organization or a Native Hawaiian or-
2 ganization that—

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

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

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

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

18 (21) by amending paragraph (39), as redesign-
19 nated, to read as follows:

20 “(39) **UNDERSERVED POPULATIONS.**—The
21 term ‘underserved populations’ means populations
22 who face barriers in accessing and using victim serv-
23 ices, and includes populations underserved because
24 of geographic location, religion, sexual orientation,
25 gender identity, underserved racial and ethnic popu-

1 lations, populations underserved because of special
2 needs (such as language barriers, disabilities,
3 alienage status, or age), and any other population
4 determined to be underserved by the Attorney Gen-
5 eral or by the Secretary of Health and Human Serv-
6 ices, as appropriate.”;

7 (22) by inserting after paragraph (39), as re-
8 designated, the following:

9 “(40) 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 (23) by striking paragraph (36), as in effect be-
15 fore the amendments made by this subsection, and
16 inserting the following:

17 “(41) VICTIM SERVICES OR SERVICES.—The
18 terms ‘victim services’ and ‘services’ means services
19 provided to victims of domestic violence, dating vio-
20 lence, sexual assault, or stalking, including tele-
21 phonic or web-based hotlines, legal advocacy, eco-
22 nomic advocacy, emergency and transitional shelter,
23 accompaniment and advocacy through medical, civil
24 or criminal justice, immigration, and social support
25 systems, crisis intervention, short-term individual

1 and group support services, information and refer-
2 rals, culturally specific services, population specific
3 services, and other related supportive services.

4 “(42) VICTIM SERVICE PROVIDER.—The term
5 ‘victim service provider’ means a nonprofit, non-
6 governmental or tribal organization or rape crisis
7 center, including a State or tribal coalition, that as-
8 sists or advocates for domestic violence, dating vio-
9 lence, sexual assault, or stalking victims, including
10 domestic violence shelters, faith-based organizations,
11 and other organizations, with a documented history
12 of effective work concerning domestic violence, dat-
13 ing violence, sexual assault, or stalking.”; and

14 (24) by striking paragraph (43), as redesign-
15 nated, and inserting the following:

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

18 (b) GRANTS CONDITIONS.—Subsection (b) of section
19 40002 of the Violence Against Women Act of 1994 (42
20 U.S.C. 13925(b)) is amended—

21 (1) in paragraph (2)—

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

24 “(i) disclose, reveal, or release any
25 personally identifying information or indi-

1 vidual information collected in connection
2 with services requested, utilized, or denied
3 through grantees' and subgrantees' pro-
4 grams, regardless of whether the informa-
5 tion has been encoded, encrypted, hashed,
6 or otherwise protected; or

7 “(ii) disclose, reveal, or release indi-
8 vidual client information without the in-
9 formed, written, reasonably time-limited
10 consent of the person (or in the case of an
11 unemancipated minor, the minor and the
12 parent or guardian or in the case of legal
13 incapacity, a court-appointed guardian)
14 about whom information is sought, wheth-
15 er for this program or any other Federal,
16 State, tribal, or territorial grant program,
17 except that consent for release may not be
18 given by the abuser of the minor, incapaci-
19 tated person, or the abuser of the other
20 parent of the minor.

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

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

3 “(D) INFORMATION SHARING.—

4 “(i) Grantees and subgrantees may
5 share—

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

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

19 “(III) law enforcement-generated
20 and prosecution-generated information
21 necessary for law enforcement and
22 prosecution purposes.

23 “(ii) In no circumstances may—

24 “(I) an adult, youth, or child vic-
25 tim of domestic violence, dating vio-

1 lence, sexual assault, or stalking be
2 required to provide a consent to re-
3 lease his or her personally identifying
4 information as a condition of eligi-
5 bility for the services provided by the
6 grantee or subgrantee; and

7 “(II) any personally identifying
8 information be shared in order to
9 comply with Federal, tribal, or State
10 reporting, evaluation, or data collec-
11 tion requirements, whether for this
12 program or any other Federal, tribal,
13 or State grant program.”;

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

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

18 “(E) STATUTORILY MANDATED REPORTS
19 OF ABUSE OR NEGLECT.—Nothing in this sec-
20 tion prohibits a grantee or subgrantee from re-
21 porting suspected abuse or neglect, as those
22 terms are defined and specifically mandated by
23 the State or tribe involved.”; and

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

1 “(G) CONFIDENTIALITY ASSESSMENT AND
2 ASSURANCES.—Grantees and subgrantees must
3 document their compliance with the confiden-
4 tiality and privacy provisions required under
5 this section.”;

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

8 “(3) APPROVED ACTIVITIES.—In carrying out
9 the activities under this title, grantees and sub-
10 grantees may collaborate with or provide information
11 to Federal, State, local, tribal, and territorial public
12 officials and agencies to develop and implement poli-
13 cies and develop and promote State, local, or tribal
14 legislation or model codes designed to reduce or
15 eliminate domestic violence, dating violence, sexual
16 assault, and stalking.”;

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

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

22 (4) by inserting after paragraph (11) the fol-
23 lowing:

24 “(12) DELIVERY OF LEGAL ASSISTANCE.—Any
25 grantee or subgrantee providing legal assistance with

1 funds awarded under this title shall comply with the
2 eligibility requirements in section 1201(d) of the Vi-
3 olence Against Women Act of 2000 (42 U.S.C.
4 3796gg-6(d)).

5 “(13) CIVIL RIGHTS.—

6 “(A) NONDISCRIMINATION.—No person in
7 the United States shall, on the basis of actual
8 or perceived race, color, religion, national ori-
9 gin, sex, gender identity (as defined in para-
10 graph 249(c)(4) of title 18, United States
11 Code), sexual orientation, or disability, be ex-
12 cluded from participation in, be denied the ben-
13 efits of, or be subjected to discrimination under
14 any program or activity funded in whole or in
15 part with funds made available under the Vio-
16 lence Against Women Act of 1994 (title IV of
17 Public Law 103–322; 108 Stat. 1902), the Vio-
18 lence Against Women Act of 2000 (division B
19 of Public Law 106–386; 114 Stat. 1491), the
20 Violence Against Women and Department of
21 Justice Reauthorization Act of 2005 (title IX of
22 Public Law 109–162; 119 Stat. 3080), the Vio-
23 lence Against Women Reauthorization Act of
24 2012, and any other program or activity funded
25 in whole or in part with funds appropriated for

1 grants, cooperative agreements, and other as-
2 sistance administered by the Office on Violence
3 Against Women.

4 “(B) EXCEPTION.—If sex segregation or
5 sex-specific programming is necessary to the es-
6 sential operation of a program, nothing in this
7 paragraph shall prevent any such program or
8 activity from consideration of an individual’s
9 sex. In such circumstances, grantees may meet
10 the requirements of this paragraph by providing
11 comparable services to individuals who cannot
12 be provided with the sex-segregated or sex-spe-
13 cific programming.

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

19 “(D) CONSTRUCTION.—Nothing contained
20 in this paragraph shall be construed, inter-
21 preted, or applied to supplant, displace, pre-
22 empt, or otherwise diminish the responsibilities
23 and liabilities under other State or Federal civil
24 rights law, whether statutory or common.

1 “(14) CLARIFICATION OF VICTIM SERVICES AND
2 LEGAL ASSISTANCE.—Victim services and legal as-
3 sistance under this title also include services and as-
4 sistance to victims of domestic violence, dating vio-
5 lence, sexual assault, or stalking who are also vic-
6 tims of severe forms of trafficking in persons as de-
7 fined by section 103 of the Trafficking Victims Pro-
8 tection Act of 2000 (22 U.S.C. 7102).

9 “(15) CONFERRAL.—

10 “(A) IN GENERAL.—The Office on Vio-
11 lence Against Women shall establish a biennial
12 conferral process with State and tribal coali-
13 tions and technical assistance providers who re-
14 ceive funding through grants administered by
15 the Office on Violence Against Women and au-
16 thorized by this Act, and other key stake-
17 holders.

18 “(B) AREAS COVERED.—The areas of con-
19 ferral under this paragraph shall include—

20 “(i) the administration of grants;

21 “(ii) unmet needs;

22 “(iii) promising practices in the field;

23 and

24 “(iv) emerging trends.

1 “(C) INITIAL CONFERRAL.—The first con-
2 ferral shall be initiated not later than 6 months
3 after the date of enactment of the Violence
4 Against Women Reauthorization Act of 2012.

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

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

13 “(ii) is made available to the public on
14 the Office on Violence Against Women’s
15 Website and submitted to the Committee
16 on the Judiciary of the Senate and the
17 Committee on the Judiciary of the House
18 of Representatives.

19 “(16) ACCOUNTABILITY.—All grants awarded
20 by the Attorney General under this Act shall be sub-
21 ject to the following accountability provisions:

22 “(A) AUDIT REQUIREMENT.—

23 “(i) IN GENERAL.—Beginning in the
24 first fiscal year beginning after the date of
25 the enactment of this Act, and in each fis-

1 cal year thereafter, the Inspector General
2 of the Department of Justice shall conduct
3 audits of recipients of grants under this
4 Act to prevent waste, fraud, and abuse of
5 funds by grantees. The Inspector General
6 shall determine the appropriate number of
7 grantees to be audited each year.

8 “(ii) DEFINITION.—In this paragraph,
9 the term ‘unresolved audit finding’ means
10 a finding in the final audit report of the
11 Inspector General of the Department of
12 Justice that the audited grantee has uti-
13 lized grant funds for an unauthorized ex-
14 penditure or otherwise unallowable cost
15 that is not closed or resolved within 12
16 months from the date when the final audit
17 report is issued.

18 “(iii) MANDATORY EXCLUSION.—A re-
19 cipient of grant funds under this Act that
20 is found to have an unresolved audit find-
21 ing shall not be eligible to receive grant
22 funds under this Act during the following
23 2 fiscal years.

24 “(iv) PRIORITY.—In awarding grants
25 under this Act, the Attorney General shall

1 give priority to eligible entities that did not
2 have an unresolved audit finding during
3 the 3 fiscal years prior to submitting an
4 application for a grant under this Act.

5 “(v) REIMBURSEMENT.—If an entity
6 is awarded grant funds under this Act dur-
7 ing the 2-fiscal-year period in which the
8 entity is barred from receiving grants
9 under paragraph (2), the Attorney General
10 shall—

11 “(I) deposit an amount equal to
12 the grant funds that were improperly
13 awarded to the grantee into the Gen-
14 eral Fund of the Treasury; and

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

19 “(B) NONPROFIT ORGANIZATION REQUIRE-
20 MENTS.—

21 “(i) DEFINITION.—For purposes of
22 this paragraph and the grant programs de-
23 scribed in this Act, the term ‘nonprofit or-
24 ganization’ means an organization that is
25 described in section 501(c)(3) of the Inter-

1 nal Revenue Code of 1986 and is exempt
2 from taxation under section 501(a) of such
3 Code.

4 “(ii) PROHIBITION.—The Attorney
5 General may not award a grant under any
6 grant program described in this Act to a
7 nonprofit organization that holds money in
8 offshore accounts for the purpose of avoid-
9 ing paying the tax described in section
10 511(a) of the Internal Revenue Code of
11 1986.

12 “(iii) DISCLOSURE.—Each nonprofit
13 organization that is awarded a grant under
14 a grant program described in this Act and
15 uses the procedures prescribed in regula-
16 tions to create a rebuttable presumption of
17 reasonableness for the compensation of its
18 officers, directors, trustees and key em-
19 ployees, shall disclose to the Attorney Gen-
20 eral, in the application for the grant, the
21 process for determining such compensa-
22 tion, including the independent persons in-
23 volved in reviewing and approving such
24 compensation, the comparability data used,
25 and contemporaneous substantiation of the

1 deliberation and decision. Upon request,
2 the Attorney General shall make the infor-
3 mation disclosed under this subsection
4 available for public inspection.

5 “(C) CONFERENCE EXPENDITURES.—

6 “(i) LIMITATION.—No amounts au-
7 thorized to be appropriated to the Depart-
8 ment of Justice under this Act may be
9 used by the Attorney General, or by any
10 individual or organization awarded discre-
11 tionary funds through a cooperative agree-
12 ment under this Act, to host or support
13 any expenditure for conferences that uses
14 more than \$20,000 in Department funds,
15 unless the Deputy Attorney General or
16 such Assistant Attorney Generals, Direc-
17 tors, or principal deputies as the Deputy
18 Attorney General may designate, provides
19 prior written authorization that the funds
20 may be expended to host a conference.

21 “(ii) WRITTEN APPROVAL.—Written
22 approval under clause (i) shall include a
23 written estimate of all costs associated
24 with the conference, including the cost of
25 all food and beverages, audiovisual equip-

1 ment, honoraria for speakers, and any en-
2 tertainment.

3 “(iii) REPORT.—The Deputy Attorney
4 General shall submit an annual report to
5 the Committee on the Judiciary of the
6 Senate and the Committee on the Judici-
7 ary of the House of Representatives on all
8 approved conference expenditures ref-
9 erenced in this paragraph.

10 “(D) ANNUAL CERTIFICATION.—Beginning
11 in the first fiscal year beginning after the date
12 of the enactment of this Act, the Attorney Gen-
13 eral shall submit, to the Committee on the Ju-
14 diary and the Committee on Appropriations of
15 the Senate and the Committee on the Judiciary
16 and the Committee on Appropriations of the
17 House of Representatives, an annual certifi-
18 cation that—

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

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

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

7 “(iv) includes a list of any grant re-
8 cipients excluded under subparagraph (A)
9 from the previous year.”.

10 **SEC. 4. EFFECTIVE DATE.**

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

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

20 **SEC. 101. STOP GRANTS.**

21 Title I of the Omnibus Crime Control and Safe
22 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amend-
23 ed—

24 (1) in section 1001(a)(18) (42 U.S.C.
25 3793(a)(18)), by striking “\$225,000,000 for each of

1 fiscal years 2007 through 2011” and inserting
2 “\$222,000,000 for each of fiscal years 2013 through
3 2017”;

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

5 (A) in the matter preceding paragraph

6 (1)—

7 (i) by striking “equipment” and in-
8 serting “resources”; and

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

11 (B) in paragraph (1), by striking “sexual
12 assault” and all that follows through “dating
13 violence” and inserting “domestic violence, dat-
14 ing violence, sexual assault, and stalking, in-
15 cluding the appropriate use of nonimmigrant
16 status under subparagraphs (T) and (U) of sec-
17 tion 101(a)(15) of the Immigration and Nation-
18 ality Act (8 U.S.C. 1101(a))”;

19 (C) in paragraph (2), by striking “sexual
20 assault and domestic violence” and inserting
21 “domestic violence, dating violence, sexual as-
22 sault, and stalking”;

23 (D) in paragraph (3), by striking “sexual
24 assault and domestic violence” and inserting
25 “domestic violence, dating violence, sexual as-

1 sault, and stalking, as well as the appropriate
2 treatment of victims”;

3 (E) in paragraph (4)—

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

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

10 (F) in paragraph (5)—

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

13 (ii) by striking “domestic violence and
14 dating violence” and inserting “domestic
15 violence, dating violence, and stalking”;
16 and

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

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

24 (H) in paragraph (6), as redesignated by
25 subparagraph (G), by striking “sexual assault

1 and domestic violence” and inserting “domestic
2 violence, dating violence, sexual assault, and
3 stalking”;

4 (I) in paragraph (7), as redesignated by
5 subparagraph (G), by striking “and dating vio-
6 lence” and inserting “dating violence, and
7 stalking”;

8 (J) in paragraph (9), as redesignated by
9 subparagraph (G), by striking “domestic vio-
10 lence or sexual assault” and inserting “domes-
11 tic violence, dating violence, sexual assault, or
12 stalking”;

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

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

23 (ii) by striking “and” at the end;

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

1 (i) by striking “to provide” and in-
2 serting “providing”;

3 (ii) by striking “nonprofit nongovern-
4 mental”;

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

7 (iv) in the matter following subpara-
8 graph (C), by striking “paragraph (14)”
9 and inserting “paragraph (13)”; and

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

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

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

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

22 “(16) developing and strengthening policies,
23 protocols, best practices, and training for law en-
24 forcement agencies and prosecutors relating to the

1 investigation and prosecution of sexual assault cases
2 and the appropriate treatment of victims;

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

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

12 “(19) developing, enlarging, or strengthening
13 programs and projects to provide services and re-
14 sponses targeting male and female victims of domes-
15 tic violence, dating violence, sexual assault, or stalk-
16 ing, whose ability to access traditional services and
17 responses is affected by their sexual orientation or
18 gender identity, as defined in section 249(c) of title
19 18, United States Code; and

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

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

2 (A) in subsection (a), by striking “non-
3 profit nongovernmental victim service pro-
4 grams” and inserting “victim service pro-
5 viders”;

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

8 (C) in subsection (c)—

9 (i) by striking paragraph (2) and in-
10 sserting the following:

11 “(2) grantees and subgrantees shall develop a
12 plan for implementation and shall consult and co-
13 ordinate with—

14 “(A) the State sexual assault coalition;

15 “(B) the State domestic violence coalition;

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

18 “(D) prosecution offices;

19 “(E) State and local courts;

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

22 “(G) representatives from underserved
23 populations, including culturally specific popu-
24 lations;

25 “(H) victim service providers;

1 “(I) population specific organizations; and

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

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

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

9 “(3) grantees shall coordinate the State imple-
10 mentation plan described in paragraph (2) with the
11 State plans described in section 307 of the Family
12 Violence Prevention and Services Act (42 U.S.C.
13 10407) and the programs described in section 1404
14 of the Victims of Crime Act of 1984 (42 U.S.C.
15 10603) and section 393A of the Public Health Serv-
16 ice Act (42 U.S.C. 280b–1b).”;

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

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

22 (II) by redesignating subpara-
23 graphs (B) and (C) as subparagraphs
24 (C) and (D);

1 (III) by inserting after subpara-
2 graph (A), the following:

3 “(B) not less than 25 percent shall be allo-
4 cated for prosecutors;” and

5 (IV) in subparagraph (D) as re-
6 designated by subclause (II) by strik-
7 ing “for” and inserting “to”; and

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

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

18 (D) by striking subsection (d) and insert-
19 ing the following:

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

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

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

4 “(3) proof of compliance with the requirements
5 for paying fees and costs relating to domestic vio-
6 lence and protection order cases, described in section
7 2011 of this title;

8 “(4) proof of compliance with the requirements
9 prohibiting polygraph examinations of victims of sex-
10 ual assault, described in section 2013 of this title;

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

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

15 (E) in subsection (e)—

16 (i) in paragraph (2)—

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

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

24 (ii) by adding at the end the fol-
25 lowing:

1 “(3) CONDITIONS.—In disbursing grants under
2 this part, the Attorney General may impose reason-
3 able conditions on grant awards to ensure that the
4 States meet statutory, regulatory, and other pro-
5 gram requirements.”;

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

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

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

18 “(1) develop an implementation plan in con-
19 sultation with the entities listed in subsection (c)(2),
20 that identifies how the State will use the funds
21 awarded under this part, including how the State
22 will meet the requirements of subsection (c)(5); and

23 “(2) submit to the Attorney General—

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

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

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

7 “(i) the need for the grant funds;

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

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

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

16 “(D) a description of how the State will
17 ensure that any subgrantees will consult with
18 victim service providers during the course of de-
19 veloping their grant applications in order to en-
20 sure that the proposed activities are designed to
21 promote the safety, confidentiality, and eco-
22 nomic independence of victims;

23 “(E) demographic data on the distribution
24 of underserved populations within the State and
25 a description of how the State will meet the

1 needs of underserved populations, including the
2 minimum allocation for population specific serv-
3 ices required under subsection (c)(4)(C);

4 “(F) a description of how the State plans
5 to meet the regulations issued pursuant to sub-
6 section (e)(2);

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

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

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

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

17 “(2) the State does not receive sufficient eligi-
18 ble applications to award the full funding within the
19 allocations in subsection (c)(4)”;

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

21 (A) in subsection (a), by striking para-
22 graph (1) and inserting the following:

23 “(1) IN GENERAL.—A State, Indian tribal gov-
24 ernment, or unit of local government shall not be en-
25 titled to funds under this subchapter unless the

1 State, Indian tribal government, unit of local govern-
2 ment, or another governmental entity—

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

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

10 (B) in subsection (b)—

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

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

15 (iii) by striking paragraph (3); and

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

17 follows:

18 “(d) NONCOOPERATION.—

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

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

5 (5) in section 2011(a)(1) (42 U.S.C. 3796gg–
6 5(a)(1))—

7 (A) by inserting “modification, enforce-
8 ment, dismissal, withdrawal” after “registra-
9 tion,” each place it appears;

10 (B) by inserting “, dating violence, sexual
11 assault, or stalking” after “felony domestic vio-
12 lence”; and

13 (C) by striking “victim of domestic vio-
14 lence” and all that follows through “sexual as-
15 sault” and inserting “victim of domestic vio-
16 lence, dating violence, sexual assault, or stalk-
17 ing”.

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

19 **ENFORCEMENT OF PROTECTION ORDERS.**

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

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

24 (A) in subsection (b)—

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

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

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

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

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

23 (vi) in paragraph (6), by striking
24 “judges” and inserting “Federal, State,
25 tribal, territorial, and local judges, courts,

1 and court-based and court-related per-
2 sonnel”;

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

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

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

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

19 “(15) To develop or strengthen policies, proto-
20 cols, and training for law enforcement, prosecutors,
21 and the judiciary in recognizing, investigating, and
22 prosecuting instances of domestic violence, dating vi-
23 olence, sexual assault, and stalking against immi-
24 grant victims, including the appropriate use of appli-
25 cations for nonimmigrant status under subpara-

1 graphs (T) and (U) of section 101(a)(15) of the Im-
2 migration and Nationality Act (8 U.S.C.
3 1101(a)(15)).

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

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

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

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

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

24 “(21) To identify and inventory backlogs of sex-
25 ual assault evidence collection kits and to develop

1 protocols for responding to and addressing such
2 backlogs, including policies and protocols for noti-
3 fying and involving victims.

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

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

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

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

16 (B) in subsection (c)—

17 (i) in paragraph (1)—

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

21 (II) by redesignating subpara-
22 graphs (A) and (B) as clauses (i) and
23 (ii), and adjusting the margin accord-
24 ingly;

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

4 (iii) in paragraph (3)—

5 (I) by striking “spouses” each
6 place it appears and inserting “par-
7 ties”; and

8 (II) by striking “spouse” and in-
9 serting “party”;

10 (iv) in paragraph (4)—

11 (I) by inserting “, dating vio-
12 lence, sexual assault, or stalking”
13 after “felony domestic violence”;

14 (II) by inserting “modification,
15 enforcement, dismissal,” after “reg-
16 istration,” each place it appears;

17 (III) by inserting “dating vio-
18 lence,” after “victim of domestic vio-
19 lence,”; and

20 (IV) by striking “and” at the
21 end;

22 (v) in paragraph (5)—

23 (I) in the matter preceding sub-
24 paragraph (A), by striking “, not later
25 than 3 years after January 5, 2006”;

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

4 (III) by redesignating subpara-
5 graphs (A) and (B) as clauses (i) and
6 (ii), and adjusting the margin accord-
7 ingly;

8 (IV) in clause (ii), as redesign-
9 nated by subclause (III) of this
10 clause, by striking “subparagraph
11 (A)” and inserting “clause (i)”; and

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

14 (vi) by redesignating paragraphs (1)
15 through (5), as amended by this subpara-
16 graph, as subparagraphs (A) through (E),
17 respectively;

18 (vii) in the matter preceding subpara-
19 graph (A), as redesignated by clause (v) of
20 this subparagraph—

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

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

3 “grantees are—

4 “(1) States”; and

5 (viii) by adding at the end the fol-
6 lowing:

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

14 (C) in subsection (d)—

15 (i) in paragraph (1)—

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

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

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

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

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

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

14 (2) in section 2102(a) (42 U.S.C. 3796hh–
15 1(a))—

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

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

23 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
24 1001(a)(19) of title I of the Omnibus Crime Control and

1 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is
2 amended—

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

6 (2) by striking the period that immediately fol-
7 lows another period.

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

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

11 (1) in subsection (a)—

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

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

17 (2) in subsection (b)—

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

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

23 (3) in subsection (c)—

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

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

6 “(3) to implement, expand, and establish efforts
7 and projects to provide competent, supervised pro
8 bono legal assistance for victims of domestic vio-
9 lence, dating violence, sexual assault, or stalking, ex-
10 cept that not more than 10 percent of the funds
11 awarded under this section may be used for the pur-
12 pose described in this paragraph.”;

13 (4) in subsection (d)—

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

17 “(A) has demonstrated expertise in pro-
18 viding legal assistance to victims of domestic vi-
19 olence, dating violence, sexual assault, or stalk-
20 ing in the targeted population; or

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

24 “(ii) has completed, or will complete, train-
25 ing in connection with domestic violence, dating

1 violence, stalking, or sexual assault and related
2 legal issues, including training on evidence-
3 based risk factors for domestic and dating vio-
4 lence homicide;” and

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

8 (5) in subsection (f) in paragraph (1), by strik-
9 ing “this section” and all that follows and inserting
10 the following: “this section \$57,000,000 for each of
11 fiscal years 2013 through 2017.”.

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

14 (a) IN GENERAL.—Title III of division B of the Vie-
15 tims of Trafficking and Violence Protection Act of 2000
16 (Public Law 106–386; 114 Stat. 1509) is amended by
17 striking the section preceding section 1302 (42 U.S.C.
18 10420), as amended by section 306 of the Violence
19 Against Women and Department of Justice Reauthoriza-
20 tion Act of 2005 (Public Law 109–162; 119 Stat. 316),
21 and inserting the following:

22 **“SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUS-**
23 **TICE SYSTEM.**

24 “(a) IN GENERAL.—The Attorney General may make
25 grants to States, units of local government, courts (includ-

1 ing juvenile courts), Indian tribal governments, nonprofit
2 organizations, legal services providers, and victim services
3 providers to improve the response of all aspects of the civil
4 and criminal justice system to families with a history of
5 domestic violence, dating violence, sexual assault, or stalk-
6 ing, or in cases involving allegations of child sexual abuse.

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

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

14 “(2) develop and promote State, local, and trib-
15 al legislation, policies, and best practices for improv-
16 ing civil and criminal court functions, responses,
17 practices, and procedures in cases involving a history
18 of domestic violence or sexual assault, or in cases in-
19 volving allegations of child sexual abuse, including
20 cases in which the victim proceeds pro se;

21 “(3) educate court-based and court-related per-
22 sonnel and court-appointed personnel (including cus-
23 tody evaluators and guardians ad litem) and child
24 protective services workers on the dynamics of do-
25 mestic violence, dating violence, sexual assault, and

1 stalking, including information on perpetrator behav-
2 ior, evidence-based risk factors for domestic and dat-
3 ing violence homicide, and on issues relating to the
4 needs of victims, including safety, security, privacy,
5 and confidentiality, including cases in which the vic-
6 tim proceeds pro se;

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

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

15 “(A) court infrastructure (such as special-
16 ized courts, consolidated courts, dockets, intake
17 centers, or interpreter services);

18 “(B) community-based initiatives within
19 the court system (such as court watch pro-
20 grams, victim assistants, pro se victim assist-
21 ance programs, or community-based supple-
22 mentary services);

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

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

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

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

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

13 “(A) victims of domestic violence; and

14 “(B) nonoffending parents in matters—

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

17 “(ii) that relate to family matters, in-
18 cluding civil protection orders, custody,
19 and divorce; and

20 “(iii) in which the other parent is rep-
21 resented by counsel;

22 “(7) collect data and provide training and tech-
23 nical assistance, including developing State, local,
24 and tribal model codes and policies, to improve the
25 capacity of grantees and communities to address the

1 civil justice needs of victims of domestic violence,
2 dating violence, sexual assault, and stalking who
3 have legal representation, who are proceeding pro se,
4 or who are proceeding with the assistance of a legal
5 advocate; and

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

10 “(c) CONSIDERATIONS.—

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

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

16 “(B) the extent to which the proposed pro-
17 grams and services serve underserved popu-
18 lations;

19 “(C) the extent to which the applicant
20 demonstrates cooperation and collaboration
21 with nonprofit, nongovernmental entities in the
22 local community with demonstrated histories of
23 effective work on domestic violence, dating vio-
24 lence, sexual assault, or stalking, including
25 State or tribal domestic violence coalitions,

1 State or tribal sexual assault coalitions, local
2 shelters, and programs for domestic violence
3 and sexual assault victims; and

4 “(D) the extent to which the applicant
5 demonstrates coordination and collaboration
6 with State, tribal, and local court systems, in-
7 cluding mechanisms for communication and re-
8 ferral.

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

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

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

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

1 “(3) for a court-based program, certifies that
2 victims of domestic violence, dating violence, sexual
3 assault, or stalking are not charged fees or any
4 other costs related to the filing, petitioning, modi-
5 fying, issuance, registration, enforcement, with-
6 drawal, or dismissal of matters relating to the do-
7 mestic violence, dating violence, sexual assault, or
8 stalking;

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

21 “(5) certifies that the organizational policies of
22 the applicant do not require mediation or counseling
23 involving offenders and victims being physically
24 present in the same place, in cases where domestic

1 violence, dating violence, sexual assault, or stalking
2 is alleged;

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

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

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

1 “(f) ALLOTMENT FOR INDIAN TRIBES.—

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

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

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

13 **SEC. 105. SEX OFFENDER MANAGEMENT.**

14 Section 40152(c) of the Violence Against Women Act
15 of 1994 (42 U.S.C. 13941) is amended by striking
16 “\$5,000,000” and all that follows and inserting
17 “\$5,000,000 for each of fiscal years 2013 through 2017.”.

18 **SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PRO-**
19 **GRAM.**

20 Subtitle B of title II of the Crime Control Act of 1990
21 (42 U.S.C. 13011 et seq.) is amended—

22 (1) in section 216 (42 U.S.C. 13012), by strik-
23 ing “January 1, 2010” and inserting “January 1,
24 2015”;

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

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

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

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

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

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

18 (a) INTERSTATE DOMESTIC VIOLENCE.—Section
19 2261(a)(1) of title 18, United States Code, is amended—

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

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

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

1 **“§ 2261A. Stalking**

2 “Whoever—

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

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

13 “(i) that person;

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

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

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

22 “(2) with the intent to kill, injure, harass, in-
23 timidate, or place under surveillance with intent to
24 kill, injure, harass, or intimidate another person,
25 uses the mail, any interactive computer service or
26 electronic communication service or electronic com-

1 munication system of interstate commerce, or any
 2 other facility of interstate or foreign commerce to
 3 engage in a course of conduct that—

4 “(A) places that person in reasonable fear
 5 of the death of or serious bodily injury to a per-
 6 son described in clause (i), (ii), or (iii) of para-
 7 graph (1)(A); or

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

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

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

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

23 **“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UN-**
 24 **DERSERVED POPULATIONS.**

25 “(a) GRANTS AUTHORIZED.—

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

16 “(2) PROGRAMS COVERED.—The programs cov-
17 ered by paragraph (1) are the programs carried out
18 under the following provisions:

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

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

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

3 “(1) population specific organizations that have
4 demonstrated experience and expertise in providing
5 population specific services in the relevant under-
6 served communities, or population specific organiza-
7 tions working in partnership with a victim service
8 provider or domestic violence or sexual assault coal-
9 tion;

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

13 “(3) victim service providers working in part-
14 nership with a national, State, tribal, or local organi-
15 zation that has demonstrated experience and exper-
16 tise in providing population specific services in the
17 relevant underserved population.

18 “(c) PLANNING GRANTS.—The Attorney General
19 may use up to 25 percent of funds available under this
20 section to make one-time planning grants to eligible enti-
21 ties to support the planning and development of specially
22 designed and targeted programs for adult and youth vic-
23 tims in one or more underserved populations, including—

24 “(1) identifying, building and strengthening
25 partnerships with potential collaborators within un-

1 derserved populations, Federal, State, tribal, terri-
2 torial or local government entities, and public and
3 private organizations;

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

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

13 “(4) developing a plan, with the input of the
14 targeted underserved population or populations, for
15 implementing prevention, outreach and intervention
16 strategies to address the barriers to accessing serv-
17 ices, promoting community engagement in the pre-
18 vention of domestic violence, dating violence, sexual
19 assault, and stalking within the targeted under-
20 served populations, and evaluating the program.

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

1 “(1) working with Federal, State, tribal, terri-
2 torial and local governments, agencies, and organiza-
3 tions to develop or enhance population specific serv-
4 ices;

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

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

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

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

23 “(e) APPLICATION.—An eligible entity desiring a
24 grant under this section shall submit an application to the
25 Director of the Office on Violence Against Women at such

1 time, in such form, and in such manner as the Director
2 may prescribe.

3 “(f) REPORTS.—Each eligible entity receiving a grant
4 under this section shall submit to the Director of the Of-
5 fice on Violence Against Women a report that describes
6 the activities carried out with grant funds.

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

11 “(h) DEFINITIONS AND GRANT CONDITIONS.—In
12 this section the definitions and grant conditions in section
13 40002 of the Violence Against Women Act of 1994 (42
14 U.S.C. 13925) shall apply.”

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

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

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

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

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

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

1 “(2) PROGRAMS COVERED.—The programs cov-
2 ered by paragraph (1) are the programs carried out
3 under the following provisions:

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

8 “(B) Section 14201 of division B of the
9 Victims of Trafficking and Violence Protection
10 Act of 2000 (42 U.S.C. 3796gg–6) (Legal As-
11 sistance for Victims).

12 “(C) Section 40295 of the Violence
13 Against Women Act of 1994 (42 U.S.C. 13971)
14 (Rural Domestic Violence, Dating Violence,
15 Sexual Assault, Stalking, and Child Abuse En-
16 forcement Assistance).

17 “(D) Section 40802 of the Violence
18 Against Women Act of 1994 (42 U.S.C.
19 14041a) (Enhanced Training and Services to
20 End Violence Against Women Later in Life).

21 “(E) Section 1402 of division B of the Vic-
22 tims of Trafficking and Violence Protection Act
23 of 2000 (42 U.S.C. 3796gg–7) (Education,
24 Training, and Enhanced Services to End Vio-

1 lence Against and Abuse of Women with Dis-
2 abilities.”; and

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

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

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

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

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

20 (2) in paragraph (2)—

21 (A) in subparagraph (B), by inserting “or
22 tribal programs and activities” after “non-
23 governmental organizations”; and

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

1 (3) in paragraph (4)—

2 (A) by inserting “(including the District of
3 Columbia and Puerto Rico)” after “The Attor-
4 ney General shall allocate to each State”;

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

7 (C) by striking “0.125 percent” and in-
8 serting “0.25 percent”; and

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

13 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section
14 41601(f)(1) of the Violence Against Women Act of 1994
15 (42 U.S.C. 14043g(f)(1)) is amended by striking
16 “\$50,000,000 to remain available until expended for each
17 of the fiscal years 2007 through 2011” and inserting
18 “\$40,000,000 to remain available until expended for each
19 of fiscal years 2013 through 2017”.

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

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

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

4 (2) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) by striking “victim advocacy
7 groups” and inserting “victim service pro-
8 viders”; and

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

14 (B) in paragraph (2)—

15 (i) by striking “and other long- and
16 short-term assistance” and inserting “legal
17 assistance, and other long-term and short-
18 term victim and population specific serv-
19 ices”; and

20 (ii) by striking “and” at the end;

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

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

24 “(4) developing, enlarging, or strengthening
25 programs addressing sexual assault, including sexual

1 assault forensic examiner programs, Sexual Assault
2 Response Teams, law enforcement training, and pro-
3 grams addressing rape kit backlogs.

4 “(5) developing programs and strategies that
5 focus on the specific needs of victims of domestic vi-
6 olence, dating violence, sexual assault, and stalking
7 who reside in remote rural and geographically iso-
8 lated areas, including addressing the challenges
9 posed by the lack of access to shelters and victims
10 services, and limited law enforcement resources and
11 training, and providing training and resources to
12 Community Health Aides involved in the delivery of
13 Indian Health Service programs.”; and

14 (3) in subsection (e)(1), by striking
15 “\$55,000,000 for each of the fiscal years 2007
16 through 2011” and inserting “\$50,000,000 for each
17 of fiscal years 2013 through 2017”.

18 **SEC. 203. TRAINING AND SERVICES TO END VIOLENCE**
19 **AGAINST WOMEN WITH DISABILITIES**
20 **GRANTS.**

21 Section 1402 of division B of the Victims of Traf-
22 ficking and Violence Protection Act of 2000 (42 U.S.C.
23 3796gg-7) is amended—

24 (1) in subsection (b)—

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

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

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

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

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

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

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

1 **“Subtitle H—Enhanced Training**
2 **and Services to End Abuse**
3 **Later in Life**

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

6 “(a) DEFINITIONS.—In this section—

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

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

13 “(3) the term ‘neglect’ means the failure of a
14 caregiver or fiduciary to provide the goods or serv-
15 ices that are necessary to maintain the health or
16 safety of an individual in later life.

17 “(b) GRANT PROGRAM.—

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

21 “(2) MANDATORY AND PERMISSIBLE ACTIVI-
22 TIES.—

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

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

10 “(ii) provide or enhance services for
11 victims of abuse in later life, including do-
12 mestic violence, dating violence, sexual as-
13 sault, stalking, exploitation, and neglect;

14 “(iii) establish or support multidisci-
15 plinary collaborative community responses
16 to victims of abuse in later life, including
17 domestic violence, dating violence, sexual
18 assault, stalking, exploitation, and neglect;
19 and

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

1 to better serve victims of abuse in later
2 life, including domestic violence, dating vio-
3 lence, sexual assault, stalking, exploitation,
4 and neglect.

5 “(B) PERMISSIBLE ACTIVITIES.—An eligi-
6 ble entity receiving a grant under this section
7 may use the funds received under the grant
8 to—

9 “(i) provide training programs to as-
10 sist attorneys, health care providers, faith-
11 based leaders, or other community-based
12 organizations in recognizing and address-
13 ing instances of abuse in later life, includ-
14 ing domestic violence, dating violence, sex-
15 ual assault, stalking, exploitation, and ne-
16 glect; or

17 “(ii) conduct outreach activities and
18 awareness campaigns to ensure that vic-
19 tims of abuse in later life, including domes-
20 tic violence, dating violence, sexual assault,
21 stalking, exploitation, and neglect receive
22 appropriate assistance.

23 “(C) WAIVER.—The Attorney General may
24 waive 1 or more of the activities described in
25 subparagraph (A) upon making a determination

1 that the activity would duplicate services avail-
2 able in the community.

3 “(D) LIMITATION.—An eligible entity re-
4 ceiving a grant under this section may use not
5 more than 10 percent of the total funds re-
6 ceived under the grant for an activity described
7 in subparagraph (B)(ii).

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

10 “(A) the entity is—

11 “(i) a State;

12 “(ii) a unit of local government;

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

15 “(iv) a population specific organiza-
16 tion with demonstrated experience in as-
17 sisting individuals over 50 years of age;

18 “(v) a victim service provider with
19 demonstrated experience in addressing do-
20 mestic violence, dating violence, sexual as-
21 sault, and stalking; or

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

1 “(B) the entity demonstrates that it is
2 part of a multidisciplinary partnership that in-
3 cludes, at a minimum—

4 “(i) a law enforcement agency;

5 “(ii) a prosecutor’s office;

6 “(iii) a victim service provider; and

7 “(iv) a nonprofit program or govern-
8 ment agency with demonstrated experience
9 in assisting individuals in later life;

10 “(4) UNDERSERVED POPULATIONS.—In making
11 grants under this section, the Attorney General shall
12 give priority to proposals providing services to cul-
13 turally specific and underserved populations.

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

18 **TITLE III—SERVICES, PROTEC-**
19 **TION, AND JUSTICE FOR**
20 **YOUNG VICTIMS OF VIO-**
21 **LENCE**

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

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

25 (1) in subsection (a)—

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

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

6 (2) in subsection (c)—

7 (A) in paragraph (1), by striking
8 “\$80,000,000 for each of fiscal years 2007
9 through 2011” and inserting “\$50,000,000 for
10 each of fiscal years 2013 through 2017”; and

11 (B) by adding at the end the following:

12 “(3) BASELINE FUNDING FOR STATES, THE
13 DISTRICT OF COLUMBIA, AND PUERTO RICO.—A
14 minimum allocation of \$150,000 shall be awarded in
15 each fiscal year for each of the States, the District
16 of Columbia, and Puerto Rico. A minimum alloca-
17 tion of \$35,000 shall be awarded in each fiscal year
18 for each Territory. Any unused or remaining funds
19 shall be allotted to each State, the District of Co-
20 lumbia, and Puerto Rico on the basis of popu-
21 lation.”.

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

4 Subtitle L of the Violence Against Women Act of
5 1994 is amended by striking sections 41201 through
6 41204 (42 U.S.C. 14043c through 14043c-3) and insert-
7 ing the following:

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

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

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

22 “(1) SERVICES TO ADVOCATE FOR AND RE-
23 SPOND TO YOUTH.—To develop, expand, and
24 strengthen victim-centered interventions and services
25 that target youth who are victims of domestic vio-
26 lence, dating violence, sexual assault, and stalking.

1 Services may include victim services, counseling, ad-
2 vocation, mentoring, educational support, transpor-
3 tation, legal assistance in civil, criminal and admin-
4 istrative matters, such as family law cases, housing
5 cases, child welfare proceedings, campus administra-
6 tive proceedings, and civil protection order pro-
7 ceedings, services to address the co-occurrence of sex
8 trafficking, population-specific services, and other
9 activities that support youth in finding safety, sta-
10 bility, and justice and in addressing the emotional,
11 cognitive, and physical effects of trauma. Funds may
12 be used to—

13 “(A) assess and analyze currently available
14 services for youth victims of domestic violence,
15 dating violence, sexual assault, and stalking, de-
16 termining relevant barriers to such services in
17 a particular locality, and developing a commu-
18 nity protocol to address such problems collabo-
19 ratively;

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

24 “(C) provide technical assistance and
25 training to enhance the ability of school per-

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

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

17 “(A) provide training to school personnel,
18 including healthcare providers and security per-
19 sonnel, on the needs of students who are vic-
20 tims of domestic violence, dating violence, sex-
21 ual assault, or stalking;

22 “(B) develop and implement prevention
23 and intervention policies in middle and high
24 schools, including appropriate responses to, and
25 identification and referral procedures for, stu-

1 dents who are experiencing or perpetrating do-
2 mestic violence, dating violence, sexual assault,
3 or stalking, and procedures for handling the re-
4 quirements of court protective orders issued to
5 or against students;

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

10 “(D) implement developmentally appro-
11 priate educational programming for students re-
12 garding domestic violence, dating violence, sex-
13 ual assault, and stalking and the impact of such
14 violence on youth; or

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

20 “(c) ELIGIBLE APPLICANTS.—

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

23 “(A) a victim service provider, tribal non-
24 profit, or population-specific or community-
25 based organization with a demonstrated history

1 of effective work addressing the needs of youth
2 who are, including runaway or homeless youth
3 affected by, victims of domestic violence, dating
4 violence, sexual assault, or stalking;

5 “(B) a victim service provider that is
6 partnered with an entity that has a dem-
7 onstrated history of effective work addressing
8 the needs of youth; or

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

17 “(2) PARTNERSHIPS.—

18 “(A) EDUCATION.—To be eligible to re-
19 ceive a grant for the purposes described in sub-
20 section (b)(2), an entity described in paragraph
21 (1) shall be partnered with a public, charter,
22 tribal, or nationally accredited private middle or
23 high school, a school administered by the De-
24 partment of Defense under section 2164 of title
25 10, United States Code or section 1402 of the

1 Defense Dependents' Education Act of 1978, a
2 group of schools, a school district, or an institu-
3 tion of higher education.

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

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

11 “(ii) a population specific or commu-
12 nity-based organization;

13 “(iii) batterer intervention programs
14 or sex offender treatment programs with
15 specialized knowledge and experience work-
16 ing with youth offenders; or

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

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

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

3 “(2) protect the confidentiality and privacy of
4 child and youth victim information, particularly in
5 the context of parental or third-party involvement
6 and consent, mandatory reporting duties, and work-
7 ing with other service providers all with priority on
8 victim safety and autonomy; and

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

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

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

21 “(g) ALLOTMENT.—

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

1 “(2) INDIAN TRIBES.—Not less than 10 percent
2 of the total amount appropriated under this section
3 for each fiscal year shall be made available for
4 grants under the program authorized by section
5 2015 of the Omnibus Crime Control and Safe
6 Streets Act of 1968. The requirements of this sec-
7 tion shall not apply to funds allocated under this
8 paragraph.

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

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

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

17 (1) in subsection (a)—

18 (A) in paragraph (1)—

19 (i) by striking “stalking on campuses,
20 and” and inserting “stalking on cam-
21 puses,”;

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

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

1 awareness programs” before the period;
2 and

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

6 (A) in paragraph (2)—

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

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

12 (B) in paragraph (4)—

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

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

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

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

1 “(9) To develop or adapt and provide develop-
2 mental, culturally appropriate, and linguistically ac-
3 cessible print or electronic materials to address both
4 prevention and intervention in domestic violence,
5 dating violence, sexual violence, and stalking.

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

10 (3) in subsection (c)—

11 (A) in paragraph (2)—

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

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

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

21 “(D) describe how underserved populations
22 in the campus community will be adequately
23 served, including the provision of relevant popu-
24 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 redesignating paragraph (3) as
6 paragraph (4); and

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

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

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

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

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

24 “(D) The grantee shall train all members
25 of campus disciplinary boards to respond effec-

1 tively to situations involving domestic violence,
2 dating violence, sexual assault, or stalking.”;
3 and

4 (5) in subsection (e), by striking “there are”
5 and all that follows through the period and inserting
6 “there is authorized to be appropriated \$12,000,000
7 for each of fiscal years 2013 through 2017.”.

8 **SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIO-**
9 **LENCE, DATING VIOLENCE, AND STALKING**
10 **EDUCATION AND PREVENTION.**

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

13 (1) in paragraph (1)—

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

18 (B) in subparagraph (F)—

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

21 (ii) in clause (ii)—

22 (I) by striking “sexual orienta-
23 tion” and inserting “ national origin,
24 sexual orientation, gender identity,”;
25 and

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

3 (iii) by adding at the end the fol-
4 lowing:

5 “(iii) of domestic violence, dating vio-
6 lence, and stalking incidents that were re-
7 ported to campus security authorities or
8 local police agencies.”;

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

12 (3) in paragraph (6)(A)—

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

15 (B) by inserting before clause (ii), as re-
16 designated by subparagraph (A), the following:

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

21 (C) by inserting after clause (iv), as redес-
22 igned by subparagraph (A), the following:

23 “(v) The term ‘sexual assault’ means an offense
24 classified as a forcible or nonforcible sex offense

1 under the uniform crime reporting system of the
2 Federal Bureau of Investigation.”;

3 (4) in paragraph (7)—

4 (A) by striking “paragraph (1)(F)” and in-
5 serting “clauses (i) and (ii) of paragraph
6 (1)(F)”;

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

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

16 “(8)(A) Each institution of higher education partici-
17 pating in any program under this title and title IV of the
18 Economic Opportunity Act of 1964, other than a foreign
19 institution of higher education, shall develop and dis-
20 tribute as part of the report described in paragraph (1)
21 a statement of policy regarding—

22 “(i) such institution’s programs to prevent do-
23 mestic violence, dating violence, sexual assault, and
24 stalking; and

1 “(ii) the procedures that such institution will
2 follow once an incident of domestic violence, dating
3 violence, sexual assault, or stalking has been re-
4 ported.

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

7 “(i) Education programs to promote the aware-
8 ness of rape, acquaintance rape, domestic violence,
9 dating violence, sexual assault, and stalking, which
10 shall include—

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

14 “(aa) a statement that the institution
15 of higher education prohibits the offenses
16 of domestic violence, dating violence, sex-
17 ual assault, and stalking;

18 “(bb) the definition of domestic vio-
19 lence, dating violence, sexual assault, and
20 stalking in the applicable jurisdiction;

21 “(cc) the definition of consent, in ref-
22 erence to sexual activity, in the applicable
23 jurisdiction;

24 “(dd) safe and positive options for by-
25 stander intervention that may be carried

1 out by an individual to prevent harm or in-
2 tervene when there is a risk of domestic vi-
3 olence, dating violence, sexual assault, or
4 stalking against a person other than such
5 individual;

6 “(ee) information on risk reduction to
7 recognize warning signs of abusive behav-
8 ior and how to avoid potential attacks; and

9 “(ff) the information described in
10 clauses (ii) through (vii); and

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

15 “(ii) Possible sanctions or protective measures
16 that such institution may impose following a final
17 determination of an institutional disciplinary proce-
18 dure regarding rape, acquaintance rape, domestic vi-
19 olence, dating violence, sexual assault, or stalking.

20 “(iii) Procedures victims should follow if a sex
21 offense, domestic violence, dating violence, sexual as-
22 sault, or stalking has occurred, including informa-
23 tion in writing about—

24 “(I) the importance of preserving evidence
25 as may be necessary to the proof of criminal do-

1 mestic violence, dating violence, sexual assault,
2 or stalking, or in obtaining a protection order;

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

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

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

11 “(bb) be assisted by campus authori-
12 ties in notifying law enforcement authori-
13 ties if the victim so chooses; and

14 “(cc) decline to notify such authori-
15 ties; and

16 “(IV) where applicable, the rights of vic-
17 tims and the institution’s responsibilities re-
18 garding orders of protection, no contact orders,
19 restraining orders, or similar lawful orders
20 issued by a criminal, civil, or tribal court.

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

25 “(I) such proceedings shall—

1 “(aa) provide a prompt and equitable
2 investigation and resolution; and

3 “(bb) be conducted by officials who
4 receive annual training on the issues re-
5 lated to domestic violence, dating violence,
6 sexual assault, and stalking and how to
7 conduct an investigation and hearing pro-
8 cess that protects the safety of victims and
9 promotes accountability;

10 “(II) the accuser and the accused are enti-
11 tled to the same opportunities to have others
12 present during an institutional disciplinary pro-
13 ceeding, including the opportunity to be accom-
14 panied to any related meeting or proceeding by
15 an advisor of their choice; and

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

19 “(aa) the outcome of any institutional
20 disciplinary proceeding that arises from an
21 allegation of domestic violence, dating vio-
22 lence, sexual assault, or stalking;

23 “(bb) the institution’s procedures for
24 the accused and the victim to appeal the

1 results of the institutional disciplinary pro-
2 ceeding;

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

6 “(dd) when such results become final.

7 “(v) Information about how the institution will
8 protect the confidentiality of victims, including how
9 publicly available recordkeeping will be accomplished
10 without the inclusion of identifying information
11 about the victim, to the extent permissible by law.

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

17 “(vii) Written notification of victims about op-
18 tions for, and available assistance in, changing aca-
19 demic, living, transportation, and working situations,
20 if so requested by the victim and if such accom-
21 modations are reasonably available, regardless of
22 whether the victim chooses to report the crime to
23 campus police or local law enforcement.

24 “(C) A student or employee who reports to an institu-
25 tion of higher education that the student or employee has

1 been a victim of domestic violence, dating violence, sexual
2 assault, or stalking, whether the offense occurred on or
3 off campus, shall be provided with a written explanation
4 of the student or employee's rights and options, as de-
5 scribed in clauses (ii) through (vii) of subparagraph (B).”;

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

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

12 “(16)(A) The Secretary shall seek the advice and
13 counsel of the Attorney General of the United States con-
14 cerning the development, and dissemination to institutions
15 of higher education, of best practices information about
16 campus safety and emergencies.

17 “(B) The Secretary shall seek the advice and counsel
18 of the Attorney General of the United States and the Sec-
19 retary of Health and Human Services concerning the de-
20 velopment, and dissemination to institutions of higher
21 education, of best practices information about preventing
22 and responding to incidents of domestic violence, dating
23 violence, sexual assault, and stalking, including elements
24 of institutional policies that have proven successful based
25 on evidence-based outcome measurements.”; and

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

3 “(17) No officer, employee, or agent of an institution
4 participating in any program under this title shall retali-
5 ate, intimidate, threaten, coerce, or otherwise discriminate
6 against any individual for exercising their rights or re-
7 sponsibilities under any provision of this subsection.”.

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

15 **TITLE IV—VIOLENCE**
16 **REDUCTION PRACTICES**

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

19 Section 402(c) of the Violence Against Women and
20 Department of Justice Reauthorization Act of 2005 (42
21 U.S.C. 280b–4(c)) is amended by striking “\$2,000,000 for
22 each of the fiscal years 2007 through 2011” and inserting
23 “\$1,000,000 for each of the fiscal years 2013 through
24 2017”.

1 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES**
2 **THROUGH PREVENTION GRANTS.**

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

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

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

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

19 “(1) TEEN DATING VIOLENCE AWARENESS AND
20 PREVENTION.—To develop, maintain, or enhance
21 programs that change attitudes and behaviors
22 around the acceptability of domestic violence, dating
23 violence, sexual assault, and stalking and provide
24 education and skills training to young individuals
25 and individuals who influence young individuals. The
26 prevention program may use evidence-based, evi-

1 dence-informed, or innovative strategies and prac-
2 tices focused on youth. Such a program should in-
3 clude—

4 “(A) age and developmentally appropriate
5 education on domestic violence, dating violence,
6 sexual assault, stalking, and sexual coercion, as
7 well as healthy relationship skills, in school, in
8 the community, or in health care settings;

9 “(B) community-based collaboration and
10 training for those with influence on youth, such
11 as parents, teachers, coaches, healthcare pro-
12 viders, faith-leaders, older teens, and mentors;

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

17 “(D) policy development targeted to pre-
18 vention, including school-based policies and pro-
19 tocols.

20 “(2) CHILDREN EXPOSED TO VIOLENCE AND
21 ABUSE.—To develop, maintain or enhance programs
22 designed to prevent future incidents of domestic vi-
23 olence, dating violence, sexual assault, and stalking
24 by preventing, reducing and responding to children’s

1 exposure to violence in the home. Such programs
2 may include—

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

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

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

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

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

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

20 “(A) A public, charter, tribal, or nationally
21 accredited private middle or high school, a
22 school administered by the Department of De-
23 fense under section 2164 of title 10, United
24 States Code or section 1402 of the Defense De-

1 pendents’ Education Act of 1978, a group of
2 schools, or a school district.

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

7 “(C) A community-based organization,
8 population-specific organization, university or
9 health care clinic, faith-based organization, or
10 other nonprofit, nongovernmental organization
11 with a demonstrated history of effective work
12 addressing the needs of children exposed to do-
13 mestic violence, dating violence, sexual assault,
14 or stalking.

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

19 “(E) Healthcare entities eligible for reim-
20 bursement under title XVIII of the Social Secu-
21 rity Act, including providers that target the
22 special needs of children and youth.

23 “(F) Any other agencies, population-spe-
24 cific organizations, or nonprofit, nongovern-
25 mental organizations with the capacity to pro-

1 vide necessary expertise to meet the goals of the
2 program; or

3 “(3) a public, charter, tribal, or nationally ac-
4 credited private middle or high school, a school ad-
5 ministered by the Department of Defense under sec-
6 tion 2164 of title 10, United States Code or section
7 1402 of the Defense Dependents’ Education Act of
8 1978, a group of schools, a school district, or an in-
9 stitution of higher education.

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—

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

24 “(B) protect the confidentiality and pri-
25 vacy of adult and youth victim information,

1 particularly in the context of parental or third-
2 party involvement and consent, mandatory re-
3 porting duties, and working with other service
4 providers;

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

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

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

17 “(A) include outcome-based evaluation;
18 and

19 “(B) identify any other community, school,
20 or State-based efforts that are working on do-
21 mestic violence, dating violence, sexual assault,
22 or stalking prevention and explain how the
23 grantee or partnership will add value, coordi-
24 nate with other programs, and not duplicate ex-
25 isting efforts.

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

4 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
5 is authorized to be appropriated to carry out this section,
6 \$15,000,000 for each of fiscal years 2013 through 2017.
7 Amounts appropriated under this section may only be used
8 for programs and activities described under this section.

9 “(g) ALLOTMENT.—

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

15 “(2) INDIAN TRIBES.—Not less than 10 percent
16 of the total amounts appropriated under this section
17 in each fiscal year shall be made available for grants
18 to Indian tribes or tribal organizations. If an insuffi-
19 cient number of applications are received from In-
20 dian tribes or tribal organizations, such funds shall
21 be allotted to other population-specific programs.”.

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 **HEALTHCARE 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 HEALTHCARE 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 HEALTHCARE**
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 culturally com-
9 petent clinical training components for in-
10 tegration into approved internship, resi-
11 dency, and fellowship training or con-
12 tinuing medical or other health education
13 training that address physical, mental, and
14 behavioral health issues, including protec-
15 tive factors, related to domestic violence,
16 dating violence, sexual assault, stalking,
17 and other forms of violence and abuse,
18 focus on reducing health disparities and
19 preventing violence and abuse, and include
20 the primacy of victim safety and confiden-
21 tiality;

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

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

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

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

1 ices or to model other services appropriate
2 to the geographic and cultural needs of a
3 site;

4 “(iii) the development of measures
5 and methods for the evaluation of the
6 practice of identification, intervention, and
7 documentation regarding victims of domes-
8 tic violence, dating violence, sexual assault,
9 and stalking, including the development
10 and testing of quality improvement meas-
11 urements, in accordance with the multi-
12 stakeholder and quality measurement proc-
13 esses established under paragraphs (7) and
14 (8) of section 1890(b) and section 1890A
15 of the Social Security Act (42 U.S.C.
16 1395aaa(b)(7) and (8); 42 U.S.C. 1890A);
17 and

18 “(iv) the provision of training and fol-
19 low-up technical assistance to health care
20 professionals, and public health staff, and
21 allied health professionals to identify, as-
22 sess, treat, and refer clients who are vic-
23 tims of domestic violence, dating violence,
24 sexual assault, or stalking, including using

1 tools and training materials already devel-
2 oped.

3 “(2) PERMISSIBLE USES.—

4 “(A) CHILD AND ELDER ABUSE.—To the
5 extent consistent with the purpose of this sec-
6 tion, a grantee may use amounts received under
7 this section to address, as part of a comprehen-
8 sive programmatic approach implemented under
9 the grant, issues relating to child or elder
10 abuse.

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

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

24 “(i) the development of training mod-
25 ules and policies that address the overlap

1 of child abuse, domestic violence, dating vi-
2 olence, sexual assault, and stalking and
3 elder abuse, as well as childhood exposure
4 to domestic and sexual violence;

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

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

17 “(iv) the integration of knowledge of
18 domestic violence, dating violence, sexual
19 assault, and stalking into health care ac-
20 creditation and professional licensing ex-
21 aminations, such as medical, dental, social
22 work, and nursing boards, and where ap-
23 propriate, other allied health exams.

24 “(c) REQUIREMENTS FOR GRANTEEES.—

25 “(1) CONFIDENTIALITY AND SAFETY.—

1 “(A) IN GENERAL.—Grantees under this
2 section shall ensure that all programs developed
3 with grant funds address issues of confiden-
4 tiality and patient safety and comply with appli-
5 cable confidentiality and nondisclosure require-
6 ments under section 40002(b)(2) of the Vio-
7 lence Against Women Act of 1994 and the
8 Family Violence Prevention and Services Act,
9 and that faculty and staff associated with deliv-
10 ering educational components are fully trained
11 in procedures that will protect the immediate
12 and ongoing security and confidentiality of the
13 patients, patient records, and staff. Such grant-
14 ees shall consult entities with demonstrated ex-
15 pertise in the confidentiality and safety needs of
16 victims of domestic violence, dating violence,
17 sexual assault, and stalking on the development
18 and adequacy of confidentially and security pro-
19 cedures, and provide documentation of such
20 consultation.

21 “(B) ADVANCE NOTICE OF INFORMATION
22 DISCLOSURE.—Grantees under this section shall
23 provide to patients advance notice about any
24 circumstances under which information may be
25 disclosed, such as mandatory reporting laws,

1 and shall give patients the option to receive in-
2 formation and referrals without affirmatively
3 disclosing abuse.

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

8 “(3) APPLICATION.—

9 “(A) PREFERENCE.—In selecting grant re-
10 cipients under this section, the Secretary shall
11 give preference to applicants based on the
12 strength of their evaluation strategies, with pri-
13 ority given to outcome based evaluations.

14 “(B) SUBSECTION (a) (1) AND (2) GRANT-
15 EES.—Applications for grants under para-
16 graphs (1) and (2) of subsection (a) shall in-
17 clude—

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

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

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

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

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

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

1 “(i) documentation that all training,
2 education, screening, assessment, services,
3 treatment, and any other approach to pa-
4 tient care will be informed by an under-
5 standing of violence and abuse victimiza-
6 tion and trauma-specific approaches that
7 will be integrated into prevention, interven-
8 tion, and treatment activities;

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

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

23 “(iv) with respect to an application
24 for a grant under which the grantee will
25 have contact with patients, a plan, devel-

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

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

18 “(d) ELIGIBLE ENTITIES.—

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

22 “(A) a nonprofit organization with a his-
23 tory of effective work in the field of training
24 health professionals with an understanding of,
25 and clinical skills pertinent to, domestic vio-

1 lence, dating violence, sexual assault, or stalk-
2 ing, and lifetime exposure to violence and
3 abuse;

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

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

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

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

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

24 “(B) a local victim service provider, a local
25 department (or other division) of health, a local

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

7 “(e) TECHNICAL ASSISTANCE.—

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

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

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

1 “(A) the distribution of funds under this
2 section; and

3 “(B) the programs and activities supported
4 by such funds.

5 “(f) RESEARCH AND EVALUATION.—

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

11 “(A) grants awarded under this section;
12 and

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

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

22 “(A) research on the effects of domestic vi-
23 olence, dating violence, sexual assault, and
24 childhood exposure to domestic, dating or sex-
25 ual violence on health behaviors, health condi-

1 tions, and health status of individuals, families,
2 and populations, including underserved popu-
3 lations;

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

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

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

20 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
21 is authorized to be appropriated to carry out this section,
22 \$10,000,000 for each of fiscal years 2013 through 2017.

23 “(h) DEFINITIONS.—Except as otherwise provided
24 herein, the definitions provided for in section 40002 of the

1 Violence Against Women Act of 1994 shall apply to this
2 section.”.

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

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

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

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

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

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

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

21 **“CHAPTER 1—GRANT PROGRAMS”;**

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

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

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

5 **“CHAPTER 2—HOUSING RIGHTS**

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

9 “(a) DEFINITIONS.—In this chapter:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 “(B) BIFURCATION.—

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

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

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

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

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

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

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

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

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

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

1 erty would be present if the assistance is
2 not terminated or the tenant is not evicted;
3 or

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

9 “(c) DOCUMENTATION.—

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

20 “(2) FAILURE TO PROVIDE CERTIFICATION.—

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

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

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

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

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

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

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

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

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

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

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

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

14 “(B) a document that—

15 “(i) is signed by—

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

25 “(II) the applicant or tenant; and

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

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

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

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

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

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

5 “(C) otherwise required by applicable law.

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

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

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

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

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

18 “(d) NOTIFICATION.—

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

23 “(2) PROVISION.—Each public housing agency
24 or owner or manager of housing assisted under a
25 covered housing program shall provide the notice de-

1 developed under paragraph (1), together with the form
2 described in subsection (c)(3)(A), to an applicant for
3 or tenants of housing assisted under a covered hous-
4 ing 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;

11 “(C) with any notification of eviction or
12 notification of termination of assistance; and

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

19 “(e) EMERGENCY TRANSFERS.—Each appropriate
20 agency shall adopt a model emergency transfer plan for
21 use by public housing agencies and owners or managers
22 of housing assisted under covered housing programs
23 that—

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

1 to transfer to another available and safe dwelling
2 unit assisted under a covered housing program if—

3 “(A) the tenant expressly requests the
4 transfer; and

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) in the case of a tenant who is a victim
11 of sexual assault, the sexual assault occurred on
12 the premises during the 90 day period pre-
13 ceding the request for transfer; and

14 “(2) incorporates reasonable confidentiality
15 measures to ensure that the public housing agency
16 or owner or manager does not disclose the location
17 of the dwelling unit of a tenant to a person that
18 commits an act of domestic violence, dating violence,
19 sexual assault, or stalking against the tenant.

20 “(f) POLICIES AND PROCEDURES FOR EMERGENCY
21 TRANSFER.—The Secretary of Housing and Urban Devel-
22 opment shall establish policies and procedures under
23 which a victim requesting an emergency transfer under
24 subsection (e) may receive, subject to the availability of
25 tenant protection vouchers, assistance under section 8(o)

1 of the United States Housing Act of 1937 (42 U.S.C.
2 1437f(o)).

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

7 (b) CONFORMING AMENDMENTS.—

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

11 (A) in subsection (c)—

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

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

16 (B) in subsection (l)—

17 (i) in paragraph (5), by striking “,
18 and that an incident or incidents of actual
19 or threatened domestic violence, dating vio-
20 lence, or stalking will not be construed as
21 a serious or repeated violation of the lease
22 by the victim or threatened victim of that
23 violence and will not be good cause for ter-
24 minating the tenancy or occupancy rights
25 of the victim of such violence”; and

1 (ii) in paragraph (6), by striking “;
2 except that” and all that follows through
3 “stalking.”; and
4 (C) by striking subsection (u).

5 (2) SECTION 8.—Section 8 of the United States
6 Housing Act of 1937 (42 U.S.C. 1437f) is amend-
7 ed—

8 (A) in subsection (e), by striking para-
9 graph (9);

10 (B) in subsection (d)(1)—

11 (i) in subparagraph (A), by striking
12 “and that an applicant or participant is or
13 has been a victim of domestic violence, dat-
14 ing violence, or stalking is not an appro-
15 priate basis for denial of program assist-
16 ance or for denial of admission if the appli-
17 cant otherwise qualifies for assistance or
18 admission”; and

19 (ii) in subparagraph (B)—

20 (I) in clause (ii), by striking “,
21 and that an incident or incidents of
22 actual or threatened domestic vio-
23 lence, dating violence, or stalking will
24 not be construed as a serious or re-
25 peated violation of the lease by the

1 victim or threatened victim of that vi-
2 olence and will not be good cause for
3 terminating the tenancy or occupancy
4 rights of the victim of such violence”;
5 and

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

9 (C) in subsection (f)—

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

12 (ii) in paragraph (7), by striking the
13 semicolon at the end and inserting a pe-
14 riod; and

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

17 (D) in subsection (o)—

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

20 (ii) in paragraph (7)—

21 (I) in subparagraph (C), by strik-
22 ing “and that an incident or incidents
23 of actual or threatened domestic vio-
24 lence, dating violence, or stalking shall
25 not be construed as a serious or re-

1 peated violation of the lease by the
2 victim or threatened victim of that vi-
3 olence and shall not be good cause for
4 terminating the tenancy or occupancy
5 rights of the victim of such violence”;
6 and

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

10 (iii) by striking paragraph (20); and

11 (E) by striking subsection (ee).

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

15 (A) to limit the rights or remedies avail-
16 able to any person under section 6 or 8 of the
17 United States Housing Act of 1937 (42 U.S.C.
18 1437d and 1437f), as in effect on the day be-
19 fore the date of enactment of this Act;

20 (B) to limit any right, remedy, or proce-
21 dure otherwise available under any provision of
22 part 5, 91, 880, 882, 883, 884, 886, 891, 903,
23 960, 966, 982, or 983 of title 24, Code of Fed-
24 eral Regulations, that—

1 (i) was issued under the Violence
 2 Against Women and Department of Jus-
 3 tice Reauthorization Act of 2005 (Public
 4 Law 109–162; 119 Stat. 2960) or an
 5 amendment made by that Act; and

6 (ii) provides greater protection for vic-
 7 tims of domestic violence, dating violence,
 8 sexual assault, and stalking than this Act;
 9 or

10 (C) to disqualify an owner, manager, or
 11 other individual from participating in or receiv-
 12 ing the benefits of the low-income housing tax
 13 credit program under section 42 of the Internal
 14 Revenue Code of 1986 because of noncompli-
 15 ance with the provisions of this Act.

16 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
 17 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
 18 **ING VIOLENCE, SEXUAL ASSAULT, AND**
 19 **STALKING.**

20 Chapter 11 of subtitle B of the Violence Against
 21 Women Act of 1994 (42 U.S.C. 13975 et seq.) is amend-
 22 ed—

23 (1) in the chapter heading, by striking
 24 **“CHILD VICTIMS OF DOMESTIC VIO-**
 25 **LENCE, STALKING, OR SEXUAL AS-**

1 **SAULT**” and inserting “**VICTIMS OF DO-**
2 **MESTIC VIOLENCE, DATING VIO-**
3 **LENCE, SEXUAL ASSAULT, OR STALK-**
4 **ING**”; and

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

6 (A) in the header, by striking “**CHILD**
7 **VICTIMS OF DOMESTIC VIOLENCE, STALK-**
8 **ING, OR SEXUAL ASSAULT**” and inserting
9 “**VICTIMS OF DOMESTIC VIOLENCE, DAT-**
10 **ING VIOLENCE, SEXUAL ASSAULT, OR**
11 **STALKING**”;

12 (B) in subsection (a)(1), by striking “flee-
13 ing”;

14 (C) in subsection (b)(3)—

15 (i) in subparagraph (A), by striking “
16 and” at the end;

17 (ii) by redesignating subparagraph
18 (B) as subparagraph (C);

19 (iii) by inserting after subparagraph
20 (A) the following:

21 “(B) secure employment, including obtain-
22 ing employment counseling, occupational train-
23 ing, job retention counseling, and counseling
24 concerning re-entry in to the workforce; and”;
25 and

1 (iv) in subparagraph (C), as redesignated by clause (ii), by striking “ employment counseling,”; and

2
3
4 (D) in subsection (g)—

5 (i) in paragraph (1), by striking
6 “\$40,000,000 for each of fiscal years 2007
7 through 2011” and inserting “\$35,000,000
8 for each of fiscal years 2013 through
9 2017”; and

10 (ii) in paragraph (3)—

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

14 (II) by adding at the end the following:
15

16 “(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term ‘qualified
17 application’ means an application that—
18

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

21 “(ii) does not propose any activities
22 that may compromise victim safety, including—
23

24 “(I) background checks of victims; or
25

1 “(II) clinical evaluations to deter-
2 mine eligibility for services;

3 “(iii) reflects an understanding of the
4 dynamics of domestic violence, dating vio-
5 lence, sexual assault, or stalking; and

6 “(iv) does not propose prohibited ac-
7 tivities, including mandatory services for
8 victims.”.

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

12 Subtitle N of the Violence Against Women Act of
13 1994 (42 U.S.C. 14043e et seq.) is amended—

14 (1) in section 41404(i) (42 U.S.C. 14043e–
15 3(i)), by striking “\$10,000,000 for each of fiscal
16 years 2007 through 2011” and inserting
17 “\$4,000,000 for each of fiscal years 2013 through
18 2017”; and

19 (2) in section 41405(g) (42 U.S.C. 14043e–
20 4(g)), by striking “\$10,000,000 for each of fiscal
21 years 2007 through 2011” and inserting
22 “\$4,000,000 for each of fiscal years 2013 through
23 2017”.

1 **TITLE VII—ECONOMIC SECURITY**
2 **FOR VICTIMS OF VIOLENCE**

3 **SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE**
4 **RESPONSES TO ASSIST VICTIMS OF DOMES-**
5 **TIC AND SEXUAL VIOLENCE.**

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

10 **TITLE VIII—PROTECTION OF**
11 **BATTERED IMMIGRANTS**

12 **SEC. 801. U NONIMMIGRANT DEFINITION.**

13 Section 101(a)(15)(U)(iii) of the Immigration and
14 Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended
15 by inserting “stalking;” after “sexual exploitation;”.

16 **SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICA-**
17 **TIONS MADE BY VICTIMS OF ABUSE.**

18 Not later than December 1, 2013, and annually
19 thereafter, the Secretary of Homeland Security shall sub-
20 mit to the Committee on the Judiciary of the Senate and
21 the Committee on the Judiciary of the House of Rep-
22 resentatives a report that includes the following:

- 23 (1) The number of aliens who—
24 (A) submitted an application for non-
25 immigrant status under paragraph (15)(T)(i),

1 (15)(U)(i), or (51) of section 101(a) of the Im-
2 migration and Nationality Act (8 U.S.C.
3 1101(a)) during the preceding fiscal year;

4 (B) were granted such nonimmigrant sta-
5 tus during such fiscal year; or

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

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

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

16 (4) The number of aliens granted continued
17 presence in the United States under section
18 107(c)(3) of the Trafficking Victims Protection Act
19 of 2000 (22 U.S.C. 7105(c)(3)) during the pre-
20 ceding fiscal year.

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

1 **SEC. 803. 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. 804. 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. 805. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A**
6 **CITIZEN.**

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

9 (1) in subsection (d)—

10 (A) in paragraph (1), by striking “crime.”
11 and inserting “crime described in paragraph
12 (3)(B) and information on any permanent pro-
13 tection or restraining order issued against the
14 petitioner related to any specified crime de-
15 scribed in paragraph (3)(B)(i).”;

16 (B) in paragraph (2)(A), in the matter
17 preceding clause (i)—

18 (i) by striking “a consular officer”
19 and inserting “the Secretary of Homeland
20 Security”; and

21 (ii) by striking “the officer” and in-
22 serting “the Secretary”; and

23 (C) in paragraph (3)(B)(i), by striking
24 “abuse, and stalking.” and inserting “abuse,

1 stalking, or an attempt to commit any such
2 crime.”; and

3 (2) in subsection (r)—

4 (A) in paragraph (1), by striking “crime.”
5 and inserting “crime described in paragraph
6 (5)(B) and information on any permanent pro-
7 tection or restraining order issued against the
8 petitioner related to any specified crime de-
9 scribed in subsection (5)(B)(i).”; and

10 (B) by amending paragraph (4)(B)(ii) to
11 read as follows:

12 “(ii) To notify the beneficiary as required by clause
13 (i), the Secretary of Homeland Security shall provide such
14 notice to the Secretary of State for inclusion in the mailing
15 to the beneficiary described in section 833(a)(5)(A)(i) of
16 the International Marriage Broker Regulation Act of 2005
17 (8 U.S.C. 1375a(a)(5)(A)(i)).”; and

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

21 (b) PROVISION OF INFORMATION TO K NON-
22 IMMIGRANTS.—Section 833 of the International Marriage
23 Broker Regulation Act of 2005 (8 U.S.C. 1375a) is
24 amended—

25 (1) in subsection (a)(5)(A)—

1 (A) in clause (iii)—

2 (i) by striking “State any” and insert-
3 ing “State, for inclusion in the mailing de-
4 scribed in clause (i), any”; and

5 (ii) by striking the last sentence; and

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

7 “(iv) The Secretary of Homeland Se-
8 curity shall conduct a background check of
9 the National Crime Information Center’s
10 Protection Order Database on each peti-
11 tioner for a visa under subsection (d) or
12 (r) of section 214 of the Immigration and
13 Nationality Act (8 U.S.C. 1184). Any ap-
14 propriate information obtained from such
15 background check—

16 “(I) shall accompany the criminal
17 background information provided by
18 the Secretary of Homeland Security
19 to the Secretary of State and shared
20 by the Secretary of State with a bene-
21 ficiary of a petition referred to in
22 clause (iii); and

23 “(II) shall not be used or dis-
24 closed for any other purpose unless
25 expressly authorized by law.

1 “(v) The Secretary of Homeland Se-
2 curity shall create a cover sheet or other
3 mechanism to accompany the information
4 required to be provided to an applicant for
5 a visa under subsection (d) or (r) of sec-
6 tion 214 of the Immigration and Nation-
7 ality Act (8 U.S.C. 1184) by clauses (i)
8 through (iv) of this paragraph or by
9 clauses (i) and (ii) of subsection (r)(4)(B)
10 of such section 214, that calls to the appli-
11 cant’s attention—

12 “(I) whether the petitioner dis-
13 closed a protection order, a restrain-
14 ing order, or criminal history informa-
15 tion on the visa petition;

16 “(II) the criminal background in-
17 formation and information about any
18 protection order obtained by the Sec-
19 retary of Homeland Security regard-
20 ing the petitioner in the course of ad-
21 judicating the petition; and

22 “(III) whether the information
23 the petitioner disclosed on the visa pe-
24 tition regarding any previous petitions
25 filed under subsection (d) or (r) of

1 such section 214 is consistent with the
2 information in the multiple visa track-
3 ing database of the Department of
4 Homeland Security, as described in
5 subsection (r)(4)(A) of such section
6 214.”; and

7 (2) in subsection (b)(1)(A), by striking “or”
8 after “orders” and inserting “and”.

9 **SEC. 806. REGULATION OF INTERNATIONAL MARRIAGE**
10 **BROKERS.**

11 (a) IMPLEMENTATION OF THE INTERNATIONAL MAR-
12 RIAGE BROKER ACT OF 2005.—

13 (1) FINDINGS.—Congress finds the following:

14 (A) The International Marriage Broker
15 Act of 2005 (subtitle D of Public Law 109–
16 162; 119 Stat. 3066) has not been fully imple-
17 mented with regard to investigating and pros-
18 ecuting violations of the law, and for other pur-
19 poses.

20 (B) Six years after Congress enacted the
21 International Marriage Broker Act of 2005 to
22 regulate the activities of the hundreds of for-
23 profit international marriage brokers operating
24 in the United States, the Attorney General has
25 not determined which component of the Depart-

1 ment of Justice will investigate and prosecute
2 violations of such Act.

3 (2) REPORT.—Not later than 90 days after the
4 date of the enactment of this Act, the Attorney Gen-
5 eral shall submit to Congress a report that includes
6 the following:

7 (A) The name of the component of the De-
8 partment of Justice responsible for inves-
9 tigating and prosecuting violations of the Inter-
10 national Marriage Broker Act of 2005 (subtitle
11 D of Public Law 109–162; 119 Stat. 3066) and
12 the amendments made by this Act.

13 (B) A description of the policies and proce-
14 dures of the Attorney General for consultation
15 with the Secretary of Homeland Security and
16 the Secretary of State in investigating and
17 prosecuting such violations.

18 (b) TECHNICAL CORRECTION.—Section 833(a)(2)(H)
19 of the International Marriage Broker Regulation Act of
20 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking
21 “Federal and State sex offender public registries” and in-
22 serting “the National Sex Offender Public Website”.

23 (c) 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—

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 the personal contact information,
10 photograph, or general information about the
11 background or interests of any individual under
12 the 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 7 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)—

6 (A) in subparagraph (A)(i)—

7 (i) in the heading, by striking “REG-
8 ISTRIES.—” and inserting “WEBSITE.—”;
9 and

10 (ii) by striking “Registry or State sex
11 offender public registry,” and inserting
12 “Website,”; and

13 (B) in subparagraph (B)(ii), by striking
14 “or stalking.” and inserting “stalking, or an at-
15 tempt to commit any such crime.”;

16 (3) in paragraph (3)—

17 (A) in subparagraph (A)—

18 (i) in clause (i), by striking “Registry,
19 or of the relevant State sex offender public
20 registry for any State not yet participating
21 in the National Sex Offender Public Reg-
22 istry, in which the United States client has
23 resided during the previous 20 years,” and
24 inserting “Website”; and

1 (ii) in clause (iii)(II), by striking
2 “background information collected by the
3 international marriage broker under para-
4 graph (2)(B);” and inserting “signed cer-
5 tification and accompanying documentation
6 or attestation regarding the background in-
7 formation collected under paragraph
8 (2)(B);”; and
9 (B) by striking subparagraph (C);

10 (4) in paragraph (5)—

11 (A) in subparagraph (A)(ii), by striking “A
12 penalty may be imposed under clause (i) by the
13 Attorney General only” and inserting “At the
14 discretion of the Attorney General, a penalty
15 may be imposed under clause (i) either by a
16 Federal judge, or by the Attorney General”;

17 (B) by amending subparagraph (B) to read
18 as follows:

19 “(B) FEDERAL CRIMINAL PENALTIES.—

20 “(i) FAILURE OF INTERNATIONAL
21 MARRIAGE BROKERS TO COMPLY WITH OB-
22 LIGATIONS.—Except as provided in clause
23 (ii), an international marriage broker that,
24 in circumstances in or affecting interstate
25 or foreign commerce, or within the special

1 maritime and territorial jurisdiction of the
2 United States—

3 “(I) except as provided in sub-
4 clause (II), violates (or attempts to
5 violate) paragraph (1), (2), (3), or (4)
6 shall be fined in accordance with title
7 18, United States Code, or imprisoned
8 for not more than 1 year, or both; or

9 “(II) knowingly violates or at-
10 tempts to violate paragraphs (1), (2),
11 (3), or (4) shall be fined in accord-
12 ance with title 18, United States
13 Code, or imprisoned for not more
14 than 5 years, or both.

15 “(ii) MISUSE OF INFORMATION.—A
16 person who knowingly discloses, uses, or
17 causes to be used any information obtained
18 by an international marriage broker as a
19 result of a requirement under paragraph
20 (2) or (3) for any purpose other than the
21 disclosures required under paragraph (3)
22 shall be fined in accordance with title 18,
23 United States Code, or imprisoned for not
24 more than 1 year, or both.

1 “(iii) FRAUDULENT FAILURES OF
2 UNITED STATES CLIENTS TO MAKE RE-
3 QUIRED SELF-DISCLOSURES.—A person
4 who knowingly and with intent to defraud
5 another person outside the United States
6 in order to recruit, solicit, entice, or induce
7 that other person into entering a dating or
8 matrimonial relationship, makes false or
9 fraudulent representations regarding the
10 disclosures described in clause (i), (ii), (iii),
11 or (iv) of subsection (d)(2)(B), including
12 by failing to make any such disclosures,
13 shall be fined in accordance with title 18,
14 United States Code, imprisoned for not
15 more than 1 year, or both.

16 “(iv) RELATIONSHIP TO OTHER PEN-
17 ALTIES.—The penalties provided in clauses
18 (i), (ii), and (iii) are in addition to any
19 other civil or criminal liability under Fed-
20 eral or State law to which a person may be
21 subject for the misuse of information, in-
22 cluding misuse to threaten, intimidate, or
23 harass any individual.

24 “(v) CONSTRUCTION.—Nothing in
25 this paragraph or paragraph (3) or (4)

1 may be construed to prevent the disclosure
2 of information to law enforcement or pur-
3 suant to a court order.”; and

4 (C) in subparagraph (C), by striking the
5 period at the end and inserting “including equi-
6 table remedies.”;

7 (5) by redesignating paragraphs (6) and (7) as
8 paragraphs (7) and (8), respectively; and

9 (6) by inserting after paragraph (5) the fol-
10 lowing:

11 “(6) ENFORCEMENT.—

12 “(A) AUTHORITY.—The Attorney General
13 shall be responsible for the enforcement of the
14 provisions of this section, including the prosecu-
15 tion of civil and criminal penalties provided for
16 by this section.

17 “(B) CONSULTATION.—The Attorney Gen-
18 eral shall consult with the Director of the Office
19 on Violence Against Women of the Department
20 of Justice to develop policies and public edu-
21 cation designed to promote enforcement of this
22 section.”.

23 (d) GAO STUDY AND REPORT.—Section 833(f) of
24 the International Marriage Broker Regulation Act of 2005
25 (8 U.S.C. 1375a(f)) is amended—

1 (1) in the subsection heading, by striking
2 “STUDY AND REPORT.—” and inserting “STUDIES
3 AND REPORTS.—”; and

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

5 “(4) CONTINUING IMPACT STUDY AND RE-
6 PORT.—

7 “(A) STUDY.—The Comptroller General
8 shall conduct a study on the continuing impact
9 of the implementation of this section and of sec-
10 tion of 214 of the Immigration and Nationality
11 Act (8 U.S.C. 1184) on the process for grant-
12 ing K nonimmigrant visas, including specifically
13 a study of the items described in subparagraphs
14 (A) through (E) of paragraph (1).

15 “(B) REPORT.—Not later than 2 years
16 after the date of the enactment of the Violence
17 Against Women Reauthorization Act of 2012,
18 the Comptroller General shall submit to the
19 Committee on the Judiciary of the Senate and
20 the Committee on the Judiciary of the House of
21 Representatives a report setting forth the re-
22 sults of the study conducted under subpara-
23 graph (A).

24 “(C) DATA COLLECTION.—The Attorney
25 General, the Secretary of Homeland Security,

1 and the Secretary of State shall collect and
2 maintain the data necessary for the Comptroller
3 General to conduct the study required by para-
4 graph (1)(A).”.

5 **SEC. 807. ELIGIBILITY OF CRIME AND TRAFFICKING VIC-**
6 **TIMS IN THE COMMONWEALTH OF THE**
7 **NORTHERN MARIANA ISLANDS TO ADJUST**
8 **STATUS.**

9 Section 705(c) of the Consolidated Natural Resources
10 Act of 2008 (Public Law 110–229; 48 U.S.C. 1806 note),
11 is amended by striking “except that,” and all that follows
12 through the end, and inserting the following: “except
13 that—

14 “(1) for the purpose of determining whether an
15 alien lawfully admitted for permanent residence (as
16 defined in section 101(a)(20) of the Immigration
17 and Nationality Act (8 U.S.C. 1101(a)(20)) has
18 abandoned or lost such status by reason of absence
19 from the United States, such alien’s presence in the
20 Commonwealth, before, on or after November 28,
21 2009, shall be considered to be presence in the
22 United States; and

23 “(2) for the purpose of determining whether an
24 alien whose application for status under subpara-
25 graph (T) or (U) of section 101(a)(15) of the Immi-

1 gration and Nationality Act (8 U.S.C. 1101(a)(15))
2 was granted is subsequently eligible for adjustment
3 under subsection (l) or (m) of section 245 of such
4 Act (8 U.S.C. 1255), such alien’s physical presence
5 in the Commonwealth before, on, or after November
6 28, 2009, and subsequent to the grant of the appli-
7 cation, shall be considered as equivalent to presence
8 in the United States pursuant to a nonimmigrant
9 admission in such status.”.

10 **TITLE IX—SAFETY FOR INDIAN** 11 **WOMEN**

12 **SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

13 Section 2015(a) of title I of the Omnibus Crime Con-
14 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg–
15 10(a)) is amended—

16 (1) in paragraph (2), by inserting “sex traf-
17 ficking,” after “sexual assault,”;

18 (2) in paragraph (4), by inserting “sex traf-
19 ficking,” after “sexual assault,”;

20 (3) in paragraph (5), by striking “and stalking”
21 and all that follows and inserting “sexual assault,
22 sex trafficking, and stalking,”;

23 (4) in paragraph (7)—

24 (A) by inserting “sex trafficking,” after
25 “sexual assault,” each place it appears; and

1 (B) by striking “and” at the end;

2 (5) in paragraph (8)—

3 (A) by inserting “sex trafficking,” after
4 “stalking,”; and

5 (B) by striking the period at the end and
6 inserting a semicolon; and

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

8 “(9) provide services to address the needs of
9 youth who are victims of domestic violence, dating
10 violence, sexual assault, sex trafficking, or stalking
11 and the needs of children exposed to domestic vio-
12 lence, dating violence, sexual assault, or stalking, in-
13 cluding support for the nonabusing parent or the
14 caretaker of the child; and

15 “(10) develop and promote legislation and poli-
16 cies that enhance best practices for responding to
17 violent crimes against Indian women, including the
18 crimes of domestic violence, dating violence, sexual
19 assault, sex trafficking, and stalking.”.

20 **SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.**

21 Section 2001(d) of title I of the Omnibus Crime Con-
22 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d))
23 is amended—

24 (1) in paragraph (1)—

1 (A) in subparagraph (B), by striking
2 “and” at the end;

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

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

6 “(D) developing and promoting State,
7 local, or tribal legislation and policies that en-
8 hance best practices for responding to violent
9 crimes against Indian women, including the
10 crimes of domestic violence, dating violence,
11 sexual assault, stalking, and sex trafficking.”;
12 and

13 (2) in paragraph (2)(B), by striking “individ-
14 uals or”.

15 **SEC. 903. CONSULTATION.**

16 Section 903 of the Violence Against Women and De-
17 partment of Justice Reauthorization Act of 2005 (42
18 U.S.C. 14045d) is amended—

19 (1) in subsection (a)—

20 (A) by striking “and the Violence Against
21 Women Act of 2000” and inserting “, the Vio-
22 lence Against Women Act of 2000”; and

23 (B) by inserting “, and the Violence
24 Against Women Reauthorization Act of 2012”
25 before the period at the end;

1 (2) in subsection (b)—

2 (A) in the matter preceding paragraph (1),
3 by striking “Secretary of the Department of
4 Health and Human Services” and inserting
5 “Secretary of Health and Human Services, the
6 Secretary of the Interior,”; and

7 (B) in paragraph (2), by striking “and
8 stalking” and inserting “stalking, and sex traf-
9 ficking”; and

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

11 “(c) ANNUAL REPORT.—The Attorney General shall
12 submit to Congress an annual report on the annual con-
13 sultations required under subsection (a) that—

14 “(1) contains the recommendations made under
15 subsection (b) by Indian tribes during the year cov-
16 ered by the report;

17 “(2) describes actions taken during the year
18 covered by the report to respond to recommenda-
19 tions made under subsection (b) during the year or
20 a previous year; and

21 “(3) describes how the Attorney General will
22 work in coordination and collaboration with Indian
23 tribes, the Secretary of Health and Human Services,
24 and the Secretary of the Interior to address the rec-
25 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. TRIBAL JURISDICTION OVER CRIMES OF DOMES-**
6 **TIC VIOLENCE.**

7 Title II of Public Law 90–284 (25 U.S.C. 1301 et
8 seq.) (commonly known as the “Indian Civil Rights Act
9 of 1968”) is amended by adding at the end the following:
10 **“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMES-**
11 **TIC VIOLENCE.**

12 “(a) DEFINITIONS.—In this section:

13 “(1) DATING VIOLENCE.—The term ‘dating vio-

14 lence’ means violence committed by a person who is

15 or has been in a social relationship of a romantic or

16 intimate nature with the victim, as determined by

17 the length of the relationship, the type of relation-

18 ship, and the frequency of interaction between the

19 persons involved in the relationship.

20 “(2) DOMESTIC VIOLENCE.—The term ‘domes-

21 tic violence’ means violence committed by a current

22 or former spouse or intimate partner of the victim,

23 by a person with whom the victim shares a child in

24 common, by a person who is cohabitating with or

25 has cohabitated with the victim as a spouse or inti-

1 mate partner, or by a person similarly situated to a
2 spouse of the victim under the domestic- or family-
3 violence laws of an Indian tribe that has jurisdiction
4 over the Indian country where the violence occurs.

5 “(3) INDIAN COUNTRY.—The term ‘Indian
6 country’ has the meaning given the term in section
7 1151 of title 18, United States Code.

8 “(4) PARTICIPATING TRIBE.—The term ‘partici-
9 pating tribe’ means an Indian tribe that elects to ex-
10 ercise special domestic violence criminal jurisdiction
11 over the Indian country of that Indian tribe.

12 “(5) PROTECTION ORDER.—The term ‘protec-
13 tion order’—

14 “(A) means any injunction, restraining
15 order, or other order issued by a civil or crimi-
16 nal court for the purpose of preventing violent
17 or threatening acts or harassment against, sex-
18 ual violence against, contact or communication
19 with, or physical proximity to, another person;
20 and

21 “(B) includes any temporary or final order
22 issued by a civil or criminal court, whether ob-
23 tained by filing an independent action or as a
24 pendent lite order in another proceeding, if the
25 civil or criminal order was issued in response to

1 a complaint, petition, or motion filed by or on
2 behalf of a person seeking protection.

3 “(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL
4 JURISDICTION.—The term ‘special domestic violence
5 criminal jurisdiction’ means the criminal jurisdiction
6 that a participating tribe may exercise under this
7 section but could not otherwise exercise.

8 “(7) SPOUSE OR INTIMATE PARTNER.—The
9 term ‘spouse or intimate partner’ has the meaning
10 given the term in section 2266 of title 18, United
11 States Code.

12 “(b) NATURE OF THE CRIMINAL JURISDICTION.—

13 “(1) IN GENERAL.—Notwithstanding any other
14 provision of law, in addition to all powers of self-gov-
15 ernment recognized and affirmed by sections 201
16 and 203, the powers of self-government of a partici-
17 pating tribe include the inherent power of that tribe,
18 which is hereby recognized and affirmed, to exercise
19 special domestic violence criminal jurisdiction over
20 all persons.

21 “(2) CONCURRENT JURISDICTION.—The exer-
22 cise of special domestic violence criminal jurisdiction
23 by a participating tribe shall be concurrent with the
24 jurisdiction of the United States, of a State, or of
25 both.

1 “(3) APPLICABILITY.—Nothing in this sec-
2 tion—

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

5 “(B) affects the authority of the United
6 States or any State government that has been
7 delegated authority by the United States to in-
8 vestigate and prosecute a criminal violation in
9 Indian country;

10 “(C) shall apply to an Indian tribe in the
11 State of Alaska, except with respect to the
12 Metlakatla Indian Community, Annette Islands
13 Reserve; or

14 “(D) shall limit, alter, expand, or diminish
15 the civil or criminal jurisdiction of the State of
16 Alaska or any subdivision of the State of Alas-
17 ka.

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

22 “(1) DOMESTIC VIOLENCE AND DATING VIO-
23 LENCE.—An act of domestic violence or dating vio-
24 lence that occurs in the Indian country of the par-
25 ticipating tribe.

1 “(2) VIOLATIONS OF PROTECTION ORDERS.—

2 An act that—

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

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

7 “(i) prohibits or provides protection
8 against violent or threatening acts or har-
9 assment against, sexual violence against,
10 contact or communication with, or physical
11 proximity to, another person;

12 “(ii) was issued against the defend-
13 ant;

14 “(iii) is enforceable by the partici-
15 pating tribe; and

16 “(iv) is consistent with section
17 2265(b) of title 18, United States Code.

18 “(d) DISMISSAL OF CERTAIN CASES.—

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

1 “(2) NON-INDIAN VICTIMS AND DEFEND-
2 ANTS.—In a criminal proceeding in which a partici-
3 pating tribe exercises special domestic violence crimi-
4 nal jurisdiction, the case shall be dismissed if—

5 “(A) the defendant files a pretrial motion
6 to dismiss on the grounds that the alleged of-
7 fense did not involve an Indian; and

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

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

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

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

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

23 “(ii) is employed in the Indian coun-
24 try of the participating tribe; or

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

3 “(4) WAIVER.—A knowing and voluntary fail-
4 ure of a defendant to file a pretrial motion described
5 in paragraph (2) or (3) shall be considered a waiver
6 of the right to seek a dismissal under this sub-
7 section.

8 “(e) RIGHTS OF DEFENDANTS.—In a criminal pro-
9 ceeding in which a participating tribe exercises special do-
10 mestic violence criminal jurisdiction, the participating
11 tribe shall provide to the defendant—

12 “(1) all applicable rights under this Act;

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

15 “(3) all other rights whose protection is nec-
16 essary under the Constitution of the United States
17 in order for Congress to recognize and affirm the in-
18 herent power of the participating tribe to exercise
19 special domestic violence criminal jurisdiction over
20 the defendant.

21 “(f) PETITIONS TO STAY DETENTION.—

22 “(1) IN GENERAL.—A person has filed a peti-
23 tion for a writ of habeas corpus in a court of the
24 United States under section 203 may petition that

1 court to stay further detention of that person by the
2 participating tribe.

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

5 “(A) finds that there is a substantial likeli-
6 hood that the habeas corpus petition will be
7 granted; and

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

14 “(g) GRANTS TO TRIBAL GOVERNMENTS.—The At-
15 torney General may award grants to the governments of
16 Indian tribes (or to authorized designees of those govern-
17 ments)—

18 “(1) to strengthen tribal criminal justice sys-
19 tems to assist Indian tribes in exercising special do-
20 mestic violence criminal jurisdiction, including—

21 “(A) law enforcement (including the capac-
22 ity of law enforcement or court personnel to
23 enter information into and obtain information
24 from national crime information databases);

25 “(B) prosecution;

1 “(C) trial and appellate courts;

2 “(D) probation systems;

3 “(E) detention and correctional facilities;

4 “(F) alternative rehabilitation centers;

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

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

9 “(2) to provide indigent criminal defendants
10 with the effective assistance of licensed defense
11 counsel, at no cost to the defendant, in criminal pro-
12 ceedings in which a participating tribe prosecutes a
13 crime of domestic violence or dating violence or a
14 criminal violation of a protection order;

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

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

1 “(h) SUPPLEMENT, NOT SUPPLANT.—Amounts
2 made available under this section shall supplement and
3 not supplant any other Federal, State, tribal, or local gov-
4 ernment amounts made available to carry out activities de-
5 scribed in this section.

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

12 **SEC. 905. TRIBAL PROTECTION ORDERS.**

13 Section 2265 of title 18, United States Code, is
14 amended by striking subsection (e) and inserting the fol-
15 lowing:

16 “(e) TRIBAL COURT JURISDICTION.—

17 “(1) IN GENERAL.—Except as provided in para-
18 graph (2), for purposes of this section, a court of an
19 Indian tribe shall have full civil jurisdiction to issue
20 and enforce protection orders involving any person,
21 including the authority to enforce any orders
22 through civil contempt proceedings, to exclude viola-
23 tors from Indian land, and to use other appropriate
24 mechanisms, in matters arising anywhere in the In-
25 dian country of the Indian tribe (as defined in sec-

1 tion 1151) or otherwise within the authority of the
2 Indian tribe.

3 “(2) APPLICABILITY.—Paragraph (1)—

4 “(A) shall not apply to an Indian tribe in
5 the State of Alaska, except with respect to the
6 Metlakatla Indian Community, Annette Islands
7 Reserve; and

8 “(B) shall not limit, alter, expand, or di-
9 minish the civil or criminal jurisdiction of the
10 State of Alaska or any subdivision of the State
11 of Alaska.”.

12 **SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STAT-**
13 **UTE.**

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

16 (1) in subsection (a)—

17 (A) by striking paragraph (1) and insert-
18 ing the following:

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

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

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

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

5 (E) in paragraph (5), by striking “1 year,”
6 and inserting “5 years,”;

7 (F) in paragraph (7)—

8 (i) by striking “substantial bodily in-
9 jury to an individual who has not attained
10 the age of 16 years” and inserting “sub-
11 stantial bodily injury to a spouse or inti-
12 mate partner, a dating partner, or an indi-
13 vidual who has not attained the age of 16
14 years”; and

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

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

18 “(8) Assault of a spouse, intimate partner, or
19 dating partner by strangling, suffocating, or at-
20 tempting to strangle or suffocate, by a fine under
21 this title, imprisonment for not more than 10 years,
22 or both.”; and

23 (2) in subsection (b)—

24 (A) by striking “(b) As used in this sub-
25 section—” and inserting the following:

1 “(b) DEFINITIONS.—In this section—”;

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

4 (C) in paragraph (2), by striking the pe-
5 riod at the end and inserting a semicolon; and

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

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

10 “(4) the term ‘strangling’ means knowingly or
11 recklessly impeding the normal breathing or circula-
12 tion of the blood of a person by applying pressure
13 to the throat or neck, regardless of whether that
14 conduct results in any visible injury or whether there
15 is any intent to kill or protractedly injure the victim;
16 and

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

23 (b) INDIAN MAJOR CRIMES.—Section 1153(a) of title
24 18, United States Code, is amended by striking “assault
25 with intent to commit murder, assault with a dangerous

1 weapon, assault resulting in serious bodily injury (as de-
 2 fined in section 1365 of this title)” and inserting “a felony
 3 assault under section 113”.

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

7 **SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**
 8 **INDIAN WOMEN.**

9 (a) IN GENERAL.—Section 904(a) of the Violence
 10 Against Women and Department of Justice Reauthoriza-
 11 tion Act of 2005 (42 U.S.C. 3796gg–10 note) is amend-
 12 ed—

13 (1) in paragraph (1)—

14 (A) by striking “The National” and insert-
 15 ing “Not later than 2 years after the date of
 16 enactment of the Violence Against Women Re-
 17 authorization Act of 2012, the National”; and

18 (B) by inserting “and in Native villages”
 19 (as defined in section 3 of the Alaska Native
 20 Claims Settlement Act (43 U.S.C. 1602))” be-
 21 fore the period at the end;

22 (2) in paragraph (2)(A)—

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

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

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

4 “(vi) sex trafficking.”;

5 (3) in paragraph (4), by striking “this Act” and
6 inserting “the Violence Against Women Reauthoriza-
7 tion Act of 2012”; and

8 (4) in paragraph (5), by striking “this section
9 \$1,000,000 for each of fiscal years 2007 and 2008”
10 and inserting “this subsection \$500,000 for each of
11 fiscal years 2013 and 2014”.

12 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
13 905(b)(2) of the Violence Against Women and Depart-
14 ment of Justice Reauthorization Act of 2005 (28 U.S.C.
15 534 note) is amended by striking “fiscal years 2007
16 through 2011” and inserting “fiscal years 2013 through
17 2017”.

18 **SEC. 908. EFFECTIVE DATES; PILOT PROJECT.**

19 (a) GENERAL EFFECTIVE DATE.—Except as pro-
20 vided in subsection (b), the amendments made by this title
21 shall take effect on the date of enactment of this Act.

22 (b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIO-
23 LENCE CRIMINAL JURISDICTION.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), subsections (b) through (e) of section 204

1 of Public Law 90–284 (as added by section 904)
2 shall take effect on the date that is 2 years after the
3 date of enactment of this Act.

4 (2) PILOT PROJECT.—

5 (A) IN GENERAL.—At any time during the
6 2-year period beginning on the date of enact-
7 ment of this Act, an Indian tribe may ask the
8 Attorney General to designate the tribe as a
9 participating tribe under section 204(a) of Pub-
10 lic Law 90–284 on an accelerated basis.

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

19 (C) EFFECTIVE DATES FOR PILOT
20 PROJECTS.—An Indian tribe designated as a
21 participating tribe under this paragraph may
22 commence exercising special domestic violence
23 criminal jurisdiction pursuant to subsections (b)
24 through (e) of section 204 of Public Law 90–
25 284 on a date established by the Attorney Gen-

1 eral, after consultation with that Indian tribe,
2 but in no event later than the date that is 2
3 years after the date of enactment of this Act.

4 **TITLE X—OTHER MATTERS**

5 **SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL** 6 **ABUSE.**

7 (a) SEXUAL ABUSE OF A MINOR OR WARD.—Section
8 2243(b) of title 18, United States Code, is amended to
9 read as follows:

10 “(b) OF A WARD.—

11 “(1) OFFENSES.—

12 “(A) IN GENERAL.—It shall be unlawful
13 for any person to knowingly engage, or know-
14 ingly attempt to engage, in a sexual act with
15 another person who is—

16 “(i) in official detention or under offi-
17 cial supervision or other official control of,
18 the United States—

19 “(I) during or after arrest;

20 “(II) after release pretrial;

21 “(III) while on bail, probation,
22 supervised release, or parole;

23 “(IV) after release following a
24 finding of juvenile delinquency; or

1 “(V) after release pending any
2 further judicial proceedings;

3 “(ii) under the professional custodial,
4 supervisory, or disciplinary control or au-
5 thority of the person engaging or attempt-
6 ing to engage in the sexual act; and

7 “(iii) at the time of the sexual act—

8 “(I) in the special maritime and
9 territorial jurisdiction of the United
10 States;

11 “(II) in a Federal prison, or in
12 any prison, institution, or facility in
13 which persons are held in custody by
14 direction of, or pursuant to a contract
15 or agreement with, the United States;
16 or

17 “(III) under supervision or other
18 control by the United States, or by di-
19 rection of, or pursuant to a contract
20 or agreement with, the United States.

21 “(B) SEXUAL CONTACT.—It shall be un-
22 lawful for any person to knowingly engage in
23 sexual contact with, or cause sexual contact by,
24 another person, if to do so would violate sub-

1 paragraph (A) had the sexual contact been a
2 sexual act.

3 “(2) PENALTIES.—

4 “(A) IN GENERAL.—A person that violates
5 paragraph (1)(A) shall—

6 “(i) be fined under this title, impris-
7 oned for not more than 15 years, or both;
8 and

9 “(ii) if, in the course of committing
10 the violation of paragraph (1), the person
11 engages in conduct that would constitute
12 an offense under section 2241 or 2242 if
13 committed in the special maritime and ter-
14 ritorial jurisdiction of the United States,
15 be subject to the penalties provided for
16 under section 2241 or 2242, respectively.

17 “(B) SEXUAL CONTACT.—A person that
18 violates paragraph (1)(B) shall be fined under
19 this title, imprisoned for not more than 2 years,
20 or both.”.

21 (b) PENALTIES FOR SEXUAL ABUSE.—

22 (1) IN GENERAL.—Chapter 13 of title 18,
23 United States Code, is amended by adding at the
24 end the following:

1 **“§ 250. Penalties for sexual abuse**

2 “(a) OFFENSE.—It shall be unlawful for any person,
3 in the course of committing an offense under this chapter
4 or under section 901 of the Fair Housing Act (42 U.S.C.
5 3631) to engage in conduct that would constitute an of-
6 fense under chapter 109A if committed in the special mar-
7 itime and territorial jurisdiction of the United States.

8 “(b) PENALTIES.—A person that violates subsection
9 (a) shall be subject to the penalties under the provision
10 of chapter 109A that would have been violated if the con-
11 duct was committed in the special maritime and territorial
12 jurisdiction of the United States, unless a greater penalty
13 is otherwise authorized by law.”.

14 (2) TECHNICAL AND CONFORMING AMEND-
15 MENT.—The table of sections for chapter 13 of title
16 18, United States Code, is amended by adding at
17 the end the following:

“250. Penalties for sexual abuse.”.

18 **SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.**

19 (a) SUITS BY PRISONERS.—Section 7(e) of the Civil
20 Rights of Institutionalized Persons Act (42 U.S.C.
21 1997e(e)) is amended by inserting before the period at the
22 end the following: “or the commission of a sexual act (as
23 defined in section 2246 of title 18, United States Code)”.

24 (b) UNITED STATES AS DEFENDANT.—Section
25 1346(b)(2) of title 28, United States Code, is amended

1 by inserting before the period at the end the following:
2 “or the commission of a sexual act (as defined in section
3 2246 of title 18)”.

4 (c) ADOPTION AND EFFECT OF NATIONAL STAND-
5 ARDS.—Section 8 of the Prison Rape Elimination Act of
6 2003 (42 U.S.C. 15607) is amended—

7 (1) by redesignating subsection (c) as sub-
8 section (e); and

9 (2) by inserting after subsection (b) the fol-
10 lowing:

11 “(c) APPLICABILITY TO DETENTION FACILITIES OP-
12 ERATED BY THE DEPARTMENT OF HOMELAND SECU-
13 RITY.—

14 “(1) IN GENERAL.—Not later than 180 days
15 after the date of enactment of the Violence Against
16 Women Reauthorization Act of 2012, the Secretary
17 of Homeland Security shall publish a final rule
18 adopting national standards for the detection, pre-
19 vention, reduction, and punishment of rape and sex-
20 ual assault in facilities that maintain custody of
21 aliens detained for a violation of the immigrations
22 laws of the United States.

23 “(2) APPLICABILITY.—The standards adopted
24 under paragraph (1) shall apply to detention facili-
25 ties operated by the Department of Homeland Secu-

1 rity and to detention facilities operated under con-
2 tract with the Department.

3 “(3) COMPLIANCE.—The Secretary of Home-
4 land Security shall—

5 “(A) assess compliance with the standards
6 adopted under paragraph (1) on a regular
7 basis; and

8 “(B) include the results of the assessments
9 in performance evaluations of facilities com-
10 pleted by the Department of Homeland Secu-
11 rity.

12 “(4) CONSIDERATIONS.—In adopting standards
13 under paragraph (1), the Secretary of Homeland Se-
14 curity shall give due consideration to the rec-
15 ommended national standards provided by the Com-
16 mission under section 7(e).

17 “(5) DEFINITION.—As used in this section, the
18 term ‘detention facilities operated under contract
19 with the Department’ includes, but is not limited to
20 contract detention facilities and detention facilities
21 operated through an intergovernmental service
22 agreement with the Department of Homeland Secu-
23 rity.

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. ANONYMOUS ONLINE HARASSMENT.**

9 Section 223(a)(1) of the Telecommunications Act of
10 1934 (47 U.S.C. 223(a)(1)) is amended—

11 (1) in subparagraph (A), in the undesignated
12 matter following clause (ii), by striking “annoy,”;

13 (2) in subparagraph (C)—

14 (A) by striking “annoy,”; and

15 (B) by striking “harass any person at the
16 called number or who receives the communica-
17 tion” and inserting “harass any specific per-
18 son”; and

19 (3) in subparagraph (E), by striking “harass
20 any person at the called number or who receives the
21 communication” and inserting “harass any specific
22 person”.

23 **SEC. 1004. STALKER DATABASE.**

24 Section 40603 of the Violence Against Women Act
25 of 1994 (42 U.S.C. 14032) is amended by striking

1 “\$3,000,000” and all that follows and inserting
2 “\$3,000,000 for fiscal years 2013 through 2017.”.

3 **SEC. 1005. FEDERAL VICTIM ASSISTANTS REAUTHORIZA-**
4 **TION.**

5 Section 40114 of the Violence Against Women Act
6 of 1994 (Public Law 103–322; 108 Stat. 1910) is amend-
7 ed by striking “fiscal years 2007 through 2011” and in-
8 serting “fiscal years 2013 through 2017”.

9 **SEC. 1006. CHILD ABUSE TRAINING PROGRAMS FOR JUDI-**
10 **CIAL PERSONNEL AND PRACTITIONERS RE-**
11 **AUTHORIZATION.**

12 Subtitle C of the Victims of Child Abuse Act of 1990
13 (42 U.S.C. 13024) is amended in subsection (a) by strik-
14 ing “\$2,300,000” and all that follows and inserting
15 “\$2,300,000 for each of fiscal years 2013 through 2017.”.

16 **SEC. 1007. MANDATORY MINIMUM SENTENCE.**

17 Section 2241(a) of title 18, United States Code, is
18 amended in the undesignated matter following paragraph
19 (2), by striking “any term of years or life” and inserting
20 “not less than 5 years or imprisoned for life”.

21 **SEC. 1008. REMOVAL OF DRUNK DRIVERS.**

22 (a) IN GENERAL.—Section 101(a)(43)(F) of the Im-
23 migration and Nationality Act (8 U.S.C. 1101(a)(43)(F))
24 is amended by striking “for which the term of imprison-
25 ment” and inserting “, including a third drunk driving

1 conviction, regardless of the States in which the convic-
2 tions occurred or whether the offenses are classified as
3 misdemeanors or felonies under State or Federal law, for
4 which the term of imprisonment is”.

5 (b) EFFECTIVE DATE.—The amendment made by
6 subsection (a) shall take effect on the date of the enact-
7 ment of this Act.

○