
IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

Mrs. Adams (for herself, Mrs. Noem, Mrs. Blackburn, Mrs. Bono Mack, Mrs. McMorris Rodgers, Mrs. Capito, Ms. Foxx, Ms. Buerkle, Mrs. Ellmers, Ms. Jenkins, Mrs. Emerson, Mrs. Black, Mrs. Myrick, Mrs. Schmidt, Ms. Granger, Mrs. Miller of Michigan, Mrs. Lummis, Mrs. Hartzler, Mrs. Roby, Mr. Smith of Texas, Mr. Sensenbrenner, Mr. McCarthy of California, Mr. Gowdy, Mr. Ross of Florida, Mr. Latham, Mr. Johnson of Ohio, Mr. West, Mr. Miller of Florida, Mr. Nugent, Mr. Amodei, Mr. Barletta, Mr. Kelly, Mr. Webster, Mr. Stivers, Mr. Renacci, and Mr. Daniel E. Lungren of California) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL


Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

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SEC. 2. TABLE OF CONTENTS.

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1 SEC. 3. VAWA DEFINITIONS AND GRANT CONDITIONS.

2 (a) DEFINITIONS.—Subsection (a) of section 40002

3 of the Violence Against Women Act of 1994 (42 U.S.C.

4 13925(a)) is amended—
(1) in paragraph (2), by inserting “to an unemancipated minor” after “serious harm”;  

(2) in paragraph (3), by striking “an organization” and inserting “a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community”;  

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

(4) by amending paragraph (16) to read as follows:

“(16) LEGAL ASSISTANCE.—The term ‘legal assistance’—

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

“(i) family, tribal, territorial, immigration, employment, administrative agency, housing matters, campus administrative or protection or stay away order proceedings, and other similar matters; and

“(ii) criminal justice investigations, prosecutions and post-trial matters (including sentencing, parole, and probation) that impact the victim’s safety and privacy; and
“(B) may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); except that intake or referral, without other action, does not constitute legal assistance.”.

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

(5) by amending paragraph (18) to read as follows:

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

“(A) a first and last name;

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

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

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

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

(7) in paragraph (21)—

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

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

(C) by adding at the end the following:

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

(8) in paragraph (22)—

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

and

(B) by striking “150,000” and inserting “250,000”;
(9) by amending paragraph (23) to read as follows:

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

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

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

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

“(37) Youth.—The term ‘youth’ means a person who is 11 to 24 years of age.”;

(12) by adding at the end the following new paragraphs:
‘Alaska Native village’ has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

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

‘(40) Culturally specific.—The term ‘culturally specific’ (except when used as part of the term ‘culturally specific services’) means primarily composed of racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g)).

‘(41) Culturally specific services.—The term ‘culturally specific services’ means community-based services and resources that are culturally relevant and linguistically specific to culturally specific communities.

‘(42) Homeless, homeless individual, homeless person.—The terms ‘homeless’, ‘homeless individual’, and ‘homeless person’—

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

‘(B) includes—

‘(i) an individual who—
“(I) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

“(II) is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;

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

“(IV) is abandoned in a hospital; or

“(V) is awaiting foster care placement;

“(ii) an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or

“(iii) migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph.
“(43) Population specific organization.—
The term ‘population specific organization’ means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

“(44) Population specific services.—The term ‘population specific services’ means victim services that—

“(A) address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking; and

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

“(45) Rape crisis center.—The term ‘rape crisis center’ means—

“(A) a nonprofit, nongovernmental, or tribal organization that provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims; or

“(B) a governmental entity that—
“(i) is located in a State other than a Territory;

“(ii) provides intervention and related assistance, as specified in section 41601(b)(2)(C), to victims of sexual assault without regard to the age of the victims;

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

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

“(46) SEX TRAFFICKING.—The term ‘sex trafficking’ means any conduct proscribed by section 1591 of title 18, United States Code, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

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

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

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

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

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

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

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

“(A) means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, ac-
companiment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services; and

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

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

“(A) assists domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations; and

“(B) has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.”; and
(13) by striking paragraphs (17) and (36), and then reordering the remaining paragraphs of such subsection (including the paragraphs added by paragraph (12) of this subsection) in alphabetical order based on the headings of such paragraphs, and renumbering such paragraphs as so reordered.

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

(1) in paragraph (2)—

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

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

“(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the
parent or guardian or in the case of legal
incapacity, a court-appointed guardian)
about whom information is sought, wheth-
er for this program or any other Federal,
State, tribal, or territorial grant program,
except that—

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

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

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

“(D) INFORMATION SHARING.—

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

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

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

“(III) law enforcement-generated and prosecution-generated information necessary for law enforcement, intelligence, national security, or prosecution purposes.

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

“(I) require an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee; or
“(II) share any personally identifying information in order to comply with Federal reporting, evaluation, or data collection requirements, whether for this program or any other Federal grant program.”;

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

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

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

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

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

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

(3) in paragraph (7), by inserting at the end the following:
“Final reports of such evaluations shall be made publically available on the website of the disbursing agency.”; and

(4) by inserting after paragraph (11) the following:
“(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

“(13) CIVIL RIGHTS.—

“(A) NONDISCRIMINATION.—No person in any State shall on the basis of actual or per-
ceived race, color, religion, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2012, or any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

“(B) REASONABLE ACCOMMODATION.—Nothing in this paragraph shall prevent consideration of an individual’s gender for purposes of a program or activity described in subparagraph (A) if the grantee involved determines that gender segregation or gender-specific programming is necessary to the essential oper-
ation of such program or activity. In such a case, alternative reasonable accommodations are sufficient to meet the requirements of this paragraph.

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

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

(c) Conforming Amendment.—Section 41403(6) of the Violence Against Women Act of 1994 (14043e–2(6)) is amended to read as follows:

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

SEC. 4. ACCOUNTABILITY PROVISIONS.

(a) Requirement for DOJ Grant Applicants To Include Certain Information About Federal
Grants in DOJ Grant Applications.—Each applicant for a grant from the Department of Justice shall submit, as part of the application for the grant, the following information:

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

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

(b) Enhancing Grant Efficiency and Coordination.—

(1) In general.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall, to the greatest extent practicable, take actions to further the coordination of the administration of grants within the Department of Justice to increase the efficiency of such administration.

(2) Report.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Rep-
resentatives a report on the actions taken by the Attorney General under paragraph (1) and the progress of such actions in achieving coordination described in such paragraph.

(c) **REQUIREING OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT FUNCTIONS TO APPLY TO VAWA GRANTS.**—

(1) **IN GENERAL.**—Section 109(b) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

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

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

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(3) Any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2012, or any other program or activity funded in whole or in part with funds ap-
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appropriated for grants, cooperative agreements, and 
other assistance administered by the Office on Vio-
ence Against Women.”.

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

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

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

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

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

“(3) Reimbursement.—If an entity is awarded grant funds under this title during any period in which the entity is prohibited from receiving funds under paragraph (2), the head of the Federal agency administering a grant program under this title shall—

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

“(B) seek to recoup the costs of the repayment to the Fund from the entity that was erroneously awarded such grant funds.

“(4) Unresolved Audit Finding Deﬁned.—In this subsection, the term ‘unresolved audit ﬁnding’ means, with respect to a grantee described in paragraph (1), an audit report ﬁnding, statement, or recommendation by the Inspector General of the Department of Justice or the Inspector General of the

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Department of Health and Human Service, as applicable, that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date of an initial notification of the finding, statement, or recommendation.

“(5) NONPROFIT ORGANIZATION REQUIREMENTS.—

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

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

“(6) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 5.0 percent of the amounts authorized to be appropriated under this title may be used
by the Attorney General for salaries and administrative expenses of the Office on Violence Against Women.

“(7) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice or Department of Health and Human Services under this title may be used by the Attorney General, the Secretary of Health and Human Services, or by any individual or organization awarded funds under this title, to host or support any expenditure for conferences, unless in the case of the Department of Justice, the Deputy Attorney General or the appropriate Assistant Attorney General, or in the case of the Department of Health and Human Services the Deputy Secretary, provides prior written authorization that the funds may be expended to host or support any expenditure for such a conference.

“(B) WRITTEN APPROVAL.—Written authorization under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all
food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

“(C) REPORT.—The Deputy Attorney General and Deputy Secretary of Health and Human Services shall submit an annual report to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on the Judiciary and the Committee on Energy and Commerce of the House of Representatives on all conference expenditures approved and denied during the fiscal year for which the report is submitted.

“(8) PROHIBITION ON LOBBYING ACTIVITY.—

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

“(B) PENALTY.—If the Attorney General determines that any grantee or subgrantee receiving funds under this title has violated subparagraph (A), the Attorney General shall—
“(i) require the grantee or subgrantee
to repay such funds in full; and
“(ii) prohibit the grantee or sub-
grantee from receiving any funds under
this title for not less than 5 years.
“(9) ANNUAL CERTIFICATION.—Beginning in
the first fiscal year beginning after the date of the
enactment of the Violence Against Women Reau-
thorization Act of 2012, the Assistant Attorney Gen-
eral for the Office of Justice Programs, the Director
of the Office on Violence Against Women, and the
Deputy Secretary for Health and Human Services
shall submit to the Committee on the Judiciary and
the Committee on Appropriations of the Senate and
the Committee on the Judiciary and the Committee
on Appropriations of the House of Representatives a
certification for such year that—
“(A) all audits issued by the Office of the
Inspector General under paragraph (1) have
been completed and reviewed by the Assistant
Attorney General for the Office of Justice Pro-
grams;
“(B) all mandatory exclusions required
under paragraph (2) have been issued;
“(C) all reimbursements required under paragraph (3) have been made; and
“(D) includes a list of any grantees and subgrantees excluded during the previous year under paragraph (2).”.

SEC. 5. EFFECTIVE DATE.

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

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

SEC. 101. STOP GRANTS.

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

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

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

(i) by striking “equipment” and inserting “resources”; and
(ii) by inserting “for the protection and safety of victims,” before “and specifically,”;

(B) in paragraph (1), by striking “sexual assault” and all that follows through “dating violence” and inserting “domestic violence, dating violence, sexual assault, and stalking”;

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

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

(E) in paragraph (4)—

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

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

(F) in paragraph (5)—
(i) by inserting “and legal assistance” after “victim services”; 

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

(iii) by striking “including crimes” and all that follows and inserting “including crimes of domestic violence, dating violence, sexual assault, and stalking;”;

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

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

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

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

(ii) by striking “such violence or assault” and inserting “such violence, assault, or stalking”;

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

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

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

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

(i) in the matter preceding subparagraph (A)—

(I) by striking “to provide” and inserting “providing”;
(II) by striking “nonprofit non-governmental”; and

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

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

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

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

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

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

“(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;
“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

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

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

(N) in the flush text at the end, by striking “paragraph (14)” and inserting “paragraph (13)”;

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

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

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

(C) in subsection (c)—
(i) by amending paragraph (2) to read

as follows:

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

“(A) the State sexual assault coalition;

“(B) the State domestic violence coalition;

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

“(D) prosecution offices;

“(E) State and local courts;

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

“(G) representatives from underserved populations;

“(H) victim service providers;

“(I) population specific organizations; and

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

(ii) by striking paragraph (4);

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

(iv) by inserting after paragraph (2) the following:
“(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b); and”;

(v) in paragraph (4), as so redesignated by clause (iii)—

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

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

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

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

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

(IV) in subparagraph (D), as so
redesignated by subclause (II), by
striking “culturally specific commu-

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

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

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

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

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

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

“(2) proof of compliance with the requirements
for the payment of forensic medical exams and judi-
cial notification, described in section 2010;
“(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases described in section 2011;

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

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

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

(E) in subsection (e)—

(i) in paragraph (2)—

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

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

(ii) by adding at the end the following:

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

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

(G) by adding at the end the following:
“(i) IMPLEMENTATION PLANS.—A State applying for
a grant under this part shall—
“(1) develop an implementation plan in con-
sultation with the entities listed in subsection (c)(2),
that identifies how the State will use the funds
awarded under this part; and
“(2) submit to the Attorney General as part of
the application submitted in accordance with sub-
section (d)—
“(A) the implementation plan developed
under paragraph (1);

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

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

“(i) the need for the grant funds;

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

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

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

“(D) a description of how the State will
ensure that any subgrantees will consult with
victim service providers during the course of de-
veloping their grant applications to ensure that
the proposed activities are designed to promote
the safety, confidentiality, and economic inde-
pendence of victims;
“(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

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

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

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

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

(A) in subsection (a), by amending paragraph (1) to read as follows:

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

“(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and
“(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.”;

(B) in subsection (b)—

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

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

(iii) by striking paragraph (3);

(C) in subsection (c), by striking “, except that such funds” and all that follows and inserting a period; and

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

“(d) NONCOOPERATION.—

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

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


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

(B) by striking “domestic violence, stalking, or sexual assault” and inserting “domestic violence, dating violence, sexual assault, or stalking”.

(b) Authorization of Appropriations.—Section 1001(a)(18) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(18)), is amended by striking “$225,000,000 for each of fiscal years 2007 through 2011” and inserting “$222,000,000 for each of fiscal years 2013 through 2017”.

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

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

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

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

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

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

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

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

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

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

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

(ix) by adding at the end the following:

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

“(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.

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

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

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

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

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

“(A) Testing.

“(B) Counseling.

“(C) Prophylaxis.

“(21) To identify and inventory backlogs of sex-
ual assault evidence collection kits and to develop
protocols for responding to and addressing such
backlogs, including policies and protocols for noti-
fying and involving victims.
“(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

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

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

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

(B) in subsection (c)—

(i) in paragraph (1)—

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

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

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

(iii) in paragraph (4)—
(I) by inserting “modification, enforcement, dismissal,” after “registration,” each place it appears;

(II) by inserting “dating violence,” after the second occurrence of “domestic violence,”; and

(III) by striking “and” at the end;

(iv) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking “, not later than 3 years after the date of enactment of this section,”;

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

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

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

(v) by redesignating paragraphs (1) through (5), as amended by this subpara-
paragraph, as subparagraphs (A) through (E), respectively;

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

(I) by striking the second comma; and

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

“grantees are—

“(1) States”; and

(vii) by adding at the end the following:

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

(C) in subsection (d)—

(i) in paragraph (1)—

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

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

(D) by adding at the end the following:

“(f) Allocation for Sexual Assault.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 20 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.”; and

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

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

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

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(1) by striking “$75,000,000” and all that follows through “2011” and inserting “$73,000,000 for each of fiscal years 2013 through 2017”; and

(2) by striking the second period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

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

(1) in subsection (a)—

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

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

(2) in subsection (b)—

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

and

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

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

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

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

(4) in subsection (d)—

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

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

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

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

cence homicide;”; and

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

(5) in subsection (f)—

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

and

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

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

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

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

“SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION IMPROVEMENTS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(c) CONSIDERATIONS.—

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

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

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

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

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

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

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

“(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

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

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

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

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

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

“(e) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section, $22,000,000 for each of the fiscal years 2013 through 2017. Amounts appropriated pursuant to this subsection shall remain available until expended.

“(f) Allotment for Indian Tribes.—

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

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

(b) Technical and Conforming Amendment.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.
SEC. 105. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

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

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

(2) in section 217 (42 U.S.C. 13013)—

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

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

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

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2013 through 2017”. 
SEC. 106. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

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

"SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

"(a) Grants Authorized.—

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

"(2) Programs covered.—The programs identified in this paragraph are the programs carried out under the following provisions:

"


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

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

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

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

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

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

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

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

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

“(A) implementing prevention, outreach,
and intervention strategies to address the bar-
riers to accessing services;
“(B) promoting community engagement in
the prevention of domestic violence, dating vio-

lence, sexual assault, and stalking within the
targeted underserved populations; and

“(C) evaluating the program.

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

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

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

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

“(4) strengthening the effectiveness of criminal
and civil justice interventions by providing training
for law enforcement, prosecutors, judges and other
court personnel on domestic violence, dating vio-

lence, sexual assault, or stalking in underserved pop-

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

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

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

“(g) Definitions and Grant Conditions.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.

“(h) Authorization of Appropriations.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section
$2,000,000 for each of the fiscal years 2013 through 2017.”.

SEC. 107. CULTURALLY SPECIFIC SERVICES GRANT.

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

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

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

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

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

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


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

“(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, training, and enhanced services to end violence against and abuse of women with disabilities).”; and

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

SEC. 108. REDUCTION IN RAPE KIT BACKLOG.

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

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

(2) by adding at the end the following new sub-
paragraph:
“(C) For each of the fiscal years 2013 and 2014, not less than 75 percent of the grant amounts shall be awarded for purposes under subsection (a)(2).”.

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

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) Grants to States and Territories.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

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

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “non-profit, nongovernmental organizations for programs and activities” and inserting “nongovernmental or tribal programs and activities”; and
(B) in subparagraph (C)(v), by striking “linguistically and”.

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

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

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

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

(2) in subsection (b)—

(A) in paragraph (1)—

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

(ii) by inserting “, including developing multidisciplinary teams focusing on high-risk cases with the goal of preventing
domestic and dating violence homicides”
before the semicolon;
(B) in paragraph (2)—
(i) by striking “and other long- and
short-term assistance” and inserting “legal
assistance, and other long-term and short-
term victim services and population spe-
cific services”; and
(ii) by striking “and” at the end;
(C) in paragraph (3), by striking the pe-
period at the end and inserting “; and”; and
(D) by adding at the end the following:
“(4) to develop, expand, or strengthen pro-
grams addressing sexual assault, including sexual
assault forensic examiner programs, Sexual Assault
Response Teams, law enforcement training, and pro-
grams addressing rape kit backlogs.”; and
(3) in subsection (e)(1), by striking
“$55,000,000 for each of the fiscal years 2007
through 2011” and inserting “$50,000,000 for each
of fiscal years 2013 through 2017”.

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

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

(1) in subsection (b)—

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

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

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

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

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

SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

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

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

(a) DEFINITIONS.—In this section:

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

(A) is—

(i) a State;

(ii) a unit of local government;

(iii) a tribal government or tribal organization;

(iv) a population specific organization with demonstrated experience in assisting individuals in later life;

(v) a victim service provider; or

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

and

(B) is partnered with—

(i) a law enforcement agency;

(ii) an office of a prosecutor;

(iii) a victim service provider; or
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“(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life.

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

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

“(b) Grant Program.—

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

“(2) Mandatory and Permissible Activities.—

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

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

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

“(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

“(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of elder abuse.

“(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use not more than 10 percent of the funds received under the grant to—

“(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of elder abuse; or

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

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

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

TITLE III—SERVICES, PROTEC-
TION, AND JUSTICE FOR
YOUNG VICTIMS OF VIO-
LENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.
Section 393A of the Public Health Service Act (42
U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

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

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

(2) in subsection (c)(1), by striking

“$80,000,000 for each of fiscal years 2007 through
2011” and inserting “$50,000,000 for each of fiscal
years 2013 through 2017”.

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

(a) In General.—Subtitle L of the Violence Against
Women Act of 1994 (42 U.S.C. 14043c et seq.) is amend-
ed by striking sections 41201 through 41204 and inserting
the following:

SEC. 41201. CREATING HOPE THROUGH OUTREACH, OP-
TIONS, SERVICES, AND EDUCATION FOR
CHILDREN AND YOUTH (CHOOSE CHILDREN
AND YOUTH).

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

“(b) Program Purposes.—Funds provided under
this section may be used for the following program pur-
pose areas:

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

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

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

“(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

“(A) provide training to school personnel, including health care providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;
“(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

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

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

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

“(c) ELIGIBLE APPLICANTS.—

“(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—
“(A) a victim service provider, tribal non-profit organization, population specific organization, or community-based organization with a demonstrated history of effective work addressing the needs of youth, including runaway or homeless youth, who are victims of domestic violence, dating violence, sexual assault, or stalking; or

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

“(2) PARTNERSHIPS.—

“(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code, or section 1402 of the Defense Dependents’ Education Act of 1978, a group of such schools, a school district, or an institution of higher education.
“(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant youth population. Such entities may include—

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

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

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

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

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

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

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

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

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

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

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

“(h) ALLOTMENT.—

“(1) IN GENERAL.—Not less than 50 percent of
the total amount appropriated under this section for
each fiscal year shall be used for the purposes de-
scribed in subsection (b)(1).
“(2) INDIAN TRIBES.—Not less than 10 percent
of the total amount appropriated under this section
for each fiscal year shall be made available for
grants under the program authorized by section
2015 of the Omnibus Crime Control and Safe

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

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

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

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

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “and” after “stalking
on campuses,”;
(ii) by striking “crimes against women on” and inserting “crimes on”; and

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

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

(2) in subsection (b)—

(A) in paragraph (2)—

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

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

(B) in paragraph (4)—

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

(ii) by striking “entities carrying out” and all that follows through “stalking victim services programs” and inserting “victim service providers”; and
(iii) by inserting “, regardless of whether the services provided by such pro-
gram are provided by the institution or in coordination with community victim service providers” before the period at the end; and

(C) by adding at the end the following:

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

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

(3) in subsection (c)—

(A) in paragraph (2)—

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

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

(iii) by inserting after subparagraph (C), the following:
“(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;”; and

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

(4) in subsection (d)—

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

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

“(3) GRANTEE MINIMUM REQUIREMENTS.—

Each grantee shall comply with the following minimum requirements during the grant period:

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

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

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

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

and

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

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

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

(1) in paragraph (1)(F)—

(A) in clause (i)—

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

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

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

“(IX) domestic violence;
“(X) dating violence;
“(XI) stalking; and

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

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

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

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

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

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

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

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

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

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

“(ii) Procedures victims should follow if a domestic violence, dating violence, sexual assault, or stalking offense has occurred, includ-
ing information, provided to students in writ-
ing, about—

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

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

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

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

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

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

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

“(V) where applicable, the rights of
victims and the responsibilities of the insti-
tution regarding orders of protection, no
contact orders, restraining orders, and
similar lawful orders issued by a criminal,
civil, or tribal court.

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

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

“(v) Notification of victims about options
for, and available assistance in, changing aca-
demic, living, transportation, and working situa-
tions, if so requested by the victim and if such
accommodations are reasonably available, re-
gardless of whether the victim chooses to report
the crime to campus police or local law enforce-
ment.

“(C) A student or employee who reports to an
institution of higher education that the student or
employee has been a victim of domestic violence, dat-
ing violence, sexual assault, or stalking, whether the
offense occurred on or off campus, shall be provided
with a written explanation of the rights and options
of the student or employee, as described in clauses
(ii) through (v) of subparagraph (B).”;

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

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

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

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

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

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

“(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for the individual exercising any right or responsibility under any provision of this subsection.”.

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

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

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

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

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

“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

“(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

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

“(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide
education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

“(A) scientifically valid age education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

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

“(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

“(D) policy development targeted to prevention, including school-based policies and protocols.

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

“(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

“(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

“(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.
“(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

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

“(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other nonprofit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

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

“(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

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

“(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

“(E) Health care entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

“(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

“(d) GRANTEE REQUIREMENTS.—
“(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

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

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

“(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third-party involvement and consent, mandatory reporting duties, and working with other service providers;

“(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and
“(D) document how prevention programs are coordinated with service programs in the community.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

“(A) include outcome-based evaluation; and

“(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

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

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

“(g) ALLOTMENT.—

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

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

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


(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).
TITLE V—STRENGTHENING THE HEALTH CARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

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

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

“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTH CARE SYSTEM’S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

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

“(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

“(2) the development or enhancement and implementation of education programs for medical,
nursing, dental, and other health profession students
and residents to prevent and respond to domestic vi-
olence, dating violence, sexual assault, and stalking;
and
“(3) the development or enhancement and im-
plementation of comprehensive statewide strategies
to improve the response of clinics, public health fa-
cilities, hospitals, and other health settings (includ-
ing behavioral and mental health programs) to do-
mestic violence, dating violence, sexual assault, and
stalking.
“(b) USE OF FUNDS.—
“(1) REQUIRED USES.—Amounts provided
under a grant under this section shall be used to—
“(A) fund interdisciplinary training and
education programs under paragraphs (1) and
(2) of subsection (a) that—
“(i) are designed to train medical,
psychology, dental, social work, nursing,
and other health profession students, in-
terns, residents, fellows, or current health
care providers to identify and provide
health care services (including mental or
behavioral health care services and refer-
rals to appropriate community services) to
individuals who are or who have been vic-
tims of domestic violence, dating violence,
sexual assault, or stalking; and

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

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

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

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

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

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

“(2) Permissible uses.—

“(A) Child and elder abuse.—To the
extent consistent with the purpose of this sec-
tion, a grantee may use amounts received under
this section to address, as part of a comprehen-
sive programmatic approach implemented under
the grant, issues relating to child or elder
abuse.

“(B) Rural areas.—Grants funded
under paragraphs (1) and (2) of subsection (a)
may be used to offer to rural areas community-based training opportunities (which may include
the use of distance learning networks and other available technologies needed to reach isolated rural areas) for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

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

“(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

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

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

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

“(c) REQUIREMENTS FOR GRANTEES.—

“(1) CONFIDENTIALITY AND SAFETY.—

“(A) IN GENERAL.—Grantees under this
section shall ensure that all programs developed
with grant funds address issues of confiden-
tiality and patient safety and comply with appli-
cable confidentiality and nondisclosure require-
ments under section 40002(b)(2) of the Vio-
ence Against Women Act of 1994 and the
Family Violence Prevention and Services Act,
and that faculty and staff associated with deliv-
ering educational components are fully trained
in procedures that will protect the immediate
and ongoing security and confidentiality of the
patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

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

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

“(3) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome-based evaluations.
“(4) APPLICATION.—

“(A) SUBSECTION (a) (1) AND (2) GRANTEES.—An entity desiring a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

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

“(II) a health care facility or system; or

“(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dat-
ing violence, sexual assault, or stalking; and

“(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

“(B) Subsection (a)(3) grantees.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, including—

“(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;
“(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

“(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population-specific organizations with demonstrated expertise in addressing domestic violence, dating violence, sexual assault, or stalking;

“(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee
of an ongoing collaborative relationship with a local victim service provider; and

“(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

“(d) ELIGIBLE ENTITIES.—

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

“(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

“(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;
“(C) a health care provider membership or professional organization, or a health care system; or

“(D) a State, tribal, territorial, or local entity.

“(2) SUBSECTION (a)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

“(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

“(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.
“(e) Technical Assistance.—

“(1) In general.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

“(2) Availability of materials.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

“(3) Reporting.—The Secretary shall publish a biennial report on—

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

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

“(f) Research and Evaluation.—

“(1) In general.—Of the funds made available to carry out this section for any fiscal year, the
Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

“(A) grants awarded under this section; and

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

“(2) RESEARCH.—Research authorized in paragraph (1) may include—

“(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic violence, dating violence, or sexual assault on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

“(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;
“(C) research on the impact of domestic, dating, and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

“(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

“(g) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2013 through 2017.

“(h) Definitions.—Except as otherwise provided in this section, the definitions in section 40002 of the Violence Against Women Act of 1994 apply to this section.”.

(b) Repeals.—The following provisions are repealed:


(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).
TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

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

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

“CHAPTER 1—GRANT PROGRAMS”;

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

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

(4) by adding at the end the following:
“CHAPTER 2—HOUSING RIGHTS

“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

“(a) DEFINITIONS.—In this chapter:

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

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

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

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

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

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

“(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);
“(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

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

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

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

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

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

“(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and
“(J) the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

“(b) Prohibited Basis for Denial or Termination of Assistance or Eviction.—

“(1) In general.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing program or housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

“(2) Construction of lease terms.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

“(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

“(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing
assisted under a covered housing program of
the victim or threatened victim of such incident.

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

“(A) DENIAL OF ASSISTANCE, TENANCY,
AND OCCUPANCY RIGHTS PROHIBITED.—No
person may deny assistance, tenancy, or occu-
pancy rights to housing assisted under a cov-
ered housing program to a tenant solely on the
basis of criminal activity directly relating to do-

crime, dating violence, sexual assault, or stalking that is engaged in by a member of
the household of the tenant or any guest or
other person under the control of the tenant, if
the tenant or an affiliated individual of the ten-
ant is the victim or threatened victim of such
domestic violence, dating violence, sexual as-
sault, or stalking.

“(B) BIFURCATION.—

“(i) IN GENERAL.—Notwithstanding
subparagraph (A), a public housing agency
or owner or manager of housing assisted
under a covered housing program may bi-
furcate a lease for the housing in order to
evict, remove, or terminate assistance to
any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

“(ii) Effect of Eviction on Other Tenants.—If a public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility,
the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

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

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

“(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

“(II) the distribution or possession of property among members of a household in a case;

“(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted
under a covered housing program to evict
or terminate assistance to a tenant for any
violation of a lease not premised on the act
of violence in question against the tenant
or an affiliated person of the tenant, if the
public housing agency or owner or man-
ger does not subject an individual who is
or has been a victim of domestic violence,
dating violence, sexual assault, or stalking
to a more demanding standard than other
tenants in determining whether to evict or
terminate;

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

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

“(c) DOCUMENTATION.—

“(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

“(2) FAILURE TO PROVIDE CERTIFICATION.—

“(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—
“(i) deny admission by the applicant
or tenant to the covered program;

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

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

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

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

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

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

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

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

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

“(B) a document that—

“(i) is signed by—

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

“(II) the applicant or tenant; and

“(ii) states under penalty of perjury
that the individual described in clause
(i)(I) believes that the incident of domestic
violence, dating violence, sexual assault, or
stalking that is the ground for protection
under subsection (b) meets the requirements under subsection (b);

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

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

“(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

“(A) requested or consented to by the individual in writing;

“(B) required for use in an eviction proceeding under subsection (b); or

“(C) otherwise required by applicable law.
“(5) **Documentation not required.**—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

“(6) **Compliance not sufficient to constitute evidence of unreasonable act.**—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

“(7) **Response to conflicting certification.**—If a public housing agency or owner or manager of housing assisted under a covered hous-
ing program receives documentation under this sub-
section that contains conflicting information, the
public housing agency or owner or manager may re-
quire an applicant or tenant to submit third-party
documentation, as described in subparagraph (B),
(C), or (D) of paragraph (3).

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

“(d) NOTIFICATION.—

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

“(2) PROVISION.—The applicable public hous-
ing agency or owner or manager of housing assisted
under a covered housing program shall provide the
notice developed under paragraph (1), together with
the form described in subsection (c)(3)(A), to an ap-
plicant for or tenant of housing assisted under a
covered housing program—
“(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

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

“(C) together with any notification of eviction or notification of termination of assistance; and

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

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

“(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to relocate or transfer to another available and safe dwelling unit assisted under a covered housing pro-
gram and retain their status as tenants under the
covered housing program if—

“(A) the tenant expressly requests to
move;

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

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

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

“(2) incorporates reasonable confidentiality
measures to ensure that the public housing agency
or owner or manager does not disclose the location
of the dwelling unit of a tenant to a person that
commits an act of domestic violence, dating violence,
sexual assault, or stalking against the tenant;
“(3) describes how the appropriate agency will coordinate relocations or transfers between dwelling units assisted under a covered housing program;

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

“(5) is tailored to the specific type of the covered housing program based on the volume and availability of dwelling units under the control or management of the public housing agency, owner, or manager; and

“(6) provides guidance for use in situations in which it is not feasible for an individual public housing agency, owner, or manager to effectuate a transfer.

“(f) Policies and Procedures for Emergency Transfer.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers for assistance under section 8(o)(16) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(16)), assistance under such section.

“(g) Implementation.—The appropriate agency with respect to each covered housing program shall imple-
ment this section, as this section applies to the covered
housing program.”.

(b) CONFORMING AMENDMENTS.—

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

(A) in subsection (c)—

(i) by striking paragraph (3); and

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

(B) in subsection (l)—

(i) in paragraph (5), by striking “, and that an incident” and all that follows
through “victim of such violence”; and

(ii) in paragraph (6), by striking “; except that” and all that follows through
“stalking.”; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States
Housing Act of 1937 (42 U.S.C. 1437f) is amend-
ed—

(A) in subsection (e), by striking para-
graph (9);

(B) in subsection (d)(1)—
(i) in subparagraph (A), by striking “and that an applicant” and all that follows through “assistance or admission”; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking “,

and that an incident” and all that follows through “victim of such violence”; and

(II) in clause (iii), by striking “,

except that:” and all that follows through “stalking:”; 

(C) in subsection (f)—

(i) in paragraph (6), by adding “and” at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—
(I) in subparagraph (C), by striking “and that an incident” and all that follows through “victim of such violence”; and

(II) in subparagraph (D), by striking “; except that” and all that follows through “stalking.”; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public

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Law 109–162; 119 Stat. 2960) or an
amendment made by that Act; and

(ii) provides greater protection for vic-
tims of domestic violence, dating violence,
sexual assault, and stalking than this Act
or the amendments made by this Act; or

(C) to disqualify an owner, manager, or
other individual from participating in or receiv-
ing the benefits of the low-income housing tax
credit program under section 42 of the Internal
Revenue Code of 1986 because of none compli-
ance with the provisions of this Act or the
amendments made by this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS
FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-
ing VIOLENCE, SEXUAL ASSAULT, AND
STALKING.

(a) Amendments.—Chapter 11 of subtitle B of the
Violence Against Women Act of 1994 (42 U.S.C. 13975;
as added by section 611 of Public Law 108–21 (117 Stat.
693)) is amended—

(1) in the chapter heading, by striking
“CHILD VICTIMS OF DOMESTIC VIO-
LENCE, STALKING, OR SEXUAL AS-
SAULT” and inserting “VICTIMS OF DO-
MESTIC VIOLENCE, DATING VIO-
LENCE, SEXUAL ASSAULT, OR STALK-
ING”; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking “CHILD
VICTIMS OF DOMESTIC VIOLENCE, STALK-
ING, OR SEXUAL ASSAULT” and inserting
“VICTIMS OF DOMESTIC VIOLENCE, DAT-
ING VIOLENCE, SEXUAL ASSAULT, OR
STALKING”;

(B) in subsection (a)(1), by striking “flee-
ing”; and

(C) in subsection (g)—

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

(ii) in paragraph (3)—

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

(II) by adding at the end the fol-
lowing:
“(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term ‘qualified application’ means an application that—

“(i) has been submitted by an eligible applicant;

“(ii) does not propose any significant activities that may compromise victim safety;

“(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

“(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.”.

(b) TECHNICAL CORRECTION.—Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (relating to research on effective interventions to address violence; 42 U.S.C. 13973; as added by section 505 of Public Law 109–162 (119 Stat. 3028)), and section 40297 of such chapter (42 U.S.C. 13973), are hereby redesignated as chapter 12 and section 40299A, respectively.
SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

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

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

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

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

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

PROVISIONS

SEC. 801. FRAUD PREVENTION INITIATIVES.

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

“(D) CREDIBLE EVIDENCE CONSIDERED.—In adjudicating applications under this paragraph, the Secretary of Homeland Security shall consider any credible evidence relevant to the application, including credible evidence submitted by a national of the United States or an alien lawfully admitted for permanent residence accused of the conduct described in subparagraph (A)(i).”.

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

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

“(III)(aa) Upon filing, each petition under this clause shall be transferred to a local service center of
United States Citizenship and Immigration Services and assigned to an investigative officer for adjudication and final determination of eligibility.

“(bb) During the adjudication of each petition under this paragraph, an investigative officer from a local service center of United States Citizenship and Immigration Services shall conduct an in-person interview of the alien who filed the petition. The investigative officer may also gather other evidence and interview other witnesses, including the accused United States citizen or lawful permanent resident, if they consent to be interviewed.

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

“(dd) Upon the conclusion of the adjudication process under this subparagraph, the investigative officer shall issue a final written determina-
tion to approve or deny the petition. The investigative officer shall not approve the petition unless the officer finds, in writing and with particularity, that all requirements under this paragraph, including proof that the alien is a victim of the conduct described in clause (iii)(I)(bb), have been proven by clear and convincing evidence.

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

“(aa) the petition shall not be granted unless the petition is supported by clear and convincing evidence; and

“(bb) all credible evidence submitted by an accused national of the United States or alien lawfully admitted for permanent residence shall be considered.

“(V)(aa) During the adjudication of a petition under this paragraph, the investigative officer at the local service center of United States Citi-
Ztlement and Immigration Services
shall determine whether any Federal,
State, territorial, tribal, or local law
enforcement agency has undertaken
an investigation or prosecution of the
abusive conduct alleged by the peti-
tioning alien.

“(bb) If an investigation or pros-
cection was commenced, the investiga-
tive officer shall—

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

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

“(cc) If an investigation or pros-
cection is pending, the adjudication of
the petition shall be stayed pending
the conclusion of the investigation or
prosecution. If no investigation has
been undertaken or if a prosecutor’s
office has not commenced a prosecu-
tion after the matter was referred to
it, that fact shall be considered by the
investigative officer as part of the adjudication of the petition.

“(VI)(aa) If an investigative officer makes a written finding that the petitioning alien made a material misrepresentation on a petition, during an interview, or during any other aspect of the adjudication—

“(AA) the alien’s petition shall be denied and the alien shall be removed from the country on an expedited basis;

“(BB) the alien shall be permanently ineligible for any lawful immigration status or benefits;

“(CC) any public assistance or other public benefits received by the alien or the alien’s beneficiaries shall be immediately discontinued; and

“(DD) the alien and the alien’s beneficiaries shall not be eligible for any programs or initiatives undertaken by the Department of Homeland Security
or any other agency or department to delay or exempt removal, including deferred action.

“(bb) Upon receiving any evidence of any material misrepresentation on a petition, during an interview, or during any other aspect of the adjudication, the appropriate officer of United States Citizenship and Immigration Services and the Secretary of Homeland Security shall—

“(AA) deny the petition and process the alien for expedited removal, pursuant to item (aa)(AA); and

“(BB) refer the matter and all evidence to the Federal Bureau of Investigation for a criminal investigation.

“(VII) If a petition filed under this paragraph is denied, any obligations under an underlying affidavit of support previously filed by the accused national of the United States or
alien lawfully admitted for permanent residence shall be terminated.’’;

(2) in subparagraph (A)(iv), by adding at the end the following: “The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (iii).’’;

(3) in subparagraph (A)(vii), by adding at the end the following: “The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (iii).’’;

(4) in subparagraph (B)(ii), by inserting after subclause (II) the following:

“(III)(aa) Upon filing, each petition under this clause shall be transferred to a local service center of United States Citizenship and Immigration Services and assigned to an investigative officer for adjudication and final determination of eligibility.

“(bb) During the adjudication of each petition under this paragraph, an investigative officer from a local service center of United States Citizenship and Immigration Services shall conduct an in-person interview of the
alien who filed the petition. The investigative officer may also gather other evidence and interview other witnesses, including the accused United States citizen or lawful permanent resident, if they consent to be interviewed.

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

“(dd) Upon the conclusion of the adjudication process under this subparagraph, the investigative officer shall issue a final written determination to approve or deny the petition. The investigative officer shall not approve the petition unless the officer finds, in writing and with particularity, that all requirements under this paragraph, including proof that the alien is a victim of the conduct described in clause (ii)(I)(bb), have been proven by clear and convincing evidence.
“(IV) During the adjudication of a petition under this clause—

“(aa) the petition shall not be granted unless the petition is supported by clear and convincing evidence; and

“(bb) all credible evidence submitted by an accused national of the United States or alien lawfully admitted for permanent residence shall be considered.

“(V)(aa) During the adjudication of a petition under this clause, the investigative officer at the local service center of United States Citizenship and Immigration Services shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the abusive conduct alleged by the petitioning alien.

“(bb) If an investigation or prosecution was commenced, the investigative officer shall—
“(AA) obtain as much information as possible about the investigation or prosecution; and

“(BB) consider that information as part of the adjudication of the petition.

“(cc) If an investigation or prosecution is pending, the adjudication of the petition shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor’s office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the petition.

“(VI)(aa) If an investigative officer makes a written finding that the petitioning alien made a material misrepresentation on a petition, during an interview, or during any other aspect of the adjudication—

“(AA) the alien’s petition shall be denied and the alien
shall be removed from the country on an expedited basis;

“(BB) the alien shall be permanently ineligible for any lawful immigration status or benefits;

“(CC) any public assistance or other public benefits received by the alien or the alien’s beneficiaries shall be immediately discontinued; and

“(DD) the alien and the alien’s beneficiaries shall not be eligible for any programs or initiatives undertaken by the Department of Homeland Security or any other agency or department to delay or exempt removal, including deferred action.

“(bb) Upon receiving any evidence of any material misrepresentation on a petition, during an interview, or during any other aspect of the adjudication, the appropriate officer of United States Citizenship and
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Immigration Services and the Secretary of Homeland Security shall—

“(AA) deny the petition and process the alien for expedited removal, pursuant to subclause (VI)(aa)(AA); and

“(BB) refer the matter and all evidence to the Federal Bureau of Investigation for a criminal investigation.

“(VII) If a petition filed under this clause is denied, any obligations under an underlying affidavit of support previously filed by the accused national of the United States or alien lawfully admitted for permanent residence shall be terminated.”; and

(5) in subparagraph (B)(iii), by adding at the end the following: “The petition shall be adjudicated according to the procedures that apply to self-petitioners under clause (ii).”.

SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended as follows:
(1) By striking “The petition” and inserting the following:

“(A) IN GENERAL.—The petition”.

(2) By adding at the end the following:

“(B) CERTIFICATION REQUIREMENTS.—

Each certification submitted under subparagraph (A) shall confirm under oath that—

“(i) the petitioner reported the criminal activity to a law enforcement agency within 60 days of its occurrence;

“(ii) the statute of limitations for prosecuting an offense based on the criminal activity has not lapsed;

“(iii) the criminal activity is actively under investigation or a prosecution has been commenced; and

“(iv) the petitioner has provided to law enforcement information that will assist in identifying the perpetrator of the criminal activity or the perpetrator’s identity is known.

“(C) REQUIREMENT FOR CERTIFICATION.—No application for a visa under section 101(a)(15)(U) may be granted unless ac-
accompanied by the certification as described in
this paragraph.”.

SEC. 803. PROTECTIONS FOR A FIANCEÉ OR FIANCÉ OF A
CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration
and Naturalization Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “crime.”
and inserting “crime described in paragraph
(3)(B) and information on any permanent pro-
tection or restraining order issued against the
petitioner related to any specified crime de-
scribed in paragraph (3)(B)(i).”’; and

(B) in paragraph (3)(B)(i), by striking
“abuse, and stalking.” And inserting “abuse,
stalking, or an attempt to commit any such
crime.”’; and

(2) in subsection (r)—

(A) in paragraph (1), by striking “crime.”
and inserting “crime described in paragraph
(5)(B) and information on any permanent pro-
tection or restraining order issued against the
petitioner related to any specified crime de-
scribed in subsection (5)(B)(i).”’; and
(B) in paragraph (5)(B)(i), by striking “abuse, and stalking.” and inserting “abuse, stalking, or an attempt to commit any such crime.”.

(b) Provision of Information to Non-Immigrants.—Section 883 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking “or” after “orders” and inserting “and”.

SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) Implementation of the International Marriage Broker Act of 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the name of the component of the Department of Justice responsible for prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this title.

(b) Regulation of International Marriage Brokers.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:
(1) By amending paragraph (1) to read as follows:

“(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

“(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

“(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

“(i) obtain a valid copy of each foreign national client’s birth certificate or other proof of age document issued by an appropriate government entity;

“(ii) indicate on such certificate or document the date it was received by the international marriage broker;

“(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

“(iv) produce such certificate or document upon request to an appropriate au-
authority charged with the enforcement of
this paragraph.”.

(2) In paragraph (2)(B)(ii), by striking “or
stalking.” and inserting “stalking, or an attempt to
commit any such crime.”.

SEC. 805. GAO REPORT.

(a) REQUIREMENT FOR REPORT.—Not later than 1
year after the date of the enactment of this Act, the Com-
troller General of the United States shall submit to the
Committee on the Judiciary of the Senate and the Com-
mittee on the Judiciary of the House of Representatives
a report regarding the adjudication of petitions and appli-
cations under section 101(a)(15)(U) of the Immigration
and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the
self-petitioning process for VAWA self-petitioners (as that
term is defined in section 101(a)(51) of the Immigration
and Nationality Act (8 U.S.C. 1101(a)(51)).

(b) CONTENTS.—The report required by subsection
(a) shall—

(1) assess the efficiency and reliability of the
process for reviewing such petitions and applications,
including whether the process includes adequate
safeguards against fraud and abuse; and
(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 806. TEMPORARY NATURE OF U VISa STATUS.

(a) In General.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by striking subsection (m).

(b) Duration of Nonimmigrant Status.—Section 214(p)(6) of such Act (8 U.S.C. 1184(p)(6)) is amended by striking “Such alien’s nonimmigrant status shall be extended beyond the 4-year period authorized under this section if the alien is eligible for relief under section 245(m) and is unable to obtain such relief because regulations have not been issued to implement such section and shall be extended during the pendency of an application for adjustment of status under section 245(m).”.

(c) Surviving Relative Consideration for Certain Petitions and Applications.—Section 204(l)(2)(E) of such Act (8 U.S.C. 1154(l)(2)(E)) is amended by striking “or in ‘U’ nonimmigrant status as described in section 101(a)(15)(U)(ii);” and inserting a semicolon.

(d) Effective Date.—The amendments made by this section shall apply to applications for adjustment of status submitted on or after the date of the enactment
of this Act, and to previously filed applications that are pending on the date of enactment of this Act.

SEC. 807. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2012, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of
work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

(6) The actions being taken to combat fraud and to ensure program integrity.

SEC. 808. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking “or” at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:
“(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or”.

SEC. 809. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

“(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

“(i) is a VAWA self-petitioner;

“(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

“(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).”.

SEC. 810. AGE-OUT PROTECTION FOR U VISA APPLICANTS.

Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

“(7) AGE DETERMINATIONS.—
“(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent’s petition was filed but while it was pending.

“(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien’s application for status under such clause (i) is filed but while it is pending.”.

SEC. 811. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking “(1), or” and inserting “(1); or”;
(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and “or”; and
(4) by inserting after subparagraph (C) the following:

“(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien’s intended spouse and was not at fault in failing to meet the requirements of paragraph (1).”.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(e)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking “The Attorney General, in the Attorney General’s” and inserting “The Secretary of Homeland Security, in the Secretary’s”; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking “Attorney General” and inserting “Secretary of Homeland Security”;

(B) in the second sentence, by striking “Attorney General” and inserting “Secretary”;

“
(C) in the third sentence, by striking “Attorney General.” and inserting “Secretary.”; and

(D) in the fourth sentence, by striking “Attorney General” and inserting “Secretary”.

SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSE.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; and

(B) by inserting “Secretary’s or the” before “Attorney General’s discretion”;

(2) in paragraph (2)—

(A) by inserting “Secretary of Homeland Security or the” before “Attorney General may”; 

(B) by inserting “Secretary or the” before “Attorney General for”; and

(C) by inserting “in a manner that protects the confidentiality of such information” after “law enforcement purpose”;

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(3) in paragraph (5), by striking “Attorney General is” and inserting “Secretary of Homeland Security and the Attorney General are”; and

(4) by adding at the end a new paragraph as follows:

“(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.”.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended by inserting “and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))” after “domestic violence”.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996
(8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) **Clerical Amendment.**—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking “241(a)(2)” in the matter following subparagraph (F) and inserting “237(a)(2)”.

**SEC. 813. GAO Report on Requirements to Cooperate with Law Enforcement Officials.**

(a) **Requirement for Report.**—Not later than three years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)).

(b) **Contents.**—The report required by subsection (a) shall—

(1) assess the effectiveness of the requirements set out in Section 802 of this Act in ensuring that potential U visa recipients aid in the investigation, apprehension, and prosecution of criminals;
(2) determine the effect of the requirements set out in Section 802 of this Act, on the number of U visas issued annually; and

(3) determine the effect of the requirements set out in Section 802 of this Act, on the number of individuals seeking U visas.

**TITLE IX—SAFETY FOR INDIAN WOMEN**

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting “sex trafficking,” after “sexual assault,”;

(2) in paragraph (4), by inserting “sex trafficking,” after “sexual assault,”;

(3) in paragraph (5), by striking “and stalking” and all that follows and inserting “sexual assault, sex trafficking, and stalking;”;

(4) in paragraph (7)—

(A) by inserting “sex trafficking,” after “sexual assault,” each place it appears; and

(B) by striking “and” at the end;

(5) in paragraph (8)—
(A) by inserting “sex trafficking,” after “stalking,”; and

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

(6) by adding at the end the following:

“(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and

“(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.”.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “and” at the end;
(B) in subparagraph (C), by striking the period at the end and inserting ‘‘; and’’; and

(C) by adding at the end the following:

“(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.’’; and

(2) in paragraph (2)(B), by striking ‘‘individuals or’’.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ‘‘and the Violence Against Women Act of 2000’’ and inserting ‘‘, the Violence Against Women Act of 2000’’; and

(B) by inserting ‘‘, and the Violence Against Women Reauthorization Act of 2012’’ before the period at the end;

(2) in subsection (b)—
(A) in the matter preceding paragraph (1),
by striking “Secretary of the Department of
Health and Human Services” and inserting
“Secretary of Health and Human Services, the
Secretary of the Interior,”; and

(B) in paragraph (2), by striking “and
stalking” and inserting “stalking, and sex traf-
ficking”; and

(3) by adding at the end the following:

“(c) ANNUAL REPORT.—The Attorney General shall
submit to Congress an annual report on the annual con-
sultations required under subsection (a) that—

“(1) contains the recommendations made under
subsection (b) by Indian tribes during the year cov-
ered by the report;

“(2) describes actions taken during the year
covered by the report to respond to recommenda-
tions made under subsection (b) during the year or
a previous year; and

“(3) describes how the Attorney General will
work in coordination and collaboration with Indian
tribes, the Secretary of Health and Human Services,
and the Secretary of the Interior to address the rec-
ommendations made under subsection (b).
“(d) NOTICE.—Not later than 120 days before the
date of a consultation under subsection (a), the Attorney
General shall notify tribal leaders of the date, time, and
location of the consultation.”.

SEC. 904. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST
INDIAN WOMEN.

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

(1) in paragraph (1)—

(A) by striking “The National” and insert-
ing “Not later than 2 years after the date of
enactment of the Violence Against Women Re-
authorization Act of 2012, the National”; and

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

(2) in paragraph (2)(A)—

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

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

(C) by adding at the end the following:
“(vi) sex trafficking.”;

(3) in paragraph (4), by striking “this Act” and inserting “the Violence Against Women Reauthorization Act of 2012”; and

(4) in paragraph (5), by striking “this section $1,000,000 for each of fiscal years 2007 and 2008” and inserting “this subsection $1,000,000 for each of fiscal years 2013 and 2014”.

(b) Authorization of Appropriations.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2013 through 2017”.

TITLE X—CRIMINAL PROVISIONS

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) Sexual Abuse of a Minor or Ward.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

“(b) Of a Ward.—

“(1) Offenses.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—
“(A) in official detention or supervised by, or otherwise under the control of, the United States—

“(i) during arrest;

“(ii) during pretrial release;

“(iii) while in official detention or custody; or

“(iv) while on probation, supervised release, or parole;

“(B) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

“(C) at the time of the sexual act—

“(i) in the special maritime and territorial jurisdiction of the United States;

“(ii) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

“(iii) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.
“(2) Penalties.—Whoever violates paragraph (1)(A) shall—

“(A) be fined under this title, imprisoned for not more than 15 years, or both; and

“(B) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.”.

(b) Penalties for Sexual Abuse.—

(1) In General.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 250. Penalties for sexual abuse

“(a) Offense.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

“(b) Penalties.—A person that violates subsection (a) shall be subject to the penalties under the provision
of chapter 109A that would have been violated if the con-
duct was committed in the special maritime and territorial
jurisdiction of the United States, unless a greater penalty
is otherwise authorized by law.”.

(2) CLERICAL AMENDMENT.—The table of sec-
tions for chapter 13 of title 18, United States Code,
is amended by adding at the end the following:

“250. Penalties for sexual abuse.”.

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil
Rights of Institutionalized Persons Act (42 U.S.C.
1997e(e)) is amended by inserting before the period at the
end the following: “or the commission of a sexual act (as
defined in section 2246 of title 18, United States Code)”.

(b) UNITED STATES AS DEFENDANT.—Section
1346(b)(2) of title 28, United States Code, is amended
by inserting before the period at the end the following:
“or the commission of a sexual act (as defined in section
2246 of title 18)”.

(c) ADOPTION AND EFFECT OF NATIONAL STAND-
ARDS.—Section 8 of the Prison Rape Elimination Act of
2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as sub-
section (e); and

(2) by inserting after subsection (b) the fol-
lowing:
“(c) Applicability to Detention Facilities Operated by the Department of Homeland Security.—

“(1) In general.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2012, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigration laws of the United States.

“(2) Applicability.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

“(3) Compliance.—The Secretary of Homeland Security shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities com-
pleted by the Department of Homeland Security.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

“(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2012, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

“(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.
“(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

“(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

“(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

“(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).”.

SEC. 1003. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) IN GENERAL.—Section 2261A of title 18, United States Code, is amended to read as follows:

“SEC. 2261A. STALKING.

“(a) Whoever uses the mail, any interactive computer service, or any facility of interstate or foreign commerce to engage in a course of conduct or travels in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, har-
ass, or intimidate another person, or place another person under surveillance with the intent to kill, injure, harass, or intimidate such person and in the course of, or as a result of, such travel or course of conduct—

“(1) places that person in reasonable fear of the death of, or serious bodily injury to such person, a member of their immediate family (as defined in section 115), or their spouse or intimate partner; or

“(2) causes or attempts to cause serious bodily injury or serious emotional distress to such person, a member of their immediate family (as defined in section 115), or their spouse or intimate partner; shall be punished as provided in subsection (b).

“(b) The punishment for an offense under this section is the same as that for an offense under section 2261, except that if—

“(1) the offense involves conduct in violation of a protection order; or

“(2) the victim of the offense is under the age of 18 years or over the age of 65 years, the offender has reached the age of 18 years at the time the offense was committed, and the offender knew or should have known that the victim was under the age of 18 years or over the age of 65 years;
the maximum term of imprisonment that may be imposed 
is increased by 5 years over the term of imprisonment oth-
erwise provided for that offense in section 2261”.

(b) CLERICAL AMENDMENT.—The item relating to 
section 2261A in the table of sections at the beginning 
of chapter 110A of title 18, United States Code, is amend-
ed to read as follows:

“2261A. Stalking.”.

SEC. 1004. AMENDMENTS TO THE FEDERAL ASSAULT STAT-
UTE.

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

(1) in subsection (a)—

(A) by striking paragraph (1) and insert-
ing the following:

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

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

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

(D) in paragraph (4), by striking “six 
months” and inserting “1 year”;
(E) in paragraph (5), by striking “1 year” and inserting “5 years”;

(F) in paragraph (7)—

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

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

(G) by adding at the end the following:

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

(2) in subsection (b)—

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

“(b) In this section—”;

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

riod at the end and inserting a semicolon; and

(D) by adding at the end the following:

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

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

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

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title

18, United States Code, is amended by striking “assault
with intent to commit murder, assault with a dangerous
weapon, assault resulting in serious bodily injury (as de-
fined in section 1365 of this title)” and inserting “a felony
assault under section 113”.

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

SEC. 1005. MANDATORY MINIMUM SENTENCE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 10 years or imprisoned for life”; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 5 years or imprisoned for life”.

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