

Calendar No. 312

112TH CONGRESS
2^D SESSION

S. 1925

To reauthorize the Violence Against Women Act of 1994.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2011

Mr. LEAHY (for himself, Mr. CRAPO, Mr. KIRK, Mr. DURBIN, Mr. KOHL, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mrs. BOXER, Mr. FRANKEN, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. KERRY, Mr. ROCKEFELLER, Mrs. SHAHEEN, Mrs. MURRAY, Mr. HARKIN, Ms. STABENOW, Mr. CASEY, Mrs. GILLIBRAND, Mr. REED, Mr. CARDIN, Mr. LAUTENBERG, Mr. LEVIN, Mr. SANDERS, Mrs. FEINSTEIN, Mr. COONS, Ms. MURKOWSKI, Mr. BEGICH, Mr. WYDEN, Ms. COLLINS, Ms. MIKULSKI, Mr. BROWN of Massachusetts, Mr. BINGAMAN, Ms. CANTWELL, Ms. LANDRIEU, Mr. MENENDEZ, Mrs. HAGAN, Mr. JOHNSON of South Dakota, and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

FEBRUARY 7, 2012

Reported by Mr. LEAHY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To reauthorize the Violence Against Women Act of 1994.

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

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. TABLE OF CONTENTS.**

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

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

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

- Sec. 101. Stop grants.
- Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
- Sec. 103. Legal assistance for victims.
- Sec. 104. Consolidation of grants to support families in the justice system.
- Sec. 105. Sex offender management.
- Sec. 106. Court-appointed special advocate program.
- Sec. 107. Criminal provision relating to stalking, including cyberstalking.
- Sec. 108. Outreach and services to underserved populations grant.
- Sec. 109. Culturally specific services grant.

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

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

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

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

TITLE IV—VIOLENCE REDUCTION PRACTICES

- Sec. 401. Study conducted by the centers for disease control and prevention.

Sec. 402. Saving money and reducing tragedies through prevention grants.

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

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

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

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

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

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

Sec. 801. U nonimmigrant definition.

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

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

Sec. 804. Public charge.

Sec. 805. Requirements applicable to U visas.

Sec. 806. Hardship waivers.

Sec. 807. Employment authorization.

Sec. 808. Protections for a fiancée or fiancé of a citizen.

Sec. 809. Regulation of international marriage brokers.

Sec. 810. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.

Sec. 902. Grants to Indian tribal coalitions.

Sec. 903. Consultation.

Sec. 904. Tribal jurisdiction over crimes of domestic violence.

Sec. 905. Tribal protection orders.

Sec. 906. Amendments to the Federal assault statute.

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

Sec. 908. Effective dates; pilot project.

TITLE X—OTHER MATTERS

Sec. 1001. Criminal provisions relating to sexual abuse.

Sec. 1002. Sexual abuse in custodial settings.

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

2 (a) **DEFINITIONS.**—Subsection (a) of section 40002
 3 of the Violence Against Women Act of 1994 (42 U.S.C.
 4 13925(a)) is amended—

5 (1) by redesignating—

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

7 (B) paragraph (2) as paragraph (4);

8 (C) paragraphs (3) through (5) as para-
 9 graphs (5) through (7), respectively;

10 (D) paragraphs (6) through (9) as para-
 11 graphs (10) through (13), respectively;

12 (E) paragraphs (10) through (16) as para-
 13 graphs (15) through (21), respectively;

14 (F) paragraph (18) as paragraph (22);

15 (G) paragraphs (19) and (20) as para-
 16 graphs (25) and (26), respectively;

17 (H) paragraphs (21) and (22) as para-
 18 graphs (28) and (29), respectively;

19 (I) paragraphs (23) through (33) as para-
 20 graphs (31) through (41), respectively;

21 (J) paragraphs (34) and (35) as para-
 22 graphs (43) and (44); and

23 (K) paragraph (37) as paragraph (47);

24 (2) by inserting before paragraph (2), as redес-
 25 ignated, the following:

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

5 (3) by inserting after paragraph (2), as redesignated,
6 the following:

7 “(2) CHILD.—The term ‘child’ means a person
8 who is under 11 years of age.”;

9 (4) in paragraph (4), as redesignated, by striking
10 ing “serious harm.” and inserting “serious harm to
11 unemancipated minor.”;

12 (5) in paragraph (5), as redesignated, by striking
13 ing “The term” through “that—” and inserting
14 “The term ‘community-based organization’ means a
15 nonprofit, nongovernmental, or tribal organization
16 that serves a specific geographic community that—
17 ”;

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

20 “(8) CULTURALLY SPECIFIC SERVICES.—The
21 term ‘culturally specific services’ means community-
22 based services that offer culturally relevant and lin-
23 guistically specific services and resources to cul-
24 turally specific communities.

1 “(9) CULTURALLY SPECIFIC.—The term ‘cul-
 2 turally specific’ means primarily directed toward ra-
 3 cial and ethnic minority groups (as defined in sec-
 4 tion 1707(g) of the Public Health Service Act (42
 5 U.S.C. 300a-6(g)).”;

6 (7) in paragraph (10), as redesignated, by in-
 7 serting “or intimate partner” after “former spouse”
 8 and “as a spouse”;

9 (8) by inserting after paragraph (13), as redesi-
 10 gnated, the following:

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

13 (9) in paragraph (21), as redesignated, by in-
 14 serting at the end the following:

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

17 (10) by striking paragraph (17), as in effect be-
 18 fore the amendments made by this subsection;

19 (11) by amending paragraph (22), as redesi-
 20 gnated, to read as follows:

21 “(22) PERSONALLY IDENTIFYING INFORMATION
 22 OR PERSONAL INFORMATION.—The term ‘personally
 23 identifying information’ or ‘personal information’
 24 means individually identifying information for or
 25 about an individual including information likely to

1 disclose the location of a victim of domestic violence,
 2 dating violence, sexual assault, or stalking, regard-
 3 less of whether the information is encoded,
 4 encrypted, hashed, or otherwise protected, includ-
 5 ing—

6 “(A) a first and last name;

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

8 “(C) contact information (including a post-
 9 al, e-mail or Internet protocol address, or tele-
 10 phone or facsimile number);

11 “(D) a social security number, driver li-
 12 cense number, passport number, or student
 13 identification number; and

14 “(E) any other information, including date
 15 of birth, racial or ethnic background, or reli-
 16 gious affiliation, that would serve to identify
 17 any individual.”;

18 (12) by inserting after paragraph (22), as re-
 19 designated, the following:

20 “(23) POPULATION SPECIFIC ORGANIZATION.—

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

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

3 “(24) POPULATION SPECIFIC SERVICES.—The
4 term ‘population specific services’ means victim-cen-
5 tered services that address the safety, health, eco-
6 nomic, legal, housing, workplace, immigration, con-
7 fidentiality, or other needs of victims of domestic vi-
8 olence, dating violence, sexual assault, or stalking,
9 and that are designed primarily for and are targeted
10 to a specific underserved population.”;

11 (13) in paragraph (25), as redesignated, by
12 striking “services” and inserting “assistance”;

13 (14) by inserting after paragraph (26), as re-
14 designated, the following:

15 “(27) RAPE CRISIS CENTER.—The term ‘rape
16 crisis center’ means a nonprofit, nongovernmental,
17 or tribal organization, or governmental entity in a
18 State other than a Territory that provides interven-
19 tion and related assistance, as specified in 42 U.S.C.
20 14043g(b)(2)(C), to victims of sexual assault with-
21 out regard to their age. In the case of a govern-
22 mental entity, the entity may not be part of the
23 criminal justice system (such as a law enforcement
24 agency) and must be able to offer a comparable level

1 of confidentiality as a nonprofit entity that provides
2 similar victim services.”;

3 (15) in paragraph (28), as redesignated—

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

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

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

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

11 (16) in paragraph (29), as redesignated, by
12 striking “150,000” and inserting “250,000”;

13 (17) by inserting after paragraph (29), as re-
14 designated, the following:

15 “(30) SEX TRAFFICKING.—The term ‘sex traf-
16 ficking’ means any conduct proscribed by 18 U.S.C.
17 1591, whether or not the conduct occurs in inter-
18 state or foreign commerce or within the special mar-
19 itime and territorial jurisdiction of the United
20 States.”;

21 (18) by striking paragraph (31), as redesi-
22 gnated, and inserting the following:

23 “(31) SEXUAL ASSAULT.—The term ‘sexual as-
24 sault’ means any nonconsensual sexual act pro-

1 scribed by Federal, tribal, or State law, including
2 when the victim lacks capacity to consent.”;

3 (19) by amending paragraph (41), as redesignated,
4 to read as follows:

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

17 (20) by inserting after paragraph (41), as redesignated,
18 the following:

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

1 (21) by striking paragraph (36), as in effect be-
2 fore the amendments made by this subsection, and
3 inserting the following:

4 “(45) VICTIM SERVICES OR SERVICES.—The
5 terms ‘victim services’ and ‘services’ mean services
6 provided to victims of domestic violence, dating vio-
7 lence, sexual assault, or stalking, including tele-
8 phonic or web-based hotlines, legal advocacy, eco-
9 nomic advocacy, emergency and transitional shelter,
10 accompaniment and advocacy through medical, civil
11 or criminal justice, immigration, and social support
12 systems, crisis intervention, short-term individual
13 and group support services, information and refer-
14 rals, culturally specific services, population specific
15 services, and other related supportive services.

16 “(46) VICTIM SERVICE PROVIDER.—The term
17 ‘victim service provider’ means a nonprofit, non-
18 governmental or tribal organization or rape crisis
19 center, including a State or tribal coalition, that as-
20 sists domestic violence, dating violence, sexual as-
21 sault, or stalking victims, including domestic violence
22 shelters, faith-based organizations, and other organi-
23 zations, with a documented history of effective work
24 concerning domestic violence, dating violence, sexual
25 assault, or stalking.”; and

1 (22) by striking paragraph (47), as redesignated,
2 and inserting the following:

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

5 (b) GRANTS CONDITIONS.—Subsection (b) of section
6 40002 of the Violence Against Women Act of 1994 (42
7 U.S.C. 13925(b)) is amended—

8 (1) in paragraph (2)—

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

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

18 “(ii) disclose, reveal, or release individual
19 client information without the informed, written,
20 reasonably time-limited consent of the person (or
21 in the case of an unemancipated minor, the minor and
22 the parent or guardian or in the case of legal
23 incapacity, a court-appointed guardian)

1 about whom information is sought, wheth-
2 er for this program or any other Federal,
3 State, tribal, or territorial grant program,
4 except that consent for release may not be
5 given by the abuser of the minor, incapaci-
6 tated person, or the abuser of the other
7 parent of the minor.

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

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

15 “(D) INFORMATION SHARING.—

16 “(i) Grantees and subgrantees may
17 share—

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

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

6 ~~“(III) law enforcement-generated~~
7 ~~and prosecution-generated information~~
8 ~~necessary for law enforcement and~~
9 ~~prosecution purposes.~~

10 ~~“(ii) In no circumstances may—~~

11 ~~“(I) an adult, youth, or child vie-~~
12 ~~tim of domestic violence, dating vio-~~
13 ~~lence, sexual assault, or stalking be~~
14 ~~required to provide a consent to re-~~
15 ~~lease his or her personally identifying~~
16 ~~information as a condition of eligi-~~
17 ~~bility for the services provided by the~~
18 ~~grantee or subgrantee;~~

19 ~~“(II) any personally identifying~~
20 ~~information be shared in order to~~
21 ~~comply with Federal, tribal, or State~~
22 ~~reporting, evaluation, or data collec-~~
23 ~~tion requirements, whether for this~~
24 ~~program or any other Federal, tribal,~~
25 ~~or State grant program.”;~~

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

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

5 “(E) STATUTORILY MANDATED REPORTS
6 OF ABUSE OR NEGLECT.—Nothing in this sec-
7 tion prohibits a grantee or subgrantee from re-
8 porting suspected abuse or neglect, as those
9 terms are defined by law, where specifically
10 mandated by the State or tribe involved.”; and

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

13 “(G) CONFIDENTIALITY ASSESSMENT AND
14 ASSURANCES.—Grantees and subgrantees must
15 document their compliance with the confiden-
16 tiality and privacy provisions required under
17 this section.”;

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

20 “(3) APPROVED ACTIVITIES.—In carrying out
21 the activities under this title, grantees and sub-
22 grantees may collaborate with, or provide informa-
23 tion to Federal, State, local, tribal, and territorial
24 public officials and agencies to develop and imple-
25 ment policies and develop and promote State, local,

1 or tribal legislation or model codes designed to re-
 2 duce or eliminate domestic violence, dating violence,
 3 sexual assault, and stalking.”;

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

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

9 (4) by inserting after paragraph (11) the fol-
 10 lowing:

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

17 “(13) CIVIL RIGHTS.—

18 “(A) NONDISCRIMINATION.—No person in
 19 the United States shall on the basis of actual
 20 or perceived race, color, religion, national ori-
 21 gin, sex, gender identity (as defined in para-
 22 graph 249(c)(4) of title 18, United States
 23 Code), sexual orientation, or disability be ex-
 24 cluded from participation in, be denied the ben-
 25 efits of, or be subjected to discrimination under

1 any program or activity funded in whole or in
2 part with funds made available under the Vio-
3 lence Against Women Act of 1994 (title IV of
4 Public Law 103-322; 108 Stat. 1902), the Vio-
5 lence Against Women Act of 2000 (division B
6 of Public Law 106-386; 114 Stat. 1491), the
7 Violence Against Women and Department of
8 Justice Reauthorization Act of 2005 (title IX of
9 Public Law 109-162; 119 Stat. 3080), the Vio-
10 lence Against Women Reauthorization Act of
11 2011, and any other program or activity funded
12 in whole or in part with funds appropriated for
13 grants, cooperative agreements, and other as-
14 sistance administered by the Office on Violence
15 Against Women.

16 “(B) EXCEPTION.—If gender segregation
17 or gender-specific programming is necessary to
18 the essential operation of a program, nothing in
19 this paragraph shall prevent any such program
20 or activity from consideration of an individual’s
21 gender. In such circumstances, alternative rea-
22 sonable accommodations are sufficient to meet
23 the requirements of this paragraph.

24 “(C) DISCRIMINATION.—The provisions of
25 paragraphs (2) through (4) of section 809(e) of

1 the Omnibus Crime Control and Safe Streets
2 Act of 1968 (42 U.S.C. 3789d(e)) apply to vio-
3 lations of subparagraph (A).

4 “(D) CONSTRUCTION.—Nothing contained
5 in this paragraph shall be construed, inter-
6 preted, or applied to supplant, displace, pre-
7 empt, or otherwise diminish the responsibilities
8 and liabilities under other State or Federal civil
9 rights law, whether statutory or common.

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

18 “(15) CONFERRAL.—

19 “(A) IN GENERAL.—The Office on Vio-
20 lence Against Women shall establish a biennial
21 conferral process with State and tribal coaliti-
22 ons and technical assistance providers who re-
23 ceive funding through grants administered by
24 the Office on Violence Against Women and au-

1 thorized by this Act, and other key stake-
2 holders.

3 ~~“(B) AREAS COVERED.—~~The areas of con-
4 ferral under this paragraph shall include—

5 ~~“(i) the administration of grants;~~

6 ~~“(ii) unmet needs;~~

7 ~~“(iii) promising practices in the field;~~

8 and

9 ~~“(iv) emerging trends.~~

10 ~~“(C) INITIAL CONFERRAL.—~~The first con-
11 ferral shall be initiated not later than 6 months
12 after the date of enactment of the Violence
13 Against Women Reauthorization Act of 2011.

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

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

22 ~~“(ii) is made available to the public on~~
23 the Office on Violence Against Women’s
24 website and submitted to the Committee
25 on the Judiciary of the Senate and the

1 Committee on the Judiciary of the House
2 of Representatives.

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

6 “(A) AUDIT REQUIREMENT.—

7 “(i) IN GENERAL.—Beginning in the
8 first fiscal year beginning after the date of
9 the enactment of this Act, and in each fis-
10 cal year thereafter, the Inspector General
11 of the Department of Justice shall conduct
12 audits of recipients of grants under this
13 Act to prevent waste, fraud, and abuse of
14 funds by grantees. The Inspector General
15 shall determine the appropriate number of
16 grantees to be audited each year.

17 “(ii) DEFINITION.—In this paragraph,
18 the term ‘unresolved audit finding’ means
19 a finding in the final audit report of the
20 Inspector General of the Department of
21 Justice that the audited grantee has uti-
22 lized grant funds for an unauthorized ex-
23 penditure or otherwise unallowable cost
24 that is not closed or resolved within 12

1 months from the date when the final audit
2 report is issued.

3 “(iii) MANDATORY EXCLUSION.—A re-
4 cipient of grant funds under this Act that
5 is found to have an unresolved audit find-
6 ing shall not be eligible to receive grant
7 funds under this Act during the following
8 2 fiscal years.

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

15 “(v) REIMBURSEMENT.—If an entity
16 is awarded grant funds under this Act dur-
17 ing the 2-fiscal-year period in which the
18 entity is barred from receiving grants
19 under paragraph (2), the Attorney General
20 shall—

21 “(I) deposit an amount equal to
22 the grant funds that were improperly
23 awarded to the grantee into the Gen-
24 eral Fund of the Treasury; and

1 “(H) seek to recoup the costs of
2 the repayment to the fund from the
3 grant recipient that was erroneously
4 awarded grant funds.

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

7 “(i) DEFINITION.—For purposes of
8 this paragraph and the grant programs de-
9 scribed in this Act, the term ‘nonprofit or-
10 ganization’ means an organization that is
11 described in section 501(c)(3) of the Inter-
12 nal Revenue Code of 1986 and is exempt
13 from taxation under section 501(a) of such
14 Code.

15 “(ii) PROHIBITION.—The Attorney
16 General may not award a grant under any
17 grant program described in this Act to a
18 nonprofit organization that holds money in
19 offshore accounts for the purpose of avoid-
20 ing paying the tax described in section
21 511(a) of the Internal Revenue Code of
22 1986.

23 “(iii) DISCLOSURE.—Each nonprofit
24 organization that is awarded a grant under
25 a grant program described in this Act and

1 uses the procedures prescribed in regula-
2 tions to create a rebuttable presumption of
3 reasonableness for the compensation of its
4 officers, directors, trustees and key em-
5 ployees, shall disclose to the Attorney Gen-
6 eral, in the application for the grant, the
7 process for determining such compensa-
8 tion, including the independent persons in-
9 volved in reviewing and approving such
10 compensation, the comparability data used,
11 and contemporaneous substantiation of the
12 deliberation and decision. Upon request,
13 the Attorney General shall make the infor-
14 mation disclosed under this subsection
15 available for public inspection.

16 “(C) CONFERENCE EXPENDITURES.—

17 “(i) LIMITATION.—No amounts au-
18 thorized to be appropriated to the Depart-
19 ment of Justice under this Act may be
20 used by the Attorney General, or by any
21 individual or organization awarded discre-
22 tionary funds through a cooperative agree-
23 ment under this Act, to host or support
24 any expenditure for conferences that uses
25 more than \$20,000 in Department funds,

1 unless the Deputy Attorney General or
2 such Assistant Attorney Generals, Direc-
3 tors, or principal deputies as the Deputy
4 Attorney General may designate, provides
5 prior written authorization that the funds
6 may be expended to host a conference.

7 “(ii) WRITTEN APPROVAL.—Written
8 approval under clause (i) shall include a
9 written estimate of all costs associated
10 with the conference, including the cost of
11 all food and beverages, audiovisual equip-
12 ment, honoraria for speakers, and any en-
13 tertainment.

14 “(iii) REPORT.—The Deputy Attorney
15 General shall submit an annual report to
16 the Committee on the Judiciary of the
17 Senate and the Committee on the Judici-
18 ary of the House of Representatives on all
19 approved conference expenditures ref-
20 erenced in paragraph (1).

21 “(D) ANNUAL CERTIFICATION.—Beginning
22 in the first fiscal year beginning after the date
23 of the enactment of this Act, the Attorney Gen-
24 eral shall submit, to the Committee on the Ju-
25 diciary and the Committee on Appropriations of

1 the Senate and the Committee on the Judiciary
2 and the Committee on Appropriations of the
3 House of Representatives, an annual certifi-
4 cation that—

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

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

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

16 “(iv) includes a list of any grant re-
17 cipients excluded under subparagraph (A)
18 from the previous year.”

1 **TITLE I—ENHANCING JUDICIAL**
 2 **AND LAW ENFORCEMENT**
 3 **TOOLS TO COMBAT VIOLENCE**
 4 **AGAINST WOMEN**

5 **SEC. 101. STOP GRANTS.**

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

9 (1) in section 1001(a)(18) (42 U.S.C.
 10 3793(a)(18)); by striking “\$225,000,000 for each of
 11 fiscal years 2007 through 2011” and inserting
 12 “\$222,000,000 for each of fiscal years 2012 through
 13 2016”;

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

15 (A) in the matter preceding paragraph

16 (1)—

17 (i) by striking “equipment” and in-
 18 sserting “resources”; and

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

21 (B) in paragraph (1), by striking “sexual
 22 assault” and all that follows through “dating
 23 violence” and inserting “domestic violence, dat-
 24 ing violence, sexual assault, and stalking, in-
 25 cluding the appropriate use of nonimmigrant

1 status under subparagraphs (T) and (U) of sec-
2 tion 101(a)(15) of the Immigration and Nation-
3 ality Act (8 U.S.C. 1101(a));

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

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

13 (E) in paragraph (4)—

14 (i) by striking “sexual assault and do-
15 mestic violence” and inserting “domestic
16 violence, dating violence, sexual assault,
17 and stalking”; and

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

20 (F) in paragraph (5)—

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

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

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

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

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

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

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

21 (J) in paragraph (9), as redesignated by
22 subparagraph (G), by striking “domestic vio-
23 lence or sexual assault” and inserting “domestic
24 violence, dating violence, sexual assault, or
25 stalking”;

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

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

11 (ii) by striking “and” at the end;

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

14 (i) by striking “to provide” and in-
15 serting “providing”;

16 (ii) by striking “nonprofit nongovern-
17 mental”;

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

20 (iv) by striking the period at the end
21 and inserting a semicolon;

22 (~~M~~) by inserting after paragraph (13), as
23 redesignated by subparagraph (G), the fol-
24 lowing:

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

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

8 “(16) developing and strengthening policies,
9 protocols, best practices, and training for law en-
10 forcement agencies and prosecutors relating to the
11 investigation and prosecution of sexual assault cases
12 and the appropriate treatment of victims;

13 “(17) developing, enlarging, or strengthening
14 programs addressing sexual assault against men,
15 women, and youth in correctional and detention set-
16 tings;

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

22 “(19) developing, enlarging, or strengthening
23 programs and projects to provide services and re-
24 sponses targeting male and female victims of domes-
25 tic violence, dating violence, sexual assault, or stalk-

1 ing, whose ability to access traditional services and
 2 responses is affected by their sexual orientation or
 3 gender identity, as defined in section 249(e) of title
 4 18, United States Code; and

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

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

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

15 (A) in subsection (a), by striking “non-
 16 profit nongovernmental victim service pro-
 17 grams” and inserting “victim service pro-
 18 viders”;

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

21 (C) in subsection (c)—

22 (i) by striking paragraph (2) and in-
 23 serting the following:

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

4 ~~“(A)~~ the State sexual assault coalition;

5 ~~“(B)~~ the State domestic violence coalition;

6 ~~“(C)~~ the law enforcement entities within
 7 the State;

8 ~~“(D)~~ prosecution offices;

9 ~~“(E)~~ State and local courts;

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

12 ~~“(G)~~ representatives from underserved
 13 populations;

14 ~~“(H)~~ victim service providers;

15 ~~“(I)~~ population specific organizations; and

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

19 (ii) by striking paragraph (4);

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

22 (iv) by inserting after paragraph (2);
 23 as amended by clause (i), the following:

24 ~~“(3)~~ grantees shall coordinate the State imple-
 25 mentation plan described in paragraph (2) with the

1 State plans described in section 307 of the Family
2 Violence Prevention and Services Act (42 U.S.C.
3 10407) and the plans described in the Victims of
4 Crime Act of 1984 (42 U.S.C. 10601 et seq.) and
5 section 393A of the Public Health Service Act (42
6 U.S.C. 280b-1b).”;

7 (v) in paragraph (4), as redesignated
8 by clause (ii)—

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

12 (II) by redesignating subpara-
13 graphs (B) and (C) as subparagraphs
14 (C) and (D);

15 (III) by inserting after subpara-
16 graph (A), the following:

17 “(B) not less than 25 percent shall be allo-
18 cated for prosecutors.”;

19 (IV) in subparagraph (C), as re-
20 designated by subclause (II), by strik-
21 ing “culturally specific community
22 based” and inserting “population spe-
23 cific”; and

1 (V) in subparagraph (D) as re-
 2 designated by subclause (II) by strik-
 3 ing “for” and inserting “to”; and
 4 (vi) by adding at the end the fol-
 5 lowing:

6 “~~(5)~~ not later than ~~3~~ years after the date of en-
 7 actment of this Act, and every year thereafter, not
 8 less than ~~25~~ percent of the total amount granted to
 9 a State under this subchapter shall be allocated for
 10 programs or projects that meaningfully address sexual
 11 assault, including stranger rape, acquaintance
 12 rape, alcohol or drug-facilitated rape, and rape with-
 13 in the context of an intimate partner relationship.”;

14 (D) by striking subsection (d) and insert-
 15 ing the following:

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

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

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

23 “~~(3)~~ proof of compliance with the requirements
 24 for paying fees and costs relating to domestic vio-

1 lence and protection order cases, described in section
2 2011 of this title;

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

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

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

10 (E) in subsection (c)—

11 (i) in paragraph (2)—

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

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

20 (ii) by adding at the end the fol-
21 lowing:

22 “(3) CONDITIONS.—In disbursing grants under
23 this part, the Attorney General may impose reason-
24 able conditions on grant awards to ensure that the

1 States meet statutory, regulatory, and other pro-
 2 grams requirements.”;

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

11 and

12 ~~(G)~~ by adding at the end the following:

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

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

19 “(2) submit to the Attorney General—

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

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

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

4 “(i) the need for the grant funds;

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

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

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

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

20 “(E) demographic data on the distribution
21 of underserved populations within the State and
22 a description of how the State will meet the
23 needs of underserved populations, including the
24 minimum allocation for population specific serv-
25 ices required under subsection (c)(4)(C);

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

3 “(G) goals and objectives for reducing do-
4 mestic violence-related homicides within the
5 State; and

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

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

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

13 “(2) the State does not receive sufficient eligi-
14 ble applications to award the full funding within the
15 allocations in subparagraphs (A) through (d) of sub-
16 section (e)(3),”;

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

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

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

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

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

8 (B) in subsection (b)—

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

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

13 (iii) by striking paragraph (3);

14 (C) in subsection (c), by striking “, except
15 that such funds” and all that follows and in-
16 serting a period; and

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

19 “(d) NONCOOPERATION.—

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

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

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

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

10 (B) by striking “domestic violence” and all
11 that follows through “sexual assault” and in-
12 serting “domestic violence, dating violence, sex-
13 ual assault, or stalking”.

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

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

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

20 (A) in subsection (b)—

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

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

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

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

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

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

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

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

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

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

17 “(15) To develop or strengthen policies, proto-
18 cols, and training for law enforcement officers, pros-
19 ecutors, and the judiciary in recognizing, inves-
20 tigating, and prosecuting instances of domestic vio-
21 lence, dating violence, sexual assault, and stalking
22 against immigrant victims, including the appropriate
23 use of applications for nonimmigrant status under
24 subparagraphs (T) and (U) of section 101(a)(15) of

1 the Immigration and Nationality Act (8 U.S.C.
2 1101(a)(15)).

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

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

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

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

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

23 “(21) To identify and inventory backlogs of sex-
24 ual assault evidence collection kits and to develop
25 protocols for responding to and addressing such

1 backlogs, including policies and protocols for noti-
2 fying and involving victims.

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

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

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

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

15 ~~(B) in subsection (c)—~~

16 ~~(i) in paragraph (1)—~~

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

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

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

4 (iii) in paragraph (4)—

5 (I) by inserting “modification,
6 enforcement, dismissal,” after “reg-
7 istration,” each place it appears;

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

10 (III) by striking “and” at the
11 end;

12 (iv) in paragraph (5)—

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

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

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

24 (IV) in clause (ii), as redesign-
25 ated by subclause (III) of this

1 clause, by striking “subparagraph
2 (A)” and inserting “clause (i)”; and

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

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

9 (vi) in the matter preceding subpara-
10 graph (A), as redesignated by clause (v) of
11 this subparagraph—

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

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

18 “(1) States”; and

19 (vii) by adding at the end the fol-
20 lowing:

21 “(2) a State, tribal, or territorial domestic vio-
22 lence or sexual assault coalition or a victim service
23 provider that partners with a State, Indian tribal
24 government, or unit of local government that cer-
25 tifies that the State, Indian tribal government, or

1 unit of local government meets the requirements
2 under paragraph (1).”;

3 (C) in subsection (d)—

4 (i) in paragraph (1)—

5 (I) in the matter preceding sub-
6 paragraph (A), by inserting “; policy,”
7 after “law”; and

8 (II) in subparagraph (A), by in-
9 serting “and the defendant is in cus-
10 tody or has been served with the in-
11 formation or indictment” before the
12 semicolon; and

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

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

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

23 (2) in section 2102(a) (42 U.S.C. 3796hh-
24 1(a))—

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

3 (B) in paragraph (4), by striking “non-
4 profit, private sexual assault and domestic vio-
5 lence programs” and inserting “victim service
6 providers and, as appropriate, population spe-
7 cific organizations”.

8 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section
9 1001(a)(19) of title I of the Omnibus Crime Control and
10 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is
11 amended—

12 (1) by striking “\$75,000,000” and all that fol-
13 lows through “2011.” and inserting “\$70,000,000
14 for each of fiscal years 2012 through 2016.”; and

15 (2) by striking the period that immediately fol-
16 lows another period.

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

18 Section 1201 of the Violence Against Women Act of
19 2000 (42 U.S.C. 3796gg-6) is amended—

20 (1) in subsection (a)—

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

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

1 (2) in subsection (b)—

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

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

7 (3) in subsection (c)—

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

11 (B) by striking paragraph (3) and insert-
12 ing the following:

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

20 (4) in subsection (d)—

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

24 “(A) has demonstrated expertise in pro-
25 viding legal assistance or advocacy to victims of

1 domestic violence, dating violence, sexual as-
 2 sault, or stalking in the targeted population; or

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

6 “(ii) has completed, or will complete, train-
 7 ing in connection with domestic violence, dating
 8 violence, stalking, or sexual assault and related
 9 legal issues, including training on evidence-
 10 based risk factors for domestic and dating vio-
 11 lence homicide;” and

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

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

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

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

1 Against Women and Department of Justice Reauthoriza-
2 tion Act of 2005 (Public Law 109–162; 119 Stat. 316),
3 and inserting the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 “(A) victims of domestic violence; and

19 “(B) nonoffending parents in matters—

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

22 “(ii) that relate to family matters, in-
23 cluding civil protection orders, custody,
24 and divorce; and

1 “~~(iii)~~ in which the other parent is rep-
2 resented by counsel;

3 “~~(7)~~ collect data and provide training and tech-
4 nical assistance, including developing State, local,
5 and tribal model codes and policies, to improve the
6 capacity of grantees and communities to address the
7 civil justice needs of victims of domestic violence,
8 dating violence, sexual assault, and stalking who
9 have legal representation, who are proceeding pro se,
10 or are proceeding with the assistance of a legal advo-
11 cate; and

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

16 “~~(c)~~ CONSIDERATIONS.—

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

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

22 “~~(B)~~ the extent to which the proposed pro-
23 grams and services serve underserved popu-
24 lations;

1 “(C) the extent to which the applicant
2 demonstrates cooperation and collaboration
3 with nonprofit, nongovernmental entities in the
4 local community with demonstrated histories of
5 effective work on domestic violence, dating vio-
6 lence, sexual assault, or stalking, including
7 State or tribal domestic violence coalitions,
8 State or tribal sexual assault coalitions, local
9 shelters, and programs for domestic violence
10 and sexual assault victims; and

11 “(D) the extent to which the applicant
12 demonstrates coordination and collaboration
13 with State, tribal, and local court systems, in-
14 cluding mechanisms for communication and re-
15 ferral.

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

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

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

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

8 “(3) for a court-based program, certifies that
9 victims of domestic violence, dating violence, sexual
10 assault, or stalking are not charged fees or any
11 other costs related to the filing, petitioning, modi-
12 fying, issuance, registration, enforcement, with-
13 drawal, or dismissal of matters relating to the do-
14 mestic violence, dating violence, sexual assault, or
15 stalking;

16 “(4) demonstrates that adequate security meas-
17 ures, including adequate facilities, procedures, and
18 personnel capable of preventing violence, and ade-
19 quate standards are, or will be, in place (including
20 the development of protocols or policies to ensure
21 that confidential information is not shared with
22 courts, law enforcement agencies, or child welfare
23 agencies unless necessary to ensure the safety of any
24 child or adult using the services of a program fund-
25 ed under this section), if the applicant proposes to

1 operate supervised visitation programs and services
2 or safe visitation exchange;

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

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

15 “(7) certifies that any person providing custody
16 evaluation or guardian ad litem services through a
17 program funded under this section has completed or
18 will complete training developed with input from and
19 in collaboration with a tribal, State, territorial, or
20 local domestic violence, dating violence, sexual as-
21 sault, or stalking organization or coalition on the dy-
22 namics of domestic violence and sexual assault, in-
23 cluding child sexual abuse, that includes training on
24 how to review evidence of past abuse and the use of

1 evidenced-based theories to make recommendations
2 on custody and visitation.

3 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated to carry out this section;
5 \$22,000,000 for each of fiscal years 2012 through 2016.
6 Amounts appropriated pursuant to this subsection shall
7 remain available until expended.

8 “(f) ALLOTMENT FOR INDIAN TRIBES.—

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

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

17 (b) TECHNICAL AND CONFORMING AMENDMENT.—
18 Subtitle J of the Violence Against Women Act of 1994
19 (42 U.S.C. 14043 et seq.) is repealed.

20 **SEC. 105. SEX OFFENDER MANAGEMENT.**

21 Section 40152(e) of the Violence Against Women Act
22 of 1994 (42 U.S.C. 13941) is amended by striking
23 “\$5,000,000” and all that follows and inserting
24 “\$5,000,000 for each of fiscal years 2012 through 2016.”.

1 **SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PRO-**
2 **GRAM.**

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

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

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

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

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

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

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

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

3 Section 2261A of title 18, United States Code, is
 4 amended to read as follows:

5 **“§ 2261A. Stalking**

6 **“Whoever—**

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

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

17 **“(i) that person;**

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

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

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

1 “(2) with the intent to kill, injure, harass, in-
 2 timidate, or place under surveillance with intent to
 3 kill, injure, harass, or intimidate another person,
 4 uses the mail, any interactive computer service or
 5 electronic communication service or electronic com-
 6 munication system of interstate commerce, or any
 7 other facility of interstate or foreign commerce to
 8 engage in a course of conduct that—

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

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

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

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

1 **“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UN-**
2 **DERSERVED POPULATIONS.**

3 **“(a) GRANTS AUTHORIZED.—**

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

19 **“(2) PROGRAMS COVERED.—**The programs cov-
20 ered by paragraph (2) are the programs carried out
21 under the following provisions:

22 **“(A) Section 2001 of the Omnibus Crime**
23 **Control and Safe Streets Act of 1968 (STOP**
24 **Grants).**

1 “(B) Section 2101 of the Omnibus Crime
2 Control and Safe Streets Act of 1968 (Grants
3 to Encourage Arrest Policies).

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

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

13 “(2) victim service providers offering population
14 specific services for a specific underserved popu-
15 lation; or

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

21 “(c) PLANNING GRANTS.—The Attorney General
22 may use up to 30 percent of funds available under this
23 section to make one-time planning grants to eligible enti-
24 ties to support the planning and development of specially

1 designed and targeted programs for adult and youth vic-
2 tims in one or more underserved populations, including—

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

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

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

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

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

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

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

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

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

22 “(5) working in cooperation with an under-
23 served population to develop and implement out-
24 reach, education, prevention, and intervention strate-
25 gies that highlight available resources and the spe-

1 cific issues faced by victims of domestic violence,
 2 dating violence, sexual assault, or stalking from un-
 3 derserved populations.

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

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

13 “(g) AUTHORIZATION OF APPROPRIATIONS.—In ad-
 14 dition to the funds identified in subsection (a)(1), there
 15 are authorized to be appropriated to carry out this section
 16 \$2,000,000 for each of fiscal years 2012 through 2016.

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

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

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

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

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

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

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

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

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

15 “(B) Section 1401 of division B of the Vie-
16 tims of Trafficking and Violence Protection Act
17 of 2000 (42 U.S.C. 3796gg-6) (Legal Assist-
18 ance for Victims).

19 “(C) Section 40295 of the Violence
20 Against Women Act of 1994 (42 U.S.C. 13971)
21 (Rural Domestic Violence, Dating Violence,
22 Sexual Assault, Stalking, and Child Abuse En-
23 forcement Assistance).

24 “(D) Section 40802a of the Violence
25 Against Women Act of 1994 (42 U.S.C.

1 14041a) (Enhanced Training and Services to
2 End Violence Against Women Later in Life).

3 “(E) Section 1402 of division B of the Vie-
4 tims of Trafficking and Violence Protection Act
5 of 2000 (42 U.S.C. 3796gg-7) (Education,
6 Training, and Enhanced Services to End vio-
7 lence Against and Abuse of Women with Dis-
8 abilities).”; and

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

11 **TITLE II—IMPROVING SERVICES**
12 **FOR VICTIMS OF DOMESTIC**
13 **VIOLENCE, DATING VIO-**
14 **LENCE, SEXUAL ASSAULT,**
15 **AND STALKING**

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

17 (a) GRANTS TO STATES AND TERRITORIES.—Section
18 41601(b) of the Violence Against Women Act of 1994 (42
19 U.S.C. 14043g(b)) is amended—

20 (1) in paragraph (1)—

21 (A) by striking “governmental and non-
22 governmental”; and

23 (B) by striking “other programs” and all
24 that follows and inserting “other nongovern-
25 mental or tribal programs and projects to assist

1 individuals who have been victimized by sexual
 2 assault, without regard to the age of the indi-
 3 vidual.”;

4 (2) in paragraph (2)—

5 (A) in subparagraph (B), by striking “non-
 6 profit, nongovernmental organizations for pro-
 7 grams and activities” and inserting “nongovern-
 8 mental or tribal programs and activities”; and

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

11 (3) in paragraph (4)—

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

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

17 (C) by striking “0.125 percent” and in-
 18 serting “0.25 percent”; and

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

23 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
 24 41601(f)(1) of the Violence Against Women Act of 1994
 25 (42 U.S.C. 14043g(f)(1)) is amended by striking

1 “\$50,000,000 to remain available until expended for each
 2 of the fiscal years 2007 through 2011” and inserting
 3 “\$40,000,000 to remain available until expended for each
 4 of fiscal years 2012 through 2016”.

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

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

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

13 (2) in subsection (b)—

14 (A) in paragraph (1)—

15 (i) by striking “victim advocacy
 16 groups” and inserting “victim service pro-
 17 viders”; and

18 (ii) by inserting “, including devel-
 19 oping multidisciplinary teams focusing on
 20 high risk cases with the goal of preventing
 21 domestic and dating violence homicides”
 22 before the semicolon;

23 (B) in paragraph (2)—

24 (i) by striking “and other long- and
 25 short-term assistance” and inserting “legal

1 assistance, and other long-term and short-
 2 term victim and population specific serv-
 3 ices”; and

4 (ii) by striking “and” at the end;

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

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

8 “(4) developing, enlarging, or strengthening
 9 programs addressing sexual assault, including sexual
 10 assault forensic examiner programs, Sexual Assault
 11 Response Teams, law enforcement training, and pro-
 12 grams addressing rape kit backlogs.”; and

13 (3) in subsection (e)(1), by striking
 14 “\$55,000,000 for each of the fiscal years 2007
 15 through 2011” and inserting “\$50,000,000 for each
 16 of fiscal years 2012 through 2016”.

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

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

23 (1) in subsection (b)—

24 (A) in paragraph (1), by inserting “(in-
 25 cluding using evidence-based indicators to as-

1 sess the risk of domestic and dating violence
2 homicide)” after “risk reduction”;

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

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

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

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

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

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

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

23 “(a) DEFINITIONS.—In this section—

24 “(1) the term ‘eligible entity’ means an entity
25 that—

1 “(A) is—

2 “(i) a State;

3 “(ii) a unit of local government;

4 “(iii) a tribal government or tribal or-
5 ganization;

6 “(iv) a population specific organiza-
7 tion with demonstrated experience in as-
8 sisting individuals in later life;

9 “(v) a victim service provider; or

10 “(vi) a State, tribal, or territorial do-
11 mestic violence or sexual assault coalition;
12 and

13 “(B) is partnered with—

14 “(i) a law enforcement agency;

15 “(ii) an office of a prosecutor;

16 “(iii) a victim service provider; or

17 “(iv) a nonprofit program or govern-
18 ment agency with demonstrated experience
19 in assisting individuals in later life;

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

23 “(3) the term ‘later life’, relating to an indi-
24 vidual, means the individual is 50 years of age or
25 older; and

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

5 “(b) GRANT PROGRAM.—

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

9 “(2) MANDATORY AND PERMISSIBLE ACTIVI-
10 TIES.—

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

14 “(i) provide training programs to as-
15 sist law enforcement agencies, prosecutors,
16 agencies of States or units of local govern-
17 ment, population specific organizations,
18 victim service providers, victim advocates,
19 and relevant officers in Federal, tribal,
20 State, territorial, and local courts in recog-
21 nizing and addressing instances of elder
22 abuse;

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

1 “(iii) establish or support multidisci-
2 plinary collaborative community responses
3 to victims of elder abuse; and

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

11 “(B) PERMISSIBLE ACTIVITIES.—An eligi-
12 ble entity receiving a grant under this section
13 may use not more than 10 percent of the funds
14 received under the grant to—

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

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

24 “(3) UNDERSERVED POPULATIONS.—In making
25 grants under this section, the Attorney General shall

1 give priority to proposals providing culturally spe-
 2 cific or population specific services.

3 “(4) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated to carry out
 5 this section \$6,000,000 for each of fiscal years 2012
 6 through 2016.”.

7 **TITLE III—SERVICES, PROTEC-**
 8 **TION, AND JUSTICE FOR**
 9 **YOUNG VICTIMS OF VIO-**
 10 **LENCE**

11 **SEC. 301. RAPE PREVENTION EDUCATION GRANT.**

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

14 (1) in subsection (a)—

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

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

20 (2) in subsection (c)—

21 (A) in paragraph (1), by striking
 22 “\$80,000,000 for each of fiscal years 2007
 23 through 2011” and inserting “\$50,000,000 for
 24 each of fiscal years 2012 through 2016”; and

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

1 “~~(3)~~ BASELINE FUNDING FOR STATES, THE
 2 DISTRICT OF COLUMBIA, AND PUERTO RICO.—A
 3 minimum allocation of \$150,000 shall be awarded in
 4 each fiscal year for each of the States, the District
 5 of Columbia, and Puerto Rico. If any State, the Dis-
 6 trict of Columbia, or Puerto Rico does not utilize its
 7 \$150,000, such amount shall be redistributed on the
 8 basis of population.”.

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

12 Subtitle L of the Violence Against Women Act of
 13 1994 is amended by striking sections 41201 through
 14 41204 (42 U.S.C. 14043e through 14043e-3) and insert-
 15 ing the following:

16 **“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OP-**
 17 **TIONS, SERVICES, AND EDUCATION FOR**
 18 **CHILDREN AND YOUTH (‘CHOOSE CHILDREN**
 19 **& YOUTH’).**

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

1 violence, sexual assault, or stalking and prevent future vio-
2 lence.

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

6 “(1) SERVICES TO ADVOCATE FOR AND RE-
7 SPOND TO YOUTH.—To develop, expand, and
8 strengthen victim-centered interventions and services
9 that target youth who are victims of domestic vio-
10 lence, dating violence, sexual assault, and stalking.
11 Services may include victim services, counseling, ad-
12 vocacy, mentoring, educational support, transpor-
13 tation, legal assistance in civil, criminal and admin-
14 istrative matters, such as family law cases, housing
15 cases, child welfare proceedings, campus administra-
16 tive proceedings, and civil protection order pro-
17 ceedings, services to address the co-occurrence of sex
18 trafficking, population-specific services, and other
19 activities that support youth in finding safety, sta-
20 bility, and justice and in addressing the emotional,
21 cognitive, and physical effects of trauma. Funds may
22 be used to—

23 “(A) assess and analyze currently available
24 services for youth victims of domestic violence,
25 dating violence, sexual assault, and stalking, de-

1 termining relevant barriers to such services in
2 a particular locality, and developing a commu-
3 nity protocol to address such problems collabo-
4 ratively;

5 “(B) develop and implement policies, prac-
6 tices, and procedures to effectively respond to
7 domestic violence, dating violence, sexual as-
8 sault, or stalking against youth; or

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

23 “(2) SUPPORTING YOUTH THROUGH EDU-
24 CATION AND PROTECTION.—To enable middle

1 schools, high schools, and institutions of higher edu-
2 cation to—

3 “(A) provide training to school personnel,
4 including healthcare providers and security per-
5 sonnel, on the needs of students who are vie-
6 tims of domestic violence, dating violence, sex-
7 ual assault, or stalking;

8 “(B) develop and implement prevention
9 and intervention policies in middle and high
10 schools, including appropriate responses to, and
11 identification and referral procedures for, stu-
12 dents who are experiencing or perpetrating do-
13 mestic violence, dating violence, sexual assault,
14 or stalking, and procedures for handling the re-
15 quirements of court protective orders issued to
16 or against students;

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

21 “(D) implement developmentally appro-
22 priate educational programming for students re-
23 garding domestic violence, dating violence, sex-
24 ual assault, and stalking and the impact of such
25 violence on youth; or

1 “(E) develop strategies to increase identi-
2 fication, support, referrals, and prevention pro-
3 gramming for youth who are at high risk of do-
4 mestic violence, dating violence, sexual assault,
5 or stalking.

6 “(c) ELIGIBLE APPLICANTS.—

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

9 “(A) a victim service provider, tribal non-
10 profit, or population-specific or community-
11 based organization with a demonstrated history
12 of effective work addressing the needs of youth
13 who are victims of domestic violence, dating vio-
14 lence, sexual assault, or stalking; or

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

19 “(2) PARTNERSHIPS.—

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

1 partment of Defense under section 2164 of title
2 10, United States Code or section 1402 of the
3 Defense Dependents' Education Act of 1978, a
4 group of schools, a school district, or an institu-
5 tion of higher education.

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

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

13 “(ii) a population specific or commu-
14 nity-based organization;

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

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

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

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

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

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

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

21 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to carry out this section,
23 \$15,000,000 for each of fiscal years 2012 through 2016.

24 “(g) ALLOTMENT.—

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

5 “(2) INDIAN TRIBES.—Not less than 10 percent
6 of the total amount appropriated under this section
7 for each fiscal year shall be made available for
8 grants under the program authorized by section
9 2015 of the Omnibus Crime Control and Safe
10 Streets Act of 1968.

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

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

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

19 (1) in subsection (a)—

20 (A) in paragraph (1)—

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

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

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

5 (B) in paragraph (2), by striking
6 “\$500,000” and inserting “\$300,000”;
7 (2) in subsection (b)—

8 (A) in paragraph (2)—

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

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

14 (B) in paragraph (4)—

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

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

22 (iii) by inserting “, regardless of
23 whether the services are provided by the
24 institution or in coordination with commu-

1 nity victim service providers² before the
2 period at the end; and

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

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

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

13 (3) in subsection (c)—

14 (A) in paragraph (2)—

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

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

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

24 “(D) describe how underserved populations
25 in the campus community will be adequately

1 served, including the provision of relevant popu-
 2 lation specific services;” and

3 (B) in paragraph (3), by striking “2007
 4 through 2011” and inserting “2012 through
 5 2016”;

6 (4) in subsection (d)—

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

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

11 “(3) GRANTEE MINIMUM REQUIREMENTS.—

12 Each grantee shall comply with the following min-
 13 imum requirements during the grant period:

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

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

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

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

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

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

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

15 (1) in paragraph (1)—

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

20 (B) in subparagraph (F)—

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

23 (ii) in clause (ii)—

24 (I) by striking “sexual orienta-
25 tion” and inserting “national origin;

1 sexual orientation, gender identity,”;
2 and

3 (H) by striking the period and
4 inserting “, and”; and

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

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

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

14 (3) in paragraph (6)(A)—

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

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

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

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

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

5 (4) in paragraph (7)—

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

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

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

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

1 “(i) such institution’s programs to prevent do-
2 mestic violence, dating violence, sexual assault, and
3 stalking; and

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

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

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

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

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

21 “(bb) the definition of domestic vio-
22 lence, dating violence, sexual assault, and
23 stalking in the applicable jurisdiction;

1 “(cc) the definition of consent, in ref-
2 erence to sexual activity, in the applicable
3 jurisdiction;

4 “(dd) safe and positive options for by-
5 stander intervention that may be carried
6 out by an individual to prevent harm or in-
7 tervene when there is a risk of domestic vi-
8 olence, dating violence, sexual assault, or
9 stalking against a person other than such
10 individual;

11 “(ee) information on risk reduction to
12 recognize warning signs of abusive behav-
13 ior and how to avoid potential attacks; and

14 “(ff) the information described in
15 clauses (ii) through (vii); and

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

20 “(ii) Possible sanctions or protective measures
21 that such institution may impose following a final
22 determination of an institutional disciplinary proce-
23 dure regarding rape, acquaintance rape, domestic vi-
24 olence, dating violence, sexual assault, or stalking.

1 “(iii) Procedures victims should follow if a sex
2 offense, domestic violence, dating violence, sexual as-
3 sault, or stalking has occurred, including informa-
4 tion in writing about—

5 “(I) the importance of preserving evidence
6 as may be necessary to the proof of criminal do-
7 mestic violence, dating violence, sexual assault,
8 or stalking, or in obtaining a protection order;

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

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

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

17 “(bb) be assisted by campus authori-
18 ties in notifying law enforcement authori-
19 ties if the victim so chooses; and

20 “(cc) decline to notify such authori-
21 ties; and

22 “(IV) where applicable, the rights of vic-
23 tims and the institution’s responsibilities re-
24 garding orders of protection, no contact orders,

1 restraining orders, or similar lawful orders
2 issued by a criminal, civil, or tribal court.

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

7 “(I) such proceedings shall—

8 “(aa) provide a prompt and equitable
9 investigation and resolution; and

10 “(bb) be conducted by officials who
11 receive annual training on the issues re-
12 lated to domestic violence, dating violence,
13 sexual assault, and stalking and how to
14 conduct an investigation and hearing pro-
15 cess that protects the safety of victims and
16 promotes accountability;

17 “(II) the accuser and the accused are enti-
18 tled to the same opportunities to have others
19 present during an institutional disciplinary pro-
20 ceeding, including the opportunity to be accom-
21 panied to any related meeting or proceeding by
22 an advisor of their choice; and

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

1 “(aa) the outcome of any institutional
2 disciplinary proceeding that arises from an
3 allegation of domestic violence, dating vio-
4 lence, sexual assault, or stalking;

5 “(bb) the institution’s procedures for
6 the accused and the victim to appeal the
7 results of the institutional disciplinary pro-
8 ceeding;

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

12 “(dd) when such results become final.

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

18 “(vi) Notification of students about existing
19 counseling, health, mental health, victim advocacy,
20 legal assistance, and other services available for vic-
21 tims both on-campus and in the community.

22 “(vii) Notification of victims about options for,
23 and available assistance in, changing academic, liv-
24 ing, transportation, and working situations, if so re-
25 quested by the victim and if such accommodations

1 are reasonably available, regardless of whether the
2 victim chooses to report the crime to campus police
3 or local law enforcement.

4 “(C) A student or employee who reports to an institu-
5 tion of higher education that the student or employee has
6 been a victim of domestic violence, dating violence, sexual
7 assault, or stalking, whether the offense occurred on or
8 off campus, shall be provided with a written explanation
9 of the student or employee’s rights and options, as de-
10 scribed in clauses (ii) through (vii) of subparagraph (B).”;

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

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

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

22 “(B) The Secretary shall seek the advice and counsel
23 of the Attorney General of the United States and the Sec-
24 retary of Health and Human Services concerning the de-
25 velopment, and dissemination to institutions of higher

1 education; of best practices information about preventing
 2 and responding to incidents of domestic violence; dating
 3 violence; sexual assault, and stalking; including elements
 4 of institutional policies that have proven successful based
 5 on evidence-based outcome measurements.”; and

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

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

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

20 **TITLE IV—VIOLENCE**
 21 **REDUCTION PRACTICES**

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

24 Section 402(e) of the Violence Against Women and
 25 Department of Justice Reauthorization Act of 2005 (42

1 U.S.C. 280b-4(c)) is amended by striking “\$2,000,000 for
 2 each of the fiscal years 2007 through 2011” and inserting
 3 “\$1,000,000 for each of the fiscal years 2012 through
 4 2016”.

5 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES**
 6 **THROUGH PREVENTION GRANTS.**

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

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

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

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

23 “(1) TENN DATING VIOLENCE AWARENESS AND
 24 PREVENTION.—To develop, maintain, or enhance
 25 programs that change attitudes and behaviors

1 around the acceptability of domestic violence, dating
2 violence, sexual assault, and stalking and provide
3 education and skills training to young individuals
4 and individuals who influence young individuals. The
5 prevention program may use evidence-based, evi-
6 dence-informed, or innovative strategies and prac-
7 tices focused on youth. Such a program should in-
8 clude—

9 “(A) age and developmentally-appropriate
10 education on domestic violence, dating violence,
11 sexual assault, stalking, and sexual coercion, as
12 well as healthy relationship skills, in school, in
13 the community, or in health care settings;

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

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

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

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

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

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

21 “(3) ENGAGING MEN AS LEADERS AND ROLE
22 MODELS.—To develop, maintain or enhance pro-
23 grams that work with men to prevent domestic vio-
24 lence, dating violence, sexual assault, and stalking
25 by helping men to serve as role models and social

1 influencers of other men and youth at the individual,
2 school, community or statewide levels.

3 “(c) ELIGIBLE ENTITIES.—To be an eligible to re-
4 ceive a grant under this section, an entity shall be—

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

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

24 “(A) A public, charter, tribal, or nationally
25 accredited private middle or high school, a

1 school administered by the Department of De-
2 fense under section 2164 of title 10, United
3 States Code or section 1402 of the Defense De-
4 pendents' Education Act of 1978; a group of
5 schools; or a school district.

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

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

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

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

1 “(F) Any other agencies, population-spe-
2 cific organizations, or nonprofit, nongovern-
3 mental organizations with the capacity to pro-
4 vide necessary expertise to meet the goals of the
5 program.

6 “(d) GRANTEE REQUIREMENTS.—

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

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

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

20 “(B) protect the confidentiality and pri-
21 vacy of adult and youth victim information,
22 particularly in the context of parental or third
23 party involvement and consent, mandatory re-
24 porting duties, and working with other service
25 providers;

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

7 “(D) document how prevention programs
8 are coordinated with service programs in the
9 community.

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

13 “(A) include outcome-based evaluation;
14 and

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

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

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out this section,
3 \$15,000,000 for each of fiscal years 2012 through 2016.
4 Amounts appropriated under this section may only be used
5 for programs and activities described under this section.

6 “(g) ALLOTMENT.—

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

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

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

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

23 (2) Section 403 of the Violence Against Women
24 and Department of Justice Reauthorization Act of
25 2005 (42 U.S.C. 14045e).

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

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

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

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

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

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

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

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

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

12 “(b) USE OF FUNDS.—

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

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

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

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

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

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

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

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

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

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

18 “(2) PERMISSIBLE USES.—

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

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

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

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

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

24 “(iii) the inclusion of the health ef-
25 fects of lifetime exposure to violence and

1 abuse as well as related protective factors
2 and behavioral risk factors in health pro-
3 fessional training schools including med-
4 ical, dental, nursing, social work, and men-
5 tal and behavioral health curricula, and al-
6 lied health service training courses; or

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

14 “(e) REQUIREMENTS FOR GRANTEEES.—

15 “(1) CONFIDENTIALITY AND SAFETY.—

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

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

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

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

23 “(3) APPLICATION.—

24 “(A) PREFERENCE.—In selecting grant re-
25 cipients under this section, the Secretary shall

1 give preference to applicants based on the
2 strength of their evaluation strategies, with pri-
3 ority given to outcome based evaluations.

4 “(B) SUBSECTION (a)(1) AND (2) GRANT-
5 EES.—Applications for grants under para-
6 graphs (1) and (2) of subsection (a) shall in-
7 clude—

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

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

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

21 “(III) a government or nonprofit
22 entity with a history of effective work
23 in the fields of domestic violence, dat-
24 ing violence, sexual assault, or stalk-
25 ing; and

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

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

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

23 “(ii) strategies for the development
24 and implementation of policies to prevent
25 and address domestic violence, dating vio-

1 lence, sexual assault, and stalking over the
2 lifespan in health care settings;

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

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

24 “(v) with respect to an application for
25 a grant proposing to fund a program de-

1 scribed in subsection (b)(2)(C)(ii), a cer-
 2 tification that any sexual assault forensic
 3 medical examination and sexual assault
 4 nurse examiner programs supported with
 5 such grant funds will adhere to the guide-
 6 lines set forth by the Attorney General.

7 “(d) ELIGIBLE ENTITIES.—

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

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

18 “(B) an accredited school of allopathic or
 19 osteopathic medicine, psychology, nursing, den-
 20 tistry, social work, or allied health;

21 “(C) a health care provider membership or
 22 professional organization, or a health care sys-
 23 tem; or

24 “(D) a State, tribal, territorial, or local en-
 25 tity.

1 “(2) ~~SUBSECTION (a)(3) GRANTEEES.—~~To be eli-
 2 gible to receive funding under subsection (a)(3), an
 3 entity shall be—

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

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

21 “(c) ~~TECHNICAL ASSISTANCE.—~~

22 “(1) ~~IN GENERAL.—~~Of the funds made avail-
 23 able to carry out this section for any fiscal year, the
 24 Secretary may make grants or enter into contracts
 25 to provide technical assistance with respect to the

1 planning, development, and operation of any pro-
 2 gram, activity or service carried out pursuant to this
 3 section. Not more than 8 percent of the funds ap-
 4 propriated under this section in each fiscal year may
 5 be used to fund technical assistance under this sub-
 6 section.

7 “(2) AVAILABILITY OF MATERIALS.—The Sec-
 8 retary shall make publicly available materials devel-
 9 oped by grantees under this section, including mate-
 10 rials on training, best practices, and research and
 11 evaluation.

12 “(3) REPORTING.—The Secretary shall publish
 13 a biennial report on—

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

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

18 “(f) RESEARCH AND EVALUATION.—

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

24 “(A) grants awarded under this section;
 25 and

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

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

10 “(A) research on the effects of domestic vi-
11 olence, dating violence, sexual assault, and
12 childhood exposure to domestic, dating or sex-
13 ual violence on health behaviors, health condi-
14 tions, and health status of individuals, families,
15 and populations, including underserved popu-
16 lations;

17 “(B) research to determine effective health
18 care interventions to respond to and prevent do-
19 mestic violence, dating violence, sexual assault,
20 and stalking;

21 “(C) research on the impact of domestic,
22 dating and sexual violence, childhood exposure
23 to such violence, and stalking on the health care
24 system, health care utilization, health care
25 costs, and health status; and

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

8 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
9 is authorized to be appropriated to carry out this section,
10 \$10,000,000 for each of fiscal years 2012 through 2016.

11 “(h) DEFINITIONS.—Except as otherwise provided
12 herein, the definitions provided for in section 40002 of the
13 Violence Against Women Act of 1994 shall apply to this
14 section.”.

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

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

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

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

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

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

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

14 **“CHAPTER 1—GRANT PROGRAMS”;**

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

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

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

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

“(a) DEFINITIONS.—In this chapter:

“(1) 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:

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

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

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

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

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

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

4 “(F) the program under paragraph (3) of
5 section 221(d) of the National Housing Act (12
6 U.S.C. 1715l(d)) that bears interest at a rate
7 determined under the proviso under paragraph
8 (5) of such section 221(d);

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

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

14 “(I) rural housing assistance provided
15 under sections 514, 515, 516, 533, and 538 of
16 the Housing Act of 1949 (42 U.S.C. 1484,
17 1485, 1486, 1490m, and 1490p-2); and

18 “(J) the low income housing tax credit
19 program under section 42 of the Internal Rev-
20 enue Code of 1986.

21 “(3) IMMEDIATE FAMILY MEMBER.—The term
22 ‘immediate family member’ means, with respect to
23 an individual—

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

4 “(B) any individual living in the household
5 of such individual who is related to such indi-
6 vidual by blood or marriage; or

7 “(C) any individual living in the household
8 of such individual who is related to such indi-
9 vidual by affinity whose close association or in-
10 timate relationship with such individual is the
11 equivalent of a family relationship.

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

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

23 “(2) CONSTRUCTION OF LEASE TERMS.—An in-
24 cident of actual or threatened domestic violence, dat-

1 ing violence, sexual assault, or stalking shall not be
2 construed as—

3 “(A) a serious or repeated violation of a
4 lease for housing assisted under a covered hous-
5 ing program by the victim or threatened victim
6 of such incident; or

7 “(B) good cause for terminating the assist-
8 ance, tenancy, or occupancy rights to housing
9 assisted under a covered housing program of
10 the victim or threatened victim of such incident.

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

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

1 such domestic violence, dating violence, sexual
2 assault, or stalking.

3 “(B) BIFURCATION.—

4 “(i) IN GENERAL.—Notwithstanding
5 subparagraph (A), an owner or manager of
6 housing assisted under a covered housing
7 program may bifurcate a lease for the
8 housing in order to evict, remove, or termi-
9 nate assistance to any individual who is a
10 tenant or lawful occupant of the housing
11 and who engages in criminal activity di-
12 rectly relating to domestic violence, dating
13 violence, sexual assault, or stalking against
14 an immediate family member or other indi-
15 vidual, without evicting, removing, termi-
16 nating assistance to, or otherwise penal-
17 izing a victim of such criminal activity who
18 is also a tenant or lawful occupant of the
19 housing.

20 “(ii) EFFECT OF EVICTION ON OTHER
21 TENANTS.—If an owner or manager of
22 housing assisted under a covered housing
23 program evicts, removes, or terminates as-
24 sistance to an individual under clause (i),
25 and the individual is the sole tenant eligi-

1 ble to receive assistance under a covered
2 housing program; the owner or manager of
3 housing assisted under the covered housing
4 program shall provide any remaining ten-
5 ant an opportunity to establish eligibility
6 for the covered housing program. If a ten-
7 ant described in the preceding sentence
8 cannot establish eligibility, the owner or
9 manager of the housing shall provide the
10 tenant a reasonable time, as determined by
11 the appropriate agency, to find new hous-
12 ing or to establish eligibility for housing
13 under another covered housing program.

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

16 “(i) to limit the authority of an owner
17 or manager of housing assisted under a
18 covered housing program, when notified of
19 a court order, to comply with a court order
20 with respect to—

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

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

4 “(ii) to limit any otherwise available
5 authority of an owner or manager of hous-
6 ing assisted under a covered housing pro-
7 gram to evict or terminate assistance to a
8 tenant for any violation of a lease not pre-
9 mised on the act of violence in question
10 against the tenant or an immediate family
11 member of the tenant, if the owner or
12 manager does not subject an individual
13 who is or has been a victim of domestic vi-
14 olence, dating violence, or stalking to a
15 more demanding standard than other ten-
16 ants in determining whether to evict or ter-
17 minate;

18 “(iii) to limit the authority to termi-
19 nate assistance to a tenant or evict a ten-
20 ant from housing assisted under a covered
21 housing program if the owner or manager
22 of the housing can demonstrate that an ac-
23 tual and imminent threat to other tenants
24 or individuals employed at or providing
25 service to the property would be present if

1 the assistance is not terminated or the ten-
2 ant is not evicted; or

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

8 “(e) DOCUMENTATION.—

9 “(1) REQUEST FOR DOCUMENTATION.—If an
10 applicant for or tenant of housing assisted under a
11 covered housing program represents to the owner or
12 manager of the housing that the individual is enti-
13 tled to protection under subsection (b), the owner or
14 manager may request, in writing, that the tenant
15 submit to the owner or manager a form of docu-
16 mentation described in paragraph (3).

17 “(2) FAILURE TO PROVIDE CERTIFICATION.—If
18 a tenant does not provide the documentation re-
19 quested under paragraph (1) within 14 business
20 days after the tenant receives a request in writing
21 for such certification from the owner or manager of
22 the housing, nothing in this chapter may be con-
23 strued to limit the authority of the owner or man-
24 ager to evict any tenant or lawful occupant that
25 commits violations of a lease. The owner or manager

1 of the housing may extend the 14-day deadline at its
2 discretion.

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

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

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

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

15 “(iii) at the option of the applicant or
16 tenant, includes the name of the individual
17 who committed the domestic violence, dat-
18 ing violence, sexual assault, or stalking;

19 “(B) a document that—

20 “(i) is signed by—

21 “(I) an employee, agent, or vol-
22 unteer of a victim service provider, an
23 attorney, a medical professional, or a
24 mental health professional from whom
25 an applicant or tenant has sought as-

1 sistance relating to domestic violence,
2 dating violence, sexual assault, or
3 stalking; or the effects of the abuse;
4 and

5 “(II) the applicant or tenant; and

6 “(ii) states under penalty of perjury
7 that the individual described in clause
8 (i)(I) believes that the incident of domestic
9 violence, dating violence, sexual assault, or
10 stalking that is the ground for protection
11 under subsection (b) meets the require-
12 ments under subsection (b);

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

16 “(D) at the discretion of an owner or man-
17 ager of housing assisted under a covered hous-
18 ing program; a statement or other evidence pro-
19 vided by an applicant or tenant.

20 “(4) CONFIDENTIALITY.—Any information sub-
21 mitted to an owner or manager under this sub-
22 section; including the fact that an individual is a vic-
23 tim of domestic violence, dating violence, sexual as-
24 sault, or stalking shall be maintained in confidence
25 by the owner or manager and may not be entered

1 into any shared database or disclosed to any other
2 entity or individual, except to the extent that the
3 disclosure is—

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

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

8 “(C) otherwise required by applicable law.

9 “(5) DOCUMENTATION NOT REQUIRED.—Noth-
10 ing in this subsection shall be construed to require
11 an owner or manager of housing assisted under a
12 covered housing program to request that an indi-
13 vidual submit documentation of the status of the in-
14 dividual as a victim of domestic violence, dating vio-
15 lence, sexual assault, or stalking.

16 “(6) COMPLIANCE NOT SUFFICIENT TO CON-
17 STITUTE EVIDENCE OF UNREASONABLE ACT.—Com-
18 pliance with subsection (b) by an owner or manager
19 of housing assisted under a covered housing program
20 based on documentation received under this sub-
21 section, shall not be sufficient to constitute evidence
22 of an unreasonable act or omission by the owner or
23 manager or an employee or agent of the owner or
24 manager. Nothing in this paragraph shall be con-
25 strued to limit the liability of an owner or manager

1 of housing assisted under a covered housing program
2 for failure to comply with subsection (b).

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

9 ~~“(d) NOTIFICATION.—Each owner or manager of~~
10 ~~housing assisted under a covered housing program shall~~
11 ~~provide to each applicant for or tenant of such housing~~
12 ~~notice of the rights of individuals under this section, in-~~
13 ~~cluding the right to confidentiality and the limits thereof,~~
14 ~~together with the form described in subsection (e)(3)(A)—~~

15 ~~“(1) at the time the individual applies to live in~~
16 ~~a dwelling unit assisted under the covered housing~~
17 ~~program;~~

18 ~~“(2) at the time the individual is admitted to a~~
19 ~~dwelling unit assisted under the covered housing~~
20 ~~program;~~

21 ~~“(3) with any notification of eviction or notifi-~~
22 ~~cation of termination of assistance;~~

23 ~~“(4) in multiple languages, consistent with~~
24 ~~guidance issued by the Secretary of Housing and~~
25 ~~Urban Development in accordance with Executive~~

1 Order 13166 (42 U.S.C. 2000d-1 note; relating to
2 access to services for persons with limited English
3 proficiency); and

4 “(5) by posting the notification in a public area
5 of such housing.

6 “(e) EMERGENCY TRANSFERS.—Notwithstanding
7 any other provision of law, each owner or manager of
8 housing assisted under a covered program shall adopt an
9 emergency transfer policy for tenants who are victims of
10 domestic violence, dating violence, sexual assault, or stalk-
11 ing that—

12 “(1) allows tenants who are victims of domestic
13 violence, dating violence, sexual assault, or stalking
14 to transfer to another available and safe dwelling
15 unit assisted under a covered housing program if—

16 “(A) the tenant expressly requests the
17 transfer; and

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

23 “(ii) in the case of a tenant who is a victim
24 of sexual assault, the sexual assault occurred on

1 the premises during the 90 day period pre-
 2 ceeding the request for transfer; and

3 “(2) incorporates reasonable confidentiality
 4 measures to ensure that the owner or manager does
 5 not disclose the location of the dwelling unit of a
 6 tenant to a person that commits an act of domestic
 7 violence, dating violence, sexual assault, or stalking
 8 against the tenant.

9 “(f) POLICIES AND PROCEDURES FOR EMERGENCY
 10 TRANSFER.—The Secretary of Housing and Urban Devel-
 11 opment shall establish policies and procedures under
 12 which a victim requesting an emergency transfer under
 13 subsection (e) may receive, subject to the availability of
 14 tenant protection vouchers, assistance under section 8(o)
 15 of the United States Housing Act of 1937 (42 U.S.C.
 16 1437f(o)).

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

21 (b) CONFORMING AMENDMENTS.—

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

25 (A) in subsection (c)—

1 (i) by striking paragraph (3); and
2 (ii) by redesignating paragraphs (4)
3 and (5) as paragraphs (3) and (4), respec-
4 tively;

5 (B) in subsection (1)—

6 (i) in paragraph (5), by striking “,
7 and that an incident or incidents of actual
8 or threatened domestic violence, dating vio-
9 lence, or stalking will not be construed as
10 a serious or repeated violation of the lease
11 by the victim or threatened victim of that
12 violence and will not be good cause for ter-
13 minating the tenancy or occupancy rights
14 of the victim of such violence”;

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

18 (C) by striking subsection (u).

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

22 (A) in subsection (c), by striking para-
23 graph (9);

24 (B) in subsection (d)(1)—

1 (i) in subparagraph (A), by striking
2 “and that an applicant or participant is or
3 has been a victim of domestic violence, dat-
4 ing violence, or stalking is not an appro-
5 priate basis for denial of program assist-
6 ance or for denial of admission if the appli-
7 cant otherwise qualifies for assistance or
8 admission”;

9 (ii) in subparagraph (B)—

10 (I) in clause (ii), by striking “,
11 and that an incident or incidents of
12 actual or threatened domestic vio-
13 lence, dating violence, or stalking will
14 not be construed as a serious or re-
15 peated violation of the lease by the
16 victim or threatened victim of that vi-
17 olence and will not be good cause for
18 terminating the tenancy or occupancy
19 rights of the victim of such violence”;
20 and

21 (II) in clause (iii), by striking “,
22 except that.” and all that follows
23 through “stalking.”;

24 (C) in subsection (f)—

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

3 (ii) in paragraph (7), by striking the
4 semicolon at the end and inserting a pe-
5 riod; and

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

8 (D) in subsection (e)—

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

11 (ii) in paragraph (7)—

12 (I) in subparagraph (C), by strik-
13 ing “and that an incident or incidents
14 of actual or threatened domestic vio-
15 lence, dating violence, or stalking shall
16 not be construed as a serious or re-
17 peated violation of the lease by the
18 victim or threatened victim of that vi-
19 olence and shall not be good cause for
20 terminating the tenancy or occupancy
21 rights of the victim of such violence”;
22 and

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

1 (iii) by striking paragraph (20); and

2 (E) by striking subsection (ee).

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

6 (A) to limit the rights or remedies avail-
7 able to any person under section 6 or 8 of the
8 United States Housing Act of 1937 (42 U.S.C.
9 1437d and 1437f), as in effect on the day be-
10 fore the date of enactment of this Act; or

11 (B) to limit any right, remedy, or procee-
12 dure otherwise available under any provision of
13 part 5, 91, 880, 882, 883, 884, 886, 891, 903,
14 960, 966, 982, or 983 of title 24, Code of Fed-
15 eral Regulations, that—

16 (i) was issued under the Violence
17 Against Women and Department of Jus-
18 tice Reauthorization Act of 2005 (Public
19 Law 109–162; 119 Stat. 2960) or an
20 amendment made by that Act; and

21 (ii) provides greater protection for vic-
22 tims of domestic violence, dating violence,
23 sexual assault, and stalking than this Act.

1 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
 2 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
 3 **ING VIOLENCE, SEXUAL ASSAULT, AND**
 4 **STALKING.**

5 Chapter 11 of the Violence Against Women Act of
 6 1994 (42 U.S.C. 13975 et seq.) is amended—

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

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

15 (A) in the header, by striking **“CHILD**
 16 **VICTIMS OF DOMESTIC VIOLENCE, STALK-**
 17 **ING, OR SEXUAL ASSAULT”** and inserting
 18 **“VICTIMS OF DOMESTIC VIOLENCE, DAT-**
 19 **ING VIOLENCE, SEXUAL ASSAULT, OR**
 20 **STALKING”**;

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

23 (C) in subsection (g)—

24 (i) in paragraph (1), by striking
 25 **“\$40,000,000 for each of fiscal years 2007**
 26 **through 2011”** and inserting

1 “\$35,000,000” for each of fiscal years
2 2012 through 2016; and

3 (ii) in paragraph (3)—

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

7 (II) by adding at the end the fol-
8 lowing:

9 “(D) QUALIFIED APPLICATION DE-
10 FINED.—In this paragraph, the term ‘qualified
11 application’ means an application that—

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

14 “(ii) does not propose any significant
15 activities that may compromise victim safe-
16 ty;

17 “(iii) reflects an understanding of the
18 dynamics of domestic violence, dating vio-
19 lence, sexual assault, or stalking; and

20 “(iv) does not propose prohibited ac-
21 tivities, including mandatory services for
22 victims, background checks of victims, or
23 clinical evaluations to determine eligibility
24 for services.”.

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

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

6 (1) in section 41404(i) (42 U.S.C. 14043e-
7 3(i)), by striking “\$10,000,000 for each of fiscal
8 years 2007 through 2011” and inserting
9 “\$5,000,000 for each of fiscal years 2012 through
10 2016”; and

11 (2) in section 41405(g) (42 U.S.C. 14043e-
12 4(g)), by striking “\$10,000,000 for each of fiscal
13 years 2007 through 2011” and inserting
14 “\$5,000,000 for each of fiscal years 2012 through
15 2016”.

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

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

21 Section 41501(e) of the Violence Against Women Act
22 of 1994 (42 U.S.C. 14043f(e)) is amended by striking
23 “fiscal years 2007 through 2011” and inserting “fiscal
24 years 2012 through 2016”.

1 **TITLE VIII—PROTECTION OF**
 2 **BATTERED IMMIGRANTS**

3 **SEC. 801. U NONIMMIGRANT DEFINITION.**

4 Section 101(a)(15)(U)(iii) of the Immigration and
 5 Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended
 6 by inserting “dating violence; stalking;” after “sexual ex-
 7 ploitation;”.

8 **SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICA-**
 9 **TIONS MADE BY VICTIMS OF ABUSE.**

10 Not later than December 1, 2012, and annually
 11 thereafter, the Secretary of Homeland Security shall sub-
 12 mit to the Committee on the Judiciary of the Senate and
 13 the Committee on the Judiciary of the House of Rep-
 14 resentatives a report that includes the following:

15 (1) The number of aliens who—

16 (A) submitted an application for non-
 17 immigrant status under paragraph (15)(T)(i),
 18 (15)(U)(i), or (51) of section 101(a) of the Im-
 19 migration and Nationality Act (8 U.S.C.
 20 1101(a)) during the preceding fiscal year;

21 (B) were granted such nonimmigrant sta-
 22 tus during such fiscal year; or

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

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

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

9 (4) The number of aliens granted continued
10 presence in the United States under section
11 107(e)(3) of the Trafficking Victims Protection Act
12 of 2000 (~~22 U.S.C. 7105(e)(3)~~) during the pre-
13 ceeding fiscal year.

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

19 **SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PE-**
20 **TITIONERS.**

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

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

1 (2) by redesignating subparagraph (F) as sub-
2 paragraph (G); and

3 (3) by inserting after subparagraph (E) the fol-
4 lowing:

5 “(F) a derivative beneficiary of an alien
6 who was a VAWA self-petitioner; or”.

7 **SEC. 804. PUBLIC CHARGE.**

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

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

14 “(i) is a VAWA self-petitioner;

15 “(ii) is an applicant for, or is granted,
16 nonimmigrant status under section
17 101(a)(15)(U); or

18 “(iii) is a qualified alien described in
19 section 431(e) of the Personal Responsi-
20 bility and Work Opportunity Reconciliation
21 Act of 1996 (8 U.S.C. 1641(e)).”.

22 **SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.**

23 (a) PETITIONING PROCEDURES FOR SECTION
24 101(a)(15)(U) VISAS.—Paragraph (1) of section 214(p)

1 of the Immigration and Nationality Act (8 U.S.C.
2 1184(p)) is amended to read as follows:

3 ~~“(1) PETITIONING PROCEDURES FOR SECTION~~
4 ~~101(a)(15)(U) VISAS.—~~

5 ~~“(A) CERTIFICATION.—The petition filed~~
6 ~~by an alien under section 101(a)(15)(U)(i) shall~~
7 ~~contain a certification—~~

8 ~~“(i) from—~~

9 ~~“(I) a Federal, State, or local law~~
10 ~~enforcement official, prosecutor,~~
11 ~~judge, or other Federal, State, or local~~
12 ~~authority investigating criminal activ-~~
13 ~~ity described in section~~
14 ~~101(a)(15)(U)(iii); or~~

15 ~~“(II) an appropriate official of~~
16 ~~the Department of Homeland Security~~
17 ~~whose ability to provide such certifi-~~
18 ~~cation is not limited to information~~
19 ~~concerning immigration violations;~~

20 ~~“(ii) that is signed by an official with~~
21 ~~supervisory responsibilities, but who is not~~
22 ~~required to be the head of the certifying~~
23 ~~agency; and~~

24 ~~“(iii) that states the alien has been~~
25 ~~helpful, is being helpful, or is likely to be~~

1 helpful in the investigation or prosecution
2 of criminal activity described in section
3 101(a)(15)(U)(iii).

4 “(B) OTHER EVIDENCE.—The Secretary of
5 Homeland Security may, after considering the
6 totality of the circumstances and reviewing evi-
7 dence related to the alien’s efforts to obtain the
8 certification described in subparagraph (A), ac-
9 cept secondary evidence that the alien has been
10 helpful, is being helpful, or is likely to be help-
11 ful to an investigation.”.

12 (b) NUMERICAL LIMITATIONS.—Section
13 214(p)(2)(A) of the Immigration and Nationality Act (8
14 U.S.C. 1184(p)(2)(A)) is amended by striking “10,000.”
15 and inserting “15,000.”.

16 (c) AGE DETERMINATIONS.—Section 214(p) of the
17 Immigration and Nationality Act (8 U.S.C. 1184(p)) is
18 amended by adding at the end the following:

19 “(7) AGE DETERMINATIONS.—

20 “(A) CHILDREN.—An unmarried alien who
21 seeks to accompany, or follow to join, a parent
22 granted status under section 101(a)(15)(U)(i),
23 and who was under 21 years of age on the date
24 on which such parent petitioned for such status,
25 shall continue to be classified as a child for pur-

1 poses of section 101(a)(15)(U)(ii), if the alien
 2 attains 21 years of age after such parent's peti-
 3 tion was filed but while it was pending.

4 “(B) PRINCIPAL ALIENS.—An alien de-
 5 scribed in clause (i) of section 101(a)(15)(U)
 6 shall continue to be treated as an alien de-
 7 scribed in clause (ii)(I) of such section if the
 8 alien attains 21 years of age after the alien's
 9 application for status under such clause (i) is
 10 filed but while it is pending.”

11 **SEC. 806. HARDSHIP WAIVERS.**

12 (a) IN GENERAL.—Section 216(c)(4) of the Immigra-
 13 tion and Nationality Act (8 U.S.C. 1186a(c)(4)) is amend-
 14 ed—

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

17 (2) in subparagraph (B), by striking “(1), or”
 18 and inserting “(1); or”;

19 (3) in subparagraph (C), by striking the period
 20 at the end and inserting a semicolon and “or”; and

21 (4) by inserting after subparagraph (C) the fol-
 22 lowing:

23 “(D) the alien meets the requirements
 24 under section 204(a)(1)(A)(iii)(II)(aa)(BB) and
 25 following the marriage ceremony was battered

1 by or subject to extreme cruelty perpetrated by
2 the alien's intended spouse and was not at fault
3 in failing to meet the requirements of para-
4 graph (1).”.

5 (b) TECHNICAL CORRECTIONS.—Section 216(e)(4) of
6 the Immigration and Nationality Act (8 U.S.C.
7 1186a(e)(4)); as amended by subsection (a), is further
8 amended—

9 (1) in the matter preceding subparagraph (A),
10 by striking “The Attorney General, in the Attorney
11 General’s” and inserting “The Secretary of Home-
12 land Security, in the Secretary’s”; and

13 (2) in the undesignated paragraph at the end—

14 (A) in the first sentence, by striking “At-
15 torney General” and inserting “Secretary of
16 Homeland Security”;

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

19 (C) in the third sentence, by striking “At-
20 torney General.” and inserting “Secretary.”;
21 and

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

1 **SEC. 807. EMPLOYMENT AUTHORIZATION.**

2 Paragraph (1) of section 204(a) of the Immigration
3 and Nationality Act (8 U.S.C. 1154(a)) is amended by
4 adding at the end the following:

5 “(M) Notwithstanding any provision of this Act re-
6 stricting eligibility for employment in the United States,
7 the Secretary of Homeland Security may grant employ-
8 ment authorization to an alien who has filed a petition
9 for status as a VAWA self-petitioner or a nonimmigrant
10 described in section 101(a)(15)(U) on the date that is the
11 earlier of—

12 “(i) the date the alien’s petition for such status
13 is approved; or

14 “(ii) 180 days after the date the alien filed a
15 petition for such status.”

16 **SEC. 808. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A**
17 **CITIZEN.**

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

20 (1) in subsection (d)—

21 (A) in paragraph (1), by striking “crime.”
22 and inserting “crime and information on any
23 permanent protection or restraining order
24 issued against the petitioner related to any
25 specified crime described in paragraph (3)(B).”;

1 (B) in paragraph (2)(A), in the matter
2 preceding clause (i)—

3 (i) by striking “a consular officer”
4 and inserting “the Secretary of Homeland
5 Security”; and

6 (ii) by striking “the officer” and in-
7 serting “the Secretary”; and

8 (C) in paragraph (3)(B)(i), by striking
9 “abuse, and stalking.” and inserting “abuse,
10 stalking, or an attempt to commit any such
11 crime.”; and

12 (2) in subsection (r)—

13 (A) in paragraph (1), by striking “crime.”
14 and inserting “crime described in paragraph
15 (5)(B) and information on any permanent pro-
16 tection or restraining order issued against the
17 petitioner related to any specified crime de-
18 scribed in such subsection.”; and

19 (B) by amending paragraph (4)(B)(ii) to
20 read as follows:

21 “(ii) To notify the beneficiary as required by clause
22 (i), the Secretary of Homeland Security shall provide such
23 notice to the Secretary of State for inclusion in the mailing
24 to the beneficiary described in section 833(a)(5)(A)(i) of

1 the International Marriage Broker Regulation Act of 2005
 2 (8 U.S.C. 1375a(a)(5)(A)(i)).”; and

3 ~~(3)~~ in paragraph (5)(B)(i), by striking “abuse,
 4 and stalking.” and inserting “abuse, stalking, or an
 5 attempt to commit any such crime.”.

6 (b) PROVISION OF INFORMATION TO ~~K~~ NON-
 7 IMMIGRANTS.—Section 833 of the International Marriage
 8 Broker Regulation Act of 2005 (8 U.S.C. 1375a) is
 9 amended—

10 (1) in subsection (a)(5)(A)—

11 (A) in clause (iii)—

12 (i) by striking “State any” and insert-
 13 ing “State, for inclusion in the mailing de-
 14 scribed in clause (i), any”; and

15 (ii) by striking the last sentence; and

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

17 “(iv) The Secretary of Homeland Se-
 18 curity shall conduct a background check of
 19 the National Crime Information Center’s
 20 Protection Order Database on each peti-
 21 tioner for a visa under subsection (d) or
 22 (r) of section 214 of the Immigration and
 23 Nationality Act (8 U.S.C. 1184). Any ap-
 24 propriate information obtained from such
 25 background check—

1 “(I) shall accompany the criminal
2 background information provided by
3 the Secretary of Homeland Security
4 to the Secretary of State and shared
5 by the Secretary of State with a bene-
6 ficiary of a petition referred to in
7 clause (iii); and

8 “(II) shall not be used or dis-
9 closed for any other purpose unless
10 expressly authorized by law.

11 “(v) The Secretary of Homeland Se-
12 curity shall create a cover sheet or other
13 mechanism to accompany the information
14 required to be provided to an applicant for
15 a visa under subsection (d) or (r) of sec-
16 tion 214 of the Immigration and Nation-
17 ality Act (8 U.S.C. 1184) by clauses (i)
18 through (iv) of this paragraph or by
19 clauses (i) and (ii) of subsection (r) of
20 such section 214, that calls to the appli-
21 cant’s attention—

22 “(I) whether the petitioner dis-
23 closed a protection order, a restrain-
24 ing order, or criminal history informa-
25 tion on the visa petition;

1 “(H) the criminal background in-
 2 formation and information about any
 3 protection order obtained by the Sec-
 4 retary of Homeland Security regard-
 5 ing the petitioner in the course of ad-
 6 judicating the petition; and

7 “(III) whether the information
 8 the petitioner disclosed on the visa pe-
 9 tition regarding any previous petitions
 10 filed under subsection (d) or (r) of
 11 such section 214 is consistent with the
 12 information in the multiple visa track-
 13 ing database of the Department of
 14 Homeland Security, as described in
 15 subsection (r)(4)(A) of such section
 16 214.”; and

17 (2) in subsection (b)(1)(A), by striking “or”
 18 after “orders” and inserting “and”.

19 **SEC. 809. REGULATION OF INTERNATIONAL MARRIAGE**
 20 **BROKERS.**

21 (a) IMPLEMENTATION OF THE INTERNATIONAL MAR-
 22 RIAGE BROKER ACT OF 2005.—

23 (1) FINDINGS.—Congress finds the following:

24 (A) The International Marriage Broker
 25 Act of 2005 (subtitle D of Public Law 109—

1 162; 119 Stat. 3066) has not been fully imple-
2 mented with regard to investigating and pros-
3 ecuting violations of the law, and for other pur-
4 poses.

5 (B) Six years after Congress enacted the
6 International Marriage Broker Act of 2005 to
7 regulate the activities of the hundreds of for-
8 profit international marriage brokers operating
9 in the United States, the Attorney General has
10 not determined which component of the Depart-
11 ment of Justice will investigate and prosecute
12 violations of such Act.

13 (2) REPORT.—Not later than 90 days after the
14 date of the enactment of this Act, the Attorney Gen-
15 eral shall submit to Congress a report that includes
16 the following:

17 (A) The name of the component of the De-
18 partment of Justice responsible for inves-
19 tigating and prosecuting violations of the Inter-
20 national Marriage Broker Act of 2005 (subtitle
21 D of Public Law 109–162; 119 Stat. 3066) and
22 the amendments made by that Act.

23 (B) A description of the policies and proce-
24 dures of the Attorney General for consultation
25 with the Secretary of Homeland Security and

1 the Secretary of State in investigating and
2 prosecuting such violations.

3 (b) TECHNICAL CORRECTION.—Section 833(a)(2)(H)
4 of the International Marriage Broker Regulation Act of
5 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking
6 “Federal and State sex offender public registries” and in-
7 serting “the National Sex Offender Public Website”.

8 (c) REGULATION OF INTERNATIONAL MARRIAGE
9 BROKERS.—Section 833(d) of the International Marriage
10 Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is
11 amended—

12 (1) by amending paragraph (1) to read as fol-
13 lows:

14 “(1) PROHIBITION ON MARKETING TO CHIL-
15 DREN.—

16 “(A) IN GENERAL.—An international mar-
17 riage broker shall not provide any individual or
18 entity with the personal contact information,
19 photograph, or general information about the
20 background or interests of any individual under
21 the age of 18.

22 “(B) COMPLIANCE.—To comply with the
23 requirements of subparagraph (A), an inter-
24 national marriage broker shall—

1 “(i) obtain a valid copy of each for-
2 eign national client’s birth certificate or
3 other proof of age document issued by an
4 appropriate government entity;

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

8 “(iii) retain the original of such cer-
9 tificate or document for 7 years after such
10 date of receipt; and

11 “(iv) produce such certificate or docu-
12 ment upon request to an appropriate au-
13 thority charged with the enforcement of
14 this paragraph.”;

15 (2) in paragraph (2)—

16 (A) in subparagraph (A)(i)—

17 (i) in the heading, by striking “REG-
18 ISTRIES.—” and inserting “WEBSITES.—”;

19 and

20 (ii) by striking “Registry or State sex
21 offender public registry,” and inserting

22 “Website,”; and

23 (B) in subparagraph (B)(ii), by striking
24 “or stalking.” and inserting “stalking, or an at-
25 tempt to commit any such crime.”;

1 (3) in paragraph (3)—

2 (A) in subparagraph (A)—

3 (i) in clause (i), by striking “Registry
4 in which the United States client has re-
5 sided during the previous 20 years,” and
6 inserting “Website”; and

7 (ii) in clause (iii)(H), by striking
8 “background information collected by the
9 international marriage broker under para-
10 graph (2)(B);” and inserting “signed cer-
11 tification and accompanying documentation
12 or attestation regarding the background in-
13 formation collected under paragraph
14 (2)(B);”; and

15 (B) by striking subparagraph (C);

16 (4) in paragraph (5)—

17 (A) in subparagraph (A)(ii), by striking “A
18 penalty may be imposed under clause (i) by the
19 Attorney General only” and inserting “At the
20 discretion of the Attorney General, a penalty
21 may be imposed under clause (i) either by a
22 Federal judge, or by the Attorney General”;

23 (B) by amending subparagraph (B) to read
24 as follows:

25 “(B) FEDERAL CRIMINAL PENALTIES.—

1 “(i) FAILURE OF INTERNATIONAL
2 MARRIAGE BROKERS TO COMPLY WITH OB-
3 LIGATIONS.—Except as provided in clause
4 (ii), an international marriage broker that,
5 in circumstances in or affecting interstate
6 or foreign commerce, or within the special
7 maritime and territorial jurisdiction of the
8 United States—

9 “(I) except as provided in sub-
10 clause (II), violates (or attempts to
11 violate) paragraph (1), (2), (3), or (4)
12 shall be fined in accordance with title
13 18, United States Code, or imprisoned
14 for not more than 1 year, or both; or

15 “(II) knowingly commits such a
16 violation or an attempt, an inter-
17 national marriage broker shall be
18 fined in accordance with title 18,
19 United States Code, or imprisoned for
20 not more than 5 years, or both.

21 “(ii) MISUSE OF INFORMATION.—A
22 person who knowingly discloses, uses, or
23 causes to be used any information obtained
24 by an international marriage broker as a
25 result of a requirement under paragraph

1 (2) or (3) for any purpose other than the
2 disclosures required under paragraph (3)
3 shall be fined in accordance with title 18,
4 United States Code, or imprisoned for not
5 more than 1 year, or both.

6 “~~(iii) RELATIONSHIP TO OTHER PEN-~~
7 ~~ALTIES.—~~The penalties provided in clauses
8 (i) and (ii) are in addition to any other
9 civil or criminal liability under Federal or
10 State law to which a person may be subject
11 for the misuse of information, including
12 misuse to threaten, intimidate, or harass
13 any individual.

14 “~~(iv) CONSTRUCTION.—~~Nothing in
15 this paragraph or paragraph (3) or (4)
16 may be construed to prevent the disclosure
17 of information to law enforcement or pur-
18 suant to a court order.”; and

19 (C) in subparagraph (C), by striking the
20 period at the end and inserting “including equi-
21 table remedies.”;

22 (5) by redesignating paragraphs (6) and (7) as
23 paragraphs (7) and (8), respectively; and

24 (6) by inserting after paragraph (5) the fol-
25 lowing:

1 ~~“(6) ENFORCEMENT.—~~

2 ~~“(A) AUTHORITY.—The Attorney General~~
3 ~~shall be responsible for the enforcement of the~~
4 ~~provisions of this section, including the prosecu-~~
5 ~~tion of civil and criminal penalties provided for~~
6 ~~by this section.~~

7 ~~“(B) CONSULTATION.—The Attorney Gen-~~
8 ~~eral shall consult with the head of the Office on~~
9 ~~Violence Against Women of the Department of~~
10 ~~Justice to develop policies and public education~~
11 ~~designed to promote enforcement of this sec-~~
12 ~~tion.”.~~

13 ~~(d) GAO STUDY AND REPORT.—Section 833(f) of~~
14 ~~the International Marriage Broker Regulation Act of 2005~~
15 ~~(8 U.S.C. 1375a(f)) is amended—~~

16 ~~(1) in the subsection heading, by striking~~
17 ~~“STUDY AND REPORT.—” and inserting “STUDIES~~
18 ~~AND REPORTS.—”; and~~

19 ~~(2) by adding at the end the following:~~

20 ~~“(4) CONTINUING IMPACT STUDY AND RE-~~
21 ~~PORT.—~~

22 ~~“(A) STUDY.—The Comptroller General~~
23 ~~shall conduct a study on the continuing impact~~
24 ~~of the implementation of this section and of sec-~~
25 ~~tion of 214 of the Immigration and Nationality~~

1 Act (8 U.S.C. 1184) on the process for grant-
2 ing K nonimmigrant visas, including specifically
3 a study of the items described in subparagraphs
4 (A) through (E) of paragraph (1).

5 “(B) REPORT.—Not later than 2 years
6 after the date of the enactment of the Violence
7 Against Women Reauthorization Act of 2011,
8 the Comptroller General shall submit to the
9 Committee on the Judiciary of the Senate and
10 the Committee on the Judiciary of the House of
11 Representatives a report setting forth the re-
12 sults of the study conducted under subpara-
13 graph (A).

14 “(C) DATA COLLECTION.—The Attorney
15 General, the Secretary of Homeland Security,
16 and the Secretary of State shall collect and
17 maintain the data necessary for the Comptroller
18 General to conduct the study required by para-
19 graph (1).”.

20 **SEC. 810. ELIGIBILITY OF CRIME AND TRAFFICKING VIC-**
21 **TIMS IN THE COMMONWEALTH OF THE**
22 **NORTHERN MARIANA ISLANDS TO ADJUST**
23 **STATUS.**

24 Section 705(e) of the Consolidated Natural Resources
25 Act of 2008 (Public Law 110–229; 48 U.S.C. 1806 note);

1 is amended by striking “except that,” and all that follows
2 through the end, and inserting the following: “except
3 that—

4 “(1) for the purpose of determining whether an
5 alien lawfully admitted for permanent residence (as
6 defined in section 101(a)(20) of the Immigration
7 and Nationality Act (8 U.S.C. 1101(a)(20)) has
8 abandoned or lost such status by reason of absence
9 from the United States, such alien’s presence in the
10 Commonwealth, before, on or after November 28,
11 2009, shall be considered to be presence in the
12 United States; and

13 “(2) for the purpose of determining whether an
14 alien whose application for status under subpara-
15 graph (T) or (U) of section 101(a)(15) of the Immi-
16 gration and Nationality Act (8 U.S.C. 1101(a)(15))
17 was granted is subsequently eligible for adjustment
18 under subsection (l) or (m) of section 245 of such
19 Act (8 U.S.C. 1255), such alien’s physical presence
20 in the Commonwealth before, on, or after November
21 28, 2009, and subsequent to the grant of the appli-
22 cation, shall be considered as equivalent to presence
23 in the United States pursuant to a nonimmigrant
24 admission in such status.”.

1 **TITLE IX—SAFETY FOR INDIAN**
 2 **WOMEN**

3 **SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

4 Section 2015(a) of title I of the Omnibus Crime Con-
 5 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg-
 6 10(a)) is amended—

7 (1) in paragraph (2), by inserting “sex traf-
 8 ficking,” after “sexual assault,”;

9 (2) in paragraph (4), by inserting “sex traf-
 10 ficking,” after “sexual assault,”;

11 (3) in paragraph (5), by striking “and stalking”
 12 and all that follows and inserting “sexual assault,
 13 sex trafficking, and stalking,”;

14 (4) in paragraph (7)—

15 (A) by inserting “sex trafficking,” after
 16 “sexual assault,” each place it appears; and

17 (B) by striking “and” at the end;

18 (5) in paragraph (8)—

19 (A) by inserting “sex trafficking,” after
 20 “stalking,”; and

21 (B) by striking the period at the end and
 22 inserting a semicolon; and

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

24 “(9) provide services to address the needs of
 25 youth who are victims of domestic violence; dating

1 violence, sexual assault, sex trafficking, or stalking
 2 and the needs of children exposed to domestic vio-
 3 lence, dating violence, sexual assault, or stalking, in-
 4 cluding support for the nonabusing parent or the
 5 caretaker of the child; and

6 “(10) develop and promote legislation and poli-
 7 cies that enhance best practices for responding to
 8 violent crimes against Indian women, including the
 9 crimes of domestic violence, dating violence, sexual
 10 assault, sex trafficking, and stalking.”

11 **SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.**

12 Section 2001(d) of title I of the Omnibus Crime Con-
 13 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d))
 14 is amended—

15 (1) in paragraph (1)—

16 (A) in subparagraph (B), by striking
 17 “and” at the end;

18 (B) in subparagraph (C), by striking the
 19 period at the end and inserting “; and”; and

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

21 “(D) developing and promoting State,
 22 local, or tribal legislation and policies that en-
 23 hance best practices for responding to violent
 24 crimes against Indian women, including the
 25 crimes of domestic violence, dating violence,

1 sexual assault, stalking, and sex trafficking.”;
 2 and
 3 (2) in paragraph (2)(B), by striking “individ-
 4 uals or”.

5 **SEC. 903. CONSULTATION.**

6 Section 903 of the Violence Against Women and De-
 7 partment of Justice Reauthorization Act of 2005 (42
 8 U.S.C. 14045d) is amended—

9 (1) in subsection (a)—

10 (A) by striking “and the Violence Against
 11 Women Act of 2000” and inserting “, the Vio-
 12 lence Against Women Act of 2000”; and

13 (B) by inserting “, and the Violence
 14 Against Women Reauthorization Act of 2011”
 15 before the period at the end;

16 (2) in subsection (b)—

17 (A) in the matter preceding paragraph (1),
 18 by striking “Secretary of the Department of
 19 Health and Human Services” and inserting
 20 “Secretary of Health and Human Services, the
 21 Secretary of the Interior,”; and

22 (B) in paragraph (2), by striking “and
 23 stalking” and inserting “stalking, and sex traf-
 24 ficking”; and

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

1 “(c) ANNUAL REPORT.—The Attorney General shall
2 submit to Congress an annual report on the annual con-
3 sultations required under subsection (a) that—

4 “(1) contains the recommendations made under
5 subsection (b) by Indian tribes during the year cov-
6 ered by the report;

7 “(2) describes actions taken during the year
8 covered by the report to respond to recommenda-
9 tions made under subsection (b) during the year or
10 a previous year; and

11 “(3) describes how the Attorney General will
12 work in coordination and collaboration with Indian
13 tribes, the Secretary of Health and Human Services,
14 and the Secretary of the Interior to address the rec-
15 ommendations made under subsection (b).

16 “(d) NOTICE.—Not later than 120 days before the
17 date of a consultation under subsection (a), the Attorney
18 General shall notify tribal leaders of the date, time, and
19 location of the consultation.”.

20 **SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMES-**
21 **TIC VIOLENCE.**

22 Title II of Public Law 90-284 (25 U.S.C. 1301 et
23 seq.) (commonly known as the “Indian Civil Rights Act
24 of 1968”) is amended by adding at the end the following:

1 **“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMES-**
2 **TIC VIOLENCE.**

3 “(a) **DEFINITIONS.**—In this section:

4 “(1) **DATING VIOLENCE.**—The term ‘dating vio-

5 lence’ means violence committed by a person who is

6 or has been in a social relationship of a romantic or

7 intimate nature with the victim, as determined by

8 the length of the relationship, the type of relation-

9 ship, and the frequency of interaction between the

10 persons involved in the relationship.

11 “(2) **DOMESTIC VIOLENCE.**—The term ‘domes-

12 tic violence’ means violence committed by a current

13 or former spouse or intimate partner of the victim,

14 by a person with whom the victim shares a child in

15 common, by a person who is cohabitating with or

16 has cohabitated with the victim as a spouse or inti-

17 mate partner, or by a person similarly situated to a

18 spouse of the victim under the domestic- or family-

19 violence laws of an Indian tribe that has jurisdiction

20 where the violence occurs.

21 “(3) **INDIAN COUNTRY.**—The term ‘Indian

22 country’ has the meaning given the term in section

23 1151 of title 18, United States Code.

24 “(4) **PARTICIPATING TRIBE.**—The term ‘partici-

25 pating tribe’ means an Indian tribe that elects to ex-

1 exercise special domestic violence criminal jurisdiction
2 over the Indian country of that Indian tribe.

3 “(5) PROTECTION ORDER.—The term ‘protec-
4 tion order’ has the meaning given the term in sec-
5 tion 40002(a) of the Violence Against Women Act of
6 1994 (42 U.S.C. 13925(a)).

7 “(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL
8 JURISDICTION.—The term ‘special domestic violence
9 criminal jurisdiction’ means the criminal jurisdiction
10 that a participating tribe may exercise under this
11 section but could not otherwise exercise.

12 “(7) SPOUSE OR INTIMATE PARTNER.—The
13 term ‘spouse or intimate partner’ has the meaning
14 given the term in section 2266 of title 18, United
15 States Code.

16 “(b) NATURE OF THE CRIMINAL JURISDICTION.—

17 “(1) IN GENERAL.—Notwithstanding any other
18 provision of law, in addition to any power of self-
19 government recognized and affirmed by sections 201
20 and 203, the power of self-government of a partici-
21 pating tribe include the inherent power of that tribe,
22 which is hereby recognized and affirmed, to exercise
23 special domestic violence criminal jurisdiction over
24 all persons.

1 “(2) CONCURRENT JURISDICTION.—The exer-
 2 eise of special domestic violence criminal jurisdiction
 3 by a participating tribe shall be concurrent with the
 4 jurisdiction of the United States, of a State, or of
 5 both, of an offense described in subsection (c).

6 “(3) APPLICABILITY.—Nothing in this sec-
 7 tion—

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

11 “(B) affects the authority of the United
 12 States or any State government that has been
 13 delegated authority by the United States to in-
 14 vestigate and prosecute a criminal violation in
 15 Indian country.

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

20 “(1) DOMESTIC VIOLENCE AND DATING VIO-
 21 LENCE.—An act of domestic violence or dating vio-
 22 lence that occurs in the Indian country of the par-
 23 ticipating tribe.

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

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

3 “(B) violates the relevant portion of a pro-
4 tection order that—

5 “(i) was issued against the defendant;

6 “(ii) is enforceable by the partici-
7 pating tribe; and

8 “(iii) is consistent with section
9 2265(b) of title 18, United States Code.

10 “(d) DISMISSAL OF CERTAIN CASES.—

11 “(1) NON-INDIAN VICTIMS AND DEFEND-
12 ANTS.—In a criminal proceeding in which a partici-
13 pating tribe exercises special domestic violence crimi-
14 nal jurisdiction, the case shall be dismissed if—

15 “(A) the defendant files a pretrial motion
16 to dismiss on the grounds that the alleged of-
17 fense did not involve an Indian; and

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

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

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

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

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

9 “(ii) is employed in the Indian coun-
10 try of the participating tribe; or

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

13 “(3) WAIVER.—A knowing and voluntary fail-
14 ure of a defendant to file a pretrial motion described
15 in paragraph (1) or (2) shall be considered a waiver
16 of the right to seek a dismissal under this sub-
17 section.

18 “(e) RIGHTS OF DEFENDANTS.—In a criminal pro-
19 ceeding in which a participating tribe exercises special do-
20 mestic violence criminal jurisdiction, the participating
21 tribe shall provide to the defendant—

22 “(1) all applicable rights under this Act;

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

1 “(3) all other rights whose protection is nec-
2 essary under the Constitution of the United States
3 in order for Congress to recognize and affirm the in-
4 herent power of the participating tribe to exercise
5 special domestic violence criminal jurisdiction over
6 the defendant.

7 “(f) PETITIONS TO STAY DETENTION.—

8 “(1) IN GENERAL.—A person who is detained
9 by a participating tribe pending trial under an exer-
10 cise of special domestic violence criminal jurisdiction
11 and has filed a petition for a writ of habeas corpus
12 in a court of the United States under section 203
13 may petition that court to stay further detention of
14 that person by the participating tribe.

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

17 “(A) finds that there is a substantial likeli-
18 hood that the habeas corpus petition will be
19 granted; and

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

1 “(g) GRANTS TO TRIBAL GOVERNMENTS.—The At-
 2 torney General may award grants to the governments of
 3 Indian tribes (or to authorized designees of those govern-
 4 ments)—

5 “(1) to strengthen tribal criminal justice sys-
 6 tems to assist Indian tribes in exercising special do-
 7 mestic violence criminal jurisdiction, including to
 8 strengthen—

9 “(A) law enforcement (including the capac-
 10 ity to enter information into and obtain infor-
 11 mation from national crime information data-
 12 bases);

13 “(B) prosecution;

14 “(C) trial and appellate courts;

15 “(D) probation systems;

16 “(E) detention and correctional facilities;

17 “(F) alternative rehabilitation centers;

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

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

22 “(2) to provide indigent criminal defendants
 23 with the effective assistance of licensed defense
 24 counsel, at no cost to the defendant, in criminal pro-
 25 ceedings in which a participating tribe prosecutes a

1 crime of domestic violence or dating violence or a
2 criminal violation of a protection order;

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

8 “(4) to accord victims of domestic violence, dat-
9 ing violence, and violations of protection orders
10 rights that are similar to the rights of a crime victim
11 described in section 3771(a) of title 18, United
12 States Code; and consistent with tribal law and cus-
13 tom.

14 “(h) SUPPLEMENT, NOT SUPPLANT.—Amounts
15 made available under this section shall supplement and
16 not supplant any other Federal, State, tribal, or local gov-
17 ernment amounts made available to carry out activities de-
18 scribed in this section.

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

1 **SEC. 905. TRIBAL PROTECTION ORDERS.**

2 Section 2265 of title 18, United States Code, is
3 amended by striking subsection (c) and inserting the fol-
4 lowing:

5 “(c) TRIBAL COURT JURISDICTION.—For purposes
6 of this section, a court of an Indian tribe shall have full
7 civil jurisdiction to issue and enforce protection orders in-
8 volving any person, including the authority to enforce any
9 orders through civil contempt proceedings, to exclude vio-
10 lators from Indian land, and to take other appropriate
11 measures, in matters arising anywhere in the Indian coun-
12 try of the Indian tribe (as defined in section 1151) or oth-
13 erwise within the authority of the Indian tribe.”.

14 **SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STAT-**
15 **UTE.**

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

18 (1) in subsection (a)—

19 (A) by striking paragraph (1) and insert-
20 ing the following:

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

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

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

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

8 (E) in paragraph (7)—

9 (i) by striking “substantial bodily in-
10 jury to an individual who has not attained
11 the age of 16 years” and inserting “sub-
12 stantial bodily injury to a spouse or inti-
13 mate partner, a dating partner, or an indi-
14 vidual who has not attained the age of 16
15 years”; and

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

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

19 “(8) Assault of a spouse, intimate partner, or
20 dating partner by strangling, suffocating, or at-
21 tempting to strangle or suffocate, by a fine under
22 this title, imprisonment for not more than 10 years,
23 or both.”; and

24 (2) in subsection (b)—

1 (A) by striking “(b) As used in this sub-
2 section—” and inserting the following:

3 “(b) DEFINITIONS.—In this section—”;

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

6 (C) in paragraph (2), by striking the pe-
7 riod at the end and inserting a semicolon; and

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

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

12 “(4) the term ‘strangling’ means intentionally,
13 knowingly, or recklessly impeding the normal breath-
14 ing or circulation of the blood of a person by apply-
15 ing pressure to the throat or neck, regardless of
16 whether that conduct results in any visible injury or
17 whether there is any intent to kill or protractedly in-
18 jure the victim; and

19 “(5) the term ‘suffocating’ means intentionally,
20 knowingly, or recklessly impeding the normal breath-
21 ing of a person by covering the mouth of the person,
22 the nose of the person, or both, regardless of wheth-
23 er that conduct results in any visible injury or
24 whether there is any intent to kill or protractedly in-
25 jure the victim.”.

1 (b) INDIAN MAJOR CRIMES.—Section 1153(a) of title
 2 18, United States Code, is amended by striking “assault
 3 with intent to commit murder, assault with a dangerous
 4 weapon, assault resulting in serious bodily injury (as de-
 5 fined in section 1365 of this title)” and inserting “a felony
 6 assault under section 113”.

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

10 **SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**
 11 **INDIAN WOMEN.**

12 (a) IN GENERAL.—Section 904(a) of the Violence
 13 Against Women and Department of Justice Reauthoriza-
 14 tion Act of 2005 (42 U.S.C. 3796gg–10 note) is amend-
 15 ed—

16 (1) in paragraph (1)—

17 (A) by striking “The National” and insert-
 18 ing “Not later than 2 years after the date of
 19 enactment of the Violence Against Women Re-
 20 authorization Act of 2011, the National”; and

21 (B) by inserting “and in Native villages”
 22 (as defined in section 3 of the Alaska Native
 23 Claims Settlement Act (43 U.S.C. 1602))” be-
 24 fore the period at the end;

25 (2) in paragraph (2)(A)—

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

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

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

6 “(vi) sex trafficking.”;

7 (3) in paragraph (4), by striking “this Act” and
8 inserting “the Violence Against Women Reauthoriza-
9 tion Act of 2011”; and

10 (4) in paragraph (5), by striking “this section
11 \$1,000,000 for each of fiscal years 2007 and 2008”
12 and inserting “this subsection \$1,000,000 for each
13 of fiscal years 2012 and 2013”.

14 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section
15 905(b)(2) of the Violence Against Women and Depart-
16 ment of Justice Reauthorization Act of 2005 (28 U.S.C.
17 534 note) is amended by striking “fiscal years 2007
18 through 2011” and inserting “fiscal years 2012 through
19 2016”.

20 **SEC. 908. EFFECTIVE DATES; PILOT PROJECT.**

21 (a) **GENERAL EFFECTIVE DATE.**—Except as pro-
22 vided in subsection (b), the amendments made by this title
23 shall take effect on the date of enactment of this Act.

24 (b) **EFFECTIVE DATE FOR SPECIAL DOMESTIC VIO-**
25 **LENCE CRIMINAL JURISDICTION.**—

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

6 (2) ~~PILOT PROJECT.~~—

7 (A) ~~IN GENERAL.~~—At any time during the
8 2-year period beginning on the date of enact-
9 ment of this Act, an Indian tribe may ask the
10 Attorney General to designate the tribe as a
11 participating tribe under section 204(a) of Pub-
12 lic Law 90-284 on an accelerated basis.

13 (B) ~~PROCEDURE.~~—The Attorney General
14 may grant a request under subparagraph (A)
15 after coordinating with the Secretary of the In-
16 terior, consulting with affected Indian tribes,
17 and concluding that the criminal justice system
18 of the requesting tribe has adequate safeguards
19 in place to protect defendants' rights, consistent
20 with section 204 of Public Law 90-284.

21 (C) ~~EFFECTIVE DATES FOR PILOT~~
22 ~~PROJECTS.~~—An Indian tribe designated as a
23 participating tribe under this paragraph may
24 commence exercising special domestic violence
25 criminal jurisdiction pursuant to subsections (b)

1 through (e) of section 204 of Public Law 90-
 2 284 on a date established by the Attorney Gen-
 3 eral, after consultation with that Indian tribe,
 4 but in no event later than the date that is 2
 5 years after the date of enactment of this Act.

6 **TITLE X—OTHER MATTERS**

7 **SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL** 8 **ABUSE.**

9 (a) **SEXUAL ABUSE OF A MINOR OR WARD.**—Section
 10 2243(b) of title 18, United States Code, is amended to
 11 read as follows:

12 “(b) **OF A WARD.**—

13 “(1) **OFFENSES.**—

14 “(A) **IN GENERAL.**—It shall be unlawful
 15 for any person to knowingly engage, or know-
 16 ingly attempt to engage, in a sexual act with
 17 another person who is—

18 “(i) in official detention or supervised
 19 by, or otherwise under the control of, the
 20 United States—

21 “(I) during or after arrest;

22 “(II) after release pretrial;

23 “(III) while on bail, probation,
 24 supervised release, or parole;

1 ~~“(IV) after release following a~~
2 ~~finding of juvenile delinquency; or~~

3 ~~“(V) after release pending any~~
4 ~~further judicial proceedings;~~

5 ~~“(ii) under the professional custodial,~~
6 ~~supervisory, or disciplinary control or au-~~
7 ~~thority of the person engaging or attempt-~~
8 ~~ing to engage in the sexual act; and~~

9 ~~“(iii) at the time of the sexual act—~~

10 ~~“(I) in the special maritime and~~
11 ~~territorial jurisdiction of the United~~
12 ~~States;~~

13 ~~“(II) in a Federal prison, or in~~
14 ~~any prison, institution, or facility in~~
15 ~~which persons are held in custody by~~
16 ~~direction of, or pursuant to a contract~~
17 ~~or agreement with, the United States;~~
18 ~~or~~

19 ~~“(III) under supervision or other~~
20 ~~control by the United States, or by di-~~
21 ~~rection of, or pursuant to a contract~~
22 ~~or agreement with, the United States.~~

23 ~~“(B) SEXUAL CONTACT.—It shall be un-~~
24 ~~lawful for any person to knowingly engage in~~
25 ~~sexual contact with, or cause sexual contact by,~~

1 another person, if to do so would violate sub-
 2 paragraph (A) had the sexual contact been a
 3 sexual act.

4 “(2) PENALTIES.—

5 “(A) IN GENERAL.—A person that violates
 6 paragraph (1)(A) shall—

7 “(i) be fined under this title, impris-
 8 oned for not more than 15 years, or both;
 9 and

10 “(ii) if, in the course of committing
 11 the violation of paragraph (1), the person
 12 engages in conduct that would constitute
 13 an offense under section 2241 or 2242 if
 14 committed in the special maritime and ter-
 15 ritorial jurisdiction of the United States,
 16 be subject to the penalties provided for
 17 under section 2241 or 2242, respectively.

18 “(B) SEXUAL CONTACT.—A person that
 19 violates paragraph (1)(B) shall be fined under
 20 this title, imprisoned for not more than 2 years,
 21 or both.”.

22 (b) PENALTIES FOR SEXUAL ABUSE.—

23 (1) IN GENERAL.—Chapter 13 of title 18,
 24 United States Code, is amended by adding at the
 25 end the following:

1 **“§ 250. Penalties for sexual abuse**

2 “(a) OFFENSE.—It shall be unlawful for any person;
3 in the course of committing an offense under this chapter
4 or under section 901 of the Fair Housing Act (42 U.S.C.
5 3631) to engage in conduct that would constitute an of-
6 fense under chapter 109A if committed in the special mar-
7 itime and territorial jurisdiction of the United States.

8 “(b) PENALTIES.—A person that violates subsection
9 (a) shall be subject to the penalties under the provision
10 of chapter 109A that would have been violated if the con-
11 duct was committed in the special maritime and territorial
12 jurisdiction of the United States, unless a greater penalty
13 is otherwise authorized by law.”.

14 (2) TECHNICAL AND CONFORMING AMEND-
15 MENT.—The table of sections for chapter 13 of title
16 18, United States Code, is amended by adding at
17 the end the following:

“250. Penalties for sexual abuse.”.

18 **SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.**

19 (a) SUITS BY PRISONERS.—Section 7(e) of the Civil
20 Rights of Institutionalized Persons Act (42 U.S.C.
21 1997e(e)) is amended by inserting before the period at the
22 end the following: “or the commission of a sexual act (as
23 defined in section 2246 of title 18, United States Code)”.

24 (b) UNITED STATES AS DEFENDANT.—Section
25 1346(b)(2) of title 28, United States Code, is amended

1 by inserting before the period at the end the following:
2 “or the commission of a sexual act (as defined in section
3 2246 of title 18)”.

4 (c) ADOPTION AND EFFECT OF NATIONAL STAND-
5 ARDS.—Section 8 of the Prison Rape Elimination Act of
6 2003 (42 U.S.C. 15607) is amended—

7 (1) by redesignating subsection (c) as sub-
8 section (e); and

9 (2) by inserting after subsection (b) the fol-
10 lowing:

11 “(c) APPLICABILITY TO DETENTION FACILITIES OP-
12 ERATED BY THE DEPARTMENT OF HOMELAND SECU-
13 RITY.—

14 “(1) IN GENERAL.—Not later than 180 days
15 after the date of enactment of the Violence Against
16 Women Reauthorization Act of 2011, the Secretary
17 of Homeland Security shall publish a final rule
18 adopting national standards for the detection, pre-
19 vention, reduction, and punishment of rape and sex-
20 ual assault in facilities that maintain custody of
21 aliens detained for a violation of the immigrations
22 laws of the United States.

23 “(2) APPLICABILITY.—The standards adopted
24 under paragraph (1) shall apply to detention facili-
25 ties operated by the Department of Homeland Secu-

1 rity and to detention facilities operated under con-
2 tract with the Department.

3 “(3) COMPLIANCE.—The Secretary of Home-
4 land Security shall—

5 “(A) assess compliance with the standards
6 adopted under paragraph (1) on a regular
7 basis; and

8 “(B) include the results of the assessments
9 in performance evaluations of facilities com-
10 pleted by the Department of Homeland Secu-
11 rity.

12 “(4) CONSIDERATIONS.—In adopting standards
13 under paragraph (1), the Secretary of Homeland Se-
14 curity shall give due consideration to the rec-
15 ommended national standards provided by the Com-
16 mission under section 7(e).

17 “(d) APPLICABILITY TO CUSTODIAL FACILITIES OP-
18 ERATED BY THE DEPARTMENT OF HEALTH AND HUMAN
19 SERVICES.—

20 “(1) IN GENERAL.—Not later than 180 days
21 after the date of enactment of the Violence Against
22 Women Reauthorization Act of 2011, the Secretary
23 of Health and Human Services shall publish a final
24 rule adopting national standards for the detection,
25 prevention, reduction, and punishment of rape and

1 sexual assault in facilities that maintain custody of
2 unaccompanied alien children (as defined in section
3 462(g) of the Homeland Security Act of 2002 (6
4 U.S.C. 279(g))).

5 “(2) APPLICABILITY.—The standards adopted
6 under paragraph (1) shall apply to facilities operated
7 by the Department of Health and Human Services
8 and to facilities operated under contract with the
9 Department.

10 “(3) COMPLIANCE.—The Secretary of Health
11 and Human Services shall—

12 “(A) assess compliance with the standards
13 adopted under paragraph (1) on a regular
14 basis; and

15 “(B) include the results of the assessments
16 in performance evaluations of facilities com-
17 pleted by the Department of Health and
18 Human Services.

19 “(4) CONSIDERATIONS.—In adopting standards
20 under paragraph (1), the Secretary of Health and
21 Human Services shall give due consideration to the
22 recommended national standards provided by the
23 Commission under section 7(e).”.

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. TABLE OF CONTENTS.**

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

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Universal definitions and grant conditions.

Sec. 4. Effective date.

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

Sec. 101. Stop grants.

Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.

Sec. 103. Legal assistance for victims.

Sec. 104. Consolidation of grants to support families in the justice system.

Sec. 105. Sex offender management.

Sec. 106. Court-appointed special advocate program.

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

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

Sec. 109. Culturally specific services grant.

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

Sec. 201. Sexual assault services program.

*Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and
 child abuse enforcement assistance.*

*Sec. 203. Training and services to end violence against women with disabilities
 grants.*

Sec. 204. Enhanced training and services to end abuse in later life.

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

Sec. 301. Rape prevention and education grant.

*Sec. 302. Creating hope through outreach, options, services, and education for
 children and youth.*

Sec. 303. Grants to combat violent crimes on campuses.

*Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking
 education and prevention.*

TITLE IV—VIOLENCE REDUCTION PRACTICES

Sec. 401. Study conducted by the centers for disease control and prevention.

Sec. 402. Saving money and reducing tragedies through prevention grants.

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

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

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

Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.

Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

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

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

Sec. 801. U nonimmigrant definition.

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

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

Sec. 804. Public charge.

Sec. 805. Requirements applicable to U visas.

Sec. 806. Hardship waivers.

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

Sec. 808. Regulation of international marriage brokers.

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

TITLE IX—SAFETY FOR INDIAN WOMEN

Sec. 901. Grants to Indian tribal governments.

Sec. 902. Grants to Indian tribal coalitions.

Sec. 903. Consultation.

Sec. 904. Tribal jurisdiction over crimes of domestic violence.

Sec. 905. Tribal protection orders.

Sec. 906. Amendments to the Federal assault statute.

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

Sec. 908. Effective dates; pilot project.

Sec. 909. Indian law and order commission.

TITLE X—OTHER MATTERS

Sec. 1001. Criminal provisions relating to sexual abuse.

Sec. 1002. Sexual abuse in custodial settings.

Sec. 1003. Anonymous online harassment.

Sec. 1004. Stalker database.

Sec. 1005. Federal victim assistants reauthorization.

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

Sec. 1007. Mandatory minimum sentence.

Sec. 1008. Removal of drunk drivers.

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

2 (a) *DEFINITIONS.*—*Subsection (a) of section 40002 of*
3 *the Violence Against Women Act of 1994 (42 U.S.C.*
4 *13925(a)) is amended—*

5 (1) *by redesignating—*

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

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

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

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

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

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

15 (G) *paragraphs (19) and (20) as para-*
16 *graphs (23) and (24), respectively;*

17 (H) *paragraphs (21) through (23) as para-*
18 *graphs (26) through (28), respectively;*

19 (I) *paragraphs (24) through (33) as para-*
20 *graphs (30) through (39), respectively;*

21 (J) *paragraphs (34) and (35) as para-*
22 *graphs (43) and (44); and*

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

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

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

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

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

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

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

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

24 “(7) *CULTURALLY SPECIFIC*.—The term ‘culturally specific’ means primarily directed toward ra-

1 *cial and ethnic minority groups (as defined in section*
2 *1707(g) of the Public Health Service Act (42 U.S.C.*
3 *300u–6(g)).”;*

4 *(7) in paragraph (8), as redesignated, by insert-*
5 *ing “or intimate partner” after “former spouse” and*
6 *“as a spouse”;*

7 *(8) by inserting after paragraph (11), as redesign-*
8 *ated, the following:*

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

11 *(9) in paragraph (18), as redesignated, by in-*
12 *serting “or Village Public Safety Officers” after “gov-*
13 *ernment victim service programs;*

14 *(10) in paragraph (21), as redesignated, by in-*
15 *serting at the end the following:*

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

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

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

22 *“(20) PERSONALLY IDENTIFYING INFORMATION*
23 *OR PERSONAL INFORMATION.—The term ‘personally*
24 *identifying information’ or ‘personal information’*
25 *means individually identifying information for or*

1 *about an individual including information likely to*
 2 *disclose the location of a victim of domestic violence,*
 3 *dating violence, sexual assault, or stalking, regardless*
 4 *of whether the information is encoded, encrypted,*
 5 *hashed, or otherwise protected, including—*

6 *“(A) a first and last name;*

7 *“(B) a home or other physical address;*

8 *“(C) contact information (including a post-*
 9 *al, e-mail or Internet protocol address, or tele-*
 10 *phone or facsimile number);*

11 *“(D) a social security number, driver li-*
 12 *cence number, passport number, or student iden-*
 13 *tification number; and*

14 *“(E) any other information, including date*
 15 *of birth, racial or ethnic background, or religious*
 16 *affiliation, that would serve to identify any indi-*
 17 *vidual.”;*

18 *(13) by inserting after paragraph (20), as reded-*
 19 *icated, the following:*

20 *“(21) POPULATION SPECIFIC ORGANIZATION.—*

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

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

3 “(22) *POPULATION SPECIFIC SERVICES.*—*The*
4 *term ‘population specific services’ means victim-cen-*
5 *tered services that address the safety, health, eco-*
6 *nomie, legal, housing, workplace, immigration, con-*
7 *fidentiality, or other needs of victims of domestic vio-*
8 *lence, dating violence, sexual assault, or stalking, and*
9 *that are designed primarily for and are targeted to*
10 *a specific underserved population.”;*

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

13 (15) *by inserting after paragraph (24), as redesi-*
14 *gnated, the following:*

15 “(25) *RAPE CRISIS CENTER.*—*The term ‘rape*
16 *crisis center’ means a nonprofit, nongovernmental, or*
17 *tribal organization, or governmental entity in a State*
18 *other than a Territory that provides intervention and*
19 *related assistance, as specified in 42 U.S.C.*
20 *14043g(b)(2)(C), to victims of sexual assault without*
21 *regard to their age. In the case of a governmental en-*
22 *tity, the entity may not be part of the criminal jus-*
23 *tice system (such as a law enforcement agency) and*
24 *must be able to offer a comparable level of confiden-*

1 *tiality as a nonprofit entity that provides similar vic-*
 2 *tim services.”;*

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

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

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

8 (C) *by inserting at the end the following:*

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

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

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

14 (B) *by striking “150,000” and inserting*
 15 *“250,000”;*

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

18 “(28) *SEXUAL ASSAULT.—The term ‘sexual as-*
 19 *sault’ means any nonconsensual sexual act proscribed*
 20 *by Federal, tribal, or State law, including when the*
 21 *victim lacks capacity to consent.”;*

22 (19) *by inserting after paragraph (28), as red-*
 23 *esignated, the following:*

24 “(29) *SEX TRAFFICKING.—The term ‘sex traf-*
 25 *ficking’ means any conduct proscribed by 18 U.S.C.*

1 1591, whether or not the conduct occurs in interstate
2 or foreign commerce or within the special maritime
3 and territorial jurisdiction of the United States.”;

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

6 “(35) *TRIBAL COALITION*.—The term ‘tribal coa-
7 lition’ means an established nonprofit, nongovern-
8 mental Indian organization or a Native Hawaiian
9 organization that—

10 “(A) provides education, support, and tech-
11 nical assistance to member Indian service pro-
12 viders in a manner that enables those member
13 providers to establish and maintain culturally
14 appropriate services, including shelter and rape
15 crisis services, designed to assist Indian women
16 and the dependents of those women who are vic-
17 tims of domestic violence, dating violence, sexual
18 assault, and stalking; and

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

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

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

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

2 “(39) *UNDERSERVED POPULATIONS.*—The term
3 ‘underserved populations’ means populations who face
4 barriers in accessing and using victim services, and
5 includes populations underserved because of geo-
6 graphic location, religion, sexual orientation, gender
7 identity, underserved racial and ethnic populations,
8 populations underserved because of special needs (such
9 as language barriers, disabilities, alienage status, or
10 age), and any other population determined to be un-
11 derserved by the Attorney General or by the Secretary
12 of Health and Human Services, as appropriate.”;

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

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

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

19 “(41) *VICTIM SERVICES OR SERVICES.*—The
20 terms ‘victim services’ and ‘services’ means services
21 provided to victims of domestic violence, dating vio-
22

1 *lence, sexual assault, or stalking, including telephonic*
2 *or web-based hotlines, legal advocacy, economic advo-*
3 *cacy, emergency and transitional shelter, accompani-*
4 *ment and advocacy through medical, civil or criminal*
5 *justice, immigration, and social support systems, cri-*
6 *sis intervention, short-term individual and group*
7 *support services, information and referrals, culturally*
8 *specific services, population specific services, and*
9 *other related supportive services.*

10 “(42) *VICTIM SERVICE PROVIDER.*—*The term*
11 *‘victim service provider’ means a nonprofit, non-*
12 *governmental or tribal organization or rape crisis*
13 *center, including a State or tribal coalition, that as-*
14 *sists or advocates for domestic violence, dating vio-*
15 *lence, sexual assault, or stalking victims, including*
16 *domestic violence shelters, faith-based organizations,*
17 *and other organizations, with a documented history of*
18 *effective work concerning domestic violence, dating vi-*
19 *olence, sexual assault, or stalking.’; and*

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

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

1 (b) *GRANTS CONDITIONS.*—*Subsection (b) of section*
2 *40002 of the Violence Against Women Act of 1994 (42*
3 *U.S.C. 13925(b)) is amended—*

4 (1) *in paragraph (2)—*

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

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

15 “(ii) *disclose, reveal, or release indi-*
16 *vidual client information without the in-*
17 *formed, written, reasonably time-limited*
18 *consent of the person (or in the case of an*
19 *unemancipated minor, the minor and the*
20 *parent or guardian or in the case of legal*
21 *incapacity, a court-appointed guardian)*
22 *about whom information is sought, whether*
23 *for this program or any other Federal,*
24 *State, tribal, or territorial grant program,*
25 *except that consent for release may not be*

1 *given by the abuser of the minor, incapacitated*
2 *tated person, or the abuser of the other par-*
3 *ent of the minor.*

4 *If a minor or a person with a legally appointed*
5 *guardian is permitted by law to receive services*
6 *without the parent's or guardian's consent, the*
7 *minor or person with a guardian may release*
8 *information without additional consent.”;*

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

11 *“(D) INFORMATION SHARING.—*

12 *“(i) Grantees and subgrantees may*
13 *share—*

14 *“(I) nonpersonally identifying*
15 *data in the aggregate regarding serv-*
16 *ices to their clients and nonpersonally*
17 *identifying demographic information*
18 *in order to comply with Federal, State,*
19 *tribal, or territorial reporting, evalua-*
20 *tion, or data collection requirements;*

21 *“(II) court-generated information*
22 *and law enforcement-generated infor-*
23 *mation contained in secure, govern-*
24 *mental registries for protection order*
25 *enforcement purposes; and*

1 “(III) law enforcement-generated
2 and prosecution-generated information
3 necessary for law enforcement and
4 prosecution purposes.

5 “(ii) In no circumstances may—

6 “(I) an adult, youth, or child vic-
7 tim of domestic violence, dating vio-
8 lence, sexual assault, or stalking be re-
9 quired to provide a consent to release
10 his or her personally identifying infor-
11 mation as a condition of eligibility for
12 the services provided by the grantee or
13 subgrantee;

14 “(II) any personally identifying
15 information be shared in order to com-
16 ply with Federal, tribal, or State re-
17 porting, evaluation, or data collection
18 requirements, whether for this program
19 or any other Federal, tribal, or State
20 grant program.”;

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

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

1 “(E) *STATUTORILY MANDATED REPORTS OF*
2 *ABUSE OR NEGLECT.—Nothing in this section*
3 *prohibits a grantee or subgrantee from reporting*
4 *suspected abuse or neglect, as those terms are de-*
5 *finied and specifically mandated by the State or*
6 *tribe involved.”; and*

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

9 “(G) *CONFIDENTIALITY ASSESSMENT AND*
10 *ASSURANCES.—Grantees and subgrantees must*
11 *document their compliance with the confiden-*
12 *tiality and privacy provisions required under*
13 *this section.”;*

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

16 “(3) *APPROVED ACTIVITIES.—In carrying out*
17 *the activities under this title, grantees and sub-*
18 *grantees may collaborate with or provide information*
19 *to Federal, State, local, tribal, and territorial public*
20 *officials and agencies to develop and implement poli-*
21 *cies and develop and promote State, local, or tribal*
22 *legislation or model codes designed to reduce or elimi-*
23 *nate domestic violence, dating violence, sexual assault,*
24 *and stalking.”;*

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

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

5 (4) by inserting after paragraph (11) the fol-
6 lowing:

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

13 “(13) *CIVIL RIGHTS.*—

14 “(A) *NONDISCRIMINATION.*—No person in
15 the United States shall, on the basis of actual or
16 perceived race, color, religion, national origin,
17 sex, gender identity (as defined in paragraph
18 249(c)(4) of title 18, United States Code), sexual
19 orientation, or disability, be excluded from par-
20 ticipation in, be denied the benefits of, or be sub-
21 jected to discrimination under any program or
22 activity funded in whole or in part with funds
23 made available under the *Violence Against*
24 *Women Act of 1994* (title IV of Public Law 103–
25 322; 108 Stat. 1902), the *Violence Against*

1 *Women Act of 2000 (division B of Public Law*
2 *106–386; 114 Stat. 1491), the Violence Against*
3 *Women and Department of Justice Reauthoriza-*
4 *tion Act of 2005 (title IX of Public Law 109–*
5 *162; 119 Stat. 3080), the Violence Against*
6 *Women Reauthorization Act of 2011, and any*
7 *other program or activity funded in whole or in*
8 *part with funds appropriated for grants, cooper-*
9 *ative agreements, and other assistance adminis-*
10 *tered by the Office on Violence Against Women.*

11 “(B) *EXCEPTION.*—*If sex segregation or sex-*
12 *specific programming is necessary to the essen-*
13 *tial operation of a program, nothing in this*
14 *paragraph shall prevent any such program or*
15 *activity from consideration of an individual’s*
16 *sex. In such circumstances, grantees may meet*
17 *the requirements of this paragraph by providing*
18 *comparable services to individuals who cannot be*
19 *provided with the sex-segregated or sex-specific*
20 *programming.*

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

1 “(D) *CONSTRUCTION.*—*Nothing contained*
2 *in this paragraph shall be construed, interpreted,*
3 *or applied to supplant, displace, preempt, or oth-*
4 *erwise diminish the responsibilities and liabil-*
5 *ities under other State or Federal civil rights*
6 *law, whether statutory or common.*

7 “(14) *CLARIFICATION OF VICTIM SERVICES AND*
8 *LEGAL ASSISTANCE.*—*Victim services and legal assist-*
9 *ance under this title also include services and assist-*
10 *ance to victims of domestic violence, dating violence,*
11 *sexual assault, or stalking who are also victims of se-*
12 *vere forms of trafficking in persons as defined by sec-*
13 *tion 103 of the Trafficking Victims Protection Act of*
14 *2000 (22 U.S.C. 7102).*

15 “(15) *CONFERRAL.*—

16 “(A) *IN GENERAL.*—*The Office on Violence*
17 *Against Women shall establish a biennial con-*
18 *ferral process with State and tribal coalitions*
19 *and technical assistance providers who receive*
20 *funding through grants administered by the Of-*
21 *fice on Violence Against Women and authorized*
22 *by this Act, and other key stakeholders.*

23 “(B) *AREAS COVERED.*—*The areas of con-*
24 *ferral under this paragraph shall include—*

25 “(i) *the administration of grants;*

1 “(ii) *unmet needs;*

2 “(iii) *promising practices in the field;*

3 *and*

4 “(iv) *emerging trends.*

5 “(C) *INITIAL CONFERRAL.—The first con-*
6 *ferral shall be initiated not later than 6 months*
7 *after the date of enactment of the Violence*
8 *Against Women Reauthorization Act of 2011.*

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

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

17 “(ii) *is made available to the public on*
18 *the Office on Violence Against Women’s*
19 *website and submitted to the Committee on*
20 *the Judiciary of the Senate and the Com-*
21 *mittee on the Judiciary of the House of*
22 *Representatives.*

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

1 “(A) *AUDIT REQUIREMENT.*—

2 “(i) *IN GENERAL.*—Beginning in the
3 *first fiscal year beginning after the date of*
4 *the enactment of this Act, and in each fiscal*
5 *year thereafter, the Inspector General of the*
6 *Department of Justice shall conduct audits*
7 *of recipients of grants under this Act to pre-*
8 *vent waste, fraud, and abuse of funds by*
9 *grantees. The Inspector General shall deter-*
10 *mine the appropriate number of grantees to*
11 *be audited each year.*

12 “(ii) *DEFINITION.*—In this paragraph,
13 *the term ‘unresolved audit finding’ means a*
14 *finding in the final audit report of the In-*
15 *pector General of the Department of Jus-*
16 *tice that the audited grantee has utilized*
17 *grant funds for an unauthorized expendi-*
18 *ture or otherwise unallowable cost that is*
19 *not closed or resolved within 12 months*
20 *from the date when the final audit report is*
21 *issued.*

22 “(iii) *MANDATORY EXCLUSION.*—A re-
23 *recipient of grant funds under this Act that*
24 *is found to have an unresolved audit find-*
25 *ing shall not be eligible to receive grant*

1 *funds under this Act during the following 2*
2 *fiscal years.*

3 “(iv) *PRIORITY.*—*In awarding grants*
4 *under this Act, the Attorney General shall*
5 *give priority to eligible entities that did not*
6 *have an unresolved audit finding during the*
7 *3 fiscal years prior to submitting an appli-*
8 *cation for a grant under this Act.*

9 “(v) *REIMBURSEMENT.*—*If an entity is*
10 *awarded grant funds under this Act during*
11 *the 2-fiscal-year period in which the entity*
12 *is barred from receiving grants under para-*
13 *graph (2), the Attorney General shall—*

14 “(I) *deposit an amount equal to*
15 *the grant funds that were improperly*
16 *awarded to the grantee into the Gen-*
17 *eral Fund of the Treasury; and*

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

22 “(B) *NONPROFIT ORGANIZATION REQUIRE-*
23 *MENTS.*—

24 “(i) *DEFINITION.*—*For purposes of this*
25 *paragraph and the grant programs de-*

1 *scribed in this Act, the term ‘nonprofit or-*
2 *ganization’ means an organization that is*
3 *described in section 501(c)(3) of the Inter-*
4 *nal Revenue Code of 1986 and is exempt*
5 *from taxation under section 501(a) of such*
6 *Code.*

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

14 “(iii) *DISCLOSURE.—Each nonprofit*
15 *organization that is awarded a grant under*
16 *a grant program described in this Act and*
17 *uses the procedures prescribed in regulations*
18 *to create a rebuttable presumption of rea-*
19 *sonableness for the compensation of its offi-*
20 *cers, directors, trustees and key employees,*
21 *shall disclose to the Attorney General, in the*
22 *application for the grant, the process for de-*
23 *termining such compensation, including the*
24 *independent persons involved in reviewing*
25 *and approving such compensation, the com-*

1 *parability data used, and contemporaneous*
2 *substantiation of the deliberation and deci-*
3 *sion. Upon request, the Attorney General*
4 *shall make the information disclosed under*
5 *this subsection available for public inspec-*
6 *tion.*

7 “(C) *CONFERENCE EXPENDITURES.*—

8 “(i) *LIMITATION.*—*No amounts author-*
9 *ized to be appropriated to the Department*
10 *of Justice under this Act may be used by*
11 *the Attorney General, or by any individual*
12 *or organization awarded discretionary*
13 *funds through a cooperative agreement*
14 *under this Act, to host or support any ex-*
15 *penditure for conferences that uses more*
16 *than \$20,000 in Department funds, unless*
17 *the Deputy Attorney General or such Assist-*
18 *ant Attorney Generals, Directors, or prin-*
19 *cipal deputies as the Deputy Attorney Gen-*
20 *eral may designate, provides prior written*
21 *authorization that the funds may be ex-*
22 *pended to host a conference.*

23 “(ii) *WRITTEN APPROVAL.*—*Written*
24 *approval under clause (i) shall include a*
25 *written estimate of all costs associated with*

1 *the conference, including the cost of all food*
2 *and beverages, audiovisual equipment,*
3 *honoraria for speakers, and any entertain-*
4 *ment.*

5 “(iii) *REPORT.—The Deputy Attorney*
6 *General shall submit an annual report to*
7 *the Committee on the Judiciary of the Sen-*
8 *ate and the Committee on the Judiciary of*
9 *the House of Representatives on all ap-*
10 *proved conference expenditures referenced in*
11 *this paragraph.*

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

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

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

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

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

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

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

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

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

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

23 (1) *in section 1001(a)(18) (42 U.S.C.*
24 *3793(a)(18)), by striking “\$225,000,000 for each of*
25 *fiscal years 2007 through 2011” and inserting*

1 “\$222,000,000 for each of fiscal years 2012 through
2 2016”;

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

4 (A) in the matter preceding paragraph

5 (1)—

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

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

10 (B) in paragraph (1), by striking “sexual
11 assault” and all that follows through “dating vi-
12 olence” and inserting “domestic violence, dating
13 violence, sexual assault, and stalking, including
14 the appropriate use of nonimmigrant status
15 under subparagraphs (T) and (U) of section
16 101(a)(15) of the Immigration and Nationality
17 Act (8 U.S.C. 1101(a))”;

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

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

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

3 *(E) in paragraph (4)—*

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

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

10 *(F) in paragraph (5)—*

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

13 *(ii) by striking “domestic violence and*
14 *dating violence” and inserting “domestic vi-*
15 *olence, dating violence, and stalking”; and*

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

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

23 *(H) in paragraph (6), as redesignated by*
24 *subparagraph (G), by striking “sexual assault*
25 *and domestic violence” and inserting “domestic*

1 *violence, dating violence, sexual assault, and*
2 *stalking”;*

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

7 *(J) in paragraph (9), as redesignated by*
8 *subparagraph (G), by striking “domestic violence*
9 *or sexual assault” and inserting “ domestic vio-*
10 *lence, dating violence, sexual assault, or stalk-*
11 *ing”;*

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

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

22 *(ii) by striking “and” at the end;*

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

1 (i) by striking “to provide” and insert-
2 ing “providing”;

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

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

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

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

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

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

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

21 “(16) developing and strengthening policies, pro-
22 tocols, best practices, and training for law enforce-
23 ment agencies and prosecutors relating to the inves-
24 tigation and prosecution of sexual assault cases and
25 the appropriate treatment of victims;

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

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

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

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

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

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

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

6 (C) in subsection (c)—

7 (i) by striking paragraph (2) and in-
8 serting the following:

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

12 “(A) the State sexual assault coalition;

13 “(B) the State domestic violence coalition;

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

16 “(D) prosecution offices;

17 “(E) State and local courts;

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

20 “(G) representatives from underserved pop-
21 ulations, including culturally specific popu-
22 lations;

23 “(H) victim service providers;

24 “(I) population specific organizations; and

1 “(J) other entities that the State or the At-
2 torney General identifies as needed for the plan-
3 ning process;”;

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

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

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

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

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

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

24 (III) by inserting after subpara-
25 graph (A), the following:

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

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

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

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

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

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

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

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

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

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

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

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

12 (E) in subsection (e)—

13 (i) in paragraph (2)—

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

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

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

22 “(3) CONDITIONS.—In disbursing grants under
23 this part, the Attorney General may impose reason-
24 able conditions on grant awards to ensure that the

1 *States meet statutory, regulatory, and other program*
2 *requirements.”;*

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

11 *(G) by adding at the end the following:*

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

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

19 *“(2) submit to the Attorney General—*

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

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

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

4 “(i) the need for the grant funds;

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

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

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

13 “(D) a description of how the State will en-
14 sure that any subgrantees will consult with vic-
15 tim service providers during the course of devel-
16 oping their grant applications in order to ensure
17 that the proposed activities are designed to pro-
18 mote the safety, confidentiality, and economic
19 independence of victims;

20 “(E) demographic data on the distribution
21 of underserved populations within the State and
22 a description of how the State will meet the
23 needs of underserved populations, including the
24 minimum allocation for population specific serv-
25 ices required under subsection (c)(4)(C);

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

4 “(G) goals and objectives for reducing do-
5 mestic violence-related homicides within the
6 State; and

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

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

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

14 “(2) the State does not receive sufficient eligible
15 applications to award the full funding within the al-
16 locations in subsection (c)(4)”;

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

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

20 “(1) *IN GENERAL.*—A State, Indian tribal gov-
21 ernment, or unit of local government shall not be enti-
22 tled to funds under this subchapter unless the State,
23 Indian tribal government, unit of local government,
24 or another governmental entity—

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

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

8 (B) in subsection (b)—

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

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

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

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

16 “(d) NONCOOPERATION.—

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

23 “(2) COMPLIANCE PERIOD.—States, territories,
24 and Indian tribal governments shall have 3 years

1 *from the date of enactment of this Act to come into*
 2 *compliance with this section.”; and*

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

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

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

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

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

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

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

22 (A) *in subsection (b)—*

23 (i) *in the matter preceding paragraph*
 24 (1), *by striking “States,” and all that fol-*

- 1 *lows through “units of local government”*
2 *and inserting “grantees”;*
- 3 (ii) *in paragraph (1), by inserting*
4 *“and enforcement of protection orders across*
5 *State and tribal lines” before the period;*
- 6 (iii) *in paragraph (2), by striking*
7 *“and training in police departments to im-*
8 *prove tracking of cases” and inserting*
9 *“data collection systems, and training in*
10 *police departments to improve tracking of*
11 *cases and classification of complaints”;*
- 12 (iv) *in paragraph (4), by inserting*
13 *“and provide the appropriate training and*
14 *education about domestic violence, dating*
15 *violence, sexual assault, and stalking” after*
16 *“computer tracking systems”;*
- 17 (v) *in paragraph (5), by inserting*
18 *“and other victim services” after “legal ad-*
19 *vocacy service programs”;*
- 20 (vi) *in paragraph (6), by striking*
21 *“judges” and inserting “Federal, State,*
22 *tribal, territorial, and local judges, courts,*
23 *and court-based and court-related per-*
24 *sonnel”;*

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

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

9 (ix) by adding at the end the following:

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

16 “(15) To develop or strengthen policies, protocols,
17 and training for law enforcement, prosecutors, and
18 the judiciary in recognizing, investigating, and pros-
19 ecuting instances of domestic violence, dating violence,
20 sexual assault, and stalking against immigrant vic-
21 tims, including the appropriate use of applications
22 for nonimmigrant status under subparagraphs (T)
23 and (U) of section 101(a)(15) of the Immigration and
24 Nationality Act (8 U.S.C. 1101(a)(15)).

1 “(16) To develop and promote State, local, or
2 tribal legislation and policies that enhance best prac-
3 tices for responding to the crimes of domestic violence,
4 dating violence, sexual assault, and stalking, includ-
5 ing the appropriate treatment of victims.

6 “(17) To develop, implement, or enhance sexual
7 assault nurse examiner programs or sexual assault fo-
8 rensic examiner programs, including the hiring and
9 training of such examiners.

10 “(18) To develop, implement, or enhance Sexual
11 Assault Response Teams or similar coordinated com-
12 munity responses to sexual assault.

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

18 “(20) To provide human immunodeficiency virus
19 testing programs, counseling, and prophylaxis for vic-
20 tims of sexual assault.

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

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

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

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

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

13 (B) in subsection (c)—

14 (i) in paragraph (1)—

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

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

22 (ii) in paragraph (2), by inserting “ex-
23 cept for a court,” before “demonstrate”;

24 (iii) in paragraph (3)—

1 (I) by striking “spouses” each
2 place it appears and inserting “par-
3 ties”; and

4 (II) by striking “spouse” and in-
5 serting “party”;

6 (iv) in paragraph (4)—

7 (I) by inserting “, dating violence,
8 sexual assault, or stalking” after “fel-
9 ony domestic violence”;

10 (II) by inserting “modification,
11 enforcement, dismissal,” after “reg-
12 istration,” each place it appears;

13 (III) by inserting “dating vio-
14 lence,” after “victim of domestic vio-
15 lence,”; and

16 (IV) by striking “and” at the end;
17 (v) in paragraph (5)—

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

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

24 (III) by redesignating subpara-
25 graphs (A) and (B) as clauses (i) and

1 (ii), and adjusting the margin accord-
2 ingly;

3 (IV) in clause (ii), as redesignated
4 by subclause (III) of this clause, by
5 striking “subparagraph (A)” and in-
6 serting “clause (i)”; and

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

9 (vi) by redesignating paragraphs (1)
10 through (5), as amended by this subpara-
11 graph, as subparagraphs (A) through (E),
12 respectively;

13 (vii) in the matter preceding subpara-
14 graph (A), as redesignated by clause (v) of
15 this subparagraph—

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

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

22 “(1) States”; and

23 (viii) by adding at the end the fol-
24 lowing:

1 “(2) a State, tribal, or territorial domestic vio-
 2 lence or sexual assault coalition or a victim service
 3 provider that partners with a State, Indian tribal
 4 government, or unit of local government that certifies
 5 that the State, Indian tribal government, or unit of
 6 local government meets the requirements under para-
 7 graph (1).”;

8 (C) in subsection (d)—

9 (i) in paragraph (1)—

10 (I) in the matter preceding sub-
 11 paragraph (A), by inserting “, policy,”
 12 after “law”; and

13 (II) in subparagraph (A), by in-
 14 serting “and the defendant is in cus-
 15 tody or has been served with the infor-
 16 mation or indictment” before the semi-
 17 colon; and

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

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

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

1 “(g) *ALLOCATION FOR SEXUAL ASSAULT.*—Of the
2 amounts appropriated for purposes of this part for each fis-
3 cal year, not less than 25 percent shall be available for
4 projects that address sexual assault, including stranger
5 rape, acquaintance rape, alcohol or drug-facilitated rape,
6 and rape within the context of an intimate partner rela-
7 tionship.”; and

8 (2) in section 2102(a) (42 U.S.C. 3796hh–
9 1(a))—

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

12 (B) in paragraph (4), by striking “non-
13 profit, private sexual assault and domestic vio-
14 lence programs” and inserting “victim service
15 providers and, as appropriate, population spe-
16 cific organizations”.

17 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
18 1001(a)(19) of title I of the Omnibus Crime Control and
19 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amend-
20 ed—

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

24 (2) by striking the period that immediately fol-
25 lows another period.

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

2 *Section 1201 of the Violence Against Women Act of*
3 *2000 (42 U.S.C. 3796gg-6) is amended—*

4 *(1) in subsection (a)—*

5 *(A) in the first sentence, by striking “aris-*
6 *ing as a consequence of” and inserting “relating*
7 *to or arising out of”; and*

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

10 *(2) in subsection (b)—*

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

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

15 *(3) in subsection (c)—*

16 *(A) in paragraph (1), by striking “victims*
17 *services organizations” and inserting “victim*
18 *service providers”; and*

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

21 *“(3) to implement, expand, and establish efforts*
22 *and projects to provide competent, supervised pro*
23 *bono legal assistance for victims of domestic violence,*
24 *dating violence, sexual assault, or stalking, except*
25 *that not more than 10 percent of the funds awarded*

1 *under this section may be used for the purpose de-*
2 *scribed in this paragraph.”;*

3 *(4) in subsection (d)—*

4 *(A) in paragraph (1), by striking “this sec-*
5 *tion has completed” and all that follows and in-*
6 *serting the following: “this section—”*

7 *“(A) has demonstrated expertise in pro-*
8 *viding legal assistance to victims of domestic vio-*
9 *lence, dating violence, sexual assault, or stalking*
10 *in the targeted population; or*

11 *“(B)(i) is partnered with an entity or per-*
12 *son that has demonstrated expertise described in*
13 *subparagraph (A); and*

14 *“(i) has completed, or will complete, train-*
15 *ing in connection with domestic violence, dating*
16 *violence, stalking, or sexual assault and related*
17 *legal issues, including training on evidence-based*
18 *risk factors for domestic and dating violence*
19 *homicide;”;* and

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

23 *(5) in subsection (f) in paragraph (1), by strik-*
24 *ing “this section” and all that follows and inserting*

1 the following: “this section \$57,000,000 for each of fis-
2 cal years 2012 through 2016.”.

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

5 (a) *IN GENERAL.*—Title III of division B of the Vic-
6 tims of Trafficking and Violence Protection Act of 2000
7 (Public Law 106–386; 114 Stat. 1509) is amended by strik-
8 ing the section preceding section 1302 (42 U.S.C. 10420),
9 as amended by section 306 of the Violence Against Women
10 and Department of Justice Reauthorization Act of 2005
11 (Public Law 109–162; 119 Stat. 316), and inserting the fol-
12 lowing:

13 **“SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUS-**
14 **TICE SYSTEM.**

15 “(a) *IN GENERAL.*—The Attorney General may make
16 grants to States, units of local government, courts (includ-
17 ing juvenile courts), Indian tribal governments, nonprofit
18 organizations, legal services providers, and victim services
19 providers to improve the response of all aspects of the civil
20 and criminal justice system to families with a history of
21 domestic violence, dating violence, sexual assault, or stalk-
22 ing, or in cases involving allegations of child sexual abuse.

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

1 “(1) provide supervised visitation and safe visi-
2 tation exchange of children and youth by and between
3 parents in situations involving domestic violence, dat-
4 ing violence, child sexual abuse, sexual assault, or
5 stalking;

6 “(2) develop and promote State, local, and tribal
7 legislation, policies, and best practices for improving
8 civil and criminal court functions, responses, prac-
9 tices, and procedures in cases involving a history of
10 domestic violence or sexual assault, or in cases involv-
11 ing allegations of child sexual abuse, including cases
12 in which the victim proceeds pro se;

13 “(3) educate court-based and court-related per-
14 sonnel and court-appointed personnel (including cus-
15 tody evaluators and guardians ad litem) and child
16 protective services workers on the dynamics of domes-
17 tic violence, dating violence, sexual assault, and stalk-
18 ing, including information on perpetrator behavior,
19 evidence-based risk factors for domestic and dating vi-
20 olence homicide, and on issues relating to the needs
21 of victims, including safety, security, privacy, and
22 confidentiality, including cases in which the victim
23 proceeds pro se;

24 “(4) provide appropriate resources in juvenile
25 court matters to respond to dating violence, domestic

1 *violence, sexual assault (including child sexual abuse),*
2 *and stalking and ensure necessary services dealing*
3 *with the health and mental health of victims are*
4 *available;*

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

7 *“(A) court infrastructure (such as special-*
8 *ized courts, consolidated courts, dockets, intake*
9 *centers, or interpreter services);*

10 *“(B) community-based initiatives within*
11 *the court system (such as court watch programs,*
12 *victim assistants, pro se victim assistance pro-*
13 *grams, or community-based supplementary serv-*
14 *ices);*

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

17 *“(D) safe and confidential information-stor-*
18 *age and information-sharing databases within*
19 *and between court systems;*

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

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

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

4 “(A) victims of domestic violence; and

5 “(B) nonoffending parents in matters—

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

8 “(ii) that relate to family matters, in-
9 cluding civil protection orders, custody, and
10 divorce; and

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

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

22 “(8) to improve training and education to assist
23 judges, judicial personnel, attorneys, child welfare
24 personnel, and legal advocates in the civil justice sys-
25 tem.

1 “(c) *CONSIDERATIONS.*—

2 “(1) *IN GENERAL.*—*In making grants for pur-*
3 *poses described in paragraphs (1) through (7) of sub-*
4 *section (b), the Attorney General shall consider—*

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

7 “(B) *the extent to which the proposed pro-*
8 *grams and services serve underserved popu-*
9 *lations;*

10 “(C) *the extent to which the applicant dem-*
11 *onstrates cooperation and collaboration with*
12 *nonprofit, nongovernmental entities in the local*
13 *community with demonstrated histories of effec-*
14 *tive work on domestic violence, dating violence,*
15 *sexual assault, or stalking, including State or*
16 *tribal domestic violence coalitions, State or trib-*
17 *al sexual assault coalitions, local shelters, and*
18 *programs for domestic violence and sexual as-*
19 *sault victims; and*

20 “(D) *the extent to which the applicant dem-*
21 *onstrates coordination and collaboration with*
22 *State, tribal, and local court systems, including*
23 *mechanisms for communication and referral.*

24 “(2) *OTHER GRANTS.*—*In making grants under*
25 *subsection (b)(8) the Attorney General shall take into*

1 *account the extent to which the grantee has expertise*
2 *addressing the judicial system’s handling of family*
3 *violence, child custody, child abuse and neglect, adop-*
4 *tion, foster care, supervised visitation, divorce, and*
5 *parentage.*

6 “(d) *APPLICANT REQUIREMENTS.—The Attorney Gen-*
7 *eral may make a grant under this section to an applicant*
8 *that—*

9 “(1) *demonstrates expertise in the areas of do-*
10 *mestic violence, dating violence, sexual assault, stalk-*
11 *ing, or child sexual abuse, as appropriate;*

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

16 “(3) *for a court-based program, certifies that vic-*
17 *tims of domestic violence, dating violence, sexual as-*
18 *sault, or stalking are not charged fees or any other*
19 *costs related to the filing, petitioning, modifying,*
20 *issuance, registration, enforcement, withdrawal, or*
21 *dismissal of matters relating to the domestic violence,*
22 *dating violence, sexual assault, or stalking;*

23 “(4) *demonstrates that adequate security meas-*
24 *ures, including adequate facilities, procedures, and*
25 *personnel capable of preventing violence, and ade-*

1 *quate standards are, or will be, in place (including*
2 *the development of protocols or policies to ensure that*
3 *confidential information is not shared with courts,*
4 *law enforcement agencies, or child welfare agencies*
5 *unless necessary to ensure the safety of any child or*
6 *adult using the services of a program funded under*
7 *this section), if the applicant proposes to operate su-*
8 *pervised visitation programs and services or safe visi-*
9 *tation exchange;*

10 *“(5) certifies that the organizational policies of*
11 *the applicant do not require mediation or counseling*
12 *involving offenders and victims being physically*
13 *present in the same place, in cases where domestic vi-*
14 *olence, dating violence, sexual assault, or stalking is*
15 *alleged;*

16 *“(6) certifies that any person providing legal as-*
17 *sistance through a program funded under this section*
18 *has completed or will complete training on domestic*
19 *violence, dating violence, sexual assault, and stalking,*
20 *including child sexual abuse, and related legal issues;*
21 *and*

22 *“(7) certifies that any person providing custody*
23 *evaluation or guardian ad litem services through a*
24 *program funded under this section has completed or*
25 *will complete training developed with input from and*

1 *in collaboration with a tribal, State, territorial, or*
2 *local domestic violence, dating violence, sexual as-*
3 *sault, or stalking victim service provider or coalition*
4 *on the dynamics of domestic violence and sexual as-*
5 *sault, including child sexual abuse, that includes*
6 *training on how to review evidence of past abuse and*
7 *the use of evidenced-based theories to make rec-*
8 *ommendations on custody and visitation.*

9 “(e) *AUTHORIZATION OF APPROPRIATIONS.—There is*
10 *authorized to be appropriated to carry out this section,*
11 *\$22,000,000 for each of fiscal years 2012 through 2016.*
12 *Amounts appropriated pursuant to this subsection shall re-*
13 *main available until expended.*

14 “(f) *ALLOTMENT FOR INDIAN TRIBES.—*

15 “(1) *IN GENERAL.—Not less than 10 percent of*
16 *the total amount available under this section for each*
17 *fiscal year shall be available for grants under the pro-*
18 *gram authorized by section 3796gg–10 of this title.*

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

22 “(b) *TECHNICAL AND CONFORMING AMENDMENT.—Sub-*
23 *title J of the Violence Against Women Act of 1994 (42*
24 *U.S.C. 14043 et seq.) is repealed.*

1 **SEC. 105. SEX OFFENDER MANAGEMENT.**

2 *Section 40152(c) of the Violence Against Women Act*
3 *of 1994 (42 U.S.C. 13941) is amended by striking*
4 *“\$5,000,000” and all that follows and inserting*
5 *“\$5,000,000 for each of fiscal years 2012 through 2016.”.*

6 **SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PRO-**
7 **GRAM.**

8 *Subtitle B of title II of the Crime Control Act of 1990*
9 *(42 U.S.C. 13011 et seq.) is amended—*

10 *(1) in section 216 (42 U.S.C. 13012), by striking*

11 *“January 1, 2010” and inserting “January 1, 2015”;*

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

13 *(A) by striking “Code of Ethics” in section*

14 *(c)(2) and inserting “Standards for Programs”;*

15 *and*

16 *(B) by adding at the end the following:*

17 *“(e) REPORTING.—An organization that receives a*

18 *grant under this section for a fiscal year shall submit to*

19 *the Administrator a report regarding the use of the grant*

20 *for the fiscal year, including a discussion of outcome per-*

21 *formance measures (which shall be established by the Ad-*

22 *ministrator) to determine the effectiveness of the programs*

23 *of the organization in meeting the needs of children in the*

24 *child welfare system.”; and*

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

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

6 (a) *INTERSTATE DOMESTIC VIOLENCE.*—Section
7 2261(a)(1) of title 18, United States Code, is amended—

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

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

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

14 **“§2261A. Stalking**

15 “Whoever—

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

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

1 “(i) that person;

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

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

6 “(B) causes, attempts to cause, or would be
7 reasonably expected to cause substantial emo-
8 tional distress to a person described in clause (i),
9 (ii), or (iii) of subparagraph (A); or

10 “(2) with the intent to kill, injure, harass, in-
11 timidate, or place under surveillance with intent to
12 kill, injure, harass, or intimidate another person, uses
13 the mail, any interactive computer service or elec-
14 tronic communication service or electronic commu-
15 nication system of interstate commerce, or any other
16 facility of interstate or foreign commerce to engage in
17 a course of conduct that—

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

22 “(B) causes, attempts to cause, or would be
23 reasonably expected to cause substantial emo-
24 tional distress to a person described in clause (i),
25 (ii), or (iii) of paragraph (1)(A),

1 *shall be punished as provided in section 2261(b) of*
 2 *this title.”.*

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

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

9 *Section 120 of the Violence Against Women and De-*
 10 *partment of Justice Reauthorization Act of 2005 (42 U.S.C.*
 11 *14045) is amended to read as follows:*

12 **“SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UN-**
 13 **DERSERVED POPULATIONS.**

14 “(a) *GRANTS AUTHORIZED.—*

15 “(1) *IN GENERAL.—Of the amounts appro-*
 16 *propriated under the grant programs identified in para-*
 17 *graph (2), the Attorney General shall take 2 percent*
 18 *of such appropriated amounts and combine them to*
 19 *award grants to eligible entities described in sub-*
 20 *section (b) of this section to develop and implement*
 21 *outreach strategies targeted at adult or youth victims*
 22 *of domestic violence, dating violence, sexual assault,*
 23 *or stalking in underserved populations and to provide*
 24 *victim services to meet the needs of adult and youth*
 25 *victims of domestic violence, dating violence, sexual*

1 *assault, and stalking in underserved populations. The*
2 *requirements of the grant programs identified in*
3 *paragraph (2) shall not apply to this grant program.*

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

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

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

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

16 “(1) *population specific organizations that have*
17 *demonstrated experience and expertise in providing*
18 *population specific services in the relevant under-*
19 *served communities, or population specific organiza-*
20 *tions working in partnership with a victim service*
21 *provider or domestic violence or sexual assault coal-*
22 *ition;*

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

1 “(3) *victim service providers working in partner-*
2 *ship with a national, State, tribal, or local organiza-*
3 *tion that has demonstrated experience and expertise*
4 *in providing population specific services in the rel-*
5 *evant underserved population.*

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

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

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

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

1 “(4) developing a plan, with the input of the tar-
2 geted underserved population or populations, for im-
3 plementing prevention, outreach and intervention
4 strategies to address the barriers to accessing services,
5 promoting community engagement in the prevention
6 of domestic violence, dating violence, sexual assault,
7 and stalking within the targeted underserved popu-
8 lations, and evaluating the program.

9 “(d) *IMPLEMENTATION GRANTS.*—*The Attorney Gen-*
10 *eral shall make grants to eligible entities for the purpose*
11 *of providing or enhancing population specific outreach and*
12 *services to adult and youth victims in one or more under-*
13 *served populations, including—*

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

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

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

23 “(4) strengthening the effectiveness of criminal
24 and civil justice interventions by providing training
25 for law enforcement, prosecutors, judges and other

1 *court personnel on domestic violence, dating violence,*
2 *sexual assault, or stalking in underserved popu-*
3 *lations; or*

4 “(5) *working in cooperation with an underserved*
5 *population to develop and implement outreach, edu-*
6 *cation, prevention, and intervention strategies that*
7 *highlight available resources and the specific issues*
8 *faced by victims of domestic violence, dating violence,*
9 *sexual assault, or stalking from underserved popu-*
10 *lations.*

11 “(e) *APPLICATION.—An eligible entity desiring a grant*
12 *under this section shall submit an application to the Direc-*
13 *tor of the Office on Violence Against Women at such time,*
14 *in such form, and in such manner as the Director may pre-*
15 *scribe.*

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

20 “(g) *AUTHORIZATION OF APPROPRIATIONS.—In addi-*
21 *tion to the funds identified in subsection (a)(1), there are*
22 *authorized to be appropriated to carry out this section*
23 *\$2,000,000 for each of fiscal years 2012 through 2016.*

24 “(h) *DEFINITIONS AND GRANT CONDITIONS.—In this*
25 *section the definitions and grant conditions in section*

1 40002 of the Violence Against Women Act of 1994 (42
2 U.S.C. 13925) shall apply.”.

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

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

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

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

11 (3) by striking “and linguistic” each place it ap-
12 pears;

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

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

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

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

1 “(C) Section 40295 of the Violence Against
2 Women Act of 1994 (42 U.S.C. 13971) (Rural
3 Domestic Violence, Dating Violence, Sexual As-
4 sault, Stalking, and Child Abuse Enforcement
5 Assistance).

6 “(D) Section 40802 of the Violence Against
7 Women Act of 1994 (42 U.S.C. 14041a) (En-
8 hanced Training and Services to End Violence
9 Against Women Later in Life).

10 “(E) Section 1402 of division B of the Vic-
11 tims of Trafficking and Violence Protection Act
12 of 2000 (42 U.S.C. 3796gg-7) (Education,
13 Training, and Enhanced Services to End Vio-
14 lence Against and Abuse of Women with Disabil-
15 ities).”; and

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

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

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

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

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

15 (2) in paragraph (2)—

16 (A) in subparagraph (B), by inserting “or
17 tribal programs and activities” after “non-
18 governmental organizations”; and

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

21 (3) in paragraph (4)—

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

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

3 (C) by striking “0.125 percent” and insert-
4 ing “0.25 percent”; and

5 (D) by striking “The District of Columbia
6 shall be treated as a territory for purposes of cal-
7 culating its allocation under the preceding for-
8 mula.”.

9 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
10 41601(f)(1) of the Violence Against Women Act of 1994 (42
11 U.S.C. 14043g(f)(1)) is amended by striking “\$50,000,000
12 to remain available until expended for each of the fiscal
13 years 2007 through 2011” and inserting “\$40,000,000 to
14 remain available until expended for each of fiscal years
15 2012 through 2016”.

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

19 Section 40295 of the Violence Against Women Act of
20 1994 (42 U.S.C. 13971) is amended—

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

24 (2) in subsection (b)—

25 (A) in paragraph (1)—

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

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

9 (B) in paragraph (2)—

10 (i) by striking “and other long- and
11 short-term assistance” and inserting “legal
12 assistance, and other long-term and short-
13 term victim and population specific serv-
14 ices”; and

15 (ii) by striking “and” at the end;

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

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

19 “(4) developing, enlarging, or strengthening pro-
20 grams addressing sexual assault, including sexual as-
21 sault forensic examiner programs, Sexual Assault Re-
22 sponse Teams, law enforcement training, and pro-
23 grams addressing rape kit backlogs.

24 “(5) developing programs and strategies that
25 focus on the specific needs of victims of domestic vio-

1 *lence, dating violence, sexual assault, and stalking*
 2 *who reside in remote rural and geographically iso-*
 3 *lated areas, including addressing the challenges posed*
 4 *by the lack of access to shelters and victims services,*
 5 *and limited law enforcement resources and training,*
 6 *and providing training and resources to Community*
 7 *Health Aides involved in the delivery of Indian*
 8 *Health Service programs.”; and*

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

13 **SEC. 203. TRAINING AND SERVICES TO END VIOLENCE**
 14 **AGAINST WOMEN WITH DISABILITIES**
 15 **GRANTS.**

16 *Section 1402 of division B of the Victims of Traf-*
 17 *ficking and Violence Protection Act of 2000 (42 U.S.C.*
 18 *3796gg-7) is amended—*

19 *(1) in subsection (b)—*

20 *(A) in paragraph (1), by inserting “(in-*
 21 *cluding using evidence-based indicators to assess*
 22 *the risk of domestic and dating violence homi-*
 23 *cide)” after “risk reduction”;*

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

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

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

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

15 **SEC. 204. ENHANCED TRAINING AND SERVICES TO END**

16 **ABUSE IN LATER LIFE.**

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

20 **“Subtitle H—Enhanced Training**
21 **and Services to End Abuse Later**
22 **in Life**

23 **“SEC. 40801. ENHANCED TRAINING AND SERVICES TO END**

24 **ABUSE IN LATER LIFE.**

25 “(a) *DEFINITIONS.*—In this section—

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

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

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

11 “(b) GRANT PROGRAM.—

12 “(1) GRANTS AUTHORIZED.—The Attorney Gen-
13 eral may make grants to eligible entities to carry out
14 the activities described in paragraph (2).

15 “(2) MANDATORY AND PERMISSIBLE ACTIVI-
16 TIES.—

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

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

1 territorial, and local courts in recognizing
2 and addressing instances of elder abuse;

3 “(ii) provide or enhance services for
4 victims of abuse in later life, including do-
5 mestic violence, dating violence, sexual as-
6 sault, stalking, exploitation, and neglect;

7 “(iii) establish or support multidisci-
8 plinary collaborative community responses
9 to victims of abuse in later life, including
10 domestic violence, dating violence, sexual
11 assault, stalking, exploitation, and neglect;
12 and

13 “(iv) conduct cross-training for law en-
14 forcement agencies, prosecutors, agencies of
15 States or units of local government, attor-
16 neys, health care providers, population spe-
17 cific organizations, faith-based advocates,
18 victim service providers, and courts to bet-
19 ter serve victims of abuse in later life, in-
20 cluding domestic violence, dating violence,
21 sexual assault, stalking, exploitation, and
22 neglect.

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

1 “(i) provide training programs to as-
2 sist attorneys, health care providers, faith-
3 based leaders, or other community-based or-
4 ganizations in recognizing and addressing
5 instances of abuse in later life, including
6 domestic violence, dating violence, sexual
7 assault, stalking, exploitation, and neglect;
8 or

9 “(ii) conduct outreach activities and
10 awareness campaigns to ensure that victims
11 of abuse in later life, including domestic vi-
12 olence, dating violence, sexual assault, stalk-
13 ing, exploitation, and neglect receive appro-
14 priate assistance.

15 “(C) WAIVER.—The Attorney General may
16 waive 1 or more of the activities described in
17 subparagraph (A) upon making a determination
18 that the activity would duplicate services avail-
19 able in the community.

20 “(D) LIMITATION.—An eligible entity re-
21 ceiving a grant under this section may use not
22 more than 10 percent of the total funds received
23 under the grant for an activity described in sub-
24 paragraph (B)(i).

1 “(3) *ELIGIBLE ENTITIES*.—*An entity shall be eli-*
2 *gible to receive a grant under this section if—*

3 “(A) *the entity is—*

4 “(i) *a State;*

5 “(ii) *a unit of local government;*

6 “(iii) *a tribal government or tribal or-*
7 *ganization;*

8 “(iv) *a population specific organiza-*
9 *tion with demonstrated experience in assist-*
10 *ing individuals over 50 years of age;*

11 “(v) *a victim service provider with*
12 *demonstrated experience in addressing do-*
13 *mestic violence, dating violence, sexual as-*
14 *sault, and stalking; or*

15 “(vi) *a State, tribal, or territorial do-*
16 *mestic violence or sexual assault coalition;*
17 *and*

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

21 “(i) *a law enforcement agency;*

22 “(ii) *a prosecutor’s office;*

23 “(iii) *a victim service provider; and*

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

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

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

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

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

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

19 (1) in subsection (a)—

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

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

25 (2) in subsection (c)—

1 (A) in paragraph (1), by striking
 2 “\$80,000,000 for each of fiscal years 2007
 3 through 2011” and inserting “\$50,000,000 for
 4 each of fiscal years 2012 through 2016”; and

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

6 “(3) *BASELINE FUNDING FOR STATES, THE DIS-*
 7 *TRICT OF COLUMBIA, AND PUERTO RICO.—A min-*
 8 *imum allocation of \$150,000 shall be awarded in each*
 9 *fiscal year for each of the States, the District of Co-*
 10 *lumbia, and Puerto Rico. A minimum allocation of*
 11 *\$35,000 shall be awarded in each fiscal year for each*
 12 *Territory. Any unused or remaining funds shall be*
 13 *allotted to each State, the District of Columbia, and*
 14 *Puerto Rico on the basis of population.”.*

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

18 *Subtitle L of the Violence Against Women Act of 1994*
 19 *is amended by striking sections 41201 through 41204 (42*
 20 *U.S.C. 14043c through 14043c-3) and inserting the fol-*
 21 *lowing:*

1 **“SEC. 41201. CREATING HOPE THROUGH OUTREACH, OP-**
2 **TIONS, SERVICES, AND EDUCATION FOR CHIL-**
3 **DREN AND YOUTH (‘CHOOSE CHILDREN &**
4 **YOUTH’).**

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

12 “(b) *PROGRAM PURPOSES.*—*Funds provided under*
13 *this section may be used for the following program purpose*
14 *areas:*

15 “(1) *SERVICES TO ADVOCATE FOR AND RESPOND*
16 *TO YOUTH.*—*To develop, expand, and strengthen vic-*
17 *tim-centered interventions and services that target*
18 *youth who are victims of domestic violence, dating vi-*
19 *olence, sexual assault, and stalking. Services may in-*
20 *clude victim services, counseling, advocacy, men-*
21 *toring, educational support, transportation, legal as-*
22 *sistance in civil, criminal and administrative mat-*
23 *ters, such as family law cases, housing cases, child*
24 *welfare proceedings, campus administrative pro-*
25 *ceedings, and civil protection order proceedings, serv-*
26 *ices to address the co-occurrence of sex trafficking,*

1 *population-specific services, and other activities that*
2 *support youth in finding safety, stability, and justice*
3 *and in addressing the emotional, cognitive, and phys-*
4 *ical effects of trauma. Funds may be used to—*

5 *“(A) assess and analyze currently available*
6 *services for youth victims of domestic violence,*
7 *dating violence, sexual assault, and stalking, de-*
8 *termining relevant barriers to such services in a*
9 *particular locality, and developing a community*
10 *protocol to address such problems collaboratively;*

11 *“(B) develop and implement policies, prac-*
12 *tices, and procedures to effectively respond to do-*
13 *mestic violence, dating violence, sexual assault,*
14 *or stalking against youth; or*

15 *“(C) provide technical assistance and train-*
16 *ing to enhance the ability of school personnel,*
17 *victim service providers, child protective service*
18 *workers, staff of law enforcement agencies, pros-*
19 *ecutors, court personnel, individuals who work in*
20 *after school programs, medical personnel, social*
21 *workers, mental health personnel, and workers in*
22 *other programs that serve children and youth to*
23 *improve their ability to appropriately respond to*
24 *the needs of children and youth who are victims*
25 *of domestic violence, dating violence, sexual as-*

1 *sault, and stalking, and to properly refer such*
2 *children, youth, and their families to appro-*
3 *priate services.*

4 “(2) *SUPPORTING YOUTH THROUGH EDUCATION*
5 *AND PROTECTION.—To enable middle schools, high*
6 *schools, and institutions of higher education to—*

7 “(A) *provide training to school personnel,*
8 *including healthcare providers and security per-*
9 *sonnel, on the needs of students who are victims*
10 *of domestic violence, dating violence, sexual as-*
11 *sault, or stalking;*

12 “(B) *develop and implement prevention and*
13 *intervention policies in middle and high schools,*
14 *including appropriate responses to, and identi-*
15 *fication and referral procedures for, students who*
16 *are experiencing or perpetrating domestic vio-*
17 *lence, dating violence, sexual assault, or stalking,*
18 *and procedures for handling the requirements of*
19 *court protective orders issued to or against stu-*
20 *dents;*

21 “(C) *provide support services for student*
22 *victims of domestic violence, dating violence, sex-*
23 *ual assault or stalking, such as a resource person*
24 *who is either on-site or on-call;*

1 “(D) *implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking and the impact of such violence on youth; or*

2
3
4
5
6 “(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.*

7
8
9
10
11 “(c) *ELIGIBLE APPLICANTS.—*

12 “(1) *IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—*

13
14 “(A) *a victim service provider, tribal non-profit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, or stalking;*

15
16
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21 “(B) *a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or*

22
23
24

1 “(C) a public, charter, tribal, or nationally
2 accredited private middle or high school, a school
3 administered by the Department of Defense
4 under section 2164 of title 10, United States
5 Code or section 1402 of the Defense Dependents’
6 Education Act of 1978, a group of schools, a
7 school district, or an institution of higher edu-
8 cation.

9 “(2) PARTNERSHIPS.—

10 “(A) EDUCATION.—To be eligible to receive
11 a grant for the purposes described in subsection
12 (b)(2), an entity described in paragraph (1)
13 shall be partnered with a public, charter, tribal,
14 or nationally accredited private middle or high
15 school, a school administered by the Department
16 of Defense under section 2164 of title 10, United
17 States Code or section 1402 of the Defense De-
18 pendents’ Education Act of 1978, a group of
19 schools, a school district, or an institution of
20 higher education.

21 “(B) OTHER PARTNERSHIPS.—All appli-
22 cants under this section are encouraged to work
23 in partnership with organizations and agencies
24 that work with the relevant population. Such en-
25 tities may include—

1 “(i) a State, tribe, unit of local govern-
2 ment, or territory;

3 “(ii) a population specific or commu-
4 nity-based organization;

5 “(iii) batterer intervention programs
6 or sex offender treatment programs with
7 specialized knowledge and experience work-
8 ing with youth offenders; or

9 “(iv) any other agencies or nonprofit,
10 nongovernmental organizations with the ca-
11 pacity to provide effective assistance to the
12 adult, youth, and child victims served by
13 the partnership.

14 “(d) *GRANTEE REQUIREMENTS.*—Applicants for
15 grants under this section shall establish and implement
16 policies, practices, and procedures that—

17 “(1) require and include appropriate referral
18 systems for child and youth victims;

19 “(2) protect the confidentiality and privacy of
20 child and youth victim information, particularly in
21 the context of parental or third party involvement
22 and consent, mandatory reporting duties, and work-
23 ing with other service providers all with priority on
24 victim safety and autonomy; and

1 “(3) ensure that all individuals providing inter-
2 vention or prevention programming to children or
3 youth through a program funded under this section
4 have completed, or will complete, sufficient training
5 in connection with domestic violence, dating violence,
6 sexual assault and stalking.

7 “(e) DEFINITIONS AND GRANT CONDITIONS.—In this
8 section, the definitions and grant conditions provided for
9 in section 40002 shall apply.

10 “(f) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this section,
12 \$15,000,000 for each of fiscal years 2012 through 2016.

13 “(g) ALLOTMENT.—

14 “(1) IN GENERAL.—Not less than 50 percent of
15 the total amount appropriated under this section for
16 each fiscal year shall be used for the purposes de-
17 scribed in subsection (b)(1).

18 “(2) INDIAN TRIBES.—Not less than 10 percent
19 of the total amount appropriated under this section
20 for each fiscal year shall be made available for grants
21 under the program authorized by section 2015 of the
22 Omnibus Crime Control and Safe Streets Act of 1968.
23 The requirements of this section shall not apply to
24 funds allocated under this paragraph.

1 “(h) *PRIORITY.*—*The Attorney General shall prioritize*
2 *grant applications under this section that coordinate with*
3 *prevention programs in the community.*”.

4 **SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAM-**
5 **PUSES.**

6 *Section 304 of the Violence Against Women and De-*
7 *partment of Justice Reauthorization Act of 2005 (42 U.S.C.*
8 *14045b) is amended—*

9 (1) *in subsection (a)—*

10 (A) *in paragraph (1)—*

11 (i) *by striking “stalking on campuses,*
12 *and” and inserting “stalking on cam-*
13 *puses,”;*

14 (ii) *by striking “crimes against women*
15 *on” and inserting “crimes on”; and*

16 (iii) *by inserting “, and to develop and*
17 *strengthen prevention education and aware-*
18 *ness programs” before the period; and*

19 (B) *in paragraph (2), by striking*
20 *“\$500,000” and inserting “\$300,000”;*

21 (2) *in subsection (b)—*

22 (A) *in paragraph (2)—*

23 (i) *by inserting “, strengthen,” after*
24 *“To develop”; and*

1 (ii) by inserting “including the use of
2 technology to commit these crimes,” after
3 “sexual assault and stalking,”;

4 (B) in paragraph (4)—

5 (i) by inserting “and population spe-
6 cific services” after “strengthen victim serv-
7 ices programs”;

8 (ii) by striking “entities carrying out”
9 and all that follows through “stalking vic-
10 tim services programs” and inserting “vic-
11 tim service providers”; and

12 (iii) by inserting “, regardless of
13 whether the services are provided by the in-
14 stitution or in coordination with commu-
15 nity victim service providers” before the pe-
16 riod at the end; and

17 (C) by adding at the end the following:

18 “(9) To develop or adapt and provide develop-
19 mental, culturally appropriate, and linguistically ac-
20 cessible print or electronic materials to address both
21 prevention and intervention in domestic violence, dat-
22 ing violence, sexual violence, and stalking.

23 “(10) To develop or adapt population specific
24 strategies and projects for victims of domestic vio-

1 *lence, dating violence, sexual assault, and stalking*
2 *from underserved populations on campus.”;*

3 *(3) in subsection (c)—*

4 *(A) in paragraph (2)—*

5 *(i) in subparagraph (B), by striking*
6 *“any non-profit” and all that follows*
7 *through “victim services programs” and in-*
8 *serting “victim service providers”;*

9 *(ii) by redesignating subparagraphs*
10 *(D) through (F) as subparagraphs (E)*
11 *through (G), respectively; and*

12 *(iii) by inserting after subparagraph*
13 *(C), the following:*

14 *“(D) describe how underserved populations*
15 *in the campus community will be adequately*
16 *served, including the provision of relevant popu-*
17 *lation specific services;”;* and

18 *(B) in paragraph (3), by striking “2007*
19 *through 2011” and inserting “2012 through*
20 *2016”;*

21 *(4) in subsection (d)—*

22 *(A) by redesignating paragraph (3) as*
23 *paragraph (4); and*

24 *(B) by inserting after paragraph (2), the*
25 *following:*

1 “(3) *GRANTEE MINIMUM REQUIREMENTS.*—*Each*
2 *grantee shall comply with the following minimum re-*
3 *quirements during the grant period:*

4 “(A) *The grantee shall create a coordinated*
5 *community response including both organiza-*
6 *tions external to the institution and relevant di-*
7 *visions of the institution.*

8 “(B) *The grantee shall establish a manda-*
9 *tory prevention and education program on do-*
10 *mestic violence, dating violence, sexual assault,*
11 *and stalking for all incoming students.*

12 “(C) *The grantee shall train all campus law*
13 *enforcement to respond effectively to domestic vi-*
14 *olence, dating violence, sexual assault, and stalk-*
15 *ing.*

16 “(D) *The grantee shall train all members of*
17 *campus disciplinary boards to respond effectively*
18 *to situations involving domestic violence, dating*
19 *violence, sexual assault, or stalking.”; and*

20 (5) *in subsection (e), by striking “there are” and*
21 *all that follows through the period and inserting*
22 *“there is authorized to be appropriated \$12,000,000*
23 *for each of fiscal years 2012 through 2016.”.*

1 **SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIO-**
2 **LENCE, DATING VIOLENCE, AND STALKING**
3 **EDUCATION AND PREVENTION.**

4 (a) *IN GENERAL.*—Section 485(f) of the Higher Edu-
5 cation Act of 1965 (20 U.S.C. 1092(f)) is amended—

6 (1) *in paragraph (1)*—

7 (A) *in subparagraph (C)(iii), by striking*
8 *the period at the end and inserting “, when the*
9 *victim of such crime elects or is unable to make*
10 *such a report.”; and*

11 (B) *in subparagraph (F)*—

12 (i) *in clause (i)(VIII), by striking*
13 *“and” after the semicolon;*

14 (ii) *in clause (ii)*—

15 (I) *by striking “sexual orienta-*
16 *tion” and inserting “ national origin,*
17 *sexual orientation, gender identity,”;*
18 *and*

19 (II) *by striking the period and in-*
20 *serting “; and”;* and

21 (iii) *by adding at the end the fol-*
22 *lowing:*

23 “(iii) *of domestic violence, dating vio-*
24 *lence, and stalking incidents that were re-*
25 *ported to campus security authorities or*
26 *local police agencies.”;*

1 (2) in paragraph (3), by inserting “, that with-
2 holds the names of victims as confidential,” after
3 “that is timely”;

4 (3) in paragraph (6)(A)—

5 (A) by redesignating clauses (i), (ii), and
6 (iii) as clauses (ii), (iii), and (iv), respectively;

7 (B) by inserting before clause (ii), as redesi-
8 gnated by subparagraph (A), the following:

9 “(i) The terms ‘dating violence’, ‘domestic vio-
10 lence’, and ‘stalking’ have the meaning given such
11 terms in section 40002(a) of the Violence Against
12 Women Act of 1994 (42 U.S.C. 13925(a)).”;

13 (C) by inserting after clause (iv), as redesi-
14 gnated by subparagraph (A), the following:

15 “(v) The term ‘sexual assault’ means an offense
16 classified as a forcible or nonforcible sex offense under
17 the uniform crime reporting system of the Federal
18 Bureau of Investigation.”;

19 (4) in paragraph (7)—

20 (A) by striking “paragraph (1)(F)” and in-
21 serting “clauses (i) and (ii) of paragraph
22 (1)(F)”;

23 (B) by inserting after “Hate Crime Statis-
24 tics Act.” the following: “For the offenses of do-
25 mestic violence, dating violence, and stalking,

1 *such statistics shall be compiled in accordance*
2 *with the definitions used in section 40002(a) of*
3 *the Violence Against Women Act of 1994 (42*
4 *U.S.C. 13925(a)).”;*

5 *(5) by striking paragraph (8) and inserting the*
6 *following:*

7 *“(8)(A) Each institution of higher education partici-*
8 *pating in any program under this title and title IV of the*
9 *Economic Opportunity Act of 1964, other than a foreign*
10 *institution of higher education, shall develop and distribute*
11 *as part of the report described in paragraph (1) a statement*
12 *of policy regarding—*

13 *“(i) such institution’s programs to prevent do-*
14 *mestic violence, dating violence, sexual assault, and*
15 *stalking; and*

16 *“(ii) the procedures that such institution will fol-*
17 *low once an incident of domestic violence, dating vio-*
18 *lence, sexual assault, or stalking has been reported.*

19 *“(B) The policy described in subparagraph (A) shall*
20 *address the following areas:*

21 *“(i) Education programs to promote the aware-*
22 *ness of rape, acquaintance rape, domestic violence,*
23 *dating violence, sexual assault, and stalking, which*
24 *shall include—*

1 “(I) *primary prevention and awareness*
2 *programs for all incoming students and new em-*
3 *ployees, which shall include—*

4 “(aa) *a statement that the institution*
5 *of higher education prohibits the offenses of*
6 *domestic violence, dating violence, sexual*
7 *assault, and stalking;*

8 “(bb) *the definition of domestic vio-*
9 *lence, dating violence, sexual assault, and*
10 *stalking in the applicable jurisdiction;*

11 “(cc) *the definition of consent, in ref-*
12 *erence to sexual activity, in the applicable*
13 *jurisdiction;*

14 “(dd) *safe and positive options for by-*
15 *stander intervention that may be carried*
16 *out by an individual to prevent harm or in-*
17 *tervene when there is a risk of domestic vio-*
18 *lence, dating violence, sexual assault, or*
19 *stalking against a person other than such*
20 *individual;*

21 “(ee) *information on risk reduction to*
22 *recognize warning signs of abusive behavior*
23 *and how to avoid potential attacks; and*

24 “(ff) *the information described in*
25 *clauses (ii) through (vii); and*

1 “(II) ongoing prevention and awareness
2 campaigns for students and faculty, including
3 information described in items (aa) through (ff)
4 of subclause (I).

5 “(ii) Possible sanctions or protective measures
6 that such institution may impose following a final
7 determination of an institutional disciplinary proce-
8 dure regarding rape, acquaintance rape, domestic vio-
9 lence, dating violence, sexual assault, or stalking.

10 “(iii) Procedures victims should follow if a sex
11 offense, domestic violence, dating violence, sexual as-
12 sault, or stalking has occurred, including information
13 in writing about—

14 “(I) the importance of preserving evidence
15 as may be necessary to the proof of criminal do-
16 mestic violence, dating violence, sexual assault,
17 or stalking, or in obtaining a protection order;

18 “(II) to whom the alleged offense should be
19 reported;

20 “(III) options regarding law enforcement
21 and campus authorities, including notification
22 of the victim’s option to—

23 “(aa) notify proper law enforcement
24 authorities, including on-campus and local
25 police;

1 “(bb) be assisted by campus authorities
2 in notifying law enforcement authorities if
3 the victim so chooses; and

4 “(cc) decline to notify such authorities;
5 and

6 “(IV) where applicable, the rights of victims
7 and the institution’s responsibilities regarding
8 orders of protection, no contact orders, restrain-
9 ing orders, or similar lawful orders issued by a
10 criminal, civil, or tribal court.

11 “(iv) Procedures for institutional disciplinary
12 action in cases of alleged domestic violence, dating vi-
13 olence, sexual assault, or stalking, which shall include
14 a clear statement that—

15 “(I) such proceedings shall—

16 “(aa) provide a prompt and equitable
17 investigation and resolution; and

18 “(bb) be conducted by officials who re-
19 ceive annual training on the issues related
20 to domestic violence, dating violence, sexual
21 assault, and stalking and how to conduct an
22 investigation and hearing process that pro-
23 tects the safety of victims and promotes ac-
24 countability;

1 “(II) the accuser and the accused are enti-
2 tled to the same opportunities to have others
3 present during an institutional disciplinary pro-
4 ceeding, including the opportunity to be accom-
5 panied to any related meeting or proceeding by
6 an advisor of their choice; and

7 “(III) both the accuser and the accused shall
8 be simultaneously informed, in writing, of—

9 “(aa) the outcome of any institutional
10 disciplinary proceeding that arises from an
11 allegation of domestic violence, dating vio-
12 lence, sexual assault, or stalking;

13 “(bb) the institution’s procedures for
14 the accused and the victim to appeal the re-
15 sults of the institutional disciplinary pro-
16 ceeding;

17 “(cc) of any change to the results that
18 occurs prior to the time that such results be-
19 come final; and

20 “(dd) when such results become final.

21 “(v) Information about how the institution will
22 protect the confidentiality of victims, including how
23 publicly-available recordkeeping will be accomplished
24 without the inclusion of identifying information
25 about the victim, to the extent permissible by law.

1 “(vi) Written notification of students and em-
2 ployees about existing counseling, health, mental
3 health, victim advocacy, legal assistance, and other
4 services available for victims both on-campus and in
5 the community.

6 “(vii) Written notification of victims about op-
7 tions for, and available assistance in, changing aca-
8 demic, living, transportation, and working situations,
9 if so requested by the victim and if such accommoda-
10 tions are reasonably available, regardless of whether
11 the victim chooses to report the crime to campus po-
12 lice or local law enforcement.

13 “(C) A student or employee who reports to an institu-
14 tion of higher education that the student or employee has
15 been a victim of domestic violence, dating violence, sexual
16 assault, or stalking, whether the offense occurred on or off
17 campus, shall be provided with a written explanation of
18 the student or employee’s rights and options, as described
19 in clauses (ii) through (vii) of subparagraph (B).”;

20 (6) in paragraph (9), by striking “The Sec-
21 retary” and inserting “The Secretary, in consultation
22 with the Attorney General of the United States,”;

23 (7) by striking paragraph (16) and inserting the
24 following:

1 “(16)(A) *The Secretary shall seek the advice and coun-*
2 *sel of the Attorney General of the United States concerning*
3 *the development, and dissemination to institutions of higher*
4 *education, of best practices information about campus safe-*
5 *ty and emergencies.*

6 “(B) *The Secretary shall seek the advice and counsel*
7 *of the Attorney General of the United States and the Sec-*
8 *retary of Health and Human Services concerning the devel-*
9 *opment, and dissemination to institutions of higher edu-*
10 *cation, of best practices information about preventing and*
11 *responding to incidents of domestic violence, dating vio-*
12 *lence, sexual assault, and stalking, including elements of in-*
13 *stitutional policies that have proven successful based on evi-*
14 *dence-based outcome measurements.”; and*

15 (8) *by striking paragraph (17) and inserting the*
16 *following:*

17 “(17) *No officer, employee, or agent of an institution*
18 *participating in any program under this title shall retali-*
19 *ate, intimidate, threaten, coerce, or otherwise discriminate*
20 *against any individual for exercising their rights or respon-*
21 *sibilities under any provision of this subsection.”.*

22 (b) *EFFECTIVE DATE.—The amendments made by this*
23 *section shall take effect with respect to the annual security*
24 *report under section 485(f)(1) of the Higher Education Act*
25 *of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution*

1 of higher education 1 calendar year after the date of enact-
 2 ment of this Act, and each subsequent calendar year.

3 **TITLE IV—VIOLENCE**
 4 **REDUCTION PRACTICES**

5 **SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DIS-**
 6 **EASE CONTROL AND PREVENTION.**

7 *Section 402(c) of the Violence Against Women and De-*
 8 *partment of Justice Reauthorization Act of 2005 (42 U.S.C.*
 9 *280b–4(c)) is amended by striking “\$2,000,000 for each of*
 10 *the fiscal years 2007 through 2011” and inserting*
 11 *“\$1,000,000 for each of the fiscal years 2012 through 2016”.*

12 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES**
 13 **THROUGH PREVENTION GRANTS.**

14 *(a) SMART PREVENTION.—Section 41303 of the Vio-*
 15 *lence Against Women Act of 1994 (42 U.S.C. 14043d–2)*
 16 *is amended to read as follows:*

17 **“SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES**
 18 **THROUGH PREVENTION (SMART PREVEN-**
 19 **TION).**

20 *“(a) GRANTS AUTHORIZED.—The Attorney General,*
 21 *in consultation with the Secretary of Health and Human*
 22 *Services and the Secretary of Education, is authorized to*
 23 *award grants for the purpose of preventing domestic vio-*
 24 *lence, dating violence, sexual assault, and stalking by tak-*
 25 *ing a comprehensive approach that focuses on youth, chil-*

1 *dren exposed to violence, and men as leaders and influencers*
2 *of social norms.*

3 “(b) *USE OF FUNDS.—Funds provided under this sec-*
4 *tion may be used for the following purposes:*

5 “(1) *TEEN DATING VIOLENCE AWARENESS AND*
6 *PREVENTION.—To develop, maintain, or enhance pro-*
7 *grams that change attitudes and behaviors around the*
8 *acceptability of domestic violence, dating violence,*
9 *sexual assault, and stalking and provide education*
10 *and skills training to young individuals and individ-*
11 *uals who influence young individuals. The prevention*
12 *program may use evidence-based, evidence-informed,*
13 *or innovative strategies and practices focused on*
14 *youth. Such a program should include—*

15 “(A) *age and developmentally-appropriate*
16 *education on domestic violence, dating violence,*
17 *sexual assault, stalking, and sexual coercion, as*
18 *well as healthy relationship skills, in school, in*
19 *the community, or in health care settings;*

20 “(B) *community-based collaboration and*
21 *training for those with influence on youth, such*
22 *as parents, teachers, coaches, healthcare pro-*
23 *viders, faith-leaders, older teens, and mentors;*

24 “(C) *education and outreach to change envi-*
25 *ronmental factors contributing to domestic vio-*

1 *lence, dating violence, sexual assault, and stalk-*
2 *ing; and*

3 “(D) *policy development targeted to preven-*
4 *tion, including school-based policies and proto-*
5 *cols.*

6 “(2) *CHILDREN EXPOSED TO VIOLENCE AND*
7 *ABUSE.—To develop, maintain or enhance programs*
8 *designed to prevent future incidents of domestic vio-*
9 *lence, dating violence, sexual assault, and stalking by*
10 *preventing, reducing and responding to children’s ex-*
11 *posure to violence in the home. Such programs may*
12 *include—*

13 “(A) *providing services for children exposed*
14 *to domestic violence, dating violence, sexual as-*
15 *sault or stalking, including direct counseling or*
16 *advocacy, and support for the non-abusing par-*
17 *ent; and*

18 “(B) *training and coordination for edu-*
19 *cational, after-school, and childcare programs on*
20 *how to safely and confidentially identify children*
21 *and families experiencing domestic violence, dat-*
22 *ing violence, sexual assault, or stalking and*
23 *properly refer children exposed and their fami-*
24 *lies to services and violence prevention programs.*

1 “(3) *ENGAGING MEN AS LEADERS AND ROLE*
2 *MODELS.—To develop, maintain or enhance programs*
3 *that work with men to prevent domestic violence, dat-*
4 *ing violence, sexual assault, and stalking by helping*
5 *men to serve as role models and social influencers of*
6 *other men and youth at the individual, school, com-*
7 *munity or statewide levels.*

8 “(c) *ELIGIBLE ENTITIES.—To be eligible to receive a*
9 *grant under this section, an entity shall be—*

10 “(1) *a victim service provider, community-based*
11 *organization, tribe or tribal organization, or other*
12 *non-profit, nongovernmental organization that has a*
13 *history of effective work preventing domestic violence,*
14 *dating violence, sexual assault, or stalking and exper-*
15 *tise in the specific area for which they are applying*
16 *for funds; or*

17 “(2) *a partnership between a victim service pro-*
18 *vider, community-based organization, tribe or tribal*
19 *organization, or other non-profit, nongovernmental*
20 *organization that has a history of effective work pre-*
21 *venting domestic violence, dating violence, sexual as-*
22 *sault, or stalking and at least one of the following*
23 *that has expertise in serving children exposed to do-*
24 *mestic violence, dating violence, sexual assault, or*
25 *stalking, youth domestic violence, dating violence, sex-*

1 *ual assault, or stalking prevention, or engaging men*
2 *to prevent domestic violence, dating violence, sexual*
3 *assault, or stalking:*

4 *“(A) A public, charter, tribal, or nationally*
5 *accredited private middle or high school, a school*
6 *administered by the Department of Defense*
7 *under section 2164 of title 10, United States*
8 *Code or section 1402 of the Defense Dependents’*
9 *Education Act of 1978, a group of schools, or a*
10 *school district.*

11 *“(B) A local community-based organization,*
12 *population-specific organization, or faith-based*
13 *organization that has established expertise in*
14 *providing services to youth.*

15 *“(C) A community-based organization, pop-*
16 *ulation-specific organization, university or*
17 *health care clinic, faith-based organization, or*
18 *other non-profit, nongovernmental organization*
19 *with a demonstrated history of effective work ad-*
20 *dressing the needs of children exposed to domestic*
21 *violence, dating violence, sexual assault, or stalk-*
22 *ing.*

23 *“(D) A nonprofit, nongovernmental entity*
24 *providing services for runaway or homeless*

1 *youth affected by domestic violence, dating vio-*
2 *lence, sexual assault, or stalking.*

3 “(E) *Healthcare entities eligible for reim-*
4 *bursement under title XVIII of the Social Secu-*
5 *rity Act, including providers that target the spe-*
6 *cial needs of children and youth.*

7 “(F) *Any other agencies, population-specific*
8 *organizations, or nonprofit, nongovernmental or-*
9 *ganizations with the capacity to provide nec-*
10 *essary expertise to meet the goals of the program;*
11 *or*

12 “(3) *a public, charter, tribal, or nationally ac-*
13 *credited private middle or high school, a school ad-*
14 *ministered by the Department of Defense under sec-*
15 *tion 2164 of title 10, United States Code or section*
16 *1402 of the Defense Dependents’ Education Act of*
17 *1978, a group of schools, a school district, or an insti-*
18 *tution of higher education.*

19 “(d) *GRANTEE REQUIREMENTS.—*

20 “(1) *IN GENERAL.—Applicants for grants under*
21 *this section shall prepare and submit to the Director*
22 *an application at such time, in such manner, and*
23 *containing such information as the Director may re-*
24 *quire that demonstrates the capacity of the applicant*

1 *and partnering organizations to undertake the*
2 *project.*

3 “(2) *POLICIES AND PROCEDURES.*—*Applicants*
4 *under this section shall establish and implement poli-*
5 *cies, practices, and procedures that—*

6 “(A) *include appropriate referral systems to*
7 *direct any victim identified during program ac-*
8 *tivities to highly qualified follow-up care;*

9 “(B) *protect the confidentiality and privacy*
10 *of adult and youth victim information, particu-*
11 *larly in the context of parental or third party*
12 *involvement and consent, mandatory reporting*
13 *duties, and working with other service providers;*

14 “(C) *ensure that all individuals providing*
15 *prevention programming through a program*
16 *funded under this section have completed or will*
17 *complete sufficient training in connection with*
18 *domestic violence, dating violence, sexual assault*
19 *or stalking; and*

20 “(D) *document how prevention programs*
21 *are coordinated with service programs in the*
22 *community.*

23 “(3) *PREFERENCE.*—*In selecting grant recipients*
24 *under this section, the Attorney General shall give*
25 *preference to applicants that—*

1 “(A) *include outcome-based evaluation; and*

2 “(B) *identify any other community, school,*
3 *or State-based efforts that are working on domes-*
4 *tic violence, dating violence, sexual assault, or*
5 *stalking prevention and explain how the grantee*
6 *or partnership will add value, coordinate with*
7 *other programs, and not duplicate existing ef-*
8 *forts.*

9 “(e) *DEFINITIONS AND GRANT CONDITIONS.—In this*
10 *section, the definitions and grant conditions provided for*
11 *in section 40002 shall apply.*

12 “(f) *AUTHORIZATION OF APPROPRIATIONS.—There is*
13 *authorized to be appropriated to carry out this section,*
14 *\$15,000,000 for each of fiscal years 2012 through 2016.*
15 *Amounts appropriated under this section may only be used*
16 *for programs and activities described under this section.*

17 “(g) *ALLOTMENT.—*

18 “(1) *IN GENERAL.—Not less than 25 percent of*
19 *the total amounts appropriated under this section in*
20 *each fiscal year shall be used for each set of purposes*
21 *described in paragraphs (1), (2), and (3) of subsection*
22 *(b).*

23 “(2) *INDIAN TRIBES.—Not less than 10 percent*
24 *of the total amounts appropriated under this section*
25 *in each fiscal year shall be made available for grants*

1 *to Indian tribes or tribal organizations. If an insuffi-*
 2 *cient number of applications are received from Indian*
 3 *tribes or tribal organizations, such funds shall be al-*
 4 *lotted to other population-specific programs.”.*

5 *(b) REPEALS.—The following provisions are repealed:*

6 *(1) Sections 41304 and 41305 of the Violence*
 7 *Against Women Act of 1994 (42 U.S.C. 14043d–3 and*
 8 *14043d–4).*

9 *(2) Section 403 of the Violence Against Women*
 10 *and Department of Justice Reauthorization Act of*
 11 *2005 (42 U.S.C. 14045c).*

12 **TITLE V—STRENGTHENING THE**
 13 **HEALTHCARE SYSTEM’S RE-**
 14 **SPONSE TO DOMESTIC VIO-**
 15 **LENCE, DATING VIOLENCE,**
 16 **SEXUAL ASSAULT, AND**
 17 **STALKING**

18 **SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN**
 19 **THE HEALTHCARE SYSTEM’S RESPONSE TO**
 20 **DOMESTIC VIOLENCE, DATING VIOLENCE,**
 21 **SEXUAL ASSAULT, AND STALKING.**

22 *(a) GRANTS.—Section 399P of the Public Health Serv-*
 23 *ice Act (42 U.S.C. 280g–4) is amended to read as follows:*

1 **“SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE**
2 **SYSTEM’S RESPONSE TO DOMESTIC VIO-**
3 **LENCE, DATING VIOLENCE, SEXUAL ASSAULT,**
4 **AND STALKING.**

5 *“(a) IN GENERAL.—The Secretary shall award grants*
6 *for—*

7 *“(1) the development or enhancement and imple-*
8 *mentation of interdisciplinary training for health*
9 *professionals, public health staff, and allied health*
10 *professionals;*

11 *“(2) the development or enhancement and imple-*
12 *mentation of education programs for medical, nurs-*
13 *ing, dental, and other health profession students and*
14 *residents to prevent and respond to domestic violence,*
15 *dating violence, sexual assault, and stalking; and*

16 *“(3) the development or enhancement and imple-*
17 *mentation of comprehensive statewide strategies to*
18 *improve the response of clinics, public health facili-*
19 *ties, hospitals, and other health settings (including be-*
20 *havioral and mental health programs) to domestic vi-*
21 *olence, dating violence, sexual assault, and stalking.*

22 *“(b) USE OF FUNDS.—*

23 *“(1) REQUIRED USES.—Amounts provided under*
24 *a grant under this section shall be used to—*

1 “(A) fund interdisciplinary training and
2 education programs under paragraphs (1) and
3 (2) of subsection (a) that—

4 “(i) are designed to train medical, psy-
5 chology, dental, social work, nursing, and
6 other health profession students, interns,
7 residents, fellows, or current health care
8 providers to identify and provide health
9 care services (including mental or behav-
10 ioral health care services and referrals to
11 appropriate community services) to individ-
12 uals who are or who have been victims of
13 domestic violence, dating violence, sexual
14 assault, or stalking; and

15 “(ii) plan and develop culturally com-
16 petent clinical training components for in-
17 tegration into approved internship, resi-
18 dency, and fellowship training or con-
19 tinuing medical or other health education
20 training that address physical, mental, and
21 behavioral health issues, including protec-
22 tive factors, related to domestic violence,
23 dating violence, sexual assault, stalking,
24 and other forms of violence and abuse, focus
25 on reducing health disparities and pre-

1 *venting violence and abuse, and include the*
2 *primacy of victim safety and confiden-*
3 *tiality;*

4 *“(B) design and implement comprehensive*
5 *strategies to improve the response of the health*
6 *care system to domestic or sexual violence in*
7 *clinical and public health settings, hospitals,*
8 *clinics, and other health settings (including be-*
9 *havioral and mental health), under subsection*
10 *(a)(3) through—*

11 *“(i) the implementation, dissemina-*
12 *tion, and evaluation of policies and proce-*
13 *dures to guide health professionals and pub-*
14 *lic health staff in identifying and respond-*
15 *ing to domestic violence, dating violence,*
16 *sexual assault, and stalking, including*
17 *strategies to ensure that health information*
18 *is maintained in a manner that protects the*
19 *patient’s privacy and safety, and safely uses*
20 *health information technology to improve*
21 *documentation, identification, assessment,*
22 *treatment, and follow-up care;*

23 *“(ii) the development of on-site access*
24 *to services to address the safety, medical,*
25 *and mental health needs of patients by in-*

1 *creasing the capacity of existing health care*
2 *professionals and public health staff to ad-*
3 *dress domestic violence, dating violence, sex-*
4 *ual assault, and stalking, or by contracting*
5 *with or hiring domestic or sexual assault*
6 *advocates to provide such services or to*
7 *model other services appropriate to the geo-*
8 *graphic and cultural needs of a site;*

9 *“(iii) the development of measures and*
10 *methods for the evaluation of the practice of*
11 *identification, intervention, and documenta-*
12 *tion regarding victims of domestic violence,*
13 *dating violence, sexual assault, and stalk-*
14 *ing, including the development and testing*
15 *of quality improvement measurements, in*
16 *accordance with the multi-stakeholder and*
17 *quality measurement processes established*
18 *under paragraphs (7) and (8) of section*
19 *1890(b) and section 1890A of the Social Se-*
20 *curity Act (42 U.S.C. 1395aaa(b)(7) and*
21 *(8); 42 U.S.C. 1890A); and*

22 *“(iv) the provision of training and fol-*
23 *low-up technical assistance to health care*
24 *professionals, and public health staff, and*
25 *allied health professionals to identify, as-*

1 *sess, treat, and refer clients who are victims*
2 *of domestic violence, dating violence, sexual*
3 *assault, or stalking, including using tools*
4 *and training materials already developed.*

5 “(2) *PERMISSIBLE USES.*—

6 “(A) *CHILD AND ELDER ABUSE.*—*To the ex-*
7 *tent consistent with the purpose of this section,*
8 *a grantee may use amounts received under this*
9 *section to address, as part of a comprehensive*
10 *programmatic approach implemented under the*
11 *grant, issues relating to child or elder abuse.*

12 “(B) *RURAL AREAS.*—*Grants funded under*
13 *paragraphs (1) and (2) of subsection (a) may be*
14 *used to offer to rural areas community-based*
15 *training opportunities, which may include the*
16 *use of distance learning networks and other*
17 *available technologies needed to reach isolated*
18 *rural areas, for medical, nursing, and other*
19 *health profession students and residents on do-*
20 *mestic violence, dating violence, sexual assault,*
21 *stalking, and, as appropriate, other forms of vio-*
22 *lence and abuse.*

23 “(C) *OTHER USES.*—*Grants funded under*
24 *subsection (a)(3) may be used for —*

1 “(i) the development of training mod-
2 ules and policies that address the overlap of
3 child abuse, domestic violence, dating vio-
4 lence, sexual assault, and stalking and elder
5 abuse, as well as childhood exposure to do-
6 mestic and sexual violence;

7 “(ii) the development, expansion, and
8 implementation of sexual assault forensic
9 medical examination or sexual assault
10 nurse examiner programs;

11 “(iii) the inclusion of the health effects
12 of lifetime exposure to violence and abuse as
13 well as related protective factors and behav-
14 ioral risk factors in health professional
15 training schools including medical, dental,
16 nursing, social work, and mental and be-
17 havioral health curricula, and allied health
18 service training courses; or

19 “(iv) the integration of knowledge of
20 domestic violence, dating violence, sexual
21 assault, and stalking into health care ac-
22 creditation and professional licensing ex-
23 aminations, such as medical, dental, social
24 work, and nursing boards, and where ap-
25 propriate, other allied health exams.

1 “(c) *REQUIREMENTS FOR GRANTEES.*—

2 “(1) *CONFIDENTIALITY AND SAFETY.*—

3 “(A) *IN GENERAL.*—*Grantees under this*
4 *section shall ensure that all programs developed*
5 *with grant funds address issues of confidentiality*
6 *and patient safety and comply with applicable*
7 *confidentiality and nondisclosure requirements*
8 *under section 40002(b)(2) of the Violence Against*
9 *Women Act of 1994 and the Family Violence*
10 *Prevention and Services Act, and that faculty*
11 *and staff associated with delivering educational*
12 *components are fully trained in procedures that*
13 *will protect the immediate and ongoing security*
14 *and confidentiality of the patients, patient*
15 *records, and staff. Such grantees shall consult en-*
16 *tities with demonstrated expertise in the con-*
17 *fidentiality and safety needs of victims of domes-*
18 *tic violence, dating violence, sexual assault, and*
19 *stalking on the development and adequacy of*
20 *confidentially and security procedures, and pro-*
21 *vide documentation of such consultation.*

22 “(B) *ADVANCE NOTICE OF INFORMATION*
23 *DISCLOSURE.*—*Grantees under this section shall*
24 *provide to patients advance notice about any cir-*
25 *cumstances under which information may be dis-*

1 *closed, such as mandatory reporting laws, and*
 2 *shall give patients the option to receive informa-*
 3 *tion and referrals without affirmatively dis-*
 4 *closing abuse.*

5 “(2) *LIMITATION ON ADMINISTRATIVE EX-*
 6 *PENSES.—A grantee shall use not more than 10 per-*
 7 *cent of the amounts received under a grant under this*
 8 *section for administrative expenses.*

9 “(3) *APPLICATION.—*

10 “(A) *PREFERENCE.—In selecting grant re-*
 11 *ipients under this section, the Secretary shall*
 12 *give preference to applicants based on the*
 13 *strength of their evaluation strategies, with pri-*
 14 *ority given to outcome based evaluations.*

15 “(B) *SUBSECTION (A)(1) AND (2) GRANT-*
 16 *EES.—Applications for grants under paragraphs*
 17 *(1) and (2) of subsection (a) shall include—*

18 “(i) *documentation that the applicant*
 19 *represents a team of entities working col-*
 20 *laboratively to strengthen the response of the*
 21 *health care system to domestic violence, dat-*
 22 *ing violence, sexual assault, or stalking, and*
 23 *which includes at least one of each of—*

24 “(I) *an accredited school of*
 25 *allopathic or osteopathic medicine,*

1 *psychology, nursing, dentistry, social*
2 *work, or other health field;*

3 “(II) *a health care facility or sys-*
4 *tem; or*

5 “(III) *a government or nonprofit*
6 *entity with a history of effective work*
7 *in the fields of domestic violence, dat-*
8 *ing violence, sexual assault, or stalk-*
9 *ing; and*

10 “(ii) *strategies for the dissemination*
11 *and sharing of curricula and other edu-*
12 *cational materials developed under the*
13 *grant, if any, with other interested health*
14 *professions schools and national resource re-*
15 *positories for materials on domestic vio-*
16 *lence, dating violence, sexual assault, and*
17 *stalking.*

18 “(C) *SUBSECTION (A)(3) GRANTEES.—An en-*
19 *tity desiring a grant under subsection (a)(3)*
20 *shall submit an application to the Secretary at*
21 *such time, in such a manner, and containing*
22 *such information and assurances as the Sec-*
23 *retary may require, including—*

24 “(i) *documentation that all training,*
25 *education, screening, assessment, services,*

1 *treatment, and any other approach to pa-*
2 *tient care will be informed by an under-*
3 *standing of violence and abuse victimiza-*
4 *tion and trauma-specific approaches that*
5 *will be integrated into prevention, interven-*
6 *tion, and treatment activities;*

7 “(ii) *strategies for the development and*
8 *implementation of policies to prevent and*
9 *address domestic violence, dating violence,*
10 *sexual assault, and stalking over the life-*
11 *span in health care settings;*

12 “(iii) *a plan for consulting with State*
13 *and tribal domestic violence or sexual as-*
14 *sault coalitions, national nonprofit victim*
15 *advocacy organizations, State or tribal law*
16 *enforcement task forces (where appropriate),*
17 *and population specific organizations with*
18 *demonstrated expertise in domestic violence,*
19 *dating violence, sexual assault, or stalking;*

20 “(iv) *with respect to an application for*
21 *a grant under which the grantee will have*
22 *contact with patients, a plan, developed in*
23 *collaboration with local victim service pro-*
24 *viders, to respond appropriately to and*
25 *make correct referrals for individuals who*

1 *disclose that they are victims of domestic vi-*
 2 *olence, dating violence, sexual assault, stalk-*
 3 *ing, or other types of violence, and docu-*
 4 *mentation provided by the grantee of an on-*
 5 *going collaborative relationship with a local*
 6 *victim service provider; and*

7 “(v) with respect to an application for
 8 *a grant proposing to fund a program de-*
 9 *scribed in subsection (b)(2)(C)(ii), a certifi-*
 10 *cation that any sexual assault forensic med-*
 11 *ical examination and sexual assault nurse*
 12 *examiner programs supported with such*
 13 *grant funds will adhere to the guidelines set*
 14 *forth by the Attorney General.*

15 “(d) *ELIGIBLE ENTITIES.*—

16 “(1) *IN GENERAL.*—*To be eligible to receive*
 17 *funding under paragraph (1) or (2) of subsection (a),*
 18 *an entity shall be—*

19 “(A) *a nonprofit organization with a his-*
 20 *tory of effective work in the field of training*
 21 *health professionals with an understanding of,*
 22 *and clinical skills pertinent to, domestic violence,*
 23 *dating violence, sexual assault, or stalking, and*
 24 *lifetime exposure to violence and abuse;*

1 “(B) an accredited school of allopathic or
2 osteopathic medicine, psychology, nursing, den-
3 tistry, social work, or allied health;

4 “(C) a health care provider membership or
5 professional organization, or a health care sys-
6 tem; or

7 “(D) a State, tribal, territorial, or local en-
8 tity.

9 “(2) *SUBSECTION (A)(3) GRANTEES.*—To be eligi-
10 ble to receive funding under subsection (a)(3), an en-
11 tity shall be—

12 “(A) a State department (or other division)
13 of health, a State, tribal, or territorial domestic
14 violence or sexual assault coalition or victim
15 service provider, or any other nonprofit, non-
16 governmental organization with a history of ef-
17 fective work in the fields of domestic violence,
18 dating violence, sexual assault, or stalking, and
19 health care, including physical or mental health
20 care; or

21 “(B) a local victim service provider, a local
22 department (or other division) of health, a local
23 health clinic, hospital, or health system, or any
24 other community-based organization with a his-
25 tory of effective work in the field of domestic vio-

1 *lence, dating violence, sexual assault, or stalking*
 2 *and health care, including physical or mental*
 3 *health care.*

4 “(e) *TECHNICAL ASSISTANCE.*—

5 “(1) *IN GENERAL.*—*Of the funds made available*
 6 *to carry out this section for any fiscal year, the Sec-*
 7 *retary may make grants or enter into contracts to*
 8 *provide technical assistance with respect to the plan-*
 9 *ning, development, and operation of any program, ac-*
 10 *tivity or service carried out pursuant to this section.*
 11 *Not more than 8 percent of the funds appropriated*
 12 *under this section in each fiscal year may be used to*
 13 *fund technical assistance under this subsection.*

14 “(2) *AVAILABILITY OF MATERIALS.*—*The Sec-*
 15 *retary shall make publicly available materials devel-*
 16 *oped by grantees under this section, including mate-*
 17 *rials on training, best practices, and research and*
 18 *evaluation.*

19 “(3) *REPORTING.*—*The Secretary shall publish a*
 20 *biennial report on—*

21 “(A) *the distribution of funds under this*
 22 *section; and*

23 “(B) *the programs and activities supported*
 24 *by such funds.*

25 “(f) *RESEARCH AND EVALUATION.*—

1 “(1) *IN GENERAL.*—Of the funds made available
2 to carry out this section for any fiscal year, the Sec-
3 retary may use not more than 20 percent to make a
4 grant or enter into a contract for research and eval-
5 uation of—

6 “(A) grants awarded under this section; and

7 “(B) other training for health professionals
8 and effective interventions in the health care set-
9 ting that prevent domestic violence, dating vio-
10 lence, and sexual assault across the lifespan, pre-
11 vent the health effects of such violence, and im-
12 prove the safety and health of individuals who
13 are currently being victimized.

14 “(2) *RESEARCH.*—Research authorized in para-
15 graph (1) may include—

16 “(A) research on the effects of domestic vio-
17 lence, dating violence, sexual assault, and child-
18 hood exposure to domestic, dating or sexual vio-
19 lence on health behaviors, health conditions, and
20 health status of individuals, families, and popu-
21 lations, including underserved populations;

22 “(B) research to determine effective health
23 care interventions to respond to and prevent do-
24 mestic violence, dating violence, sexual assault,
25 and stalking;

1 “(C) *research on the impact of domestic,*
2 *dating and sexual violence, childhood exposure to*
3 *such violence, and stalking on the health care*
4 *system, health care utilization, health care costs,*
5 *and health status; and*

6 “(D) *research on the impact of adverse*
7 *childhood experiences on adult experience with*
8 *domestic violence, dating violence, sexual assault,*
9 *stalking, and adult health outcomes, including*
10 *how to reduce or prevent the impact of adverse*
11 *childhood experiences through the health care set-*
12 *ting.*

13 “(g) *AUTHORIZATION OF APPROPRIATIONS.—There is*
14 *authorized to be appropriated to carry out this section,*
15 *\$10,000,000 for each of fiscal years 2012 through 2016.*

16 “(h) *DEFINITIONS.—Except as otherwise provided*
17 *herein, the definitions provided for in section 40002 of the*
18 *Violence Against Women Act of 1994 shall apply to this*
19 *section.”.*

20 “(b) *REPEALS.—The following provisions are repealed:*

21 (1) *Section 40297 of the Violence Against Women*
22 *Act of 1994 (42 U.S.C. 13973).*

23 (2) *Section 758 of the Public Health Service Act*
24 *(42 U.S.C. 294h).*

1 **TITLE VI—SAFE HOMES FOR VIC-**
 2 **TIMS OF DOMESTIC VIO-**
 3 **LENCE, DATING VIOLENCE,**
 4 **SEXUAL ASSAULT, AND**
 5 **STALKING**

6 **SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMES-**
 7 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**
 8 **ASSAULT, AND STALKING.**

9 (a) *AMENDMENT.*—*Subtitle N of the Violence Against*
 10 *Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—*

11 (1) *by inserting after the subtitle heading the fol-*
 12 *lowing:*

13 **“CHAPTER 1—GRANT PROGRAMS”;**

14 (2) *in section 41402 (42 U.S.C. 14043e–1), in*
 15 *the matter preceding paragraph (1), by striking “sub-*
 16 *title” and inserting “chapter”;*

17 (3) *in section 41403 (42 U.S.C. 14043e–2), in*
 18 *the matter preceding paragraph (1), by striking “sub-*
 19 *title” and inserting “chapter”; and*

20 (4) *by adding at the end the following:*

21 **“CHAPTER 2—HOUSING RIGHTS**

22 **“SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DO-**
 23 **MESTIC VIOLENCE, DATING VIOLENCE, SEX-**
 24 **UAL ASSAULT, AND STALKING.**

25 *“(a) DEFINITIONS.—In this chapter:*

1 “(1) *AFFILIATED INDIVIDUAL*.—The term ‘affili-
2 ated individual’ means, with respect to an indi-
3 vidual—

4 “(A) a spouse, parent, brother, sister, or
5 child of that individual, or an individual to
6 whom that individual stands in loco parentis; or

7 “(B) any individual, tenant, or lawful occu-
8 pant living in the household of that individual.

9 “(2) *APPROPRIATE AGENCY*.—The term ‘appro-
10 priate agency’ means, with respect to a covered hous-
11 ing program, the Executive department (as defined in
12 section 101 of title 5, United States Code) that carries
13 out the covered housing program.

14 “(3) *COVERED HOUSING PROGRAM*.—The term
15 ‘covered housing program’ means—

16 “(A) the program under section 202 of the
17 Housing Act of 1959 (12 U.S.C. 1701q);

18 “(B) the program under section 811 of the
19 Cranston-Gonzalez National Affordable Housing
20 Act (42 U.S.C. 8013);

21 “(C) the program under subtitle D of title
22 VIII of the Cranston-Gonzalez National Afford-
23 able Housing Act (42 U.S.C. 12901 et seq.);

1 “(D) the program under subtitle A of title
2 IV of the McKinney-Vento Homeless Assistance
3 Act (42 U.S.C. 11360 et seq.);

4 “(E) the program under subtitle A of title
5 II of the Cranston-Gonzalez National Affordable
6 Housing Act (42 U.S.C. 12741 et seq.);

7 “(F) the program under paragraph (3) of
8 section 221(d) of the National Housing Act (12
9 U.S.C. 1715l(d)) that bears interest at a rate de-
10 termined under the proviso under paragraph (5)
11 of such section 221(d);

12 “(G) the program under section 236 of the
13 National Housing Act (12 U.S.C. 1715z-1);

14 “(H) the programs under sections 6 and 8
15 of the United States Housing Act of 1937 (42
16 U.S.C. 1437d and 1437f);

17 “(I) rural housing assistance provided
18 under sections 514, 515, 516, 533, and 538 of the
19 Housing Act of 1949 (42 U.S.C. 1484, 1485,
20 1486, 1490m, and 1490p-2); and

21 “(J) the low income housing tax credit pro-
22 gram under section 42 of the Internal Revenue
23 Code of 1986.

24 “(b) PROHIBITED BASIS FOR DENIAL OR TERMI-
25 NATION OF ASSISTANCE OR EVICTION.—

1 “(1) *IN GENERAL.*—*An applicant for or tenant*
2 *of housing assisted under a covered housing program*
3 *may not be denied admission to, denied assistance*
4 *under, terminated from participation in, or evicted*
5 *from the housing on the basis that the applicant or*
6 *tenant is or has been a victim of domestic violence,*
7 *dating violence, sexual assault, or stalking, if the ap-*
8 *plicant or tenant otherwise qualifies for admission,*
9 *assistance, participation, or occupancy.*

10 “(2) *CONSTRUCTION OF LEASE TERMS.*—*An in-*
11 *cident of actual or threatened domestic violence, dat-*
12 *ing violence, sexual assault, or stalking shall not be*
13 *construed as—*

14 “(A) *a serious or repeated violation of a*
15 *lease for housing assisted under a covered hous-*
16 *ing program by the victim or threatened victim*
17 *of such incident; or*

18 “(B) *good cause for terminating the assist-*
19 *ance, tenancy, or occupancy rights to housing as-*
20 *sisted under a covered housing program of the*
21 *victim or threatened victim of such incident.*

22 “(3) *TERMINATION ON THE BASIS OF CRIMINAL*
23 *ACTIVITY.*—

24 “(A) *DENIAL OF ASSISTANCE, TENANCY,*
25 *AND OCCUPANCY RIGHTS PROHIBITED.*—*No per-*

1 son may deny assistance, tenancy, or occupancy
2 rights to housing assisted under a covered hous-
3 ing program to a tenant solely on the basis of
4 criminal activity directly relating to domestic
5 violence, dating violence, sexual assault, or stalk-
6 ing that is engaged in by a member of the house-
7 hold of the tenant or any guest or other person
8 under the control of the tenant, if the tenant or
9 an affiliated individual of the tenant is the vic-
10 tim or threatened victim of such domestic vio-
11 lence, dating violence, sexual assault, or stalking.

12 “(B) BIFURCATION.—

13 “(i) IN GENERAL.—Notwithstanding
14 subparagraph (A), a public housing agency
15 or owner or manager of housing assisted
16 under a covered housing program may bi-
17 furcate a lease for the housing in order to
18 evict, remove, or terminate assistance to
19 any individual who is a tenant or lawful
20 occupant of the housing and who engages in
21 criminal activity directly relating to domes-
22 tic violence, dating violence, sexual assault,
23 or stalking against an affiliated individual
24 or other individual, without evicting, re-
25 moving, terminating assistance to, or other-

1 *wise penalizing a victim of such criminal*
2 *activity who is also a tenant or lawful occu-*
3 *pant of the housing.*

4 “(i) *EFFECT OF EVICTION ON OTHER*
5 *TENANTS.—If public housing agency or*
6 *owner or manager of housing assisted under*
7 *a covered housing program evicts, removes,*
8 *or terminates assistance to an individual*
9 *under clause (i), and the individual is the*
10 *sole tenant eligible to receive assistance*
11 *under a covered housing program, the pub-*
12 *lic housing agency or owner or manager of*
13 *housing assisted under the covered housing*
14 *program shall provide any remaining ten-*
15 *ant an opportunity to establish eligibility*
16 *for the covered housing program. If a tenant*
17 *described in the preceding sentence cannot*
18 *establish eligibility, the public housing*
19 *agency or owner or manager of the housing*
20 *shall provide the tenant a reasonable time,*
21 *as determined by the appropriate agency, to*
22 *find new housing or to establish eligibility*
23 *for housing under another covered housing*
24 *program.*

1 “(C) *RULES OF CONSTRUCTION.*—*Nothing*
2 *in subparagraph (A) shall be construed—*

3 “(i) *to limit the authority of a public*
4 *housing agency or owner or manager of*
5 *housing assisted under a covered housing*
6 *program, when notified of a court order, to*
7 *comply with a court order with respect to—*

8 “(I) *the rights of access to or con-*
9 *trol of property, including civil protec-*
10 *tion orders issued to protect a victim of*
11 *domestic violence, dating violence, sex-*
12 *ual assault, or stalking; or*

13 “(II) *the distribution or posses-*
14 *sion of property among members of a*
15 *household in a case;*

16 “(ii) *to limit any otherwise available*
17 *authority of a public housing agency or*
18 *owner or manager of housing assisted under*
19 *a covered housing program to evict or ter-*
20 *minate assistance to a tenant for any viola-*
21 *tion of a lease not premised on the act of vi-*
22 *olence in question against the tenant or an*
23 *affiliated person of the tenant, if the public*
24 *housing agency or owner or manager does*
25 *not subject an individual who is or has been*

1 *a victim of domestic violence, dating vio-*
2 *lence, or stalking to a more demanding*
3 *standard than other tenants in determining*
4 *whether to evict or terminate;*

5 “(iii) *to limit the authority to termi-*
6 *nate assistance to a tenant or evict a tenant*
7 *from housing assisted under a covered hous-*
8 *ing program if a public housing agency or*
9 *owner or manager of the housing can dem-*
10 *onstrate that an actual and imminent*
11 *threat to other tenants or individuals em-*
12 *ployed at or providing service to the prop-*
13 *erty would be present if the assistance is not*
14 *terminated or the tenant is not evicted; or*

15 “(iv) *to supersede any provision of any*
16 *Federal, State, or local law that provides*
17 *greater protection than this section for vic-*
18 *tims of domestic violence, dating violence,*
19 *sexual assault, or stalking.*

20 “(c) *DOCUMENTATION.—*

21 “(1) *REQUEST FOR DOCUMENTATION.—If an ap-*
22 *plicant for, or tenant of, housing assisted under a cov-*
23 *ered housing program represents to a public housing*
24 *agency or owner or manager of the housing that the*
25 *individual is entitled to protection under subsection*

1 **(b)**, the public housing agency or owner or manager
2 may request, in writing, that the applicant or tenant
3 submit to the public housing agency or owner or
4 manager a form of documentation described in para-
5 graph (3).

6 “(2) *FAILURE TO PROVIDE CERTIFICATION.*—

7 “(A) *IN GENERAL.*—If an applicant or ten-
8 ant does not provide the documentation requested
9 under paragraph (1) within 14 business days
10 after the tenant receives a request in writing for
11 such certification from a public housing agency
12 or owner or manager of housing assisted under
13 a covered housing program, nothing in this
14 chapter may be construed to limit the authority
15 of the public housing agency or owner or man-
16 ager to—

17 “(i) deny admission by the applicant
18 or tenant to the covered program;

19 “(ii) deny assistance under the covered
20 program to the applicant or tenant;

21 “(iii) terminate the participation of
22 the applicant or tenant in the covered pro-
23 gram; or

1 “(iv) evict the applicant, the tenant, or
2 a lawful occupant that commits violations
3 of a lease.

4 “(B) *EXTENSION*.—A public housing agency
5 or owner or manager of housing may extend the
6 14-day deadline under subparagraph (A) at its
7 discretion.

8 “(3) *FORM OF DOCUMENTATION*.—A form of doc-
9 umentation described in this paragraph is—

10 “(A) a certification form approved by the
11 appropriate agency that—

12 “(i) states that an applicant or tenant
13 is a victim of domestic violence, dating vio-
14 lence, sexual assault, or stalking;

15 “(ii) states that the incident of domes-
16 tic violence, dating violence, sexual assault,
17 or stalking that is the ground for protection
18 under subsection (b) meets the requirements
19 under subsection (b); and

20 “(iii) includes the name of the indi-
21 vidual who committed the domestic violence,
22 dating violence, sexual assault, or stalking,
23 if the name is known and safe to provide;

24 “(B) a document that—

25 “(i) is signed by—

1 “(I) an employee, agent, or volun-
2 teer of a victim service provider, an at-
3 torney, a medical professional, or a
4 mental health professional from whom
5 an applicant or tenant has sought as-
6 sistance relating to domestic violence,
7 dating violence, sexual assault, or
8 stalking, or the effects of the abuse; and

9 “(II) the applicant or tenant; and

10 “(ii) states under penalty of perjury
11 that the individual described in clause (i)(I)
12 believes that the incident of domestic vio-
13 lence, dating violence, sexual assault, or
14 stalking that is the ground for protection
15 under subsection (b) meets the requirements
16 under subsection (b);

17 “(C) a record of a Federal, State, tribal,
18 territorial, or local law enforcement agency,
19 court, or administrative agency; or

20 “(D) at the discretion of a public housing
21 agency or owner or manager of housing assisted
22 under a covered housing program, a statement or
23 other evidence provided by an applicant or ten-
24 ant.

1 “(4) *CONFIDENTIALITY.*—Any information sub-
2 mitted to a public housing agency or owner or man-
3 ager under this subsection, including the fact that an
4 individual is a victim of domestic violence, dating vi-
5 olence, sexual assault, or stalking shall be maintained
6 in confidence by the public housing agency or owner
7 or manager and may not be entered into any shared
8 database or disclosed to any other entity or indi-
9 vidual, except to the extent that the disclosure is—

10 “(A) requested or consented to by the indi-
11 vidual in writing;

12 “(B) required for use in an eviction pro-
13 ceeding under subsection (b); or

14 “(C) otherwise required by applicable law.

15 “(5) *DOCUMENTATION NOT REQUIRED.*—Nothing
16 in this subsection shall be construed to require a pub-
17 lic housing agency or owner or manager of housing
18 assisted under a covered housing program to request
19 that an individual submit documentation of the sta-
20 tus of the individual as a victim of domestic violence,
21 dating violence, sexual assault, or stalking.

22 “(6) *COMPLIANCE NOT SUFFICIENT TO CON-*
23 *STITUTE EVIDENCE OF UNREASONABLE ACT.*—Com-
24 pliance with subsection (b) by a public housing agen-
25 cy or owner or manager of housing assisted under a

1 covered housing program based on documentation re-
2 ceived under this subsection, shall not be sufficient to
3 constitute evidence of an unreasonable act or omission
4 by the public housing agency or owner or manager or
5 an employee or agent of the public housing agency or
6 owner or manager. Nothing in this paragraph shall
7 be construed to limit the liability of a public housing
8 agency or owner or manager of housing assisted
9 under a covered housing program for failure to com-
10 ply with subsection (b).

11 “(7) *RESPONSE TO CONFLICTING CERTIFI-*
12 *CATION.—If a public housing agency or owner or*
13 *manager of housing assisted under a covered housing*
14 *program receives documentation under this subsection*
15 *that contains conflicting information, the public hous-*
16 *ing agency or owner or manager may require an ap-*
17 *plicant or tenant to submit third-party documenta-*
18 *tion, as described in subparagraph (B), (C), or (D)*
19 *of paragraph (3).*

20 “(8) *PREEMPTION.—Nothing in this subsection*
21 *shall be construed to supersede any provision of any*
22 *Federal, State, or local law that provides greater pro-*
23 *tection than this subsection for victims of domestic vi-*
24 *olence, dating violence, sexual assault, or stalking.*

25 “(d) *NOTIFICATION.—*

1 “(1) *DEVELOPMENT.*—*The Secretary of Housing*
2 *and Urban Development shall develop a notice of the*
3 *rights of individuals under this section, including the*
4 *right to confidentiality and the limits thereof.*

5 “(2) *PROVISION.*—*Each public housing agency*
6 *or owner or manager of housing assisted under a cov-*
7 *ered housing program shall provide the notice devel-*
8 *oped under paragraph (1), together with the form de-*
9 *scribed in subsection (c)(3)(A), to an applicant for or*
10 *tenants of housing assisted under a covered housing*
11 *program—*

12 “(A) *at the time the applicant is denied*
13 *residency in a dwelling unit assisted under the*
14 *covered housing program;*

15 “(B) *at the time the individual is admitted*
16 *to a dwelling unit assisted under the covered*
17 *housing program;*

18 “(C) *with any notification of eviction or*
19 *notification of termination of assistance; and*

20 “(D) *in multiple languages, consistent with*
21 *guidance issued by the Secretary of Housing and*
22 *Urban Development in accordance with Execu-*
23 *tive Order 13166 (42 U.S.C. 2000d–1 note; relat-*
24 *ing to access to services for persons with limited*
25 *English proficiency).*

1 “(e) *EMERGENCY TRANSFERS.*—*Each appropriate*
2 *agency shall adopt a model emergency transfer plan for use*
3 *by public housing agencies and owners or managers of hous-*
4 *ing assisted under covered housing programs that—*

5 “(1) *allows tenants who are victims of domestic*
6 *violence, dating violence, sexual assault, or stalking to*
7 *transfer to another available and safe dwelling unit*
8 *assisted under a covered housing program if—*

9 “(A) *the tenant expressly requests the trans-*
10 *fer; and*

11 “(B)(i) *the tenant reasonably believes that*
12 *the tenant is threatened with imminent harm*
13 *from further violence if the tenant remains with-*
14 *in the same dwelling unit assisted under a cov-*
15 *ered housing program; or*

16 “(ii) *in the case of a tenant who is a victim*
17 *of sexual assault, the sexual assault occurred on*
18 *the premises during the 90 day period preceding*
19 *the request for transfer; and*

20 “(2) *incorporates reasonable confidentiality*
21 *measures to ensure that the public housing agency or*
22 *owner or manager does not disclose the location of the*
23 *dwelling unit of a tenant to a person that commits*
24 *an act of domestic violence, dating violence, sexual as-*
25 *sault, or stalking against the tenant.*

1 “(f) *POLICIES AND PROCEDURES FOR EMERGENCY*
 2 *TRANSFER.*—*The Secretary of Housing and Urban Devel-*
 3 *opment shall establish policies and procedures under which*
 4 *a victim requesting an emergency transfer under subsection*
 5 *(e) may receive, subject to the availability of tenant protec-*
 6 *tion vouchers, assistance under section 8(o) of the United*
 7 *States Housing Act of 1937 (42 U.S.C. 1437f(o)).*

8 “(g) *IMPLEMENTATION.*—*The appropriate agency with*
 9 *respect to each covered housing program shall implement*
 10 *this section, as this section applies to the covered housing*
 11 *program.”.*

12 (b) *CONFORMING AMENDMENTS.*—

13 (1) *SECTION 6.*—*Section 6 of the United States*
 14 *Housing Act of 1937 (42 U.S.C. 1437d) is amended—*

15 (A) *in subsection (c)—*

16 (i) *by striking paragraph (3); and*

17 (ii) *by redesignating paragraphs (4)*

18 *and (5) as paragraphs (3) and (4), respec-*
 19 *tively;*

20 (B) *in subsection (l)—*

21 (i) *in paragraph (5), by striking “,*

22 *and that an incident or incidents of actual*

23 *or threatened domestic violence, dating vio-*

24 *lence, or stalking will not be construed as a*

25 *serious or repeated violation of the lease by*

1 *the victim or threatened victim of that vio-*
 2 *lence and will not be good cause for termi-*
 3 *nating the tenancy or occupancy rights of*
 4 *the victim of such violence”; and*

5 *(ii) in paragraph (6), by striking “;*
 6 *except that” and all that follows through*
 7 *“stalking.”; and*

8 *(C) by striking subsection (u).*

9 (2) *SECTION 8.—Section 8 of the United States*
 10 *Housing Act of 1937 (42 U.S.C. 1437f) is amended—*

11 *(A) in subsection (c), by striking paragraph*
 12 *(9);*

13 *(B) in subsection (d)(1)—*

14 *(i) in subparagraph (A), by striking*
 15 *“and that an applicant or participant is or*
 16 *has been a victim of domestic violence, dat-*
 17 *ing violence, or stalking is not an appro-*
 18 *priate basis for denial of program assist-*
 19 *ance or for denial of admission if the appli-*
 20 *cant otherwise qualifies for assistance or ad-*
 21 *mission”; and*

22 *(ii) in subparagraph (B)—*

23 *(I) in clause (ii), by striking “,*
 24 *and that an incident or incidents of*
 25 *actual or threatened domestic violence,*

1 *dating violence, or stalking will not be*
2 *construed as a serious or repeated vio-*
3 *lation of the lease by the victim or*
4 *threatened victim of that violence and*
5 *will not be good cause for terminating*
6 *the tenancy or occupancy rights of the*
7 *victim of such violence”;* and

8 (II) in clause (iii), by striking “,
9 *except that:”* and all that follows
10 through “*stalking.*”;

11 (C) in subsection (f)—

12 (i) in paragraph (6), by adding “and”
13 at the end;

14 (ii) in paragraph (7), by striking the
15 semicolon at the end and inserting a period;
16 and

17 (iii) by striking paragraphs (8), (9),
18 (10), and (11);

19 (D) in subsection (o)—

20 (i) in paragraph (6)(B), by striking
21 the last sentence;

22 (ii) in paragraph (7)—

23 (I) in subparagraph (C), by strik-
24 ing “and that an incident or incidents
25 of actual or threatened domestic vio-

1 *lence, dating violence, or stalking shall*
 2 *not be construed as a serious or re-*
 3 *peated violation of the lease by the vic-*
 4 *tim or threatened victim of that vio-*
 5 *lence and shall not be good cause for*
 6 *terminating the tenancy or occupancy*
 7 *rights of the victim of such violence”;*
 8 *and*

9 *(II) in subparagraph (D), by*
 10 *striking “; except that” and all that*
 11 *follows through “stalking.”; and*

12 *(iii) by striking paragraph (20); and*

13 *(E) by striking subsection (ee).*

14 *(3) RULE OF CONSTRUCTION.—Nothing in this*
 15 *Act, or the amendments made by this Act, shall be*
 16 *construed—*

17 *(A) to limit the rights or remedies available*
 18 *to any person under section 6 or 8 of the United*
 19 *States Housing Act of 1937 (42 U.S.C. 1437d*
 20 *and 1437f), as in effect on the day before the*
 21 *date of enactment of this Act;*

22 *(B) to limit any right, remedy, or procedure*
 23 *otherwise available under any provision of part*
 24 *5, 91, 880, 882, 883, 884, 886, 891, 903, 960,*

1 966, 982, or 983 of title 24, Code of Federal Reg-
2 ulations, that—

3 (i) was issued under the Violence
4 Against Women and Department of Justice
5 Reauthorization Act of 2005 (Public Law
6 109–162; 119 Stat. 2960) or an amendment
7 made by that Act; and

8 (ii) provides greater protection for vic-
9 tims of domestic violence, dating violence,
10 sexual assault, and stalking than this Act;

11 or

12 (C) to disqualify an owner, manager, or
13 other individual from participating in or receiv-
14 ing the benefits of the low income housing tax
15 credit program under section 42 of the Internal
16 Revenue Code of 1986 because of noncompliance
17 with the provisions of this Act.

18 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**

19 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
20 **ING VIOLENCE, SEXUAL ASSAULT, AND**
21 **STALKING.**

22 Chapter 11 of subtitle B of the Violence Against
23 Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

24 (1) in the chapter heading, by striking

25 “**CHILD VICTIMS OF DOMESTIC VIO-**

1 **LENCE, STALKING, OR SEXUAL AS-**
 2 **SAULT”** and inserting **“VICTIMS OF DO-**
 3 **MESTIC VIOLENCE, DATING VIOLENCE,**
 4 **SEXUAL ASSAULT, OR STALKING”**; and

5 (2) in section 40299 (42 U.S.C. 13975)—

6 (A) in the header, by striking **“CHILD VIC-**
 7 **TIMS OF DOMESTIC VIOLENCE, STALKING,**
 8 **OR SEXUAL ASSAULT”** and inserting **“VIC-**
 9 **TIMS OF DOMESTIC VIOLENCE, DATING VI-**
 10 **OLENCE, SEXUAL ASSAULT, OR STALKING”**;

11 (B) in subsection (a)(1), by striking *“flee-*
 12 *ing”*;

13 (C) in subsection (b)(3)—

14 (i) in subparagraph (A), by striking *“*
 15 *and”* at the end;

16 (ii) by redesignating subparagraph (B)
 17 as subparagraph (C);

18 (iii) by inserting after subparagraph
 19 (A) the following:

20 *“(B) secure employment, including obtain-*
 21 *ing employment counseling, occupational train-*
 22 *ing, job retention counseling, and counseling con-*
 23 *cerning re-entry in to the workforce; and”*; and

1 (iv) in subparagraph (C), as redesignated by clause (ii), by striking “employment counseling,”; and

2
3
4 (D) in subsection (g)—

5 (i) in paragraph (1), by striking
6 “\$40,000,000 for each of fiscal years 2007
7 through 2011” and inserting “\$35,000,000
8 for each of fiscal years 2012 through 2016”;
9 and

10 (ii) in paragraph (3)—

11 (I) in subparagraph (A), by striking
12 “eligible” and inserting “qualified”;
13 and

14 (II) by adding at the end the following:
15

16 “(D) *QUALIFIED APPLICATION DEFINED.*—

17 *In this paragraph, the term ‘qualified application’ means an application that—*

18
19 “(i) has been submitted by an eligible
20 applicant;

21 “(ii) does not propose any activities
22 that may compromise victim safety, including—
23

24 “(I) background checks of victims;

25 or

1 “(II) *clinical evaluations to deter-*
2 *mine eligibility for services;*

3 “(iii) *reflects an understanding of the*
4 *dynamics of domestic violence, dating vio-*
5 *lence, sexual assault, or stalking; and*

6 “(iv) *does not propose prohibited ac-*
7 *tivities, including mandatory services for*
8 *victims.”.*

9 **SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS**
10 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**
11 **SEXUAL ASSAULT, AND STALKING.**

12 *Subtitle N of the Violence Against Women Act of 1994*
13 *(42 U.S.C. 14043e et seq.) is amended—*

14 (1) *in section 41404(i) (42 U.S.C. 14043e-3(i)),*
15 *by striking “\$10,000,000 for each of fiscal years 2007*
16 *through 2011” and inserting “\$4,000,000 for each of*
17 *fiscal years 2012 through 2016”;* and

18 (2) *in section 41405(g) (42 U.S.C. 14043e-4(g)),*
19 *by striking “\$10,000,000 for each of fiscal years 2007*
20 *through 2011” and inserting “\$4,000,000 for each of*
21 *fiscal years 2012 through 2016”.*

1 **TITLE VII—ECONOMIC SECURITY**
 2 **FOR VICTIMS OF VIOLENCE**

3 **SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE**
 4 **RESPONSES TO ASSIST VICTIMS OF DOMES-**
 5 **TIC AND SEXUAL VIOLENCE.**

6 *Section 41501(e) of the Violence Against Women Act*
 7 *of 1994 (42 U.S.C. 14043f(e)) is amended by striking “fiscal*
 8 *years 2007 through 2011” and inserting “fiscal years 2012*
 9 *through 2016”.*

10 **TITLE VIII—PROTECTION OF**
 11 **BATTERED IMMIGRANTS**

12 **SEC. 801. U NONIMMIGRANT DEFINITION.**

13 *Section 101(a)(15)(U)(iii) of the Immigration and*
 14 *Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended*
 15 *by inserting “stalking;” after “sexual exploitation;”.*

16 **SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICA-**
 17 **TIONS MADE BY VICTIMS OF ABUSE.**

18 *Not later than December 1, 2012, and annually there-*
 19 *after, the Secretary of Homeland Security shall submit to*
 20 *the Committee on the Judiciary of the Senate and the Com-*
 21 *mittee on the Judiciary of the House of Representatives a*
 22 *report that includes the following:*

- 23 (1) *The number of aliens who—*
 24 (A) *submitted an application for non-*
 25 *immigrant status under paragraph (15)(T)(i),*

1 (15)(U)(i), or (51) of section 101(a) of the Immi-
2 gration and Nationality Act (8 U.S.C. 1101(a))
3 during the preceding fiscal year;

4 (B) were granted such nonimmigrant status
5 during such fiscal year; or

6 (C) were denied such nonimmigrant status
7 during such fiscal year.

8 (2) The mean amount of time and median
9 amount of time to adjudicate an application for such
10 nonimmigrant status during such fiscal year.

11 (3) The mean amount of time and median
12 amount of time between the receipt of an application
13 for such nonimmigrant status and the issuance of
14 work authorization to an eligible applicant during
15 the preceding fiscal year.

16 (4) The number of aliens granted continued pres-
17 ence in the United States under section 107(c)(3) of
18 the Trafficking Victims Protection Act of 2000 (22
19 U.S.C. 7105(c)(3)) during the preceding fiscal year.

20 (5) A description of any actions being taken to
21 reduce the adjudication and processing time, while
22 ensuring the safe and competent processing, of an ap-
23 plication described in paragraph (1) or a request for
24 continued presence referred to in paragraph (4).

1 **SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETI-**
 2 **TIONERS.**

3 *Section 204(l)(2) of the Immigration and Nationality*
 4 *Act (8 U.S.C. 1154(l)(2)) is amended—*

5 *(1) in subparagraph (E), by striking “or” at the*
 6 *end;*

7 *(2) by redesignating subparagraph (F) as sub-*
 8 *paragraph (G); and*

9 *(3) by inserting after subparagraph (E) the fol-*
 10 *lowing:*

11 *“(F) a child of an alien who filed a pending*
 12 *or approved petition for classification or appli-*
 13 *cation for adjustment of status or other benefit*
 14 *specified in section 101(a)(51) as a VAWA self-*
 15 *petitioner; or”.*

16 **SEC. 804. PUBLIC CHARGE.**

17 *Section 212(a)(4) of the Immigration and Nationality*
 18 *Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end*
 19 *the following:*

20 *“(E) SPECIAL RULE FOR QUALIFIED ALIEN*
 21 *VICTIMS.—Subparagraphs (A), (B), and (C)*
 22 *shall not apply to an alien who—*

23 *“(i) is a VAWA self-petitioner;*

24 *“(ii) is an applicant for, or is granted,*
 25 *nonimmigrant status under section*
 26 *101(a)(15)(U); or*

1 “(iii) is a qualified alien described in
2 section 431(c) of the Personal Responsibility
3 and Work Opportunity Reconciliation Act
4 of 1996 (8 U.S.C. 1641(c)).”.

5 **SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.**

6 (a) *RECAPTURE OF UNUSED U VISAS.*—Section
7 214(p)(2) of the Immigration and Nationality Act (8
8 U.S.C. 1184(p)(2)) is amended by—

9 (1) in subparagraph (A), by striking “The num-
10 ber” and inserting “Except as provided in subpara-
11 graph (C), the number”; and

12 (2) by adding at the end the following:

13 “(C) Beginning in fiscal year 2012, if the
14 numerical limitation set forth in subparagraph
15 (A) is reached before the end of the fiscal year,
16 up to 5,000 additional visas, of the aggregate
17 number of visas that were available and not
18 issued to nonimmigrants described in section
19 101(a)(15)(U) in fiscal years 2006 through 2011,
20 may be issued until the end of the fiscal year.”.

21 (3) *SUNSET DATE.*—The amendments made by
22 paragraphs (1) and (2) are repealed on the date on
23 which the aggregate number of visas that were avail-
24 able and not issued in fiscal years 2006 through 2011

1 *have been issued pursuant to section 214(p)(2)(C) of*
2 *the Immigration and Nationality Act.*

3 **(b) AGE DETERMINATIONS.**—*Section 214(p) of the Im-*
4 *migration and Nationality Act (8 U.S.C. 1184(p)) is*
5 *amended by adding at the end the following:*

6 **“(7) AGE DETERMINATIONS.**—

7 **“(A) CHILDREN.**—*An unmarried alien who*
8 *seeks to accompany, or follow to join, a parent*
9 *granted status under section 101(a)(15)(U)(i),*
10 *and who was under 21 years of age on the date*
11 *on which such parent petitioned for such status,*
12 *shall continue to be classified as a child for pur-*
13 *poses of section 101(a)(15)(U)(ii), if the alien at-*
14 *tains 21 years of age after such parent’s petition*
15 *was filed but while it was pending.*

16 **“(B) PRINCIPAL ALIENS.**—*An alien de-*
17 *scribed in clause (i) of section 101(a)(15)(U)*
18 *shall continue to be treated as an alien described*
19 *in clause (ii)(I) of such section if the alien at-*
20 *tains 21 years of age after the alien’s application*
21 *for status under such clause (i) is filed but while*
22 *it is pending.”.*

1 **SEC. 806. HARDSHIP WAIVERS.**

2 (a) *IN GENERAL.*—Section 216(c)(4) of the Immigra-
 3 tion and Nationality Act (8 U.S.C. 1186a(c)(4)) is amend-
 4 ed—

5 (1) in subparagraph (A), by striking the comma
 6 at the end and inserting a semicolon;

7 (2) in subparagraph (B), by striking “(1), or”
 8 and inserting “(1); or”;

9 (3) in subparagraph (C), by striking the period
 10 at the end and inserting a semicolon and “or”; and

11 (4) by inserting after subparagraph (C) the fol-
 12 lowing:

13 “(D) the alien meets the requirements under
 14 section 204(a)(1)(A)(iii)(II)(aa)(BB) and fol-
 15 lowing the marriage ceremony was battered by
 16 or subject to extreme cruelty perpetrated by the
 17 alien’s intended spouse and was not at fault in
 18 failing to meet the requirements of paragraph
 19 (1).”.

20 (b) *TECHNICAL CORRECTIONS.*—Section 216(c)(4) of
 21 the Immigration and Nationality Act (8 U.S.C.
 22 1186a(c)(4)), as amended by subsection (a), is further
 23 amended—

24 (1) in the matter preceding subparagraph (A),
 25 by striking “The Attorney General, in the Attorney

1 *General's*" and inserting "*The Secretary of Homeland*
2 *Security, in the Secretary's*"; and

3 (2) *in the undesignated paragraph at the end—*

4 (A) *in the first sentence, by striking "Attor-*
5 *ney General" and inserting "Secretary of Home-*
6 *land Security*";

7 (B) *in the second sentence, by striking "At-*
8 *torney General" and inserting "Secretary*";

9 (C) *in the third sentence, by striking "At-*
10 *torney General."* and inserting "*Secretary.*"; and

11 (D) *in the fourth sentence, by striking "At-*
12 *torney General" and inserting "Secretary*".

13 **SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A**
14 **CITIZEN.**

15 (a) *IN GENERAL.—Section 214 of the Immigration*
16 *and Nationality Act (8 U.S.C. 1184) is amended—*

17 (1) *in subsection (d)—*

18 (A) *in paragraph (1), by striking "crime."*
19 *and inserting "crime described in paragraph*
20 *(3)(B) and information on any permanent pro-*
21 *tection or restraining order issued against the*
22 *petitioner related to any specified crime de-*
23 *scribed in paragraph (3)(B)(i)."*;

24 (B) *in paragraph (2)(A), in the matter pre-*
25 *ceding clause (i)—*

1 (i) by striking “a consular officer” and
2 inserting “the Secretary of Homeland Secu-
3 rity”; and

4 (ii) by striking “the officer” and in-
5 serting “the Secretary”; and

6 (C) in paragraph (3)(B)(i), by striking
7 “abuse, and stalking.” and inserting “abuse,
8 stalking, or an attempt to commit any such
9 crime.”; and
10 (2) in subsection (r)—

11 (A) in paragraph (1), by striking “crime.”
12 and inserting “crime described in paragraph
13 (5)(B) and information on any permanent pro-
14 tection or restraining order issued against the
15 petitioner related to any specified crime de-
16 scribed in subsection (5)(B)(i).”; and

17 (B) by amending paragraph (4)(B)(ii) to
18 read as follows:

19 “(ii) To notify the beneficiary as required by clause
20 (i), the Secretary of Homeland Security shall provide such
21 notice to the Secretary of State for inclusion in the mailing
22 to the beneficiary described in section 833(a)(5)(A)(i) of the
23 International Marriage Broker Regulation Act of 2005 (8
24 U.S.C. 1375a(a)(5)(A)(i)).”; and

1 (3) in paragraph (5)(B)(i), by striking “abuse,
2 and stalking.” and inserting “abuse, stalking, or an
3 attempt to commit any such crime.”.

4 (b) *PROVISION OF INFORMATION TO K NON-*
5 *IMMIGRANTS.*—Section 833 of the International Marriage
6 *Broker Regulation Act of 2005 (8 U.S.C. 1375a)* is amend-
7 *ed—*

8 (1) in subsection (a)(5)(A)—

9 (A) in clause (iii)—

10 (i) by striking “State any” and insert-
11 ing “State, for inclusion in the mailing de-
12 scribed in clause (i), any”; and

13 (ii) by striking the last sentence; and

14 (B) by adding at the end the following:

15 “(iv) The Secretary of Homeland Secu-
16 rity shall conduct a background check of the
17 National Crime Information Center’s Pro-
18 tection Order Database on each petitioner
19 for a visa under subsection (d) or (r) of sec-
20 tion 214 of the Immigration and Nation-
21 ality Act (8 U.S.C. 1184). Any appropriate
22 information obtained from such background
23 check—

24 “(I) shall accompany the criminal
25 background information provided by

1 *the Secretary of Homeland Security to*
2 *the Secretary of State and shared by*
3 *the Secretary of State with a bene-*
4 *ficiary of a petition referred to in*
5 *clause (iii); and*

6 *“(II) shall not be used or disclosed*
7 *for any other purpose unless expressly*
8 *authorized by law.*

9 *“(v) The Secretary of Homeland Secu-*
10 *rity shall create a cover sheet or other mech-*
11 *anism to accompany the information re-*
12 *quired to be provided to an applicant for a*
13 *visa under subsection (d) or (r) of section*
14 *214 of the Immigration and Nationality*
15 *Act (8 U.S.C. 1184) by clauses (i) through*
16 *(iv) of this paragraph or by clauses (i) and*
17 *(ii) of subsection (r)(4)(B) of such section*
18 *214, that calls to the applicant’s atten-*
19 *tion—*

20 *“(I) whether the petitioner dis-*
21 *closed a protection order, a restraining*
22 *order, or criminal history information*
23 *on the visa petition;*

24 *“(II) the criminal background in-*
25 *formation and information about any*

1 *protection order obtained by the Sec-*
 2 *retary of Homeland Security regarding*
 3 *the petitioner in the course of adjudi-*
 4 *cating the petition; and*

5 *“(III) whether the information the*
 6 *petitioner disclosed on the visa petition*
 7 *regarding any previous petitions filed*
 8 *under subsection (d) or (r) of such sec-*
 9 *tion 214 is consistent with the infor-*
 10 *mation in the multiple visa tracking*
 11 *database of the Department of Home-*
 12 *land Security, as described in sub-*
 13 *section (r)(4)(A) of such section 214.”;*
 14 *and*

15 *(2) in subsection (b)(1)(A), by striking “or” after*
 16 *“orders” and inserting “and”.*

17 **SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE**
 18 **BROKERS.**

19 *(a) IMPLEMENTATION OF THE INTERNATIONAL MAR-*
 20 *RIAGE BROKER ACT OF 2005.—*

21 *(1) FINDINGS.—Congress finds the following:*

22 *(A) The International Marriage Broker Act*
 23 *of 2005 (subtitle D of Public Law 109–162; 119*
 24 *Stat. 3066) has not been fully implemented with*

1 *regard to investigating and prosecuting viola-*
2 *tions of the law, and for other purposes.*

3 *(B) Six years after Congress enacted the*
4 *International Marriage Broker Act of 2005 to*
5 *regulate the activities of the hundreds of for-prof-*
6 *it international marriage brokers operating in*
7 *the United States, the Attorney General has not*
8 *determined which component of the Department*
9 *of Justice will investigate and prosecute viola-*
10 *tions of such Act.*

11 *(2) REPORT.—Not later than 90 days after the*
12 *date of the enactment of this Act, the Attorney Gen-*
13 *eral shall submit to Congress a report that includes*
14 *the following:*

15 *(A) The name of the component of the De-*
16 *partment of Justice responsible for investigating*
17 *and prosecuting violations of the International*
18 *Marriage Broker Act of 2005 (subtitle D of Pub-*
19 *lic Law 109–162; 119 Stat. 3066) and the*
20 *amendments made by this Act.*

21 *(B) A description of the policies and proce-*
22 *dures of the Attorney General for consultation*
23 *with the Secretary of Homeland Security and*
24 *the Secretary of State in investigating and pros-*
25 *ecuting such violations.*

1 (b) *TECHNICAL CORRECTION.*—Section 833(a)(2)(H)
2 *of the International Marriage Broker Regulation Act of*
3 *2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking*
4 *“Federal and State sex offender public registries” and in-*
5 *serting “the National Sex Offender Public Website”.*

6 (c) *REGULATION OF INTERNATIONAL MARRIAGE BRO-*
7 *KERS.*—Section 833(d) *of the International Marriage*
8 *Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is*
9 *amended—*

10 (1) *by amending paragraph (1) to read as fol-*
11 *lows:*

12 “(1) *PROHIBITION ON MARKETING OF OR TO*
13 *CHILDREN.*—

14 “(A) *IN GENERAL.*—*An international mar-*
15 *riage broker shall not provide any individual or*
16 *entity with the personal contact information,*
17 *photograph, or general information about the*
18 *background or interests of any individual under*
19 *the age of 18.*

20 “(B) *COMPLIANCE.*—*To comply with the re-*
21 *quirements of subparagraph (A), an inter-*
22 *national marriage broker shall—*

23 “(i) *obtain a valid copy of each foreign*
24 *national client’s birth certificate or other*

1 *proof of age document issued by an appro-*
 2 *priate government entity;*

3 “(ii) indicate on such certificate or
 4 document the date it was received by the
 5 international marriage broker;

6 “(iii) retain the original of such cer-
 7 tificate or document for 7 years after such
 8 date of receipt; and

9 “(iv) produce such certificate or docu-
 10 ment upon request to an appropriate au-
 11 thority charged with the enforcement of this
 12 paragraph.”;

13 (2) in paragraph (2)—

14 (A) in subparagraph (A)(i)—

15 (i) in the heading, by striking “REG-
 16 ISTRIES.—” and inserting “WEBSITE.—”;
 17 and

18 (ii) by striking “Registry or State sex
 19 offender public registry,” and inserting
 20 “Website,”; and

21 (B) in subparagraph (B)(ii), by striking
 22 “or stalking.” and inserting “stalking, or an at-
 23 tempt to commit any such crime.”;

24 (3) in paragraph (3)—

25 (A) in subparagraph (A)—

1 (i) in clause (i), by striking “Registry,
2 or of the relevant State sex offender public
3 registry for any State not yet participating
4 in the National Sex Offender Public Reg-
5 istry, in which the United States client has
6 resided during the previous 20 years,” and
7 inserting “Website”; and

8 (ii) in clause (iii)(II), by striking
9 “background information collected by the
10 international marriage broker under para-
11 graph (2)(B);” and inserting “signed cer-
12 tification and accompanying documentation
13 or attestation regarding the background in-
14 formation collected under paragraph
15 (2)(B);”; and

16 (B) by striking subparagraph (C);

17 (4) in paragraph (5)—

18 (A) in subparagraph (A)(ii), by striking “A
19 penalty may be imposed under clause (i) by the
20 Attorney General only” and inserting “At the
21 discretion of the Attorney General, a penalty
22 may be imposed under clause (i) either by a
23 Federal judge, or by the Attorney General”;

24 (B) by amending subparagraph (B) to read
25 as follows:

1 “(B) *FEDERAL CRIMINAL PENALTIES.*—

2 “(i) *FAILURE OF INTERNATIONAL MAR-*
3 *RIAGE BROKERS TO COMPLY WITH OBLIGA-*
4 *TIONS.*—*Except as provided in clause (ii),*
5 *an international marriage broker that, in*
6 *circumstances in or affecting interstate or*
7 *foreign commerce, or within the special*
8 *maritime and territorial jurisdiction of the*
9 *United States—*

10 “(I) *except as provided in sub-*
11 *clause (II), violates (or attempts to vio-*
12 *late) paragraph (1), (2), (3), or (4)*
13 *shall be fined in accordance with title*
14 *18, United States Code, or imprisoned*
15 *for not more than 1 year, or both; or*

16 “(II) *knowingly violates or at-*
17 *tempts to violate paragraphs (1), (2),*
18 *(3), or (4) shall be fined in accordance*
19 *with title 18, United States Code, or*
20 *imprisoned for not more than 5 years,*
21 *or both.*

22 “(ii) *MISUSE OF INFORMATION.*—*A*
23 *person who knowingly discloses, uses, or*
24 *causes to be used any information obtained*
25 *by an international marriage broker as a*

1 *result of a requirement under paragraph (2)*
2 *or (3) for any purpose other than the disclo-*
3 *sure required under paragraph (3) shall be*
4 *fined in accordance with title 18, United*
5 *States Code, or imprisoned for not more*
6 *than 1 year, or both.*

7 “(iii) *FRAUDULENT FAILURES OF*
8 *UNITED STATES CLIENTS TO MAKE RE-*
9 *QUIRED SELF-DISCLOSURES.—A person who*
10 *knowingly and with intent to defraud an-*
11 *other person outside the United States in*
12 *order to recruit, solicit, entice, or induce*
13 *that other person into entering a dating or*
14 *matrimonial relationship, makes false or*
15 *fraudulent representations regarding the*
16 *disclosures described in clause (i), (ii), (iii),*
17 *or (iv) of subsection (d)(2)(B), including by*
18 *failing to make any such disclosures, shall*
19 *be fined in accordance with title 18, United*
20 *States Code, imprisoned for not more than*
21 *1 year, or both.*

22 “(iv) *RELATIONSHIP TO OTHER PEN-*
23 *ALTIES.—The penalties provided in clauses*
24 *(i), (ii), and (iii) are in addition to any*
25 *other civil or criminal liability under Fed-*

1 *eral or State law to which a person may be*
2 *subject for the misuse of information, in-*
3 *cluding misuse to threaten, intimidate, or*
4 *harass any individual.*

5 *“(v) CONSTRUCTION.—Nothing in this*
6 *paragraph or paragraph (3) or (4) may be*
7 *construed to prevent the disclosure of infor-*
8 *mation to law enforcement or pursuant to a*
9 *court order.”; and*

10 *(C) in subparagraph (C), by striking the*
11 *period at the end and inserting “including equi-*
12 *table remedies.”;*

13 *(5) by redesignating paragraphs (6) and (7) as*
14 *paragraphs (7) and (8), respectively; and*

15 *(6) by inserting after paragraph (5) the fol-*
16 *lowing:*

17 *“(6) ENFORCEMENT.—*

18 *“(A) AUTHORITY.—The Attorney General*
19 *shall be responsible for the enforcement of the*
20 *provisions of this section, including the prosecu-*
21 *tion of civil and criminal penalties provided for*
22 *by this section.*

23 *“(B) CONSULTATION.—The Attorney Gen-*
24 *eral shall consult with the Director of the Office*
25 *on Violence Against Women of the Department of*

1 *Justice to develop policies and public education*
2 *designed to promote enforcement of this section.”.*

3 (d) *GAO STUDY AND REPORT.—Section 833(f) of the*
4 *International Marriage Broker Regulation Act of 2005 (8*
5 *U.S.C. 1375a(f)) is amended—*

6 (1) *in the subsection heading, by striking*
7 *“STUDY AND REPORT.—” and inserting “STUDIES*
8 *AND REPORTS.—”; and*

9 (2) *by adding at the end the following:*

10 “*(4) CONTINUING IMPACT STUDY AND REPORT.—*

11 “*(A) STUDY.—The Comptroller General*
12 *shall conduct a study on the continuing impact*
13 *of the implementation of this section and of sec-*
14 *tion of 214 of the Immigration and Nationality*
15 *Act (8 U.S.C. 1184) on the process for granting*
16 *K nonimmigrant visas, including specifically a*
17 *study of the items described in subparagraphs*
18 *(A) through (E) of paragraph (1).*

19 “*(B) REPORT.—Not later than 2 years after*
20 *the date of the enactment of the Violence Against*
21 *Women Reauthorization Act of 2011, the Comp-*
22 *troller General shall submit to the Committee on*
23 *the Judiciary of the Senate and the Committee*
24 *on the Judiciary of the House of Representatives*

1 *a report setting forth the results of the study con-*
 2 *ducted under subparagraph (A).*

3 “(C) *DATA COLLECTION.—The Attorney*
 4 *General, the Secretary of Homeland Security,*
 5 *and the Secretary of State shall collect and*
 6 *maintain the data necessary for the Comptroller*
 7 *General to conduct the study required by para-*
 8 *graph (1)(A).”.*

9 **SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VIC-**
 10 **TIMS IN THE COMMONWEALTH OF THE**
 11 **NORTHERN MARIANA ISLANDS TO ADJUST**
 12 **STATUS.**

13 *Section 705(c) of the Consolidated Natural Resources*
 14 *Act of 2008 (Public Law 110–229; 48 U.S.C. 1806 note),*
 15 *is amended by striking “except that,” and all that follows*
 16 *through the end, and inserting the following: “except that—*

17 *“(1) for the purpose of determining whether an*
 18 *alien lawfully admitted for permanent residence (as*
 19 *defined in section 101(a)(20) of the Immigration and*
 20 *Nationality Act (8 U.S.C. 1101(a)(20)) has aban-*
 21 *doned or lost such status by reason of absence from*
 22 *the United States, such alien’s presence in the Com-*
 23 *monwealth, before, on or after November 28, 2009,*
 24 *shall be considered to be presence in the United*
 25 *States; and*

1 “(2) for the purpose of determining whether an
 2 alien whose application for status under subpara-
 3 graph (T) or (U) of section 101(a)(15) of the Immigra-
 4 tion and Nationality Act (8 U.S.C. 1101(a)(15))
 5 was granted is subsequently eligible for adjustment
 6 under subsection (l) or (m) of section 245 of such Act
 7 (8 U.S.C. 1255), such alien’s physical presence in the
 8 Commonwealth before, on, or after November 28,
 9 2009, and subsequent to the grant of the application,
 10 shall be considered as equivalent to presence in the
 11 United States pursuant to a nonimmigrant admis-
 12 sion in such status.”.

13 **TITLE IX—SAFETY FOR INDIAN**
 14 **WOMEN**

15 **SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

16 Section 2015(a) of title I of the Omnibus Crime Con-
 17 trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a))
 18 is amended—

19 (1) in paragraph (2), by inserting “sex traf-
 20 ficking,” after “sexual assault,”;

21 (2) in paragraph (4), by inserting “sex traf-
 22 ficking,” after “sexual assault,”;

23 (3) in paragraph (5), by striking “and stalking”
 24 and all that follows and inserting “sexual assault, sex
 25 trafficking, and stalking;”;

1 (4) *in paragraph (7)—*

2 (A) *by inserting “sex trafficking,” after*

3 *“sexual assault,” each place it appears; and*

4 (B) *by striking “and” at the end;*

5 (5) *in paragraph (8)—*

6 (A) *by inserting “sex trafficking,” after*

7 *“stalking,”; and*

8 (B) *by striking the period at the end and*

9 *inserting a semicolon; and*

10 (6) *by adding at the end the following:*

11 “(9) *provide services to address the needs of*

12 *youth and children who are victims of domestic vio-*

13 *lence, dating violence, sexual assault, sex trafficking,*

14 *or stalking and the needs of youth and children ex-*

15 *posed to domestic violence, dating violence, sexual as-*

16 *sault, or stalking, including support for the non-*

17 *abusing parent or the caretaker of the youth or child;*

18 *and*

19 “(10) *develop and promote legislation and poli-*

20 *cies that enhance best practices for responding to vio-*

21 *lent crimes against Indian women, including the*

22 *crimes of domestic violence, dating violence, sexual as-*

23 *sault, sex trafficking, and stalking.”.*

1 **SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.**

2 *Section 2001 of title I of the Omnibus Crime Control*
3 *and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended*
4 *by striking subsection (d) and inserting the following:*

5 “(d) *TRIBAL COALITION GRANTS.*—

6 “(1) *PURPOSE.*—*The Attorney General shall*
7 *award a grant to tribal coalitions for purposes of—*

8 “(A) *increasing awareness of domestic vio-*
9 *lence and sexual assault against Indian women;*

10 “(B) *enhancing the response to violence*
11 *against Indian women at the Federal, State, and*
12 *tribal levels;*

13 “(C) *identifying and providing technical*
14 *assistance to coalition membership and tribal*
15 *communities to enhance access to essential serv-*
16 *ices to Indian women victimized by domestic*
17 *and sexual violence, including sex trafficking;*
18 *and*

19 “(D) *assisting Indian tribes in developing*
20 *and promoting State, local, and tribal legislation*
21 *and policies that enhance best practices for re-*
22 *sponding to violent crimes against Indian*
23 *women, including the crimes of domestic vio-*
24 *lence, dating violence, sexual assault, sex traf-*
25 *ficking, and stalking.*

1 “(2) *GRANTS.*—*The Attorney General shall*
2 *award grants on an annual basis under paragraph*
3 *(1) to—*

4 “(A) *each tribal coalition that—*

5 “(i) *meets the criteria of a tribal coali-*
6 *tion under section 40002(a) of the Violence*
7 *Against Women Act of 1994 (42 U.S.C.*
8 *13925(a));*

9 “(ii) *is recognized by the Office on Vio-*
10 *lence Against Women; and*

11 “(iii) *provides services to Indian*
12 *tribes; and*

13 “(B) *organizations that propose to incor-*
14 *porate and operate a tribal coalition in areas*
15 *where Indian tribes are located but no tribal co-*
16 *alition exists.*

17 “(3) *USE OF AMOUNTS.*—*For each of fiscal years*
18 *2012 through 2016, of the amounts appropriated to*
19 *carry out this subsection—*

20 “(A) *not more than 10 percent shall be*
21 *made available to organizations described in*
22 *paragraph (2)(B), provided that 1 or more orga-*
23 *nizations determined by the Attorney General to*
24 *be qualified apply;*

1 “(B) not less than 90 percent shall be made
2 available to tribal coalitions described in para-
3 graph (2)(A), which amounts shall be distributed
4 equally among each eligible tribal coalition for
5 the applicable fiscal year

6 “(4) *ELIGIBILITY FOR OTHER GRANTS.*—Receipt
7 of an award under this subsection by a tribal coal-
8 ition shall not preclude the tribal coalition from re-
9 ceiving additional grants under this title to carry out
10 the purposes described in paragraph (1).

11 “(5) *MULTIPLE PURPOSE APPLICATIONS.*—Noth-
12 ing in this subsection prohibits any tribal coalition or
13 organization described in paragraph (2) from apply-
14 ing for funding to address sexual assault or domestic
15 violence needs in the same application.”.

16 **SEC. 903. CONSULTATION.**

17 Section 903 of the Violence Against Women and De-
18 partment of Justice Reauthorization Act of 2005 (42 U.S.C.
19 14045d) is amended—

20 (1) in subsection (a)—

21 (A) by striking “and the Violence Against
22 Women Act of 2000” and inserting “, the Vio-
23 lence Against Women Act of 2000”; and

1 (B) by inserting “, and the Violence Against
2 Women Reauthorization Act of 2011” before the
3 period at the end;

4 (2) in subsection (b)—

5 (A) in the matter preceding paragraph (1),
6 by striking “Secretary of the Department of
7 Health and Human Services” and inserting
8 “Secretary of Health and Human Services, the
9 Secretary of the Interior,”; and

10 (B) in paragraph (2), by striking “and
11 stalking” and inserting “stalking, and sex traf-
12 ficking”; and

13 (3) by adding at the end the following:

14 “(c) ANNUAL REPORT.—The Attorney General shall
15 submit to Congress an annual report on the annual con-
16 sultations required under subsection (a) that—

17 “(1) contains the recommendations made under
18 subsection (b) by Indian tribes during the year cov-
19 ered by the report;

20 “(2) describes actions taken during the year cov-
21 ered by the report to respond to recommendations
22 made under subsection (b) during the year or a pre-
23 vious year; and

24 “(3) describes how the Attorney General will
25 work in coordination and collaboration with Indian

1 *tribes, the Secretary of Health and Human Services,*
2 *and the Secretary of the Interior to address the rec-*
3 *ommendations made under subsection (b).*

4 “(d) NOTICE.—Not later than 120 days before the date
5 of a consultation under subsection (a), the Attorney General
6 shall notify tribal leaders of the date, time, and location
7 of the consultation.”.

8 **SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMES-**
9 **TIC VIOLENCE.**

10 *Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.)*
11 *(commonly known as the “Indian Civil Rights Act of*
12 *1968”) is amended by adding at the end the following:*

13 **“SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMES-**
14 **TIC VIOLENCE.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) DATING VIOLENCE.—The term ‘dating vio-

17 *lence’ means violence committed by a person who is*
18 *or has been in a social relationship of a romantic or*
19 *intimate nature with the victim, as determined by the*
20 *length of the relationship, the type of relationship,*
21 *and the frequency of interaction between the persons*
22 *involved in the relationship.*

23 “(2) DOMESTIC VIOLENCE.—The term ‘domestic

24 *violence’ means violence committed by a current or*
25 *former spouse or intimate partner of the victim, by*

1 *a person with whom the victim shares a child in com-*
2 *mon, by a person who is cohabitating with or has*
3 *cohabitated with the victim as a spouse or intimate*
4 *partner, or by a person similarly situated to a spouse*
5 *of the victim under the domestic- or family- violence*
6 *laws of an Indian tribe that has jurisdiction over the*
7 *Indian country where the violence occurs.*

8 *“(3) INDIAN COUNTRY.—The term ‘Indian coun-*
9 *try’ has the meaning given the term in section 1151*
10 *of title 18, United States Code.*

11 *“(4) PARTICIPATING TRIBE.—The term ‘partici-*
12 *parting tribe’ means an Indian tribe that elects to ex-*
13 *ercise special domestic violence criminal jurisdiction*
14 *over the Indian country of that Indian tribe.*

15 *“(5) PROTECTION ORDER.—The term ‘protection*
16 *order’—*

17 *“(A) means any injunction, restraining*
18 *order, or other order issued by a civil or crimi-*
19 *nal court for the purpose of preventing violent or*
20 *threatening acts or harassment against, sexual*
21 *violence against, contact or communication with,*
22 *or physical proximity to, another person; and*

23 *“(B) includes any temporary or final order*
24 *issued by a civil or criminal court, whether ob-*
25 *tained by filing an independent action or as a*

1 *pendent lite order in another proceeding, if the*
2 *civil or criminal order was issued in response to*
3 *a complaint, petition, or motion filed by or on*
4 *behalf of a person seeking protection.*

5 “(6) *SPECIAL DOMESTIC VIOLENCE CRIMINAL JU-*
6 *RISDICTION.—The term ‘special domestic violence*
7 *criminal jurisdiction’ means the criminal jurisdiction*
8 *that a participating tribe may exercise under this sec-*
9 *tion but could not otherwise exercise.*

10 “(7) *SPOUSE OR INTIMATE PARTNER.—The term*
11 *‘spouse or intimate partner’ has the meaning given*
12 *the term in section 2266 of title 18, United States*
13 *Code.*

14 “(b) *NATURE OF THE CRIMINAL JURISDICTION.—*

15 “(1) *IN GENERAL.—Notwithstanding any other*
16 *provision of law, in addition to all powers of self-gov-*
17 *ernment recognized and affirmed by sections 201 and*
18 *203, the powers of self-government of a participating*
19 *tribe include the inherent power of that tribe, which*
20 *is hereby recognized and affirmed, to exercise special*
21 *domestic violence criminal jurisdiction over all per-*
22 *sons.*

23 “(2) *CONCURRENT JURISDICTION.—The exercise*
24 *of special domestic violence criminal jurisdiction by*

1 *a participating tribe shall be concurrent with the ju-*
 2 *risdiction of the United States, of a State, or of both.*

3 “(3) *APPLICABILITY.*—*Nothing in this section—*

4 “(A) *creates or eliminates any Federal or*
 5 *State criminal jurisdiction over Indian country;*

6 “(B) *affects the authority of the United*
 7 *States or any State government that has been*
 8 *delegated authority by the United States to in-*
 9 *vestigate and prosecute a criminal violation in*
 10 *Indian country;*

11 “(C) *shall apply to an Indian tribe in the*
 12 *State of Alaska, except with respect to the*
 13 *Metlakatla Indian Community, Annette Islands*
 14 *Reserve; or*

15 “(D) *shall limit, alter, expand, or diminish*
 16 *the civil or criminal jurisdiction of the State of*
 17 *Alaska or any subdivision of the State of Alaska.*

18 “(c) *CRIMINAL CONDUCT.*—*A participating tribe may*
 19 *exercise special domestic violence criminal jurisdiction over*
 20 *a defendant for criminal conduct that falls into one or more*
 21 *of the following categories:*

22 “(1) *DOMESTIC VIOLENCE AND DATING VIO-*
 23 *LENCE.*—*An act of domestic violence or dating vio-*
 24 *lence that occurs in the Indian country of the partici-*
 25 *pating tribe.*

1 “(2) *VIOLATIONS OF PROTECTION ORDERS.—An*
2 *act that—*

3 “(A) *occurs in the Indian country of the*
4 *participating tribe; and*

5 “(B) *violates the portion of a protection*
6 *order that—*

7 “(i) *prohibits or provides protection*
8 *against violent or threatening acts or har-*
9 *assment against, sexual violence against,*
10 *contact or communication with, or physical*
11 *proximity to, another person;*

12 “(ii) *was issued against the defendant;*

13 “(iii) *is enforceable by the partici-*
14 *pating tribe; and*

15 “(iv) *is consistent with section 2265(b)*
16 *of title 18, United States Code.*

17 “(d) *DISMISSAL OF CERTAIN CASES.—*

18 “(1) *DEFINITION OF VICTIM.—In this subsection*
19 *and with respect to a criminal proceeding in which*
20 *a participating tribe exercises special domestic vio-*
21 *lence criminal jurisdiction based on a criminal viola-*
22 *tion of a protection order, the term ‘victim’ means a*
23 *person specifically protected by a protection order*
24 *that the defendant allegedly violated.*

1 “(2) *NON-INDIAN VICTIMS AND DEFENDANTS.*—
2 *In a criminal proceeding in which a participating*
3 *tribe exercises special domestic violence criminal ju-*
4 *risdiction, the case shall be dismissed if—*

5 “(A) *the defendant files a pretrial motion to*
6 *dismiss on the grounds that the alleged offense*
7 *did not involve an Indian; and*

8 “(B) *the participating tribe fails to prove*
9 *that the defendant or an alleged victim is an In-*
10 *dian.*

11 “(3) *TIES TO INDIAN TRIBE.*—*In a criminal pro-*
12 *ceeding in which a participating tribe exercises spe-*
13 *cial domestic violence criminal jurisdiction, the case*
14 *shall be dismissed if—*

15 “(A) *the defendant files a pretrial motion to*
16 *dismiss on the grounds that the defendant and*
17 *the alleged victim lack sufficient ties to the In-*
18 *dian tribe; and*

19 “(B) *the prosecuting tribe fails to prove that*
20 *the defendant or an alleged victim—*

21 “(i) *resides in the Indian country of*
22 *the participating tribe;*

23 “(ii) *is employed in the Indian coun-*
24 *try of the participating tribe; or*

1 “(iii) is a spouse or intimate partner
2 of a member of the participating tribe.

3 “(4) WAIVER.—A knowing and voluntary failure
4 of a defendant to file a pretrial motion described in
5 paragraph (2) or (3) shall be considered a waiver of
6 the right to seek a dismissal under this subsection.

7 “(e) RIGHTS OF DEFENDANTS.—In a criminal pro-
8 ceeding in which a participating tribe exercises special do-
9 mestic violence criminal jurisdiction, the participating
10 tribe shall provide to the defendant—

11 “(1) all applicable rights under this Act;

12 “(2) if a term of imprisonment of any length is
13 imposed, all rights described in section 202(c); and

14 “(3) all other rights whose protection is nec-
15 essary under the Constitution of the United States in
16 order for Congress to recognize and affirm the inher-
17 ent power of the participating tribe to exercise special
18 domestic violence criminal jurisdiction over the de-
19 fendant.

20 “(f) PETITIONS TO STAY DETENTION.—

21 “(1) IN GENERAL.—A person has filed a petition
22 for a writ of habeas corpus in a court of the United
23 States under section 203 may petition that court to
24 stay further detention of that person by the partici-
25 pating tribe.

1 “(2) *GRANT OF STAY.*—A court shall grant a
2 *stay described in paragraph (1) if the court—*

3 “(A) *finds that there is a substantial likeli-*
4 *hood that the habeas corpus petition will be*
5 *granted; and*

6 “(B) *after giving each alleged victim in the*
7 *matter an opportunity to be heard, finds by*
8 *clear and convincing evidence that under condi-*
9 *tions imposed by the court, the petitioner is not*
10 *likely to flee or pose a danger to any person or*
11 *the community if released.*

12 “(g) *GRANTS TO TRIBAL GOVERNMENTS.*—*The Attor-*
13 *ney General may award grants to the governments of In-*
14 *dian tribes (or to authorized designees of those govern-*
15 *ments)—*

16 “(1) *to strengthen tribal criminal justice systems*
17 *to assist Indian tribes in exercising special domestic*
18 *violence criminal jurisdiction, including—*

19 “(A) *law enforcement (including the capac-*
20 *ity of law enforcement or court personnel to*
21 *enter information into and obtain information*
22 *from national crime information databases);*

23 “(B) *prosecution;*

24 “(C) *trial and appellate courts;*

25 “(D) *probation systems;*

1 “(E) detention and correctional facilities;

2 “(F) alternative rehabilitation centers;

3 “(G) culturally appropriate services and as-
4 sistance for victims and their families; and

5 “(H) criminal codes and rules of criminal
6 procedure, appellate procedure, and evidence;

7 “(2) to provide indigent criminal defendants
8 with the effective assistance of licensed defense coun-
9 sel, at no cost to the defendant, in criminal pro-
10 ceedings in which a participating tribe prosecutes a
11 crime of domestic violence or dating violence or a
12 criminal violation of a protection order;

13 “(3) to ensure that, in criminal proceedings in
14 which a participating tribe exercises special domestic
15 violence criminal jurisdiction, jurors are summoned,
16 selected, and instructed in a manner consistent with
17 all applicable requirements; and

18 “(4) to accord victims of domestic violence, dat-
19 ing violence, and violations of protection orders rights
20 that are similar to the rights of a crime victim de-
21 scribed in section 3771(a) of title 18, United States
22 Code, consistent with tribal law and custom.

23 “(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made
24 available under this section shall supplement and not sup-
25 plant any other Federal, State, tribal, or local government

1 amounts made available to carry out activities described
2 in this section.

3 “(i) *AUTHORIZATION OF APPROPRIATIONS.*—There are
4 authorized to be appropriated \$5,000,000 for each of fiscal
5 years 2012 through 2016 to carry out subsection (g) and
6 to provide training, technical assistance, data collection,
7 and evaluation of the criminal justice systems of partici-
8 pating tribes..”.

9 **SEC. 905. TRIBAL PROTECTION ORDERS.**

10 Section 2265 of title 18, United States Code, is amend-
11 ed by striking subsection (e) and inserting the following:

12 “(e) *TRIBAL COURT JURISDICTION.*—

13 “(1) *IN GENERAL.*—Except as provided in para-
14 graph (2), for purposes of this section, a court of an
15 Indian tribe shall have full civil jurisdiction to issue
16 and enforce protection orders involving any person,
17 including the authority to enforce any orders through
18 civil contempt proceedings, to exclude violators from
19 Indian land, and to use other appropriate mecha-
20 nisms, in matters arising anywhere in the Indian
21 country of the Indian tribe (as defined in section
22 1151) or otherwise within the authority of the Indian
23 tribe.

24 “(2) *APPLICABILITY.*—Paragraph (1)—

1 “(A) shall not apply to an Indian tribe in
2 the State of Alaska, except with respect to the
3 Metlakatla Indian Community, Annette Islands
4 Reserve; and

5 “(B) shall not limit, alter, expand, or di-
6 minish the civil or criminal jurisdiction of the
7 State of Alaska or any subdivision of the State
8 of Alaska.”.

9 **SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STAT-**
10 **UTE.**

11 (a) *IN GENERAL.*—Section 113 of title 18, United
12 States Code, is amended—

13 (1) in subsection (a)—

14 (A) by striking paragraph (1) and inserting
15 the following:

16 “(1) Assault with intent to commit murder or a
17 violation of section 2241 or 2242, by a fine under this
18 title, imprisonment for not more than 20 years, or
19 both.”;

20 (B) in paragraph (2), by striking “felony
21 under chapter 109A” and inserting “violation of
22 section 2241 or 2242”;

23 (C) in paragraph (3) by striking “and
24 without just cause or excuse.”;

1 (D) in paragraph (4), by striking “six
2 months” and inserting “1 year”;

3 (E) in paragraph (7)—

4 (i) by striking “substantial bodily in-
5 jury to an individual who has not attained
6 the age of 16 years” and inserting “substan-
7 tial bodily injury to a spouse or intimate
8 partner, a dating partner, or an individual
9 who has not attained the age of 16 years”;
10 and

11 (ii) by striking “fine” and inserting “a
12 fine”; and

13 (F) by adding at the end the following:

14 “(8) Assault of a spouse, intimate partner, or
15 dating partner by strangling, suffocating, or attempt-
16 ing to strangle or suffocate, by a fine under this title,
17 imprisonment for not more than 10 years, or both.”;
18 and

19 (2) in subsection (b)—

20 (A) by striking “(b) As used in this sub-
21 section—” and inserting the following:

22 “(b) DEFINITIONS.—In this section—”;

23 (B) in paragraph (1)(B), by striking “and”
24 at the end;

1 (C) in paragraph (2), by striking the period
2 at the end and inserting a semicolon; and

3 (D) by adding at the end the following:

4 “(3) the terms ‘dating partner’ and ‘spouse or
5 intimate partner’ have the meanings given those
6 terms in section 2266;

7 “(4) the term ‘strangling’ means intentionally,
8 knowingly, or recklessly impeding the normal breath-
9 ing or circulation of the blood of a person by apply-
10 ing pressure to the throat or neck, regardless of wheth-
11 er that conduct results in any visible injury or wheth-
12 er there is any intent to kill or protractedly injure the
13 victim; and

14 “(5) the term ‘suffocating’ means intentionally,
15 knowingly, or recklessly impeding the normal breath-
16 ing of a person by covering the mouth of the person,
17 the nose of the person, or both, regardless of whether
18 that conduct results in any visible injury or whether
19 there is any intent to kill or protractedly injure the
20 victim.”.

21 (b) INDIAN MAJOR CRIMES.—Section 1153(a) of title
22 18, United States Code, is amended by striking “assault
23 with intent to commit murder, assault with a dangerous
24 weapon, assault resulting in serious bodily injury (as de-

1 *fined in section 1365 of this title)*” and inserting “*a felony*
 2 *assault under section 113*”.

3 (c) *REPEAT OFFENDERS*.—Section 2265A(b)(1)(B) of
 4 *title 18, United States Code, is amended by inserting “or*
 5 *tribal” after “State*”.

6 **SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**
 7 **INDIAN WOMEN.**

8 (a) *IN GENERAL*.—Section 904(a) of the *Violence*
 9 *Against Women and Department of Justice Reauthorization*
 10 *Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—*

11 (1) *in paragraph (1)—*

12 (A) *by striking “The National” and insert-*
 13 *ing “Not later than 2 years after the date of en-*
 14 *actment of the Violence Against Women Reau-*
 15 *thorization Act of 2011, the National”;* and

16 (B) *by inserting “and in Native villages (as*
 17 *defined in section 3 of the Alaska Native Claims*
 18 *Settlement Act (43 U.S.C. 1602))” before the pe-*
 19 *riod at the end;*

20 (2) *in paragraph (2)(A)—*

21 (A) *in clause (iv), by striking “and” at the*
 22 *end;*

23 (B) *in clause (v), by striking the period at*
 24 *the end and inserting “; and”;* and

25 (C) *by adding at the end the following:*

1 “(vi) *sex trafficking.*”;

2 (3) *in paragraph (4), by striking “this Act” and*
3 *inserting “the Violence Against Women Reauthoriza-*
4 *tion Act of 2011”;* and

5 (4) *in paragraph (5), by striking “this section*
6 *\$1,000,000 for each of fiscal years 2007 and 2008”*
7 *and inserting “this subsection \$1,000,000 for each of*
8 *fiscal years 2012 and 2013”.*

9 (b) *AUTHORIZATION OF APPROPRIATIONS.—Section*
10 *905(b)(2) of the Violence Against Women and Department*
11 *of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note)*
12 *is amended by striking “fiscal years 2007 through 2011”*
13 *and inserting “fiscal years 2012 through 2016”.*

14 **SEC. 908. EFFECTIVE DATES; PILOT PROJECT.**

15 (a) *GENERAL EFFECTIVE DATE.—Except as provided*
16 *in section 4 and subsection (b) of this section, the amend-*
17 *ments made by this title shall take effect on the date of en-*
18 *actment of this Act.*

19 (b) *EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIO-*
20 *LENCE CRIMINAL JURISDICTION.—*

21 (1) *IN GENERAL.—Except as provided in para-*
22 *graph (2), subsections (b) through (e) of section 204*
23 *of Public Law 90–284 (as added by section 904) shall*
24 *take effect on the date that is 2 years after the date*
25 *of enactment of this Act.*

1 (2) *PILOT PROJECT.*—

2 (A) *IN GENERAL.*—*At any time during the*
3 *2-year period beginning on the date of enactment*
4 *of this Act, an Indian tribe may ask the Attor-*
5 *ney General to designate the tribe as a partici-*
6 *parting tribe under section 204(a) of Public Law*
7 *90–284 on an accelerated basis.*

8 (B) *PROCEDURE.*—*The Attorney General*
9 *may grant a request under subparagraph (A)*
10 *after coordinating with the Secretary of the Inte-*
11 *rior, consulting with affected Indian tribes, and*
12 *concluding that the criminal justice system of the*
13 *requesting tribe has adequate safeguards in place*
14 *to protect defendants' rights, consistent with sec-*
15 *tion 204 of Public Law 90–284.*

16 (C) *EFFECTIVE DATES FOR PILOT*
17 *PROJECTS.*—*An Indian tribe designated as a*
18 *participating tribe under this paragraph may*
19 *commence exercising special domestic violence*
20 *criminal jurisdiction pursuant to subsections (b)*
21 *through (e) of section 204 of Public Law 90–284*
22 *on a date established by the Attorney General,*
23 *after consultation with that Indian tribe, but in*
24 *no event later than the date that is 2 years after*
25 *the date of enactment of this Act.*

1 **SEC. 909. INDIAN LAW AND ORDER COMMISSION.**

2 (a) *IN GENERAL.*—Section 15(f) of the Indian Law
3 *Enforcement Reform Act (25 U.S.C. 2812(f)) is amended*
4 *by striking “2 years” and inserting “3 years”.*

5 (b) *REPORT.*—The Attorney General, in consultation
6 *with the Attorney General of the State of Alaska, the Com-*
7 *missioner of Public Safety of the State of Alaska, the Alaska*
8 *Federation of Natives and Federally recognized Indian*
9 *tribes in the State of Alaska, shall report to Congress not*
10 *later than one year after enactment of this Act with respect*
11 *to whether the Alaska Rural Justice and Law Enforcement*
12 *Commission established under Section 112(a)(1) of the Con-*
13 *solidated Appropriations Act, 2004 should be continued and*
14 *appropriations authorized for the continued work of the*
15 *commission. The report may contain recommendations for*
16 *legislation with respect to the scope of work and composi-*
17 *tion of the commission.*

18 **TITLE X—OTHER MATTERS**

19 **SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL**
20 **ABUSE.**

21 (a) *SEXUAL ABUSE OF A MINOR OR WARD.*—Section
22 *2243(b) of title 18, United States Code, is amended to read*
23 *as follows:*

24 “(b) *OF A WARD.*—

25 “(1) *OFFENSES.*—

1 “(A) *IN GENERAL.*—*It shall be unlawful for*
2 *any person to knowingly engage, or knowingly*
3 *attempt to engage, in a sexual act with another*
4 *person who is—*

5 “(i) *in official detention or under offi-*
6 *cial supervision or other official control of,*
7 *the United States—*

8 “(I) *during or after arrest;*

9 “(II) *after release pretrial;*

10 “(III) *while on bail, probation,*
11 *supervised release, or parole;*

12 “(IV) *after release following a*
13 *finding of juvenile delinquency; or*

14 “(V) *after release pending any*
15 *further judicial proceedings;*

16 “(ii) *under the professional custodial,*
17 *supervisory, or disciplinary control or au-*
18 *thority of the person engaging or attempt-*
19 *ing to engage in the sexual act; and*

20 “(iii) *at the time of the sexual act—*

21 “(I) *in the special maritime and*
22 *territorial jurisdiction of the United*
23 *States;*

24 “(II) *in a Federal prison, or in*
25 *any prison, institution, or facility in*

1 *which persons are held in custody by*
2 *direction of, or pursuant to a contract*
3 *or agreement with, the United States;*
4 *or*

5 *“(III) under supervision or other*
6 *control by the United States, or by di-*
7 *rection of, or pursuant to a contract or*
8 *agreement with, the United States.*

9 *“(B) SEXUAL CONTACT.—It shall be unlaw-*
10 *ful for any person to knowingly engage in sexual*
11 *contact with, or cause sexual contact by, another*
12 *person, if to do so would violate subparagraph*
13 *(A) had the sexual contact been a sexual act.*

14 *“(2) PENALTIES.—*

15 *“(A) IN GENERAL.—A person that violates*
16 *paragraph (1)(A) shall—*

17 *“(i) be fined under this title, impris-*
18 *oned for not more than 15 years, or both;*
19 *and*

20 *“(ii) if, in the course of committing the*
21 *violation of paragraph (1), the person en-*
22 *gages in conduct that would constitute an*
23 *offense under section 2241 or 2242 if com-*
24 *mitted in the special maritime and terri-*
25 *torial jurisdiction of the United States, be*

1 *subject to the penalties provided for under*
 2 *section 2241 or 2242, respectively.*

3 “(B) *SEXUAL CONTACT.*—*A person that vio-*
 4 *lates paragraph (1)(B) shall be fined under this*
 5 *title, imprisoned for not more than 2 years, or*
 6 *both.”.*

7 (b) *PENALTIES FOR SEXUAL ABUSE.*—

8 (1) *IN GENERAL.*—*Chapter 13 of title 18, United*
 9 *States Code, is amended by adding at the end the fol-*
 10 *lowing:*

11 “§250. *Penalties for sexual abuse*

12 “(a) *OFFENSE.*—*It shall be unlawful for any person,*
 13 *in the course of committing an offense under this chapter*
 14 *or under section 901 of the Fair Housing Act (42 U.S.C.*
 15 *3631) to engage in conduct that would constitute an offense*
 16 *under chapter 109A if committed in the special maritime*
 17 *and territorial jurisdiction of the United States.*

18 “(b) *PENALTIES.*—*A person that violates subsection*
 19 *(a) shall be subject to the penalties under the provision of*
 20 *chapter 109A that would have been violated if the conduct*
 21 *was committed in the special maritime and territorial ju-*
 22 *risdiction of the United States, unless a greater penalty is*
 23 *otherwise authorized by law.”.*

24 (2) *TECHNICAL AND CONFORMING AMEND-*
 25 *MENT.*—*The table of sections for chapter 13 of title*

1 18, *United States Code*, is amended by adding at the
2 end the following:

“250. *Penalties for sexual abuse.*”.

3 **SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.**

4 (a) *SUITS BY PRISONERS.*—Section 7(e) of the *Civil*
5 *Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e))*
6 is amended by inserting before the period at the end the
7 following: “or the commission of a sexual act (as defined
8 in section 2246 of title 18, *United States Code*)”.

9 (b) *UNITED STATES AS DEFENDANT.*—Section
10 1346(b)(2) of title 28, *United States Code*, is amended by
11 inserting before the period at the end the following: “or the
12 commission of a sexual act (as defined in section 2246 of
13 title 18)”.

14 (c) *ADOPTION AND EFFECT OF NATIONAL STAND-*
15 *ARDS.*—Section 8 of the *Prison Rape Elimination Act of*
16 2003 (42 U.S.C. 15607) is amended—

17 (1) by redesignating subsection (c) as subsection
18 (e); and

19 (2) by inserting after subsection (b) the fol-
20 lowing:

21 “(c) *APPLICABILITY TO DETENTION FACILITIES OPER-*
22 *ATED BY THE DEPARTMENT OF HOMELAND SECURITY.*—

23 “(1) *IN GENERAL.*—Not later than 180 days
24 after the date of enactment of the *Violence Against*
25 *Women Reauthorization Act of 2011*, the Secretary of

1 *Homeland Security shall publish a final rule adopt-*
2 *ing national standards for the detection, prevention,*
3 *reduction, and punishment of rape and sexual assault*
4 *in facilities that maintain custody of aliens detained*
5 *for a violation of the immigrations laws of the United*
6 *States.*

7 “(2) *APPLICABILITY.*—*The standards adopted*
8 *under paragraph (1) shall apply to detention facili-*
9 *ties operated by the Department of Homeland Secu-*
10 *rity and to detention facilities operated under con-*
11 *tract with the Department.*

12 “(3) *COMPLIANCE.*—*The Secretary of Homeland*
13 *Security shall—*

14 “(A) *assess compliance with the standards*
15 *adopted under paragraph (1) on a regular basis;*
16 *and*

17 “(B) *include the results of the assessments*
18 *in performance evaluations of facilities com-*
19 *pleted by the Department of Homeland Security.*

20 “(4) *CONSIDERATIONS.*—*In adopting standards*
21 *under paragraph (1), the Secretary of Homeland Se-*
22 *curity shall give due consideration to the rec-*
23 *ommended national standards provided by the Com-*
24 *mission under section 7(e).*

1 “(5) *DEFINITION.*—*As used in this section, the*
2 *term ‘detention facilities operated under contract with*
3 *the Department’ includes, but is not limited to con-*
4 *tract detention facilities and detention facilities oper-*
5 *ated through an intergovernmental service agreement*
6 *with the Department of Homeland Security.*

7 “(d) *APPLICABILITY TO CUSTODIAL FACILITIES OPER-*
8 *ATED BY THE DEPARTMENT OF HEALTH AND HUMAN*
9 *SERVICES.*—

10 “(1) *IN GENERAL.*—*Not later than 180 days*
11 *after the date of enactment of the Violence Against*
12 *Women Reauthorization Act of 2011, the Secretary of*
13 *Health and Human Services shall publish a final rule*
14 *adopting national standards for the detection, preven-*
15 *tion, reduction, and punishment of rape and sexual*
16 *assault in facilities that maintain custody of unac-*
17 *companied alien children (as defined in section*
18 *462(g) of the Homeland Security Act of 2002 (6*
19 *U.S.C. 279(g))).*

20 “(2) *APPLICABILITY.*—*The standards adopted*
21 *under paragraph (1) shall apply to facilities operated*
22 *by the Department of Health and Human Services*
23 *and to facilities operated under contract with the De-*
24 *partment.*

1 “(3) *COMPLIANCE.*—*The Secretary of Health and*
2 *Human Services shall—*

3 “(A) *assess compliance with the standards*
4 *adopted under paragraph (1) on a regular basis;*
5 *and*

6 “(B) *include the results of the assessments*
7 *in performance evaluations of facilities com-*
8 *pleted by the Department of Health and Human*
9 *Services.*

10 “(4) *CONSIDERATIONS.*—*In adopting standards*
11 *under paragraph (1), the Secretary of Health and*
12 *Human Services shall give due consideration to the*
13 *recommended national standards provided by the*
14 *Commission under section 7(e).”.*

15 **SEC. 1003. ANONYMOUS ONLINE HARASSMENT.**

16 *Section 223(a)(1) of the Telecommunications Act of*
17 *1934 (47 U.S.C. 223(a)(1)) is amended—*

18 (1) *in subparagraph (A), in the undesignated*
19 *matter following clause (ii), by striking “annoy,”;*

20 (2) *in subparagraph (C)—*

21 (A) *by striking “annoy,”; and*

22 (B) *by striking “harass any person at the*
23 *called number or who receives the communica-*
24 *tion” and inserting “harass any specific per-*
25 *son”;* *and*

1 (3) in subparagraph (E), by striking “harass
2 any person at the called number or who receives the
3 communication” and inserting “harass any specific
4 person”.

5 **SEC. 1004. STALKER DATABASE.**

6 Section 40603 of the Violence Against Women Act of
7 1994 (42 U.S.C. 14032) is amended by striking
8 “\$3,000,000” and all that follows and inserting
9 “\$3,000,000 for fiscal years 2012 through 2016.”.

10 **SEC. 1005. FEDERAL VICTIM ASSISTANTS REAUTHORIZA-**
11 **TION.**

12 Section 40114 of the Violence Against Women Act of
13 1994 (Public Law 103–322; 108 Stat. 1910) is amended
14 by striking “fiscal years 2007 through 2011” and inserting
15 “fiscal years 2012 through 2016”.

16 **SEC. 1006. CHILD ABUSE TRAINING PROGRAMS FOR JUDI-**
17 **CIAL PERSONNEL AND PRACTITIONERS RE-**
18 **AUTHORIZATION.**

19 Subtitle C of the Victims of Child Abuse Act of 1990
20 (42 U.S.C. 13024) is amended in subsection (a) by striking
21 “\$2,300,000” and all that follows and inserting
22 “\$2,300,000 for each of fiscal years 2012 through 2016.”.

23 **SEC. 1007. MANDATORY MINIMUM SENTENCE.**

24 Section 2241(a) of title 18, United States Code, is
25 amended in the undesignated matter following paragraph

1 (2), by striking “any term of years or life” and inserting
2 “not less than 5 years or imprisoned for life”.

3 **SEC. 1008. REMOVAL OF DRUNK DRIVERS.**

4 (a) *IN GENERAL.*—Section 101(a)(43)(F) of the Immi-
5 gration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is
6 amended by striking “for which the term of imprisonment”
7 and inserting “, including a third drunk driving convic-
8 tion, regardless of the States in which the convictions oc-
9 curred or whether the offenses are classified as mis-
10 demeanors or felonies under State or Federal law, for which
11 the term of imprisonment is”.

12 (b) *EFFECTIVE DATE.*—The amendment made by sub-
13 section (a) shall—

14 (1) take effect on the date of the enactment of
15 this Act; and

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A BILL

To reauthorize the Violence Against Women Act of
1994.

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