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**VIOLENCE AGAINST WOMEN ACT REAUTHORIZATION ACT OF 2022**  
**Division W of Public Law No: 117-103; 136 Stat. 49 (March 15, 2022)**

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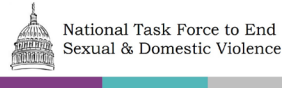
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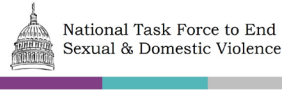
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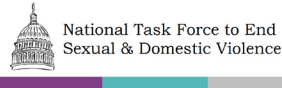
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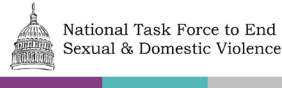
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## SEC. 2. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

### 34 U.S.C. § 12291 (Definitions and grant conditions)

(a) **Definitions.**— In this title, for the purpose of grants authorized under this title:

(1) ABUSE IN LATER LIFE.—The term “abuse in later life”—

(A) means—

(i) neglect, abandonment, economic abuse, or willful harm of an adult aged 50 or older by an individual in an ongoing relationship of trust with the victim; or

(ii) domestic violence, dating violence, sexual assault, or stalking of an adult aged 50 or older by any individual; and

(B) does not include self-neglect.

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

(3) CHILD ABUSE AND NEGLECT.—The term “child abuse and neglect” means any recent act or failure to act on the part of a parent or caregiver with intent to cause death, serious physical or emotional harm, sexual abuse, or exploitation, or an act or failure to act which presents an imminent risk of serious harm to an unemancipated minor. This definition shall not be construed to mean that failure to leave an abusive relationship, in the absence of other action constituting abuse or neglect, is itself abuse or neglect.

(4) ~~(5)~~ CHILD MALTREATMENT. – The term “child maltreatment” means the physical or psychological abuse or neglect of a child or youth, including sexual assault and abuse.

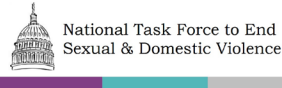
(5) ~~(4)~~ COMMUNITY-BASED ORGANIZATION.— The term “community-based organization” means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—

(A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking;

(B) has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;

(C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; or

(D) obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration.



(6) COURT-BASED PERSONNEL; COURT-RELATED PERSONNEL.— The terms “court-based personnel” and “court-related personnel” mean individuals working in the court, whether paid or volunteer, including—

(A) clerks, special masters, domestic relations officers, administrators, mediators, custody evaluators, guardians ad litem, lawyers, negotiators, probation, parole, interpreters, victim assistants, victim advocates, and judicial, administrative, or any other professionals or personnel similarly involved in the legal process;

(B) court security personnel;

(C) personnel working in related, supplementary offices or programs (such as child support enforcement); and

(D) any other court-based or community-based personnel having responsibilities or authority to address domestic violence, dating violence, sexual assault, or stalking in the court system.

(7) ~~(2)~~ COURTS.— The term “courts” means any civil or criminal, tribal, and Alaska Native Village, Federal, State, local or territorial court having jurisdiction to address domestic violence, dating violence, sexual assault or stalking, including immigration, family, juvenile, and dependency courts, and the judicial officers serving in those courts, including judges, magistrate judges, commissioners, justices of the peace, or any other person with decision-making authority.

(8) ~~(6)~~ CULTURALLY SPECIFIC SERVICES.— The term “culturally specific services” means community-based services that offer culturally relevant and linguistically specific services and resources to culturally specific communities.

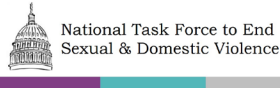
(9) ~~(7)~~ CULTURALLY SPECIFIC. – The term “culturally specific” means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300-u-6(g)).

(10) ~~(9)~~ DATING PARTNER.— The term “dating partner” refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, and where the existence of such a relationship shall be determined based on a consideration of the following factors—

(A) the length of the relationship;

(B) the type of relationship;

(C) the frequency of interaction between the persons involved in the relationship



(11) ~~(10)~~ DATING VIOLENCE.— The term “dating violence” means violence committed by a

(12) ~~(8)~~ DOMESTIC VIOLENCE. – The term “domestic violence” includes felony or misdemeanor crimes ~~of violence~~ committed by a current or former spouse or intimate partner of the victim, ~~by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any person against an adult or youth victim who is protected from that persons acts under the domestic or family violence laws of the jurisdiction.~~ under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse, or sexual abuse or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who—

(A) is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;

(B) is cohabiting with or has cohabited with the victim as a spouse or intimate partner;

(C) shares a child in common with the victim;

(D) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

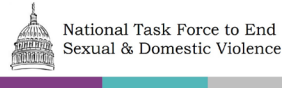
(13) ECONOMIC ABUSE.—The term "economic abuse," in the context of domestic violence, dating violence, and abuse in later life, means behavior that is coercive, deceptive, or unreasonably controls or restrains a person’s ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to—

(A) restrict a person’s access to money, assets, credit, or financial information;

(B) unfairly use a person’s personal economic resources, including money, assets, and credit, for one’s own advantage; or

(C) exert undue influence over a person’s financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

(14) ~~(11)~~ ELDER ABUSE.— The term “elder abuse” means any action against a person who is 50 years of age or older that constitutes the willful—



(A) infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or

(B) deprivation by a person, including a caregiver, of goods or services with intent to cause physical harm, mental anguish, or mental illness.

(15) FEMALE GENITAL MUTILATION OR CUTTING.— The term ‘female genital mutilation or cutting’ has the meaning given such term in section 116 of title 18, United States Code.

(16) FORCED MARRIAGE. –The term “forced marriage” means a marriage to which one or both parties do not or cannot consent, and in which one or more elements of force, fraud, or coercion is present. Forced marriage can be both a cause and a consequence of domestic violence, dating violence, sexual assault or stalking.

(17) ~~(12)~~ HOMELESS.— The term “homeless” has the meaning ~~provided in section 12473(6) of this title given such term in section 41403.~~

(18) ~~(13)~~ INDIAN.— The term “Indian” means a member of an Indian tribe.

(19) ~~(14)~~ INDIAN COUNTRY.— The term “Indian country” has the same meaning given such term in section 1151 of title 18.

(20) ~~(15)~~ INDIAN HOUSING.— The term “Indian housing” means housing assistance described in the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq., as amended).

(21) ~~(17)~~ INDIAN LAW ENFORCEMENT.— The term “Indian law enforcement” means the departments or individuals under the direction of the Indian tribe that maintain public order.

(22) ~~(16)~~ INDIAN TRIBE; INDIAN TRIBE.— The terms “Indian tribe” and “Indian Tribe” means a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(23) ~~(18)~~ LAW ENFORCEMENT.— The term “law enforcement” means a public agency charged with policing functions, including any of its component bureaus (such as governmental victim services programs or Village Public Safety Officers), including those referred to in section 2802 of title 25.





## (24) (19) LEGAL ASSISTANCE.—

(A) Definition.—The term “legal assistance” ~~includes~~ means assistance provided by or under the direct supervision of a person described in subparagraph (B) to an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking relating to a matter described in subparagraph (C).

(B) Person described.—A person described in this subparagraph is—

(i) a licensed attorney;

(ii) in immigration proceedings, a Board of Immigration Appeals accredited representative;

(iii) in claims of the Department of Veterans Affairs, a representative authorized by the Secretary of Veterans Affairs; or

(iv) any person who functions as an attorney or lay advocate in tribal court;

(C) Matter described.—A matter described in this subparagraph is a matter related to—

(i) ~~family divorce, parental rights, child support,~~ Tribal, territorial, immigration, employment, administrative agency, housing ~~matters,~~ campus ~~administrative,~~ education, healthcare, privacy, contract, consumer, civil rights, ~~or protection or stay-away order or other injunctive~~ proceedings, ~~related enforcement proceedings,~~ ~~and~~ other similar matters; ~~and~~

(ii) criminal justice investigations, prosecutions and post-~~trial conviction~~ matters (including sentencing, parole, probation) that impact the victim’s safety ~~and~~ privacy ~~or other interests as a victim;~~

(iii) alternative dispute resolution, restorative practices, or other processes intended to promote victim safety, privacy, and autonomy, and offender accountability, regardless of court involvement; or

(iv) with respect to a conviction of a victim relating to or arising from domestic violence, dating violence, sexual assault, stalking, or sex trafficking victimization of the victim, post-conviction relief proceedings in State, local, Tribal, or territorial court.

(D) Intake or referral.—For purposes of this paragraph, intake or referral, by itself, does not constitute legal assistance.

## (25) (20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.— The term “personally identifying information” or “personal information”



means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

- (A) a first and last name;
- (B) a home or other physical address;
- (C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
- (D) a social security number, driver license number, passport number, or student identification number; and
- (E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

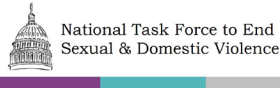
**(26) ~~(21)~~ POPULATION SPECIFIC ORGANIZATION.**— The term “population specific organization” means a non-profit, non-governmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

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

**(28) ~~(23)~~ PROSECUTION.**— The term “prosecution” means any public agency charged with direct responsibility for prosecuting criminal offenders, including such agency’s component bureaus (such as governmental victim assistance programs).

**(29) ~~(24)~~ PROTECTION ORDER OR RESTRAINING ORDER.**— The term “protection order” or “restraining order” includes—

- (A) any injunction, restraining order, or any other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence or contact or communication with or physical proximity to, another person, including any temporary or final orders issued by civil or criminal courts whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection; and



(B) any support, child custody or visitation provisions, orders, remedies, or relief issued as part of a protection order, restraining order, or stay away injunction pursuant to State, tribal, territorial, or local law authorizing the issuance of protection orders, restraining orders, or injunctions for the protection of victims of domestic violence, dating violence, sexual assault, or stalking.

(30) ~~(25)~~ RAPE CRISIS CENTER.— The term “rape crisis center” means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. § 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.

(31) RESTORATIVE PRACTICE.—The term “restorative practice” means a practice relating to a specific harm that—

(A) is community-based and unaffiliated with any civil or criminal process;

(B) is initiated by a victim of the harm;

(C) involves, on voluntary basis and without any evidence of coercion or intimidation of any victim of the harm by any individual who committed the harm or anyone associated with any such individual—

(i) 1 or more individuals who committed the harm;

(ii) 1 or more victims of the harm; and

(iii) the community affected by the harm through 1 or more representatives of the community;

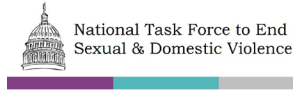
(D) shall include and has the goal of—

(i) collectively seeking accountability from 1 or more individuals who committed the harm;

(ii) developing a written process whereby 1 or more individuals who committed the harm will take responsibility for the actions that caused harm to 1 or more victim of the harm; and

(iii) developing a written course of action plan—

(I) that is responsive to the needs of 1 or more victims of the harm;  
and



(II) upon which 1 or more victims, 1 or more individuals who committed the harm, and the community can agree; and

(E) is conducted in a victim services framework that protects the safety and supports the autonomy of 1 or more victims of the harm and the community.

(32) ~~(26)~~ RURAL AREA AND RURAL COMMUNITY.— The terms “rural area” and “rural community” mean—

(A) any area or community, respectively, no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget;

(B) any area or community, respectively, that is—  
 (i) within an area designated as a metropolitan statistical area or considered as part of a metropolitan statistical area; and  
 (ii) located in a rural census tract; or

(C) any federally-recognized Indian tribe.

(33) ~~(27)~~ RURAL STATE.— The term “rural State” means a State that has a population density of 57 or fewer persons per square mile or a State in which the largest county has fewer than 250,000 people, based on the most recent decennial census.

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

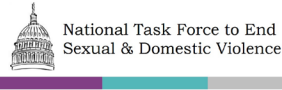
(35) ~~(29)~~ SEXUAL ASSAULT.— The term “sexual assault” means any non-consensual sexual act proscribed by Federal, Tribal or State law, including when the victim lacks capacity to consent.

(36) ~~(30)~~ STALKING.— The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) fear for his or her safety or the safety of others; or  
 (B) suffer substantial emotional distress.

(37) ~~(31)~~ STATE.— The term “State” means each of the several States and the District of Columbia, and except as otherwise provided, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

(38) ~~(32)~~ STATE DOMESTIC VIOLENCE COALITION.— The term “State domestic violence coalition” means a program determined by the Administration for Children and Families under the Family Violence Prevention and Services Act (42 U.S.C. 10410 (b)).



(39) ~~(33)~~ STATE SEXUAL ASSAULT COALITION.— The term “State sexual assault coalition” means a program determined by the Center for Injury Prevention and Control of the Centers for Disease Control and Prevention under the Public Health Service Act (42 U.S.C. 280b et seq.).

(40) TECHNOLOGICAL ABUSE.—The term “technological abuse” means an act or pattern of behavior that occurs within domestic violence, sexual assault, dating violence or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of information technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.

(41) ~~(34)~~ TERRITORIAL DOMESTIC VIOLENCE OR SEXUAL ASSAULT COALITION.— The term “territorial domestic violence or sexual assault coalition” means a program addressing domestic or sexual violence that is—

(A) an established nonprofit, nongovernmental territorial coalition addressing domestic violence or sexual assault within the territory; or

(B) a nongovernmental organization with a demonstrated history of addressing domestic violence or sexual assault within the territory that proposes to incorporate as a nonprofit, nongovernmental territorial coalition.

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

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

(B) is comprised of board and general members that are representative of—  
(i) the member service providers described in subparagraph (A); and  
(ii) the tribal communities in which the services are being provided.

(43) ~~(36)~~ TRIBAL GOVERNMENT.— The term “tribal government” means—

(A) the governing body of an Indian tribe; or

(B) a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et



seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

**(44) (37) TRIBAL NONPROFIT ORGANIZATION.**— The term “tribal nonprofit organization” means—

(A) a victim services provider that has as its primary purpose to assist Native victims of domestic violence, dating violence, sexual assault, or stalking; and

(B) staff and leadership of the organization must include persons with a demonstrated history of assisting American Indian or Alaska Native victims of domestic violence, dating violence, sexual assault, or stalking.

**(45) (38) TRIBAL ORGANIZATION.**— The term “tribal organization” means—

(A) the governing body of any Indian tribe;

(B) any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body of a tribe or tribes to be served, or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities; or

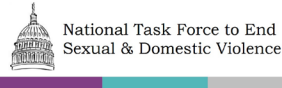
(C) any tribal nonprofit organization.

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

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

**(48) (41) VICTIM ADVOCATE.**— The term “victim advocate” means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a victim services program.

**(49) (42) VICTIM ASSISTANT.**— The term “victim assistant” means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a court or a law enforcement or prosecution agency.



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

(51) ~~(44)~~ VICTIM SERVICES OR SERVICES. — The terms “victim services” and “services” means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal assistance and legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

(52) ~~(45)~~ YOUTH.— The term “youth” means a person who is 11 to 24 years old.

### 34 U.S.C. § 12291 (Definitions and grant conditions)

#### (b) Grant Conditions.—

(1) MATCH. No matching funds shall be required for any grant or subgrant made under this Act for —

- (A) any tribe, territory, or victim service provider; or
- (B) any other entity, including a State, that—

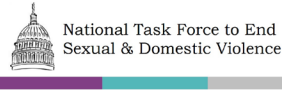
- (i) petitions for a waiver of any match condition imposed by the Attorney General or the Secretaries of Health and Human Services or Housing and Urban Development; and

- (ii) whose petition for waiver is determined by the Attorney General or the Secretaries of Health and Human Services or Housing and Urban Development to have adequately demonstrated the financial need of the petitioning entity.

#### (2) NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE INFORMATION

(A) IN GENERAL. In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, grantees and subgrantees under this title shall protect the confidentiality and privacy of persons receiving services.

(B) NONDISCLOSURE. Subject to subparagraphs (C) and (D), grantees and subgrantees shall not—



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

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

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

(C) RELEASE. If release of information described in subparagraph (B) is compelled by statutory or court mandate

(i) grantees and subgrantees shall make reasonable attempts to provide notice to victims affected by the disclosure of information; and

(ii) grantees and subgrantees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

(D) INFORMATION SHARING.

(i) Grantees and subgrantees may share—

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

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

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

(ii) In no circumstances may—





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

(II) any personally-identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.

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

(F) OVERSIGHT. Nothing in this paragraph shall prevent the Attorney General from disclosing grant activities authorized in this Act to the chairman and ranking members of the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate exercising Congressional oversight authority. All disclosures shall protect confidentiality and omit personally identifying information, including location information about individuals.

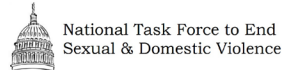
(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES. Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.

(H) DEATH OF THE PARTY WHOSE PRIVACY HAD BEEN PROTECTED.—In the event of the death of any victim whose confidentiality and privacy is required to be protected under this subsection, grantees and subgrantees may share personally identifying information or individual information that is collected about deceased victims being sought for a fatality review to the extent permitted by their jurisdiction’s law and only if the following conditions are met:

(i) The underlying objectives of the fatality review are to prevent future deaths, enhance victim safety, and increase offender accountability.

(ii) The fatality review includes policies and protocols to protect identifying information, including identifying information about the victim’s children, from further release outside the fatality review team.

(iii) The grantee or subgrantee makes a reasonable effort to get a release from the victim’s personal representative (if one has been appointed) and from any surviving minor children or the guardian of such children (but not if the guardian is the abuser of the deceased parent), if the children are not capable of knowingly consenting.



(iv) The information released is limited to that which is necessary for the purposes of the fatality review.

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

(A) the confidentiality and privacy requirements of this title are maintained, and

(B) personally identifying information about adult, youth, and child victims of domestic violence, dating violence, sexual assault and stalking is not requested or included in any such collaboration or information-sharing.

(4) NON-SUPPLANTATION. Any Federal funds received under this title shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities under this title.

(5) USE OF FUNDS. Funds authorized and appropriated under this title may be used only for the specific purposes described in this title and shall remain available until expended.

(6) REPORTS. An entity receiving a grant under this title shall submit to the disbursing agency a report detailing the activities undertaken with the grant funds, including and providing additional information as the agency shall require.

(7) EVALUATION. Federal agencies disbursing funds under this title shall set aside up to 3 percent of such funds in order to conduct—

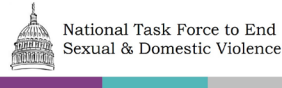
(A) evaluations of specific programs or projects funded by the disbursing agency under this title or related research; or

(B) evaluations of promising practices or problems emerging in the field or related research, in order to inform the agency or agencies as to which programs or projects are likely to be effective or responsive to needs in the field.

Final reports of such evaluations shall be made available to the public via the agency's website.

(8) NONEXCLUSIVITY. Nothing in this title shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under this title.

(9) PROHIBITION ON TORT LITIGATION. Funds appropriated for the grant program under this title may not be used to fund civil representation in a lawsuit based on a tort claim. This



paragraph should not be construed as a prohibition on providing assistance to obtain restitution in a protection order or criminal case.

(10) PROHIBITION ON LOBBYING. Any funds appropriated for the grant program shall be subject to the prohibition in section 1913 of Title 18, relating to lobbying with appropriated moneys.

(11) TECHNICAL ASSISTANCE.—

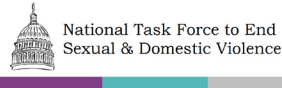
(A) In general.—Of the total amounts appropriated under this subchapter, not less than 3 percent and up to 8 percent, unless otherwise noted, shall be available for providing training and technical assistance relating to the purposes of this subchapter to improve the capacity of the grantees, subgrantees, and other entities. If there is a demonstrated history that the Office on Violence Against Women has previously set aside amounts greater than 8 percent for technical assistance and training relating to grant programs authorized under this subchapter, the Office has the authority to continue setting aside amounts greater than 8 percent.

(B) Requirement.—The Office on Violence Against Women shall make all technical assistance available as broadly as possible to any appropriate grantees, subgrantees, potential grantees, or other entities without regard to whether the entity has received funding from the Office on Violence Against Women for a particular program or project, with priority given to recipients awarded a grant before the date of enactment of the Violence Against Women Act Reauthorization Act of 2022.

(12) DELIVERY OF LEGAL ASSISTANCE.— Any grantee or subgrantee providing legal assistance with funds awarded under this Title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. § 10441 6(d)).

(13) CIVIL RIGHTS.—

(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of Title 18, United States Code), sexual orientation, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any programs or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.



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

(C) DISCRIMINATION. —The authority of the Attorney General and Office of Justice Programs to enforce this paragraph shall be the same as it is under

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

(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.— Victim services and legal assistance provided under this title also include services and assistance to—

(A) victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

(B) adult survivors of child sexual abuse; and

(C) victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of female genital mutilation or cutting, or forced marriage.

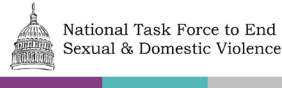
(15) CONFERRAL.—

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

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

- (i) the administration of grants;
- (ii) unmet needs;
- (iii) promising practices in the field; and
- (iv) emerging trends.

(C) INITIAL CONFERRAL.— The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2013.



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

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

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

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

(A) AUDIT REQUIREMENT.—

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

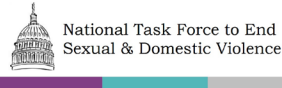
(ii) DEFINITION.—In this paragraph, the term unresolved audit finding means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved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

(iii) ~~MANDATORY EXCLUSION TECHNICAL ASSISTANCE~~.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall ~~not~~ be eligible to receive ~~grant funds under this Act prompt, individualized technical assistance to resolve the audit finding and to prevent future findings, during-for a period not to exceed~~ the following 2 fiscal years.

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

(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

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



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

(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

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

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

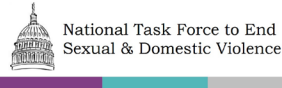
(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose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

(C) CONFERENCE EXPENDITURES.—

(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that use more than ~~\$20,000-\$100,000~~ in Department funds, unless the Director or Principal Deputy Director of the Office on Violence Against Women, the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

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

(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the



Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

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

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

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

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

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

(16) INNOVATION FUND.—Of the amounts appropriated to carry out this title, not more than 1 percent shall be made available for pilot projects, demonstration projects, and special initiatives designed to improve Federal, State, local, Tribal, and other community responses to gender-based violence.

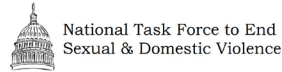
[(b) Definitions and grant conditions.—Section 40002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291) shall apply to this Act and any grant program authorized under this Act.]

### **SEC. 3. AGENCY AND DEPARTMENT COORDINATION.**

Each head of an Executive department (as defined in section 101 of title 5, United States Code) responsible for carrying out a program under this Act, the Violence Against Women Act of 1994 (title IV of Public Law 103– 322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), or the Violence Against Women Reauthorization Act of 2013 (Public Law 113– 4; 127 Stat. 54) may coordinate and collaborate on the prevention of domestic violence, dating violence, sexual assault, and stalking, including sharing best practices and efficient use of resources and technology for victims and those seeking assistance from the Federal Government.

### **SEC. 4. EFFECTIVE DATE.**

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act shall not take effect until October 1 of the first fiscal year beginning after the date of enactment of this Act.



(b) EFFECTIVE ON DATE OF ENACTMENT.—Sections 106, 107, 304, 606, 803, and 1306 and any amendments made by such sections shall take effect on the date of enactment of this Act.

**SEC. 5. SENSE OF CONGRESS.**

It is the sense of Congress—

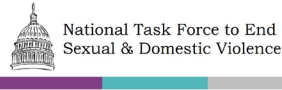
(1) that sex trafficking victims experience sexual violence and assault; and

(2) that Federal recognition of their recovery is important.

**SEC. 6. SEVERABILITY.**

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act and the amendments made by this Act, and the application of the provisions or amendment to any other person or circumstance, shall not be affected.





## TITLE I — ENHANCING LEGAL TOOLS TO COMBAT DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

### SEC. 101. STOP GRANTS.

#### Amend 34 U.S.C. § 10441 (Purpose of program and grants) to read as follows:

(a) General program purpose.— The purpose of this subchapter is to assist States, State and local courts (including juvenile courts), Indian tribal governments, tribal courts, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women.

(b) Purposes for which grants may be used.— Grants under this subchapter shall provide personnel, training, technical assistance, data collection and other resources for the more widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women, for the protection and safety of victims, and specifically, for the purposes of—

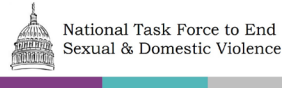
(1) training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a) of the Immigration and Nationality act (8 U.S.C. 1101(a));

(2) developing, training, or expanding units of law enforcement officers, judges, and other court personnel, and prosecutors specifically targeting violent crimes against women, including the crimes of regarding domestic violence, dating violence, sexual assault, and stalking;

(3) developing and implementing more effective police, court, and prosecution policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims, including implementation of the grant conditions in section 40002(b) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(b));

(4) developing, installing, or expanding data collection and communication systems, including computerized systems, linking police, prosecutors, and courts for the purpose of identifying, classifying, and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions for violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking;

(5) developing, enlarging, or strengthening victim services and legal assistance programs, including sexual assault, domestic violence, dating violence, and stalking programs,



developing or improving delivery of victim services and legal assistance to underserved populations, providing specialized domestic violence court advocates in courts where a significant number of protection orders are granted, and increasing reporting and reducing attrition rates for cases involving violent crimes against women, including crimes of domestic violence, dating violence, sexual assault, and stalking;

(6) developing, enlarging, or strengthening programs addressing the needs and circumstances of Indian tribes in dealing with violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault and stalking;

(7) supporting formal and informal statewide, multidisciplinary efforts, to the extent not supported by State funds, to coordinate the response of State law enforcement agencies, prosecutors, courts, victim services agencies, and other State agencies and departments, to violent crimes against women, including the crimes of sexual assault, domestic violence, dating violence, and stalking;

(8) training of sexual assault forensic medical personnel examiners in the collection and preservation of evidence, analysis, prevention, and providing expert testimony and treatment of trauma related to sexual assault;

(9) developing, enlarging, or strengthening programs to assist law enforcement, prosecutors, courts, and others to address the needs and circumstances of ~~older and disabled women~~ individuals 50 years of age or over, individuals with disabilities, and Deaf individuals who are victims of domestic violence, dating violence, sexual assault, or stalking, including recognizing, investigating, and prosecuting instances of such violence or assault and targeting outreach and support, counseling, legal assistance, and other victim services to such ~~older and disabled~~ individuals;

(10) providing assistance to victims of domestic violence and sexual assault in immigration matters;

(11) maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families including rehabilitative work with offenders;

(12) supporting the placement of special victim assistants (to be known as “Jessica Gonzales Victim Assistants”) in local law enforcement agencies to serve as liaisons between victims of domestic violence, dating violence, sexual assault, and stalking and personnel in local law enforcement agencies in order to improve the enforcement of protection orders. Jessica Gonzales Victim Assistants shall have expertise in domestic violence, dating violence, sexual assault, or stalking and may undertake the following activities—

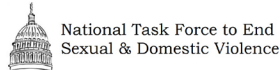
(A) developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies,



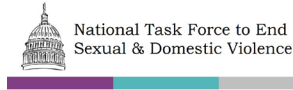
- including the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases;
- (B) notifying persons seeking enforcement of protection orders as to what responses will be provided by the relevant law enforcement agency;
- (C) referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services); and
- (D) taking other appropriate action to assist or secure the safety of the person seeking enforcement of a protection order;
- (13) providing funding to law enforcement agencies, victim services providers, and State, tribal, territorial, and local governments (which funding stream shall be known as the Crystal Judson Domestic Violence Protocol Program) to promote—
- (A) the development and implementation of training for local victim domestic violence service providers, and to fund victim services personnel, to be known as “Crystal Judson Victim Advocates,” to provide supportive services and advocacy for victims of domestic violence committed by law enforcement personnel;
- (B) the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies (such as the model policy promulgated by the International Association of Chiefs of Police (“Domestic Violence by Police Officers: A Policy of the IACP, Police Response to Violence Against Women Project” July 2003));
- (C) the development of such protocols in collaboration with State, tribal, territorial and local victim service providers and domestic violence coalitions.

Any law enforcement, State, tribal, territorial, or local government agency receiving funding under the Crystal Judson Domestic Violence Protocol Program under paragraph (13) shall on an annual basis, receive additional training on the topic of incidents of domestic violence committed by law enforcement personnel from domestic violence and sexual assault nonprofit organizations and, after a period of 2 years, provide report of the adopted protocol to the Department of Justice, including a summary of progress in implementing such protocol;

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



- 
- (15) developing, implementing, or enhancing Sexual Assault Response Teams or other similar coordinated community responses to sexual assault;
- (16) developing and strengthening policies, protocols, and training for law enforcement and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;
- (17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;
- (18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols for responding to and addressing such backlogs including policies and protocols for notifying and involving victims;
- (19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; ~~and~~
- (20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, or female genital mutilation or cutting; with not more than 5 percent of the amount allocated to a State to be used for this purpose;
- (21) developing, enhancing, or strengthening programs and projects to improve evidence collection methods for victims of domestic violence, dating violence, sexual assault, or stalking, including through funding for technology that better detects bruising and injuries across skin tones and related training;
- (22) developing, enlarging, or strengthening culturally specific victim services programs to provide culturally specific victim services and responses to female genital mutilation or cutting;
- (23) providing victim advocates in State or local law enforcement agencies, prosecutors' offices, and courts and providing supportive services and advocacy to Indian victims of domestic violence, dating violence, sexual assault, and stalking;
- (24) paying any fees charged by any governmental authority for furnishing a victim or the child of a victim with any of the following documents:
- (A) A birth certificate or passport of the individual, as required by law.
  - (B) An identification card issued to the person by a State or Tribe, that shows that the person is a resident of the State or member of the Tribe.



(c) State coalition grants

(1) Purpose.—The Attorney General shall award grants to each State domestic violence coalition and sexual assault coalition for the purposes of coordinating State victim services activities, and collaborating and coordinating with Federal, State, and local entities engaged in violence against women activities.

(2) Grants to State coalitions.—The Attorney General shall award grants to—

(A) each State domestic violence coalition, as determined by the Secretary of Health and Human Services under section 10411 of title 42; and

(B) each State sexual assault coalition, as determined by the Center for Injury Prevention and Control of the Centers for Disease Control and Prevention under the Public Health Service Act (42 U.S.C. 280b et seq.).

(3) Eligibility for other grants.—Receipt of an award under this subsection by each State domestic violence and sexual assault coalition shall not preclude the coalition from receiving additional grants under this part to carry out the purposes described in subsection (b).

(d) Tribal coalition grants

(1) Purpose. The Attorney General shall award a grant to tribal coalitions for purposes of—

(A) increasing awareness of domestic violence and sexual assault against Indian women;

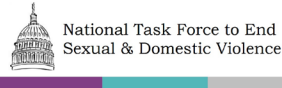
(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian victimized by domestic and sexual violence, including sex trafficking; and

(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

(2) Grants.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

(A) each tribal coalition that—



- (i) meets the criteria of a tribal coalition under section 12291(a) of this title;
- (ii) is recognized by the Office on Violence Against Women; and
- (iii) provides services to Indian tribes; and

(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

(3) Use of amounts.—For each of fiscal years ~~2014 through 2018~~ 2023 through 2027, of the amounts appropriated to carry out this subsection—

(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year.

(4) Eligibility for other grants.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this chapter to carry out the purposes described in paragraph (1).

(5) Multiple purpose applications.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.

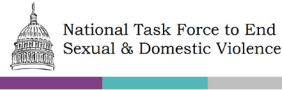
**Amend 34 U.S.C. § 10446 (State grants) to read as follows:**

(a) General grants.— The Attorney General may make grants to States, for use by States, State and local courts (including juvenile courts), units of local government, victim service providers, and Indian tribal governments for the purposes described in section 10441(b) of this title.

(b) Amounts.— Of the amounts appropriated for the purposes of this subchapter—

(1) 10 percent shall be available for grants under the program authorized by section 10452 [*Tribal Governments*] of this title, which shall not otherwise be subject to the requirements of this subchapter (other than section 10447 [*Definitions and Grant Conditions*] of this title);

(2) 2.5 percent shall be available for grants for State domestic violence coalitions under section 10441(c) [*Coalitions*] of this title, with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, the coalition for Guam, the coalition for American Samoa, the coalition for the United States



Virgin Islands, and the coalition for the Commonwealth of the Northern Mariana Islands, each receiving an amount equal to 1/56 of the total amount made available under this paragraph for each fiscal year;

(3) 2.5 percent shall be available for grants for State sexual assault coalitions under section 10441(c) [*Coalitions*] of this title, with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, coalitions for Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each receiving an amount equal to 1/56 of the total amount made available under this paragraph for each fiscal year;

(4) 1/56 shall be available for grants under section 10441(d) [*Tribal Coalitions*] of this title;

(5) \$600,000 shall be available for grants to applicants in each State; and

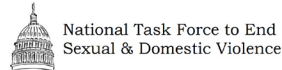
(6) the remaining funds shall be available for grants to applicants in each State in an amount that bears the same ratio to the amount of remaining funds as the population of the State bears to the population of all of the States that results from a distribution among the States on the basis of each States population in relation to the population of all States.

(c) Qualification.— Upon satisfying the terms of subsection (d) of this section, any State shall be qualified for funds provided under this subchapter upon certification that—

(1) the funds shall be used for any of the purposes described in section 10441(b) of this title;

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

- (A) the State sexual assault coalition;
- (B) the State domestic violence coalition;
- (C) the law enforcement entities within the State;
- (D) prosecution offices;
- (E) State and local courts;
- (F) Tribal governments in those States with State or federally recognized Indian tribes;
- (G) representatives from underserved populations, including culturally specific populations;
- (H) victim service providers;
- (I) population specific organizations; and
- (J) other entities that the State or the Attorney General identifies as needed for the planning process.



(3) grantees shall coordinate the State implementation plan described in paragraph (2) with State plans described in section 10407 of Title 42 [FVPSA] and the programs described in section 20103 of this title [VOCA] and section 280b-1b of Title 42 [RPE].

(4) of the amount granted—

(A) not less than 25 percent shall be allocated for law enforcement ;

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

(C) not less than 30 percent shall be allocated for victim services of which at least 10 percent shall be distributed to culturally specific community-based organizations; and

(D) not less than 5 percent shall be allocated to State and local courts (including juvenile courts);

(4) any Federal funds received under this subchapter shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subchapter.

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

(d) Application requirements.— An application for a grant under this section shall include—

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

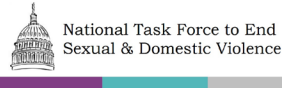
(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification described in section 10449 of this title;

(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases described in section 10450 of this title;

(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 10451 of this title;

(5) proof of compliance with the requirements regarding training for victim-centered prosecution described in section 2017;





(6) certification of compliance with the grant conditions under section 40002(b) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12291(b)), as applicable;

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

(8) (6) any other documentation that the Attorney General may require.

(e) Disbursement

(1) In general.—Not later than 60 days after the receipt of an application under this subchapter, the Attorney General shall—

(A) disburse the appropriate sums provided for under this subchapter; or

(B) inform the applicant why the application does not conform to the terms of section 10181 of this title or to the requirements of this section.

(2) Regulations.— In disbursing monies under this subchapter, the Attorney General shall issue regulations to ensure that States will—

(A) give priority to areas of varying geographic size with the greatest showing of need based on the availability of existing domestic violence, dating violence, sexual assault, and stalking programs in the population and geographic area to be served in relation to the availability of such programs in other such populations and geographic areas;

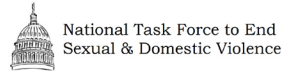
(B) determine the amount of subgrants based on the population and geographic area to be served;

(C) equitably distribute monies on a geographic basis including nonurban and rural areas of various geographic sizes; and

(D) recognize and meaningfully respond to the needs of underserved populations and ensure that monies set aside to fund culturally specific services and activities for underserved populations are distributed equitably among those populations.

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

(f) Federal share.— The Federal share of a grant made under this subchapter may not exceed 75 percent of the total costs of the projects described in the application submitted, except that, for purposes of this subsection, the cost of projects for victim services or tribes for which there is an



exemption under section 12291(b)(1) of this title shall not count toward the total costs of the projects.

(g) Indian tribes.— Funds appropriated by the Congress for the activities of any agency of an Indian tribal government or of the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of the cost of programs or projects funded under this subchapter.

(h) Grantee reporting.

(1) In general. — Upon completion of the grant period under this subchapter, a State or Indian tribal grantee shall file a performance report with the Attorney General explaining the activities carried out, which report shall include an assessment of the effectiveness of those activities in achieving the purposes of this subchapter.

(2) Certification by grantee and subgrantees. — A section of the performance report shall be completed by each grantee and subgrantee that performed the direct services contemplated in the application, certifying performance of direct services under the grant.

(3) Suspension of funding. —The Attorney General shall suspend funding for an approved application if—

(A) an applicant fails to submit an annual performance report;

(B) funds are expended for purposes other than those described in this subchapter;  
or

(C) a report under paragraph (1) or accompanying assessments demonstrate to the Attorney General that the program is ineffective or financially unsound.

(i) Implementation plans.— A States applying for a grant under this part shall—

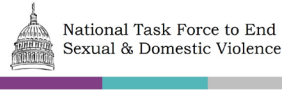
(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2) that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5) and the requirements under section 40002(b) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(b)), as applicable; and

(2) submit to the Attorney General—

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

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

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



- (i) the need for the grant funds;
- (ii) the intended use of the grant funds;
- (iii) the expected results of the grant funds; and
- (iv) the demographic characteristics of the population to be served, including age, disability, race, ethnicity, sexual orientation, gender identity, and language background.

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

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

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

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

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

(j) Reallocation of Funds.—A State may use any returned or remaining funds for any authorized purpose under this part if—

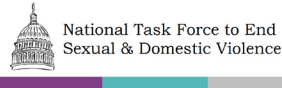
- (1) funds from a subgrant awarded under this part are returned to the State; or
- (2) the State does not receive sufficient eligible applications to award the full funding within the allocations in (c)(4).

**34 U.S.C. § 10447. Definitions and grant conditions**

In this subchapter [*Subchapter XIX— Grants to Combat Violent Crimes Against Women*] the definitions and grant conditions in section 12291 of this title shall apply.

**34 U.S.C. § 10448. General terms and conditions**

(a) Nonmonetary assistance.—In addition to the assistance provided under this subchapter, the Attorney General may request any Federal agency to use its authorities and the resources granted



to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State, tribal, and local assistance efforts.

(b) Reporting.—Not later than 1 month after the end of each even-numbered fiscal year, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that includes, for each State and for each grantee Indian tribe—

- (1) the number of grants made and funds distributed under this subchapter;
- (2) a summary of the purposes for which those grants were provided and an evaluation of their progress;
- (3) a statistical summary of persons served, detailing the nature of victimization, and providing data on age, sex, relationship of victim to offender, geographic distribution, race, ethnicity, language, and disability, and the membership of persons served in any underserved population; and
- (4) an evaluation of the effectiveness of programs funded under this subchapter.

(c) Regulations or guidelines.—Not later than 120 days after September 13, 1994, the Attorney General shall publish proposed regulations or guidelines implementing this subchapter. Not later than 180 days after September 13, 1994, the Attorney General shall publish final regulations or guidelines implementing this subchapter.

### **34 U.S.C. § 10449 (Rape exam payments)**

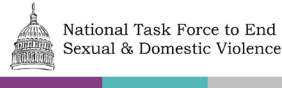
(a) Restriction of funds

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

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

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

(2) Redistribution.— Funds withheld from a State or unit of local government under paragraph (1) shall be distributed to other States or units of local government pro rata. Funds withheld from an Indian tribal government under paragraph (1) shall be distributed to other Indian tribal governments pro rata.



(b) Medical costs.— A State, Indian tribal government, or unit of local government shall be deemed to incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault if any government entity—

- (1) provides such exams to victims free of charge to the victim; or
- (2) arranges for victims to obtain such exams free of charge to the victims.

(c) Use of funds.— A State or Indian tribal government may use Federal grant funds under this subchapter to pay for forensic medical exams performed by trained examiners for victims of sexual assault, except that such funds may not be used to pay for forensic medical exams by any State, Indian tribal government, or territorial government that requires victims of sexual assault to seek reimbursement for such exams from their insurance carriers.

(d) Noncooperation.—

- (1) In general— To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.
- (2) Compliance period.— States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act, to come into compliance with this subsection.

(e) Judicial notification.—

(1) In general.— A State or unit of local government shall not be entitled to funds under this subchapter unless the State or unit of local government—

- (A) certifies that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18 and any applicable related Federal, State, or local laws; or
- (B) gives the Attorney General assurances that its judicial administrative policies and practices will be in compliance with the requirements of subparagraph (A) within the later of—
  - (i) the period ending on the date on which the next session of the State legislature ends; or
  - (ii) 2 years.

(2) Redistribution.— Funds withheld from a State or unit of local government under subsection (a) shall be distributed to other States and units of local government, pro rata.



### **34 U.S.C. § 10450 (Costs for criminal charges and protection orders)**

(a) In general.— A State, Indian tribal government, or unit of local government, shall not be entitled to funds under this subchapter unless the State, Indian tribal government, or unit of local government—

(1) certifies that its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence, dating violence, sexual assault or stalking offense, or in connection with the filing, issuance, registration, modification, enforcement, dismissal, withdrawal, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, dating violence, sexual assault, or stalking, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, modification, enforcement, dismissal, withdrawal, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction; or

(2) gives the Attorney General assurances that its laws, policies and practices will be in compliance with the requirements of paragraph (1) within the later of—

(A) the period ending on the date on which the next session of the State legislature ends; or

(B) 2 years after October 28, 2000.

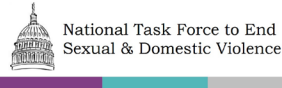
(b) Redistribution.—Funds withheld from a State, unit of local government, or Indian tribal government under subsection (a) shall be distributed to other States, units of local government, and Indian tribal government, respectively, pro rata.

(c) Definition.—In this section, the term “protection order” has the meaning given the term in section 2266 of title 18.

### **34 U.S.C. § 10451. (Polygraph testing prohibition)**

(a) In general. – In order to be eligible for grants under this subchapter, a State, Indian tribal government, territorial government, or unit of local government shall certify that, not later than 3 years after January 5, 2006, their laws, policies, or practices will ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, tribal, State, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense.

(b) Prosecution. – The refusal of a victim to submit to an examination described in subsection (a) shall not prevent the investigation, charging, or prosecution of the offense.



**Sec. 2017. Grant eligibility regarding compelling victim testimony.**

In order for a prosecutor's office to be eligible to receive grant funds under this part, the head of the office shall certify, to the State, Indian tribal government, or territorial government receiving the grant funding, that the office will, during the 3-year period beginning on the date on which the grant is awarded, engage in planning, developing and implementing—

(1) training developed by experts in the field regarding victim-centered approaches in domestic violence, sexual assault, dating violence, and stalking cases;

(2) policies that support a victim-centered approach, informed by such training; and

(3) a protocol outlining alternative practices and procedures for material witness petitions and bench warrants, consistent with best practices, that shall be exhausted before employing material witness petitions and bench warrants to obtain victim-witness testimony in the investigation, prosecution, and trial of a crime related to domestic violence, sexual assault, dating violence, and stalking of the victim in order to prevent further victimization and trauma to the victim.

**34 U.S. Code § 10452. Grants to Indian tribal governments**

(a) Grants.— The Attorney General may make grants to Indian tribal governments or authorized designees of Indian tribal governments to—

(1) develop and enhance effective governmental strategies to curtail violent crimes against and increase the safety of Indian women consistent with tribal law and custom;

(2) increase tribal capacity to respond to domestic violence, dating violence, sexual assault, sex trafficking, and stalking crimes against Indian women;

(3) strengthen tribal justice interventions including tribal law enforcement, prosecution, courts, probation, correctional facilities;

(4) enhance services to Indian women victimized by domestic violence, dating violence, sexual assault, sex trafficking, and stalking;

(5) work in cooperation with the community to develop education and prevention strategies directed toward issues of domestic violence, dating violence, sexual assault, sex trafficking, and stalking;

(6) provide programs for supervised visitation and safe visitation exchange of children in situations involving domestic violence, sexual assault, or stalking committed by one parent against the other with appropriate security measures, policies, and procedures to protect the safety of victims and their children;



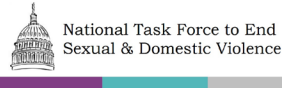
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- (7) provide transitional housing for victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking, including rental or utilities payments assistance and assistance with related expenses such as security deposits and other costs incidental to relocation to transitional housing, and support services to enable a victim of domestic violence, dating violence, sexual assault, sex trafficking, or stalking to locate and secure permanent housing and integrate into a community;
- (8) provide legal assistance necessary to provide effective aid to victims of domestic violence, dating violence, stalking, sex trafficking, or sexual assault who are seeking relief in legal matters arising as a consequence of that abuse or violence, at minimal or no cost to the victims;
- (9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the youth or child;
- (10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking;
- (11) develop, strengthen, and implement policies, protocols, and training for law enforcement regarding cases of missing or murdered Indians, as described in section 5704 of title 25 [*Savannah's Act*]; and
- (12) compile and annually report data to the Attorney General related to missing or murdered Indians, as described in section 5705 of title 25 [*Savannah's Act*].

(b) Collaboration.—All applicants under this section shall demonstrate their proposal was developed in consultation with a nonprofit, nongovernmental Indian victim services program, including sexual assault and domestic violence victim services providers in the tribal or local community, or a nonprofit tribal domestic violence and sexual assault coalition to the extent that they exist. In the absence of such a demonstration, the applicant may meet the requirement of this subsection through consultation with women in the community to be served.

**Amend 34 U.S.C. § 10261 in paragraph (a)(18) to read as follows:**

(18) There is authorized to be appropriated to carry out subchapter XIX \$222,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.





**SEC. 102. GRANTS TO ~~ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS~~ IMPROVE THE CRIMINAL JUSTICE RESPONSE.**

**Amend 34 U.S.C. § 10461 (Grants) to read as follows:**

(a) Purpose.—The purpose of this ~~subchapter part~~ is to ~~encourage assist~~ States, Indian ~~tribal~~ governments, State and local courts (including juvenile courts), Tribal courts, and units of local government to improve the criminal justice response to treat domestic violence, dating violence, sexual assault, and stalking as serious violations of criminal law, and to seek safety and autonomy for victims.

(b) Grant authority.— The Attorney General may make grants to eligible grantees for the following purposes:

- (1) To implement ~~prearrest-offender accountability and homicide reduction~~ programs and policies in police departments, including policies for protection order violations, and enforcement of protection orders across State and tribal lines.
- (2) To develop policies, educational programs, protection order registries, data collection systems, and training in police departments to improve tracking of cases and classification of complaints involving domestic violence, dating violence, sexual assault, and stalking. Policies, educational programs, protection order registries, and training described in this paragraph shall incorporate confidentiality, and privacy protections for victims of domestic violence, dating violence, sexual assault, and stalking.
- (3) To centralize and coordinate police enforcement, prosecution, or judicial responsibility for domestic violence, dating violence, sexual assault, and stalking cases in teams or units of police officers, prosecutors, parole and probation officers, or judges.
- (4) To coordinate computer tracking systems and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking to ensure communication between police, prosecutors, parole and probation officers, and both criminal and family courts.
- (5) To strengthen legal advocacy ~~and legal assistance service~~ programs and other victim services for victims of domestic violence, dating violence, sexual assault, and stalking, including strengthening assistance to such victims in immigration matters.
- (6) To educate Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel in criminal and civil courts (including juvenile courts) about domestic violence, dating violence, sexual assault, and stalking and to improve judicial handling of such cases.
- (7) To provide technical assistance and computer and other equipment to police departments, prosecutors, courts, tribal jurisdictions to facilitate the widespread



enforcement of protection orders, including interstate enforcement, enforcement between States and tribal jurisdictions, and enforcement between tribal jurisdictions.

(8) To develop or strengthen policies and training for police, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against individuals 50 years of age or over ~~older individuals (as defined in section 3002 of Title 42)~~ and Deaf individuals and with disabilities (as defined in the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).

(9) To develop State, tribal, territorial, or local policies, procedures, and protocols for preventing dual arrests and prosecutions in cases of domestic violence, dating violence, sexual assault, and stalking, and to develop effective methods for identifying the pattern and history of abuse that indicates which party is the actual perpetrator of abuse.

(10) To plan, develop and establish comprehensive victim service and support centers, such as family justice centers, designed to bring together victim advocates from victim service providers, population specific organizations, law enforcement officers, prosecutors, probation officers, governmental victim assistants, forensic medical professionals, civil legal attorneys, chaplains, legal advocates, representatives from community-based organizations and other relevant public or private agencies or organizations into one centralized location, in order to improve safety, access to services, and confidentiality for victims and families. Although funds may be used to support the colocation of project partners under this paragraph, funds may not support construction or major renovation expenses or activities that fall outside of the scope of the other statutory purpose areas.

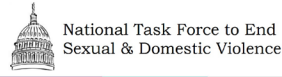
(11) To develop and implement policies and training for police, prosecutors, probation and parole officers, and the judiciary in recognizing, investigating, and prosecuting instances of sexual assault, with an emphasis on recognizing the threat to the community for repeat crime perpetration by such individuals.

(12) To develop, enhance, and maintain protection order registries.

(13) To develop human immunodeficiency virus (HIV) testing programs for sexual assault perpetrators and notification and counseling protocols.

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

(15) To develop or strengthen policies, protocols and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under



subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

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

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

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

(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims, including victims among underserved populations (as defined in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a))).

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

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

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

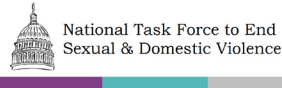
(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

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

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

(23) To develop, strengthen, and implement policies, protocols, and training for law enforcement regarding cases of missing or murdered Indians, as described in section 5704 of title 25.

(24) To compile and annually report data to the Attorney General related to missing or murdered Indians, as described in section 5705 of title 25.



(25) To develop Statewide databases with information on where sexual assault nurse examiners are located.

(26) To develop and implement alternative methods of reducing crime in communities, to supplant punitive programs or policies. For purposes of this paragraph, a punitive program or policy is a program or policy that—

(A) imposes a penalty on a victim of domestic violence, dating violence, sexual assault, or stalking, on the basis of a request by the victim for law enforcement or emergency assistance; or

(B) imposes a penalty on such a victim because of criminal activity at the property in which the victim resides.

(c) Eligibility.— Eligible grantees are—

(1) States, Indian tribal governments, State and local courts (including juvenile courts), or units of local government that—

(A) except for a court, certify that their laws or official policies—

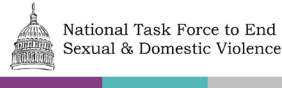
(i) encourage ~~or mandate~~ arrests of domestic violence, dating violence, sexual assault, and stalking offenders based on probable cause that an offense has been committed; and

(ii) encourage ~~or mandate~~ arrest of ~~domestic violence~~ offenders who violate the terms of a valid and outstanding protection order;

(B) except for a court, demonstrate that their laws, policies, or practices and their training programs discourage dual arrests of offender and victim;

(C) certify that their laws, policies, or practices prohibit issuance of mutual restraining orders of protection except in cases where both parties file a claim and the court makes detailed findings of fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense;

(D) certify that their laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence, dating violence, sexual assault or stalking offense, or in connection with the filing, issuance, registration, modification, enforcement, dismissal, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, dating violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, modification, enforcement,



dismissal, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the State, tribal, or local jurisdiction;

(E) certify that their laws, policies, or practices will ensure that—

(i) no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of a sex offense as defined under Federal, tribal, State, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation, trial of, or sentencing for such an offense; and

(ii) the refusal of a victim to submit to an examination described in clause (i) shall not prevent the investigation, trial of, or sentencing for the offense; ~~and~~

(F) except for a court, not later than 3 years after the date on which an eligible grantee receives the first award under this part after the date of enactment of the Violence Against Women Act Reauthorization Act of 2022, certify that the laws, policies, and practices of the State or the State in which the eligible grantee is located ensure that prosecutor’s offices engage in planning, developing, and implementing—

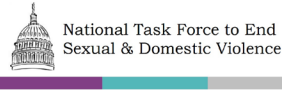
(i) training developed by experts in the field regarding victim-centered approaches in domestic violence, sexual assault, dating violence, and stalking cases;

(ii) policies that support a victim-centered approach, informed by such training; and

(iii) a protocol outlining alternative practices and procedures for material witness petitions and bench warrants, consistent with best practices, that shall be exhausted before employing material witness petitions and bench warrants to obtain victim-witness testimony in the investigation, prosecution, and trial of a crime related to domestic violence, sexual assault, dating violence, and stalking of the victim in order to prevent further victimization and trauma to the victim;

(G) except for a court, certify that the laws, policies, and practices of the State or jurisdiction in which the eligible grantee is located prohibits the prosecution of a minor under the age of 18 with respect to prostitution; and

(2) a State, tribal or territorial domestic violence or sexual assault coalition or victim service provider that partners with a State, Indian tribal government, or unit of local



government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).

(d) Speedy notice to victims.—A State or unit of local government shall not be entitled to 5 percent of the funds allocated under this subchapter unless the State or unit of local government—

(1) certifies that it has a law, policy, or regulation that requires—

(A) the State or unit of local government at the request of a victim to administer to a defendant, against whom an information or indictment is presented for a crime in which by force or threat of force the perpetrator compels the victim to engage in sexual activity, testing for the immunodeficiency virus (HIV) not later than 48 hours after the date on which the information or indictment is presented and the defendant is in custody or has been served with the information or indictment;

(B) as soon as practicable notification to the victim, or parent and guardian of the victim, and defendant of the testing results; and

(C) follow-up tests for HIV as may be medically appropriate, and that as soon as practicable after each such test the results be made available in accordance with subparagraph (B); or

(2) gives the Attorney General assurances that its laws and regulations will be in compliance with requirements of paragraph (1) within the later of-

(A) the period ending on the date on which the next session of the State legislature ends; or

(B) 2 years.

(e) Allotment for Indian tribes.—

(1) In general.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 10452 of this title.

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

(f) Allocation for tribal coalitions.—Of the amounts appropriated for purposes of this subchapter for each fiscal year, not less than 5 percent shall be available for grants under section 10441 of this title.

(g) Allocation for sexual assault.—Of the amounts appropriated for purposes of this subchapter for each fiscal year, not less than 25 percent shall be available for projects that address sexual



assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.

### **34 U.S. Code § 10462 Applications.**

(a) Application.—An eligible grantee shall submit an application to the Attorney General that—

(1) contains a certification by the chief executive officer of the State, Indian tribal government, court, or local government entity that the conditions of section 2101(c) are met or will be met within the later of—

(A) the period ending on the date on which the next session of the State or Indian tribal legislature ends; or

(B) 2 years of the date of enactment of this part or, in the case of the condition set forth in subsection 2101(c)(4), the expiration of the 2-year period beginning on the date the of the enactment of the Violence Against Women Act of 2000;

(2) describes plans to further the purposes stated in section 2101(a);

(3) identifies the agency or office or groups of agencies or offices responsible for carrying out the program; and

(4) includes documentation from victim service providers and, as appropriate, population specific organizations demonstrating their participation in developing the application, and identifying such programs in which such groups will be consulted for development and implementation.

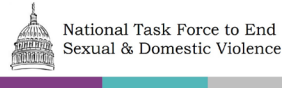
(b) Priority.—In awarding grants under this part, the Attorney General shall give priority to applicants that—

(1) do not currently provide for centralized handling of cases involving domestic violence, dating violence, sexual assault, or stalking by police, prosecutors, and courts;

(2) demonstrate a commitment to strong enforcement of laws, and prosecution of cases, involving domestic violence, dating violence, sexual assault, or stalking, including the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions);

(3) have established cooperative agreements or can demonstrate effective ongoing collaborative arrangements with neighboring jurisdictions to facilitate the enforcement of protection orders from other States and jurisdictions (including tribal jurisdictions); and

(4) in applications describing plans to further the purposes stated in paragraph (4) or (7) of section 2101(b), will give priority to using the grant to develop and install data



collection and communication systems, including computerized systems, and training on how to use these systems effectively to link police, prosecutors, courts, and tribal jurisdictions for the purpose of identifying and tracking protection orders and violations of protection orders, in those jurisdictions where such systems do not exist or are not fully effective.

(c) Dissemination of Information.—The Attorney General shall annually compile and broadly disseminate (including through electronic publication) information about successful data collection and communication systems that meet the purposes described in this section. Such dissemination shall target States, State and local courts, Indian tribal governments, and units of local government.

**Amend 34 U.S.C. § 10261 in paragraph (a)(19) to read as follows:**

(19) There is authorized to be appropriated to carry out subchapter XX \$73,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027. Funds appropriated under this paragraph shall remain available until expended.

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

**Amend 34 U.S.C. § 20121 (Legal assistance for victims) to read as follows:**

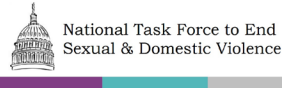
(a) In general.— The purpose of this section is to enable the Attorney General to award grants to increase the availability of civil and criminal legal assistance necessary to provide effective aid to adult and youth victims of domestic violence, dating violence, stalking, or sexual assault who are seeking relief in legal matters relating to or arising out of that abuse or violence, at minimal or no cost to the victims. When legal assistance to a dependent is necessary to the safety of a victim, such assistance may be provided. Criminal legal assistance provided for under this section shall be limited to criminal matters relating to or arising out of domestic violence, sexual assault, dating violence, and stalking.

(b) Definitions and grant conditions.— In this section, the definitions and grant conditions provided in section 12291 of this title shall apply.

(c) Legal assistance for victims grants.— The Attorney General may award grants under this subsection to private nonprofit entities, Indian tribal governments and tribal organizations, territorial organizations, and publicly funded organizations not acting in a governmental capacity such as law schools, and which shall be used—

(1) to implement, expand, and establish cooperative efforts and projects between domestic violence, dating violence, and sexual assault victim service providers and legal assistance providers to provide legal assistance for victims of domestic violence, dating violence, stalking, and sexual assault;





(2) to implement, expand, and establish efforts and projects to provide legal assistance for victims of domestic violence, dating violence, stalking, and sexual assault, by organizations with a demonstrated history of providing direct legal or advocacy services on behalf of these victims;

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

(d) Eligibility. To be eligible for a grant under subsection (c) of this section, applicants shall certify in writing that—

(1) any person providing legal assistance through a program funded under ~~subsection (e)~~ ~~of~~ this section —

(A)

(i) is a licensed attorney or is working under the direct supervision of a licensed attorney;

(ii) in immigration proceedings, is a Board of Immigration Appeals accredited representative;

(iii) in Veterans' Administration claims, is an accredited representative;  
or,

(iv) is any person who functions as an attorney or lay advocate in Tribal court;

(B)

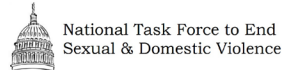
(i) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

(ii)

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

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

(2) any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a tribal, State, territorial, ~~or~~ local, or culturally specific domestic violence, dating violence, sexual



assault, or stalking victim service provider or coalition, as well as appropriate tribal, State, territorial, and local law enforcement officials;

(3) any person or organization providing legal assistance through a program funded under subsection (c) of this section has informed and will continue to inform State, local, or tribal domestic violence, dating violence, or sexual assault programs and coalitions, as well as appropriate State and local law enforcement officials of their work; and

(4) the grantees organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, dating violence, stalking, or child sexual abuse is an issue.

(e) Evaluation. The Attorney General may evaluate the grants funded under this section through contracts or other arrangements with entities expert on domestic violence, dating violence, stalking, and sexual assault, and on evaluation research.

(f) Authorization of appropriations

(1) In general. There is authorized to be appropriated to carry out this section ~~\$57,000,000~~ \$60,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

(2) Allocation of funds

(A) Tribal programs. Of the amount made available under this subsection in each fiscal year, not less than 3 percent shall be used for grants for programs that assist adult and youth victims of domestic violence, dating violence, stalking, and sexual assault on lands within the jurisdiction of an Indian tribe.

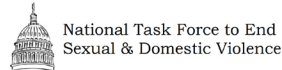
(B) Tribal government program

(i) In general. Not less than 7 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 10452 of this title.

(ii) Applicability of part. The requirements of this section shall not apply to funds allocated for the program described in clause (i).

(C) Victims of sexual assault. Of the amount made available under this subsection in each fiscal year, not less than 25 percent shall be used for direct services, training, and technical assistance to support projects focused solely or primarily on providing legal assistance to victims of sexual assault.

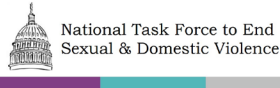
(3) Nonsupplantation. Amounts made available under this section shall be used to supplement and not supplant other Federal, State, and local funds expended to further the purpose of this section.



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

**Amend 34 U.S.C. § 12464 (Grants to support families in the justice system) to read as follows:**

- (a) In general. The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.
- (b) Use of Funds. A grant under this section may be used to—
- (1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;
  - (2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;
  - (3) educate court-based and court-related personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, and sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;
  - (4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;
  - (5) enable courts or court-based or court-related programs to develop or enhance—
    - (A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);
    - (B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);
    - (C) offender management, monitoring, and accountability programs;



- (D) safe and confidential information-storage and information-sharing databases within and between court systems;
  - (E) education and outreach programs to improve community access, including enhanced access for underserved populations; and
  - (F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking.
- (6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—
- (A) victims of domestic violence; and
  - (B) non-offending parents in matters—
    - (i) that involve allegations of child sexual abuse;
    - (ii) that relate to family matters, including civil protection orders, custody, and divorce; and
    - (iii) in which the other parent is represented by counsel;
- (7) collect data and provide training and technical assistance, including the development of State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking, who have legal representation or who are proceeding pro se, or are proceeding with the assistance of a legal advocate;
- (8) ~~to~~ improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

(c) Considerations

- (1) In general.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—
- (A) the number of families to be served by the proposed programs and services;
  - (B) the extent to which the proposed programs and services serve underserved populations;
  - (C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions,



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

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

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

(d) Applicant requirements.—The Attorney General may make a grant under this section to an applicant that—

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

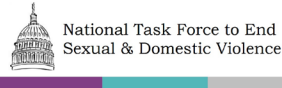
(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

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

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

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

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



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

(e) Authorization of appropriations.—There is authorized to be appropriated to carry out this section \$22,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027. Funds appropriated under this section shall remain available until expended.

(f) Allotment for Indian tribes

(1) In general.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 10452 of this title.

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

(g) Cultural Relevance.—Any services provided pursuant to a grant funded under this section shall be provided in a culturally relevant manner.

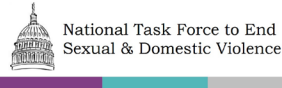
## **SEC. 105. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANTS.**

**Amend 34 U.S.C. § 20123 (Grants for outreach and services to underserved populations) to read as follows:**

(a) Grants authorized

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

(2) Programs covered.—The programs covered by paragraph (1) are the programs carried out under the following provisions:



- (A) Section 10441 of this title (Grants to Combat Violent Crimes Against Women).
- (B) Section 10461 of this title (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

(b) Eligible entities.—Eligible entities under this section are—

- (1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;
- (2) victim service providers offering population specific services for a specific underserved population; or
- (3) victim service providers working in partnership with a national, State, tribal, Native Hawaiian, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

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

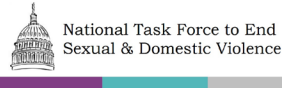
- (1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;
- (2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;
- (3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and
- (4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

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



- 
- (1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;
- (2) strengthening the capacity of underserved populations to provide population specific services;
- (3) strengthening the capacity of traditional victim service providers to provide population specific services;
- (4) strengthening the ~~effectiveness response~~ of criminal and civil justice interventions by providing ~~population-specific~~ training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; ~~or~~
- (5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations;
- (6) developing, enlarging, or strengthening culturally specific programs and projects to provide culturally specific services regarding responses to, and prevention of female genital mutilation and cutting; or
- (7) strengthening the response of social and human services by providing population-specific training for service providers on domestic violence, dating violence, sexual assault, or stalking in underserved populations;
- (e) Application.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.
- (f) Reports.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.
- (g) Authorization of appropriations.— In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section ~~\$2,000,000~~ \$6,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.
- (h) Definitions and grant conditions.—In this section the definitions and grant conditions in section 12291 of this title shall apply.





National Task Force to End  
Sexual & Domestic Violence

## SEC. 106. CRIMINAL PROVISIONS

**Amend 18 U.S.C. § 2265(d)(3) (Full faith and credit given to protection orders) to read as follows:**

[...]

(d) Notification and Registration.—

(1) Notification.— A State, Indian tribe, or territory according full faith and credit to an order by a court of another State, Indian tribe, or territory shall not notify or require notification of the party against whom a protection order has been issued that the protection order has been registered or filed in that enforcing State, tribal, or territorial jurisdiction unless requested to do so by the party protected under such order.

(2) No prior registration or filing as prerequisite for enforcement.— Any protection order that is otherwise consistent with this section shall be accorded full faith and credit, notwithstanding failure to comply with any requirement that the order be registered or filed in the enforcing State, tribal, or territorial jurisdiction.

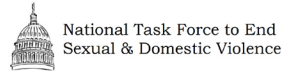
(3) Limits on internet publication of registration information.— A State, Indian tribe, or territory shall not make available publicly on the Internet any information regarding the registration, filing of a petition for, or issuance of a protection order, ~~restraining order or injunction~~, restraining order, or injunction in either the issuing or enforcing State, tribal or territorial jurisdiction, if such publication would be likely to publicly reveal the identity or location of the party protected under such order. A State, Indian tribe, or territory may share court-generated and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes. The prohibition under this paragraph applies to all protection orders for the protection of a person residing within a State, territorial, or Tribal jurisdiction, whether or not the protection order was issued by that State, territory, or Tribe.

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

## SEC. 107. RAPE SURVIVOR CHILD CUSTODY

**Amend 34 U.S.C. § 21308 (Authorization of appropriations) to read as follows:**

There is authorized to be appropriated to carry out this chapter \$5,000,000 for each of fiscal years ~~2015 through 2019~~ 2023 through 2027.



## SEC. 108. ENHANCING CULTURALLY SPECIFIC SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

**Amend 34 U.S.C. 20124(a) (Enhancing culturally specific services for victims of domestic violence, dating violence, sexual assault, and stalking) by adding at the end the following:**

(a) Establishment

(1) In general.—Of the amounts appropriated under certain grant programs identified in paragraph ~~(a)~~(2) of this Section, the Attorney General, through the Director of the Violence Against Women Office (referred to in this section as the “Director”), shall take 15 percent of such appropriated amount for the program under paragraph (2)(A) and 5 percent of appropriated amounts for the programs under subparagraphs (B) through (E) of paragraph (2) and combine them to establish a new grant program to enhance culturally specific services for victims of domestic violence, dating violence, sexual assault, and stalking. Grants made under this new program shall be administered by the Director. The requirements of the grant programs identified in paragraph (2) shall not apply to this new grant program.

(2) Programs covered.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

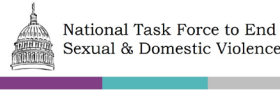
- (A) Section 10461 of this title (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).
- (B) Section 20121 of this title (Legal Assistance for Victims).
- (C) Section 12341 of this title (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).
- (D) Section 14041a of title 42 (Enhanced Training and Services to End Violence Against Women Later in Life).
- (E) Section 20122 of this title (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).

(3) Additional authorization of appropriations.—In addition to the amounts made available under paragraph (1), there are authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2023 through 2027.

(4) Distribution.—

(A) In General.—Of the total amounts available for grants under this section, not less than 40percent of such funds shall be allocated for programs or projects that meaningfully address non-intimate partner relationship sexual assault.

(B) Alternative Allocation.—Notwithstanding 40002(b)(11) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(b)(11)), the director may allocate a portion of funds described in subparagraph (A) to enhanced technical assistance



relating to non-intimate partner sexual assault if the Office on Violence Against Women does not receive sufficient qualified applications proposing to address non-intimate partner relationship sexual assault.

(b) Purpose of program and grants

(1) General program purpose.—The purpose of the program required by this section is to promote:

(A) The maintenance and replication of existing successful services in domestic violence, dating violence, sexual assault, and stalking community-based programs providing culturally specific services and other resources.

(B) The development of innovative culturally specific strategies and projects to enhance access to services and resources for victims of domestic violence, dating violence, sexual assault, and stalking who face obstacles to using more traditional services and resources.

(2) Purposes for which grants may be used.—The Director shall make grants to community-based programs for the purpose of enhancing culturally specific services for victims of domestic violence, dating violence, sexual assault, and stalking. Grants under the program shall support community-based efforts to address distinctive cultural responses to domestic violence, dating violence, sexual assault, and stalking, including—

(i) working with State and local governments and social service agencies to develop and enhance effective strategies to provide culturally specific services to victims of domestic violence, dating violence, sexual assault, and stalking;

(ii) increasing communities' capacity to provide culturally specific resources and support for victims of domestic violence, dating violence, sexual assault, and stalking crimes and their families;

(iii) strengthening criminal justice interventions, by providing training for law enforcement, prosecution, courts, probation, and correctional facilities on culturally specific responses to domestic violence, dating violence, sexual assault, and stalking;

(iv) enhancing traditional services to victims of domestic violence, dating violence, sexual assault, and stalking through the leadership of culturally specific programs offering services to victims of domestic violence, dating violence, sexual assault, and stalking;

(v) working in cooperation with the community to develop education and prevention strategies highlighting culturally specific issues and resources



regarding victims of domestic violence, dating violence, sexual assault, and stalking;

(vi) providing culturally specific programs for children exposed to domestic violence, dating violence, sexual assault, and stalking;

(vii) providing culturally specific resources and services that address the safety, economic, housing, and workplace needs of victims of domestic violence, dating violence, sexual assault, or stalking, including emergency assistance; or

(viii) examining the dynamics of culture and its impact on victimization and healing.

(3) Technical assistance and training.—The Director shall provide technical assistance and training to grantees of this and other programs under this Act regarding the development and provision of effective culturally specific community-based services by entering into cooperative agreements or contracts with an organization or organizations having a demonstrated expertise in and whose primary purpose is addressing the development and provision of culturally specific community-based services to victims of domestic violence, dating violence, sexual assault, and stalking. Not less than 1 such organization shall have demonstrated expertise primarily in domestic violence services, and not less than 1 such organization shall have demonstrated expertise primarily in non-intimate partner sexual assault services.

(c) Eligible entities.—Eligible entities for grants under this Section 1 include—

(1) community-based programs whose primary purpose is providing culturally specific services to victims of domestic violence, dating violence, sexual assault, and stalking;

(2) community-based programs whose primary purpose is providing culturally specific services who can partner with a program having demonstrated expertise in serving victims of domestic violence, dating violence, sexual assault, and stalking;

(d) Reporting.—The Director shall issue a biennial report on the distribution of funding under this section, the progress made in replicating and supporting increased services to victims of domestic violence, dating violence, sexual assault, and stalking who face obstacles to using more traditional services and resources, and the types of culturally accessible programs, strategies, technical assistance, and training developed or enhanced through this program.

~~(e) Grant period.—The Director shall award grants for a 2-year period, with a possible extension of another 2 years to implement projects under the grant.~~

(e) (f) Evaluation.—The Director shall award a contract or cooperative agreement to evaluate programs under this section to an entity with the demonstrated expertise in and primary goal of



providing enhanced cultural access to services and resources for victims of domestic violence, dating violence, sexual assault, and stalking who face obstacles to using more traditional services and resources.

(f) (g) Non-exclusivity.—Nothing in this Section 1 shall be interpreted to exclude culturally specific community-based programs from applying to other grant programs authorized under this Act.

(g) (h) Definitions and grant conditions.—In this section the definitions and grant conditions in section 12291 of this title shall apply.

## **SEC. 109. PILOT PROGRAM ON RESTORATIVE PRACTICES.**

(a) In General.—The Violence Against Women Act of 1994 (title IV of Public Law 103–322), as amended by section 205, is further amended by adding at the end the following:

### **Subtitle R—Restorative Practices**

#### **SEC. 41801. PILOT PROGRAM ON RESTORATIVE PRACTICES.**

(a) Definitions.—In this section:

(1) Director.—The term ‘Director’ means the Director of the Office on Violence Against Women.

(2) Eligible entity.—The term ‘eligible entity’ means—

(A) a State;

(B) a unit of local government;

(C) a tribal government;

(D) a tribal organization;

(E) a victim service provider;

(F) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)); and

(G) a private or public nonprofit organization, including—

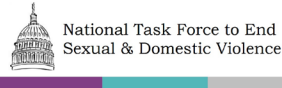
(i) a tribal nonprofit organization; and

(ii) a faith-based nonprofit organization.

(3) Restorative practice.—The term ‘restorative practice’ means a practice relating to a specific harm that—

(A) is community-based and unaffiliated with any civil or criminal legal process;

(B) is initiated by the victim of the harm;



(C) involves, on a voluntary basis and without any evidence of coercion or intimidation of any victim of the harm by any individual who committed the harm or anyone associated with any such individual—

(i) 1 or more individuals who committed the harm;

(ii) 1 or more victims of the harm; and

(iii) the community affected by the harm through 1 or more representatives of the community;

(D) shall include and has the goal of—

(i) collectively seeking accountability from 1 or more individuals who committed the harm;

(ii) developing a written process whereby 1 or more individuals who committed the harm will take responsibility for the actions that caused harm to 1 or more victims of the harm; and

(iii) developing a written course of action plan—

(I) that is responsive to the needs of 1 or more victim of the harm; and

(II) upon which 1 or more victim, 1 or more individual who committed the harm, and the community can agree; and

(E) is conducted in a victim services framework that protects the safety and supports the autonomy of 1 or more victims of the harm and the community.

(b) Grants Authorized.—The Director shall award grants to eligible entities to develop and implement a program, or to assess best practices, for—

(1) restorative practices to prevent or address domestic violence, dating violence, sexual assault, or stalking;

(2) training by eligible entities, or for eligible entities, courts, or prosecutors, on restorative practices and program implementation; and

(3) evaluations of a restorative practice described in paragraph (1).

(c) Priority.—In awarding grants under subsection (b), the Director shall give priority to eligible entities that submit proposals that meaningfully address the needs of culturally specific or underserved populations.



(d) Qualifications.—To be eligible to receive a grant under this section, an eligible entity shall demonstrate a history of comprehensive training and experience in working with victims of domestic violence, dating violence, sexual assault, or stalking.

(e) Program Requirements.—

(1) In general.—An eligible entity or a subgrantee of an eligible entity that offers a restorative practices program with funds awarded under this section shall ensure that such program—

(A) includes set practices and procedures for screening the suitability of any individual who committed a harm based on—

(i) the history of civil and criminal complaints against the individual involving domestic violence, sexual assault, dating violence, or stalking;

(ii) parole or probation violations of the individual or whether active parole or probation supervision of the individual is being conducted for prior offenses involving domestic violence, sexual assault, dating violence, or stalking;

(iii) the risk to the safety of any victim of the harm based on an evidence-based risk assessment;

(iv) the risk to public safety, including an evidence-based risk assessment of the danger to the public; and

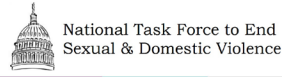
(v) past participation of any individual who committed the harm in restorative practice programing; and

(B) denies eligibility to participate in the program for any individual who committed a harm against whom there is—

(i) a pending felony or misdemeanor prosecution for an offense against any victim of the harm or a dependent of any such victim;

(ii) a restraining order or a protective order (as defined in section 2266 of title 18, United States Code) that protects any victim of the harm or a dependent of any such victim, unless there is an exception in the restraining order or protective order allowing for participation in a restorative practices program;

(iii) a pending criminal charge involving or relating to sexual assault, including rape, human trafficking, or child abuse, including child sexual



abuse; or

(iv) a conviction for child sexual abuse against the victim or a sibling of the victim if the victim or sibling of the victim is currently a minor.

(2) Referral.—With respect to a risk assessment described in paragraph (1)(A)(iii) for which an eligible entity or a subgrantee of an eligible entity determines that a victim or a dependent of a victim are at significant risk of subsequent serious injury, sexual assault, or death, the eligible entity or subgrantee shall refer the victim or a dependent to other victim services, instead of restorative practices.

(f) Nondisclosure of Confidential or Private Information.—For the purpose of section 40002(b)(2), an individual described in subsection (a)(3)(C) shall be considered a person receiving services.

(g) Relation to Criminal Justice Intervention.— Restorative practices performed with funds awarded under this section are not intended to function as a replacement for criminal justice intervention for a specific harm.

(h) Reports.—

(1) Report to director.—As a part of the report required to be submitted under section 40002(b)(6), an eligible entity that receives a grant under this section shall annually submit to the Director information relating to the effectiveness of the restorative practices carried out with amounts from the grant, including—

(A) the number of individuals for whom the eligible entity supported a restorative practice;

(B) if applicable, the number of individuals who—

(i) sought restorative practices from the eligible entity; and

(ii) the eligible entity could not serve;

(C) if applicable, the number of individuals—

(i) who sought restorative practice training;

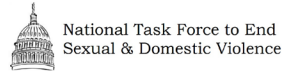
(ii) who received restorative practice training;

(iii) who provided restorative practice training; and

(iv) to whom the eligible entity could not provide restorative practice training; and

(D) a victim evaluation component that is documented through survey or interview, including the satisfaction of victims of a harm with the restorative practice services;





(E) if applicable, the number of individuals who committed a harm and—

(i) successfully completed and executed a written course of action plan;  
(ii) failed to successfully complete and execute a written course of action plan; and

(iii) were involved in a criminal or civil complaint involving domestic violence, dating violence, sexual assault, or stalking against the victims or victims during the course of the restorative practice process; and

(F) any other qualitative or quantitative information determined by the Director.

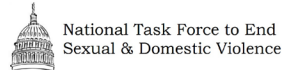
(2) Report to congress.—Not later than 2 years after the date of enactment of this section, and biennially thereafter, the Director shall submit to Congress a report that summarizes the reports received by the Director under paragraph (1).

(i) Authorization of Appropriations.—There are authorized to be appropriated to the Director such sums as are necessary for each of fiscal years 2023 through 2027 to carry out this section.

(b) Clerical Amendment.—The table of contents in section 2 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) is amended by inserting after the item relating to section 41601 the following:

“Subtitle R—Restorative Practices

“Sec.41801.Pilot program on restorative practices.”



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## TITLE II — IMPROVING SERVICES FOR VICTIMS

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

**Amend 34 U.S.C. § 12511 (Sexual Assault Services Program) to read as follows:**

#### **34 U.S. Code § 12511 - Sexual assault services program**

(a) Purposes.—The purposes of this section are—

(1) to assist States, Indian tribes, and territories in providing intervention, advocacy, accompaniment, support services, and related assistance for—

- (A) adult, youth, and child victims of sexual assault;
- (B) family and household members of such victims; and
- (C) those collaterally affected by the victimization, except for the perpetrator of such victimization; and

(2) to provide for technical assistance and training relating to sexual assault to—

- (A) Federal, State, tribal, territorial and local governments, law enforcement agencies, and courts;
- (B) professionals working in legal, social service, and health care settings;
- (C) nonprofit organizations;
- (D) faith-based organizations; and
- (E) other individuals and organizations seeking such assistance.

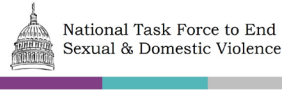
(b) Grants to States and territories

(1) Grants authorized.—The Attorney General shall award grants to States and territories to support the establishment, maintenance, and expansion of rape crisis centers and other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.

(2) Allocation and use of funds

(A) Administrative costs.—Not more than 5 percent of the grant funds received by a State or territory governmental agency under this subsection for any fiscal year may be used for administrative costs.

(B) Grant funds.—Any funds received by a State or territory under this subsection that are not used for administrative costs shall be used to provide grants to rape crisis centers and other nonprofit, nongovernmental organizations or tribal programs and activities for programs and activities within such State or territory that provide direct intervention and related assistance.



(C) Intervention and related assistance.—Intervention and related assistance under subparagraph (B) may include—

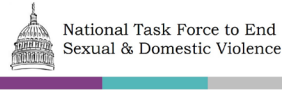
- (i) 24-hour hotline services providing crisis intervention services and referral;
- (ii) accompaniment and advocacy through medical, criminal justice, and social support systems, including medical facilities, police, and court proceedings;
- (iii) crisis intervention, short-term individual and group support services, direct payments, and comprehensive service coordination and supervision to assist sexual assault victims and family or household members;
- (iv) information and referral to assist the sexual assault victim and family or household members;
- (v) community-based, culturally specific services and support mechanisms, including outreach activities for underserved communities; and
- (vi) the development and distribution of materials on issues related to the services described in clauses (i) through (v).

### (3) Application

(A) In general.—Each eligible entity desiring a grant under this subsection shall submit an application to the Attorney General at such time and in such manner as the Attorney General may reasonably require.

(B) Contents.—Each application submitted under subparagraph (A) shall—

- (i) set forth procedures designed to ensure meaningful involvement of the State or territorial sexual assault coalition and representatives from underserved communities in the development of the application and the implementation of the plans;
- (ii) set forth procedures designed to ensure an equitable distribution of grants and grant funds within the State or territory and between urban and rural areas within such State or territory;
- (iii) identify the State or territorial agency that is responsible for the administration of programs and activities; and



(iv) meet other such requirements as the Attorney General reasonably determines are necessary to carry out the purposes and provisions of this section.

(4) Minimum amount.—The Attorney General shall allocate to each State (including the District of Columbia and Puerto Rico) not less than 1.50 percent of the total amount appropriated in a fiscal year for grants under this section, except that the United States Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands shall each be allocated ~~0.25~~ 0.5 percent of the total appropriations. The remaining funds shall be allotted to each State and each territory in an amount that bears the same ratio to such remaining funds as the population of such State and such territory bears to the population of all the States and the territories.

**(c) Grants for culturally specific programs addressing sexual assault**

(1) Grants authorized.—The Attorney General shall award grants to eligible entities to support the establishment, maintenance, and expansion of culturally specific intervention and related assistance for victims of sexual assault.

(2) Eligible entities.—To be eligible to receive a grant under this section, an entity shall—

(A) be a private nonprofit organization that focuses primarily on culturally specific communities;

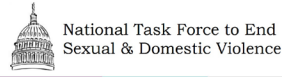
(B) must have documented organizational experience in the area of sexual assault intervention or have entered into a partnership with an organization having such expertise;

(C) have expertise in the development of community-based, linguistically and culturally specific outreach and intervention services relevant for the specific communities to whom assistance would be provided or have the capacity to link to existing services in the community tailored to the needs of culturally specific populations; and

(D) have an advisory board or steering committee and staffing which is reflective of the targeted culturally specific community.

(3) Award basis.—The Attorney General shall award grants under this section on a competitive basis.

(4) Distribution. ---



~~(A)~~ The Attorney General shall not use more than 2.5 percent of funds appropriated under this subsection in any year for administration, monitoring, and evaluation of grants made available under this subsection.

~~(B) Up to 5 percent of funds appropriated under this subsection in any year shall be available for technical assistance by a national, nonprofit, nongovernmental organization or organizations whose primary focus and expertise is in addressing sexual assault within underserved culturally specific populations.~~

(5) Term.—The Attorney General shall make grants under this section for a period of no less than 2 fiscal years.

~~(6) Technical assistance.—The Attorney General shall provide technical assistance to recipients of grants under this subsection by entering into a cooperative agreement or contract with a national, nonprofit, nongovernmental organization or organizations whose primary focus and expertise is in addressing sexual assault within culturally specific communities.~~

~~(7) (6) Reporting.—~~Each entity receiving a grant under this subsection shall submit a report to the Attorney General that describes the activities carried out with such grant funds.

#### **(d) Grants to State, territorial, and tribal sexual assault coalitions**

##### (1) Grants authorized

(A) In general.—The Attorney General shall award grants to State, territorial, and tribal sexual assault coalitions to assist in supporting the establishment, maintenance, and expansion of such coalitions.

(B) Minimum amount.—Not less than 10 percent of the total amount appropriated to carry out this section shall be used for grants under subparagraph (A).

(C) Eligible applicants.—Each of the State, territorial, and tribal sexual assault coalitions.

##### (2) Use of funds.—Grant funds received under this subsection may be used to—

(A) work with local sexual assault programs and other providers of direct services to encourage appropriate responses to sexual assault within the State, territory, or tribe;

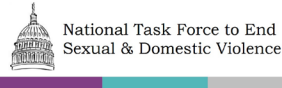
(B) work with judicial and law enforcement agencies to encourage appropriate responses to sexual assault cases;



- (C) work with courts, child protective services agencies, and children’s advocates to develop appropriate responses to child custody and visitation issues when sexual assault has been determined to be a factor;
  - (D) design and conduct public education campaigns;
  - (E) plan and monitor the distribution of grants and grant funds to their State, territory, or tribe; or
  - (F) collaborate with and inform Federal, State, or local public officials and agencies to develop and implement policies to reduce or eliminate sexual assault.
- (3) Allocation and use of funds.—From amounts appropriated for grants under this subsection for each fiscal year—
- (A) not less than 10 percent of the funds shall be available for grants to tribal sexual assault coalitions; and
  - (B) the remaining funds shall be available for grants to State and territorial coalitions, and the Attorney General shall allocate an amount equal to 1/56 of the amounts so appropriated to each of those State and territorial coalitions.
- (4) Application.—Each eligible entity desiring a grant under this subsection shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General determines to be essential to carry out the purposes of this section.
- (5) First-time applicants.—No entity shall be prohibited from submitting an application under this subsection during any fiscal year for which funds are available under this subsection because such entity has not previously applied or received funding under this subsection.

#### **(e) Grants to tribes**

- (1) Grants authorized.—The Attorney General may award grants to Indian tribes, tribal organizations, and nonprofit tribal organizations for the operation of sexual assault programs or projects in Indian tribal lands and Alaska Native villages to support the establishment, maintenance, and expansion of programs and projects to assist those victimized by sexual assault.
- (2) Allocation and use of funds
- (A) Administrative costs.—Not more than 5 percent of the grant funds received by an Indian tribe, tribal organization, and nonprofit tribal organization under this subsection for any fiscal year may be used for administrative costs.



(B) Grant funds.—Any funds received under this subsection that are not used for administrative costs shall be used to provide grants to tribal organizations and nonprofit tribal organizations for programs and activities within Indian country and Alaskan native villages that provide direct intervention and related assistance.

**(f) Authorization of appropriations**

(1) In general.— There are authorized to be appropriated ~~\$40,000,000~~ \$100,000,000 to remain available until expended for each of the fiscal years ~~2014 through 2018~~ 2023 through 2027 to carry out the provisions of this section.

(2) Allocations.—Of the total amounts appropriated for each fiscal year to carry out this section—

(A) not more than 2.5 percent shall be used by the Attorney General for evaluation, monitoring, and other administrative costs under this section;

(B) not more than ~~2.5~~ 8 percent shall be used for the provision of technical assistance to grantees and subgrantees under this section of which not less than 20 percent shall be available for technical assistance to recipients of grants under subsection (c);

(C) not less than 65 percent shall be used for grants to States and territories under subsection (b);

(D) not less than 10 percent shall be used for making grants to State, territorial, and tribal sexual assault coalitions under subsection (d);

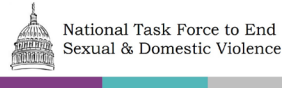
(E) not less than 10 percent shall be used for grants to tribes under subsection (e); and

(F) not less than 10 percent shall be used for grants for culturally specific programs addressing sexual assault under subsection (c).

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

**Amend 34 U.S.C. § 12341 (Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance) to read as follows:**

(a) Purposes. The purposes of this section are—



(1) to identify, assess, and appropriately respond to child, youth, and adult victims of domestic violence, sexual assault, dating violence, and stalking in rural communities, by encouraging collaboration among—

- (A) domestic violence, dating violence, sexual assault, and stalking victim service providers;
- (B) law enforcement agencies;
- (C) prosecutors;
- (D) courts;
- (E) other criminal justice service providers;
- (F) human and community service providers;
- (G) educational institutions; and
- (H) health care providers, including sexual assault forensic examiners;

(2) to establish and expand nonprofit, nongovernmental, State, tribal, territorial, and local government victim services in rural communities to child, youth, and adult victims; and

(3) to increase the safety and well-being of and children in rural communities, by—

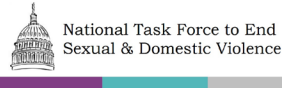
- (A) dealing directly and immediately with domestic violence, sexual assault, dating violence, and stalking occurring in rural communities; and
- (B) creating and implementing strategies to increase awareness and prevent domestic violence, sexual assault, dating violence, and stalking; and

(4) to develop, expand, implement, and improve the quality of sexual assault forensic medical examination or sexual assault nurse examiner programs.

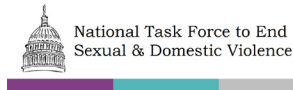
(b) Grants authorized.—The Attorney General, acting through the Director of the Office on Violence Against Women (referred to in this section as the “Director”), may award grants to States, Indian tribes, local governments, and nonprofit, public or private entities, including tribal nonprofit organizations, to carry out programs serving rural areas or rural communities that address domestic violence, dating violence, sexual assault, and stalking by—

- (1) implementing, expanding, and establishing cooperative efforts and projects among law enforcement officers, prosecutors, victim service providers, and other related parties to investigate and prosecute incidents of domestic violence, dating violence, sexual assault, and stalking, including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides;
- (2) providing treatment, counseling, advocacy, legal assistance, and other long-term and short-term victim and population specific services to adult and minor victims of domestic violence, dating violence, sexual assault, and stalking in rural communities, including assistance in immigration matters;





- (3) working in cooperation with the community to develop education and prevention strategies directed toward such issues; and
- (4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.;
- (5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to quality forensic sexual assault examinations by trained healthcare providers, shelters, and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.
- (c) Use of funds.—Funds appropriated pursuant to this section shall be used only for specific programs and activities expressly described in subsection (a).
- (d) Allotments and priorities
- (1) Allotment for Indian tribes
- (A) In general.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 10452 of this title.
- (B) Applicability of part.—The requirements of this section shall not apply to funds allocated for the program described in subparagraph (A).
- (2) Allotment for sexual assault
- (A) In general.—Not less than 25 percent of the total amount appropriated in a fiscal year under this section shall fund services that meaningfully address sexual assault in rural communities, however at such time as the amounts appropriated reach the amount of \$45,000,000, the percentage allocated shall rise to 30 percent of the total amount appropriated, at such time as the amounts appropriated reach the amount of \$50,000,000, the percentage allocated shall rise to 35 percent of the total amount appropriated, and at such time as the amounts appropriated reach the amount of \$55,000,000, the percentage allocated shall rise to 40 percent of the amounts appropriated.
- (B) Multiple purpose applications.—Nothing in this section shall prohibit any applicant from applying for funding to address sexual assault, domestic violence, stalking, or dating violence in the same application.



(3) Allotment for technical assistance.—Of the amounts appropriated for each fiscal year to carry out this section, not more than 8 percent may be used by the Director for technical assistance costs. Of the amounts appropriated in this subsection, no less than 25 percent of such amounts shall be available to a nonprofit, nongovernmental organization or organizations whose focus and expertise is in addressing sexual assault to provide technical assistance to sexual assault grantees.

(4) Underserved populations.—In awarding grants under this section, the Director shall give priority to the needs of underserved populations.

(5) Allocation of funds for rural States.—Not less than 75 percent of the total amount made available for each fiscal year to carry out this section shall be allocated to eligible entities located in rural States.

(e) Authorization of appropriations

(1) In general.—There are authorized to be appropriated ~~\$50,000,000~~ \$100,000,000 for each of the fiscal years ~~2014 through 2018~~ 2023 through 2027 to carry out this section.

(2) Additional funding.—In addition to funds received through a grant under subsection (b), a law enforcement agency may use funds received through a grant under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) [*COPS*] to accomplish the objectives of this section.

**SEC. 203. GRANTS FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN-INDIVIDUALS WITH DISABILITIES AND DEAF PEOPLE GRANT.**

Amend 34 U.S.C. § 20122 (Training and services to end violence against ~~women~~ individuals with disabilities and Deaf people) to read as follows:

(a) In general.— The Attorney General, in consultation with the Secretary of Health and Human Services, may award grants to eligible entities—

(1) to provide training, consultation, and information on domestic violence, dating violence, stalking, ~~and~~ sexual assault, and abuse by caregivers against with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)) and Deaf people; and

(2) to enhance direct services to such individuals.

(b) Use of funds.— Grants awarded under this section shall be used—

(1) to provide personnel, training, technical assistance, advocacy, intervention, risk reduction (including using evidence-based indicators to assess the risk of domestic and dating violence homicide) and prevention of domestic violence, dating violence, stalking,



and sexual assault against ~~disabled individuals~~ individuals with disabilities and Deaf people;

(2) to conduct outreach activities to ensure that ~~disabled individuals~~ individuals with disabilities and Deaf people who are victims of domestic violence, dating violence, stalking, or sexual assault receive appropriate assistance;

(3) to conduct cross-training for victim service organizations, governmental agencies, courts, law enforcement and other first responders, and nonprofit, nongovernmental organizations serving with disabilities and Deaf people about risk reduction, intervention, prevention and the nature of domestic violence, dating violence, stalking, and sexual assault for ~~disabled individuals~~ individuals with disabilities and Deaf people

(4) to provide technical assistance to assist with modifications to existing policies, protocols, and procedures to ensure equal access to the services, programs, and activities of victim service providers for ~~disabled individuals~~ individuals with disabilities and Deaf people;

(5) to provide training and technical assistance on the requirements of shelters and victim service providers under Federal antidiscrimination laws, including—

- (A) the Americans with Disabilities Act of 1990 [42 U.S.C. 12101 et seq.]; and
- (B) section 794 of title 29;

(6) to modify facilities, purchase equipment, and provide personnel so that shelters and victim service organizations can accommodate the needs of ~~disabled individuals~~ individuals with disabilities and Deaf people;

(7) to provide advocacy and intervention services for ~~disabled individuals~~ individuals with disabilities and Deaf people who are victims of domestic violence, dating violence, stalking, or sexual assault; or

(8) to develop model programs ~~providing advocacy and intervention services within to~~ enhance the capacity of organizations serving ~~disabled individuals~~ individuals with disabilities and Deaf people who are victims of domestic violence, dating violence, sexual assault, or stalking.

#### (c) Eligible entities

(1) In general.— An entity shall be eligible to receive a grant under this section if the entity is—

- (A) a State;
- (B) a unit of local government;
- (C) an Indian tribal government or tribal organization; or



(D) a victim service provider, such as a State or tribal domestic violence or sexual assault coalition or a nonprofit, nongovernmental organization

(2) Limitation.— A grant awarded for the purpose described in subsection (b)(8) of this section shall only be awarded to an eligible agency (as defined in section 796f–5 of title 29).

(d) Underserved populations.— In awarding grants under this section, the Director shall ensure that the needs of underserved populations are being addressed.

(e) Authorization of appropriations.— There are authorized to be appropriated ~~\$9,000,000~~ \$15,000,000 for each of the fiscal years ~~2014 through 2018~~ 2023 through 2027 to carry out this section.

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

Amend 34 U.S.C. § 12421 (~~Enhanced~~ T Training and services to end abuse in later life) to read as follows:

(a) ~~Definitions.— In this section—~~

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

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

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

(b) ~~Grant Program.—~~

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

The Attorney General shall make grants to eligible entities in accordance with the following:

~~(1)~~ (2) Mandatory and permissible activities.—

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

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



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

(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, ~~including domestic violence, dating violence, sexual assault, stalking, exploitation or neglect;~~ and

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

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

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

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

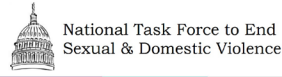
(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

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

~~(2)~~ (3) Eligible entities.—An entity shall be eligible to receive a grant under this section if—

(A) the entity is—

- (i) a State;
- (ii) a unit of local government;



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Sexual & Domestic Violence

- (iii) a tribal government or tribal organization;
- (iv) a population specific organization ~~with demonstrated experience in assisting individuals over 50 years of age~~;
- (v) a victim service provider ~~with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking~~; or
- (vi) a State, tribal, or Territorial domestic violence or sexual assault coalition; and

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

- (i) a law enforcement agency;
- (ii) a prosecutor’s office;
- (iii) a victim service provider;
- (iv) a nonprofit program or government agency with demonstrated experience in assisting individuals ~~in later life~~ 50 years of age or over.

~~(3)~~ (4) Underserved populations.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

~~(4)~~ (5) Authorization of appropriations.—There are authorized to be appropriated to carry out this section ~~\$9,000,000~~ \$10,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

## SEC. 205. ABBY HONOLD ACT.

(a) Short Title.—This section may be cited as the “Abby Honold Act”.

(b) Amendment.—Title IV of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12291 et seq.) is amended by adding at the end the following:

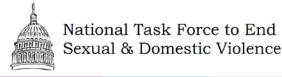
**Subtitle Q—Trauma-Informed, Victim-Centered Training for Law Enforcement**  
**Sec. 41701. Demonstration Program on Trauma-Informed Victim-Centered Training for Law Enforcement.**

(a) Definitions.—In this section—

(1) the term “Attorney General” means the Attorney General, acting through the Director of the Office on Violence Against Women;

(2) the term “covered individual” means an individual who interfaces with victims of domestic violence, dating violence, sexual assault, and stalking, including—

(A) an individual working for or on behalf of an eligible entity;



(B) an administrator or personnel of a school, university, or other educational program or activity (including a campus police officer or a school resource officer); and

(C) an emergency services or medical employee;

(3) the term “demonstration site”, with respect to an eligible entity that receives a grant under this section, means—

(A) if the eligible entity is a law enforcement agency described in paragraph (4)(A), the area over which the eligible entity has jurisdiction; and

(B) if the eligible entity is an organization or agency described in paragraph (4)(B), the area over which a law enforcement agency described in paragraph (4)(A) that is working in collaboration with the eligible entity has jurisdiction.

(4) the term “eligible entity” means a State, local, territorial, or Tribal law enforcement agency

(5) the term “mandatory partner” means a national, regional, or local victim services organization or agency working in collaboration with a law enforcement agency described in paragraph (4).

(b) Grants authorized.—

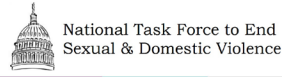
(1) In general.—The Attorney General shall award grants on a competitive basis to eligible entities to carry out the demonstration program under this section by implementing evidence-based or promising policies and practices to incorporate trauma-informed victim-centered techniques designed to—

(A) prevent re-traumatization of the victim;

(B) ensure that covered individuals use evidence-based practices to respond to and investigate cases of domestic violence, dating violence, sexual assault, and stalking;

(C) improve communication between victims and law enforcement officers in an effort to increase the likelihood of the successful investigation and prosecution of the reported crime in a manner that protects the victim to the greatest extent possible;

(D) increase collaboration among stakeholders who are part of the coordinated community response to domestic violence, dating violence, sexual assault, and stalking; and



(E) evaluate the effectiveness of the training process and content

(2) Award basis.—The Attorney General shall award grants under this section to multiple eligible entities for use in a variety of settings and communities, including—

(A) urban, suburban, Tribal, remote, and rural areas;

(B) college campuses; or

(C) traditionally underserved communities.

(c) Use of funds.—An eligible entity that receives a grant under this section shall use the grant to—

(1) train covered individuals within the demonstration site of the eligible entity to use evidence-based, trauma-informed, and victim-centered techniques and knowledge of crime victims’ rights throughout an investigation into domestic violence, dating violence, sexual assault, or stalking, including by—

(A) conducting victim interviews in a manner that—

(i) elicits valuable information about the domestic violence, dating violence, sexual assault, or stalking; and

(ii) avoids re-traumatization of the victim;

(B) conducting field investigations that mirror best and promising practices available at the time of the investigation;

(C) customizing investigative approaches to ensure a culturally and linguistically appropriate approach to the community being served;

(D) becoming proficient in understanding and responding to complex cases, including cases of domestic violence, dating violence, sexual assault, or stalking—

(i) facilitated by alcohol or drugs;

(ii) involving strangulation;

(iii) committed by a non-stranger;

(iv) committed by an individual of the same sex as the victim;

(v) involving a victim with a disability;

(vi) involving a male victim; or

(vii) involving a lesbian, gay, bisexual, or transgender (commonly referred to as “LGBT”) victim;





(E) developing collaborative relationships between—

- (i) law enforcement officers and other members of the response team; and
- (ii) the community being served; and

(F) developing an understanding of how to define, identify, and correctly classify a report of domestic violence, dating violence, sexual assault, or stalking; and

(2) promote the efforts of the eligible entity to improve the response of covered individuals to domestic violence, dating violence, sexual assault, and stalking through various communication channels, such as the website of the eligible entity, social media, print materials, and community meetings, in order to ensure that all covered individuals within the demonstration site of the eligible entity are aware of those efforts and included in trainings, to the extent practicable.

(d) Demonstration program trainings on trauma-informed victim-centered approaches.—

(1) Identification of existing trainings.—

(A) In general.—The Attorney General shall identify trainings for law enforcement officers, in existence as of the date on which the Attorney General begins to solicit applications for grants under this section, that—

- (i) employ a trauma-informed victim-centered approach to domestic violence, dating violence, sexual assault, and stalking; and
- (ii) focus on the fundamentals of—

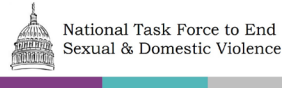
(I) trauma responses; and

(II) the impact of trauma on victims of domestic violence, dating violence, sexual assault, and stalking; and

(III) techniques for effectively investigating domestic violence, sexual assault, and stalking.

(B) Selection.—An eligible entity that receives a grant under this section shall select one or more of the approaches employed by a training identified under subparagraph (A) to test within the demonstration site of the eligible entity.

(2) Consultation.—In carrying out paragraph (1), the Attorney General shall consult with the Director of the Office for Victims of Crime in order to seek input from and cultivate consensus among outside practitioners and other stakeholders through facilitated discussions and focus groups on best practices in the field of trauma-informed victim-



centered care for victims of domestic violence, dating violence, sexual assault, and stalking.

(e) Evaluation.—The Attorney General, in consultation with the Director of the National Institute of Justice, shall require each eligible entity that receives a grant under this section to identify a research partner, preferably a local research partner, to—

(1) design a system for generating and collecting the appropriate data to facilitate an independent process or impact evaluation of the use of the grant funds;

(2) periodically conduct an evaluation described in paragraph (1); and

(3) periodically make publicly available, during the grant period—

(A) preliminary results of the evaluations conducted under paragraph (2); and

(B) recommendations for improving the use of the grant funds.

(f) Authorization of appropriations.— There are authorized to be appropriated to the Attorney General \$5,000,000 for each of fiscal years 2023 through 2027 to carry out this section.

(g) Rule of construction.—Nothing in this section shall be construed to interfere with the due process rights of any individual.

## **SEC. 206. LGBT SPECIFIC SERVICES PROGRAM**

(a) Establishment.— The Attorney General, acting through the Director of the Violence Against Women Office (referred to in this section as the “Director”), shall make grants to eligible entities to enhance lesbian, gay, bisexual, and transgender (referred to in this section as “LGBT”) specific services for victims of domestic violence, dating violence, sexual assault and stalking.

(b) Purpose of program and grants.—

(1) General program purpose.— The purpose of the program required by this section is to promote the following:

(A) The maintenance and replication of existing successful LGBT specific domestic violence, dating violence, sexual assault, and stalking community-based programs providing services and resources for LGBT victims of domestic violence, dating violence, sexual assault, and stalking.

(B) The development of innovative LGBT specific strategies and projects to enhance access to services and resources for LGBT victims of domestic violence, dating violence, sexual assault, and stalking who face obstacles to using more traditional services and resources.



(2) Purposes for which grants may be used.— The Director shall make grants to community-based programs for the purpose of enhancing LGBT specific services for victims of domestic violence, dating violence, sexual assault, and stalking. Grants under the program shall support community-based efforts to address distinctive LGBT specific responses to domestic violence, dating violence, sexual assault, and stalking, including—

(A) providing or enhancing services for LGBT victims of domestic violence, dating violence, sexual assault, or stalking, including services that address the safety, emotional well-being, economic, housing, legal and workplace needs of LGBT victims;

(B) supporting programs that specifically address underserved LGBT communities, including culturally specific communities, to provide specific resources and support for LGBT underserved victims of domestic violence, dating violence, sexual assault, and stalking;

(C) working in cooperation with the community to develop education and prevention strategies highlighting LGBT specific issues and resources regarding victims of domestic violence, dating violence, sexual assault, and stalking;

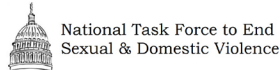
(D) conducting outreach activities to ensure that LGBT people who are victims of domestic violence, dating violence, stalking, or sexual assault receive appropriate assistance;

(E) providing training for victim service providers, governmental agencies, courts, law enforcement and other first responders, and nonprofit, nongovernmental organizations serving the LGBT community about risk reduction, intervention, prevention and the nature of domestic violence, dating violence, stalking, and sexual assault

(F) developing and implementing LGBT specific programming that focuses on victim autonomy, agency, and safety in order to provide resolution and restitution for the victim.

(G) providing LGBT specific programs for the non-offending LGBT parents of children exposed to domestic violence, dating violence, sexual assault, and stalking;

(3) Technical assistance and training.— The Director shall provide technical assistance and training to grantees of this and other programs under this Act regarding the development and provision of effective LGBT specific community-based services by entering into cooperative agreements or contracts with an organization or organizations having a demonstrated expertise in and whose primary purpose is addressing the development and provision of LGBT specific community-based services to victims of



domestic violence, dating violence, sexual assault, and stalking.

(c) Eligible entities.— Eligible entities for grants under this section include—

(1) community-based organizations, the primary purpose of which is providing LGBT specific services to victims of domestic violence, dating violence, sexual assault, and stalking; and

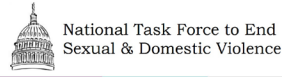
(2) community-based organizations, the primary purpose of which is providing LGBT specific services that can partner with a program having demonstrated expertise in serving victims of domestic violence, dating violence, sexual assault, and stalking, and that agrees to receive technical assistance from a program with LGBT specific expertise.

(d) Reporting.— The Director shall issue a biennial report on the distribution of funding under this section, the progress made in replicating and supporting increased services to LGBT victims of domestic violence, dating violence, sexual assault, and stalking and the types of LGBT specific programs, strategies, technical assistance, and training developed or enhanced through this program.

(e) Evaluation.— The Director shall award a contract or cooperative agreement to evaluate programs under this section to an entity with the demonstrated expertise in and primary goal of providing enhanced access to services and resources for victims of domestic violence, dating violence, sexual assault, and stalking who face obstacles to using more traditional services and resources.

(f) Non-exclusivity.— Nothing in this section shall be interpreted to exclude LGBT community-based programs from applying to other grant programs authorized under this Act.

(g) Authorization of appropriations.— There are authorized to be appropriated to carry out this section \$8,000,000 for each of fiscal years 2023 through 2027, to remain available until expended.



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

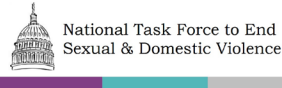
### SEC. 301. RAPE PREVENTION EDUCATION GRANT.

**Amend 42 U.S.C. § 280b–1b (Use of allotments for rape prevention education) to read as follows:**

(a) Permitted use.— The Secretary, acting through the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, shall award targeted grants to States to be used for rape prevention and education programs conducted by rape crisis centers, State, territorial, or tribal sexual assault coalitions, and other public and private nonprofit entities for—

- (1) educational seminars;
- (2) the operation of hotlines or utilization of other communication technologies for purposes related to such a hotline;
- (3) training programs for professionals, including school-based professionals, to identify and refer students who may have experienced or are at risk of experiencing sexual violence;
- (4) the preparation of informational material;
- (5) education and training programs for students and campus personnel designed to reduce the incidence of sexual assault at colleges and universities;
- (6) education to increase awareness about drugs and alcohol used to facilitate rapes or sexual assaults; and
- (7) other efforts to increase awareness of the facts about, or to help prevent, sexual assault-violence, sexual assault, and sexual harassment, including efforts to increase awareness in underserved communities and awareness among individuals with disabilities (as defined in section 12102 of this title) and Deaf individuals.

(b) Collection and dissemination of information on sexual assault.— The Secretary shall, through the National Resource Center on Sexual Assault established under the National Center for Injury Prevention and Control at the Centers for Disease Control and Prevention, provide resource information, policy, training, and technical assistance to Federal, State, local, and Indian ~~tribal~~ Tribal agencies, as well as to State sexual assault coalitions and local sexual assault programs and to other professionals and interested parties on issues relating to sexual assault, including maintenance of a central resource library in order to collect, prepare, analyze, and disseminate information and statistics and analyses thereof relating to the incidence and prevention of sexual assault.



(c) Meaningful involvement of state sexual assault coalitions, culturally specific organizations, and underserved communities—In awarding funds to states under this section, the Secretary shall set forth procedures designed to ensure meaningful involvement of sexual assault coalitions, culturally specific organizations, and representatives from underserved communities of the State or territory in the application for, and implementation of, funding.

(d) (e) Authorization of appropriations

(1) In general.— There is authorized to be appropriated to carry out this section ~~\$50,000,000~~ \$100,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

(2) National sexual violence resource center allotment.— Of the total amount made available under this subsection in each fiscal year, not less than \$1,500,000 shall be available for allotment under subsection (b) of this section.

(3) Baseline funding for States, the District of Columbia and Puerto Rico.— A minimum allocation of \$150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of \$35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population. Not less than 80 percent of the total amount made available under this subsection in each fiscal year shall be awarded in accordance with this paragraph.

(4) State, territorial, and tribal sexual assault coalition allotment.—

(A) In general.— Of the total amount made available under this subsection in each fiscal year, not less than 15 percent shall be allocated to State, territorial, and Tribal sexual assault coalitions for the purposes of coordinating and providing prevention activities, providing assistance to prevention programs, and collaborating and coordinating with Federal, State, Tribal, and local entities engaged in sexual violence prevention, in accordance with this paragraph.

(B) Allocations.—Of the total amount appropriated under this subsection and allocated to making awards to sexual assault coalitions, as described in subparagraph (A), for a fiscal year—

(i) not less than 10 percent shall be made available to Tribal sexual assault coalitions; and

(ii) any remaining amounts shall be made available, in equal amounts, to each State coalition and each territorial coalition.



(C) Clarification.—Receipt of an award under this subsection by asexual assault coalition shall not preclude the coalition from receiving additional grants and/or administering funds to carry out the purposes described in subsection (a).

(e) (d) Limitations

(1) Supplement not supplant.—Amounts provided to States under this section shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide services of the type described in subsection (a) of this section.

(2) Studies.— A State may not use more than 2 percent of the amount received by the State under this section for each fiscal year for surveillance studies or prevalence studies.

(3) Administration.— A State may not use more than 5 percent of the amount received by the State under this section for each fiscal year for administrative expenses.

(f) Report.—Not later than 1 year after the date of the enactment of the Violence Against Women Reauthorization Act of 2022, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall submit to Congress, the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives, and the Committee on Appropriations and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the activities funded by grants awarded under this section and best practices relating to rape prevention and education.

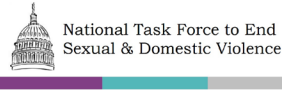
**SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.**

**Amend 34 U.S.C. § 12451 (Creating Hope through Outreach, Options, Services, and Education for Children and Youth (“CHOOSE Children & Youth”)) to read as follows:**

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

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

(1) Services to Advocate for and Respond to Youth— To develop, expand, and strengthen victim-centered interventions and services that target youth, including youth in underserved populations, who are victims of domestic violence, dating violence, sexual assault, stalking, and sex trafficking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order



proceedings, population specific services, and other activities that support youth in finding safety, stability and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds also may be used to—

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

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

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

(D) clarify State or local mandatory reporting policies and practices regarding peer-on-peer dating violence, sexual assault, stalking, and sex trafficking; or

(E) develop, enlarge, or strengthen culturally specific victim services and response related to, and prevention of female genital mutilation or cutting.

(2) Supporting Youth through Education and Protection.— To enable middle schools, high schools and institutions of higher education to—

(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, stalking, ~~or~~ sex trafficking, or female genital mutilation or cutting;

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





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

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

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

(3) Children Exposed to Violence and Abuse.—To develop, maintain, or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children’s exposure to violence in the home, including by—

(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including—

- (i) direct counseling or advocacy; and
- (ii) support for the non-abusing parent; and

(B) training and coordination for educational, after-school, and childcare programs on how to—

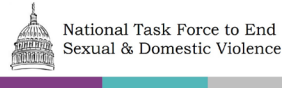
- (i) safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking; and
- (ii) properly refer children exposed and their families to services and violence prevention programs.

(4) Teen Dating Violence Awareness and Prevention.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals, which—

(A) may include the use evidenced-based, evidence-informed, or innovative strategies and practices focused on youth; and

(B) shall include—

- (i) age and developmentally-appropriate education on—



(I) domestic violence;  
(II) dating violence;  
(III) sexual assault;  
(IV) stalking;  
(V) sexual coercion; and  
(VI) healthy relationship skills, in school, in the community, or in health care settings;

(ii) community-based collaboration and training for individuals with influence on youth, such as parents, teachers, coaches, healthcare providers, faith leaders, older teens, and mentors;

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

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

(c) Eligible applicants.

(1) In General. —To be eligible to receive a grant under this section, an entity shall be—

(A) a victim service provider, tribal nonprofit organization, Native Hawaiian organization, urban Indian organization, 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, stalking, ;

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

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

(2) Partnerships.—

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



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

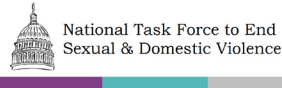
- (i) a State, tribe, unit of local government, or territory;
- (ii) a population specific or community-based organization;
- (iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders;  
or
- (iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

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

- (1) require and include appropriate referral systems for child and youth victims;
  - (2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and
  - (3) ensure that all persons providing intervention or prevention programming to children or youth through a program funded under this section has completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault, stalking, including training on working with youth victims of domestic violence, dating violence, sexual assault, or sex trafficking in underserved populations, if such youth are among those being served.
- (e) Definitions and grant conditions.— In this section, the definitions and grant conditions provided for in section 12291 shall apply.
- (f) Authorization of Appropriations.— There is authorized to be appropriated to carry out this section ~~\$15,000,000~~ \$30,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

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

**Amend 34 U.S.C. § 20125 (Grants to combat violent crimes on campuses) to read as follows:**



(a) Grants authorized.

(1) In general. The Attorney General is authorized to make grants to institutions of higher education, for use by such institutions or consortia consisting of campus personnel, student organizations, campus administrators, security personnel, and regional crisis centers affiliated with the institution, to develop and strengthen effective security and investigation strategies to combat domestic violence, dating violence, sexual assault, and stalking on campuses, to develop and strengthen victim services in cases involving such crimes on campuses, which may include partnerships with local criminal justice authorities and community-based victim services agencies, and to develop and strengthen prevention education and awareness programs.

~~(2) Award basis. The Attorney General shall award grants and contracts under this section on a competitive basis for a period of 3 years. The Attorney General, through the Director of the Office on Violence Against Women, shall award the grants in amounts of not more than \$300,000 for individual institutions of higher education and not more than \$1,000,000 for consortia of such institutions.~~

~~(2)~~ (3) Equitable participation. The Attorney General shall make every effort to ensure—

(A) the equitable participation of private and public institutions of higher education in the activities assisted under this section;

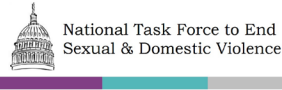
(B) the equitable geographic distribution of grants under this section among the various regions of the United States; and

(C) the equitable distribution of grants under this section to tribal colleges and universities and traditionally black colleges and universities.

(b) Use of grant funds. Grant funds awarded under this section may be used for the following purposes:

(1) To provide personnel, training, technical assistance, data collection, and other equipment with respect to the increased apprehension, investigation, and adjudication of persons committing domestic violence, dating violence, sexual assault, and stalking on campus.

(2) To develop, strengthen, and implement campus policies, protocols, and services that more effectively identify and respond to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the use of technology to commit these crimes, and to train campus administrators, campus security personnel, and all participants in the resolution process, including personnel from the Title IX coordinator's office, and student conduct office, ~~on~~ and campus disciplinary or judicial boards on such policies, protocols, and services that promote a prompt, fair, and impartial investigation. ~~Within 90 days after January 5, 2006, the Attorney General shall issue and make available minimum~~



~~standards of training relating to domestic violence, dating violence, sexual assault, and stalking on campus, for all campus security personnel and personnel serving on campus disciplinary or judicial boards.~~

~~(3) To implement and operate education programs for the prevention of domestic violence, dating violence, sexual assault, and stalking~~

~~To provide prevention and education programming about domestic violence, dating violence, sexual assault, and stalking, including technological abuse and reproductive and sexual coercion, that is age-appropriate, culturally relevant, ongoing, delivered in multiple venues on campus, accessible, promotes respectful nonviolent behavior as a social norm, and engages men and boys. Such programming should be developed in partnership or collaboratively with experts in intimate partner and sexual violence prevention and intervention.~~

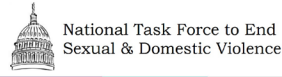
(4) To develop, enlarge, or strengthen victim services programs and population specific services on the campuses of the institutions involved, including programs providing legal, medical, or psychological counseling, for victims of domestic violence, dating violence, sexual assault, and stalking, and to improve delivery of victim assistance on campus. To the extent practicable, such an institution shall collaborate with any victim service providers in the community in which the institution is located. If appropriate victim services programs are not available in the community or are not accessible to students, the institution shall, to the extent practicable, provide a victim services program on campus or create a victim services program in collaboration with a community-based organization. The institution shall use not less than 20 percent of the funds made available through the grant for a victim services program provided in accordance with this paragraph, regardless of whether the services are provided by the institution or in coordination with community victim service providers.

(5) To create, disseminate, or otherwise provide assistance and information about victims options on and off campus to bring disciplinary or other legal action, including assistance to victims in immigration matters.

(6) To develop, install, or expand data collection and communication systems, including computerized systems, linking campus security to the local law enforcement for the purpose of identifying and tracking arrests, protection orders, violations of protection orders, prosecutions, and convictions with respect to the crimes of domestic violence, dating violence, sexual assault, and stalking on campus.

(7) To provide capital improvements (including improved lighting and communications facilities but not including the construction of buildings) on campuses to address the crimes of domestic violence, dating violence, sexual assault, and stalking.

(8) To support improved coordination among campus administrators, campus security personnel, and local law enforcement to reduce domestic violence, dating violence, sexual assault, and stalking on campus.



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

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

(11) To train campus health centers and appropriate campus faculty, such as academic advisors or professionals who deal with students on a daily basis, on how to recognize and respond to domestic violence, dating violence, sexual assault, and stalking, including training health providers on how to provide universal education to all members of the campus community on the impacts of violence on health and unhealthy relationships and how providers can support ongoing outreach efforts.

(12) To train campus personnel in how to use a victim-centered, trauma-informed interview technique, which means asking questions of a student or a campus employee who is reported to be a victim of sexual harassment, sexual assault, domestic violence, dating violence, or stalking, in a manner that is focused on the experience of the reported victim, that does not judge or blame the reported victim for the alleged crime, and that is informed by evidence-based research on trauma response. To the extent practicable, campus personnel shall allow the reported victim to participate in a recorded interview and to receive a copy of the recorded interview.

(13) To develop and implement restorative practices (as such term is defined in section 40002(a) of the Violence Against Women Act of 1994).

### (c) Applications

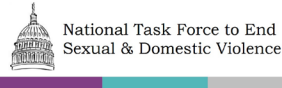
(1) In general. In order to be eligible to be awarded a grant under this section for any fiscal year, an institution of higher education shall submit an application to the Attorney General at such time and in such manner as the Attorney General shall prescribe.

(2) Contents. Each application submitted under paragraph (1) shall—

(A) describe the need for grant funds and the plan for implementation for any of the purposes described in subsection (b) of this section;

(B) include proof that the institution of higher education collaborated with victim service providers in the community in which the institution is located;

(C) describe the characteristics of the population being served, including type of campus, demographics of the population, and number of students;



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

(E) provide measurable goals and expected results from the use of the grant funds;

(F) provide assurances that the Federal funds made available under this section shall be used to supplement and, to the extent practical, increase the level of funds that would, in the absence of Federal funds, be made available by the institution for the purposes described in subsection (b) of this section; and

(G) include such other information and assurances as the Attorney General reasonably determines to be necessary.

(3) Compliance with campus crime reporting required. No institution of higher education shall be eligible for a grant under this section unless such institution is in compliance with the requirements of section 1092 (f) of title 20. Up to \$200,000 of the total amount of grant funds appropriated under this section for fiscal years ~~2014 through 2018~~ 2023 through 2027 may be used to provide technical assistance in complying with the mandatory reporting requirements of section 1092 (f) of title 20.

(d) General terms and conditions

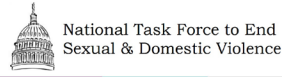
(1) Nonmonetary assistance. In addition to the assistance provided under this section, the Attorney General may request any Federal agency to use the agency's authorities and the resources granted to the agency under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of campus security, and investigation and victim service efforts.

(2) Grantee reporting

(A) Annual report. Each institution of higher education receiving a grant under this section shall submit a performance report to the Attorney General. The Attorney General shall suspend funding under this section for an institution of higher education if the institution fails to submit such a report.

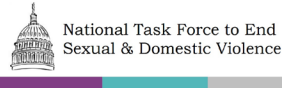
(B) Final report. Upon completion of the grant period under this section, the institution shall file a performance report with the Attorney General and the Secretary of Education explaining the activities carried out under this section together with an assessment of the effectiveness of those activities in achieving the purposes described in subsection (b) of this section.

(3) Grantee minimum requirements.— Each grantee shall comply with the following minimum requirements during the grant period:



- (A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution;
- (B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all ~~incoming~~ students
- (C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking;
- (D) The grantee shall train all ~~members of campus disciplinary boards~~ participants in the resolution process, including the campus disciplinary board, Title IX coordinator's office, and student conduct office, to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.
- (4) Report to Congress. Not later than 180 days after the end of the fiscal year for which grants are awarded under this section, the Attorney General shall submit to Congress a report that includes—
- (A) the number of grants, and the amount of funds, distributed under this section;
- (B) a summary of the purposes for which the grants were provided and an evaluation of the progress made under the grant;
- (C) a statistical summary of the persons served, detailing the nature of victimization, and providing data on age, sex, sexual orientation, gender identity, race, ethnicity, language, disability, relationship to offender, geographic distribution, and type of campus; and
- (D) an evaluation of the effectiveness of programs funded under this part.
- (e) Authorization of appropriations. For the purpose of carrying out this section, there is authorized to be appropriated ~~\$12,000,000~~ \$15,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027, of which not less than 10 percent shall be made available for grants to historically Black colleges and universities.
- (f) Omitted
- (g) Definitions and grant conditions. In this section the definitions and grant conditions in section 12291 of this title shall apply.





[(b) Report on best practices regarding domestic violence, dating violence, sexual assault, and stalking on campuses.—Not later than 1 year after the date of enactment of this Act, the Secretary of Education shall submit to Congress a report, which includes—

(1) an evaluation of programs, events, and educational materials related to domestic violence, dating violence, sexual assault, and stalking; and

(2) an assessment of best practices and guidance from the evaluation described in paragraph (1), which shall be made publicly available online to universities and college campuses to use as a resource.]

**SEC. 304. STUDY ON STATE COVERAGE OF FORENSIC EXAMINATIONS AND RELATED COSTS FOLLOWING A SEXUAL ASSAULT.**

Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall issue a report to Congress on requirements and funding of States for forensic exams conducted after sexual assaults and any related medical expenses, as applicable, which shall include, with respect to each State—

(1) the total annual cost of conducting forensic exams described in section 2010(b) of part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10449(b));

(2) each funding source used to pay for the forensic exams described in section 2010(b) of part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10449(b));

(3) a description of any laws or policies of the State to ensure that individuals do not receive bills for all or part of the cost of forensic exams conducted after sexual assaults, consistent with section 2010(b) of part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10449(b)), including any oversight to ensure those individuals do not receive bills;

(4) an identification of any best practices implemented by the State to ensure that individuals do not receive bills for forensic exams conducted after sexual assaults;

(5) any requirements under laws of the State relating to payment for medical expenses relating to a sexual assault, which may include treatment of injuries associated with the assault, imaging (including x-rays, MRIs, and CAT scans), and other emergency medical care required as a result of the sexual assault for which a victim receives a forensic exam; and

(6) if a law of the State requires the State to pay for the medical expenses described in paragraph (5)—

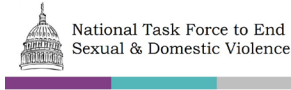
(A) a detailed list of which medical expenses require coverage;



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(B) the total annual cost of medical expenses relating to a sexual assault for which a victim receives a forensic exam outside of the cost of the forensic exam; and

(C) each funding source the State uses to pay for medical expenses relating to a sexual assault for which a victim receives a forensic exam.



## TITLE IV — VIOLENCE REDUCTION PRACTICES

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

**Amend 42 U.S.C. § 280b–4 (Study conducted by the Centers for Disease Control and Prevention) to read as follows:**

(a) Purposes.—The Secretary of Health and Human Services acting through the National Center for Injury Prevention and Control at the Centers for Disease Control Prevention shall make grants to entities, including domestic and sexual assault coalitions and programs, research organizations, tribal organizations, and academic institutions to support research to examine prevention and intervention programs to further the understanding of sexual and domestic violence by and against adults, youth, and children.

(b) Use of funds.—The research conducted under this section shall include evaluation and study of best practices for reducing and preventing violence against ~~women~~ adults, youth, and children addressed by the strategies included in Department of Health and Human Services-related provisions this title, including strategies addressing underserved communities.

(c) Authorization of appropriations.—There shall be authorized to be appropriated to carry out this title \$1,000,000 for each of the fiscal years ~~2014 through 2018~~ 2023 through 2027.

### SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES (SMART) THROUGH PREVENTION GRANTS.

**Amend 34 U.S.C. § 12463. (Saving Money and Reducing Tragedies through Prevention (SMART Prevention)) to read as follows:**

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

(b) Use of Funds – Funds provided under this section may be used ~~for the following purposes:~~

~~(1) Teen Dating Violence Awareness and Prevention.— To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and those who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include:~~



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

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

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

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

~~(E) strategies within each of these areas addressing the unmet needs of underserved populations.~~

~~(2) Children Exposed to Violence and Abuse.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children’s exposure to violence in the home. Such programs may include:~~

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

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

~~(3) Engaging Men as Leaders and Role Models.— T~~to develop, maintain or enhance programs that work with men and youth to prevent domestic violence, dating violence, sexual assault, and stalking by helping men and youth to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

(c) Eligible Entities.— To be an eligible to receive a grant under this section, an entity shall be—

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



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

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

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

(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed domestic violence, dating violence, sexual assault, or stalking;

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

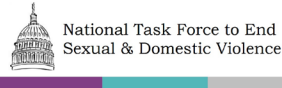
(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth; or

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

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

(d) Grantee requirements

(1) In General.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as



the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

(2) Policies and Procedures.—Applicants under this section shall establish and implement policies, practices, and procedures that—

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

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

(C) ensure that all persons providing prevention programming through a program funded under this section has completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

(D) document how prevention programs are coordinated with service programs in the community.

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

(A) include outcome-based evaluation; ~~and~~

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

(C) include a focus on the unmet needs of underserved populations.

(e) Definitions and grant conditions.— In this section, the definitions and grant conditions provided in section 40002 of this title shall apply.

(f) Authorization of Appropriations.— There is authorized to be appropriated to carry out this section ~~\$15,000,000~~ \$20,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027. Amounts appropriated under this section may only be used for programs and activities described under this section.

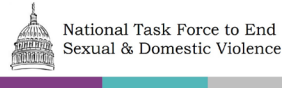
~~(g) Allotment—~~



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~~(1) In general— Not less than 25 percent of the total funds appropriated under this section in a given year shall be used for each set of purposes described in paragraph (1), (2), and (3) of subsection (b).~~

~~(2) Indian tribes.— Not less than 10 percent of the total amount available appropriated under this section for each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall allotted to other population-specific programs.~~



## TITLE V — STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE

### SEC. 501. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Amend 42 U.S.C. § 280g-4 (Grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking) to read as follows:

(a) In general.—The Secretary shall award grants for—

(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, community health workers, violence prevention advocates working with health providers, and allied health professionals;

(2) the development or enhancement and implementation of education programs for medical, psychology, nursing, dental, social work, nursing, and other health professions students, interns, and residents, fellows, or current health care providers (including midwives and doulas) to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; ~~and~~

(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response capacity of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to prevent and respond to domestic violence, dating violence, sexual assault, and stalking;

(4) the development or enhancement and implementation of training programs to improve the capacity of early childhood programs to address domestic violence, dating violence, sexual assault, and stalking among families they serve.; and

(5) the development or enhancement and implementation of comprehensive statewide strategies for health and violence prevention programs to work together to promote primary prevention of domestic violence, dating violence, sexual assault, and stalking.

(b) Use of funds.—

(1) Required uses. Amounts provided under a grant under this section shall be used to—

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

(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide universal education on healthy relationships and provide trauma-informed health care services





(including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; ~~and~~

(ii) plan and develop ~~culturally competent clinical~~ training components that center the experiences of, and are developed in collaboration with, culturally specific individuals and American Indians and Alaska Natives, , and include community-defined practices such as the use of doulas, midwives, and traditional healers, for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, (including labor and sex trafficking), focus on reducing health ~~disparities~~ inequities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

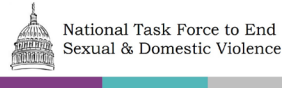
(iii) are designed to be inclusive of the experiences of all individuals, including LGBT individuals, and include training on improving equity and reducing disparities in access to healthcare services and prevention resources; and

(iv) include training on the use of a universal prevention education approach to both prevent and respond to domestic violence, dating violence, sexual assault, or stalking in health care settings.

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

(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying, ~~and~~ responding to, and promoting prevention of domestic violence, dating violence, sexual assault, and stalking during in-person or virtual visits including strategies to ensure that health information is maintained in a manner that protects the patient’s privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care; and to maximize victim choice on the use and sharing of their health information;

(ii) the development of ~~on-site access to~~ services to address the safety, medical, and mental health needs of patients by—



(I) increasing the capacity of existing health care professionals (including professionals who specialize in trauma or in substance use disorders) in behavioral and mental health care, community health workers, and public health staff to address domestic violence, dating violence, sexual assault, and stalking, and children exposed to violence; or by

(II) contracting with or hiring advocates for victims of domestic violence or sexual assault advocates to provide such services; or

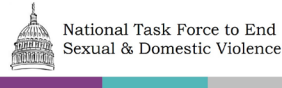
(III) providing funding to State domestic and sexual violence coalitions to improve the capacity of such coalitions to coordinate and support health advocates and other health system partnerships to model other services appropriate to the geographic and cultural needs of a site;

(iii) the development of measures and methods for the evaluation of the practice of ~~identification~~ prevention, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking during in-person or virtual visits, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1395aaa (b) of this title and section 1395aaa-1 of this title; ~~and~~

(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, and promote prevention during in-person or virtual visits, including using tools and training materials already developed, with priority given to programs administered through the Health Resources and Services Administration, Office of Women's Health;

(v) the development, implementation, dissemination, and evaluation of best practices, tools, and training materials, including culturally relevant tools, for mental health, behavioral health, and substance use disorder professionals to identify and respond to domestic violence, sexual violence, stalking, and dating violence; and

(vi) the development and provision of culturally relevant training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking from culturally specific communities and promote



prevention, using tools and training materials, developed by and for culturally specific communities, with priority given to trainings provided by culturally specific organizations; and

(C) design and implement comprehensive strategies to prevent domestic or sexual violence including through the use of universal education in clinical and public health settings, hospitals, clinics and other health settings.

(2) Permissible uses.—

(A) Child abuse and ~~elder~~-abuse in later life.—To the extent consistent with the purpose of this section, a grantee may address, as part of a comprehensive programmatic approach implemented under a grant under this section, issues relating to child abuse or ~~elder~~-abuse in later life.

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

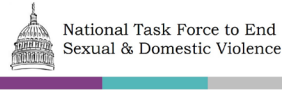
(C) Other Uses. —Grants funded under subsection (a)(3) may be used for —

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

(ii) development, expansion, and implementation of programs that promote the prevention of sexual assault as well as sexual assault forensic medical examination or sexual assault nurse examiner programs;

(iii) inclusion of the health effects of lifetime exposure to violence and abuse and exposure to violence against generations as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; ~~or~~

(iv) integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, mental health, social work, and nursing boards, and where appropriate, other allied health exams and certifications;



(v) providing funding to culturally specific organizations to improve the capacity of such organizations to engage and partner with health care providers to support victims and meet increased referrals from health systems;

(vi) development of a State-level pilot program to—

(I) improve the response of substance use disorder treatment programs, harm reduction programs for people who use substances, and systems to domestic violence, dating violence, sexual assault, and stalking;

(II) improve the capacity of substance use disorder treatment programs, harm reduction programs for people who use substances, and systems to serve survivors of domestic violence, dating violence, sexual assault, and stalking dealing with substance use disorder; and

(III) improve the capacity of domestic violence, dating violence, sexual assault, and stalking programs to serve survivors who have substance use history ; or

(vii) developing and utilizing existing technical assistance and training resources to improve the capacity of substance use disorder treatment programs and harm reduction programs for people who use substances to address domestic violence, dating violence, sexual assault, and stalking among patients the programs serve.

(c) Requirements for grantees

(1) Confidentiality and safety

(A) In general. Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 12291(b)(2) of this title and the Family Violence Prevention and Services Act [42 U.S.C. 10401 et seq.], and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the adequacy of confidentiality and security procedures, and provide documentation of such consultation.



(B) Advance notice of information disclosure. Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

(2) Limitation on administrative expenses. A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

### (3) Application

(A) Preference. In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to—

(i) outcome based evaluations

(ii) culturally specific and population specific organizations; and

(iii) programs developing and implementing community-driven solutions to address domestic violence, dating violence, sexual assault, or stalking. .

(B) Subsection (a)(1) and (2) grantees. Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

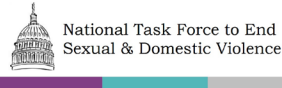
(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

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

(II) a health care facility or system; or

(III) a government or nonprofit entity, including a culturally specific organization or community-based organization working to address the social determinants of health, with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for



materials on domestic violence, dating violence, sexual assault, and stalking.

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

(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

(ii) strategies—

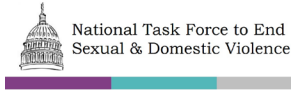
(I) for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan and generations in health care settings; and

(II) to address primary prevention of domestic violence, dating violence, sexual assault, and stalking over the lifespan and generations, including strategies that address related social determinants of health, economic justice, and equity issues, and that are inclusive LGBT individuals;

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

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

(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault



forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

(d) Eligible entities

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

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

(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

(C) a health care provider membership or professional organization, or a health care system; or

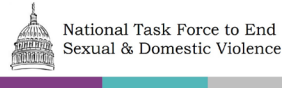
(D) a State, tribal, territorial, or local entity.

(2) Subsection (a)(3) grantees. To be eligible to receive funding under subsection (a)(3), an entity shall be—

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

(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, behavioral health treatment system, or ~~any other~~ a community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or health care, or substance use disorder prevention and treatment, or a community-based organization with a history of partnership with programs in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care or substance use disorder prevention and treatment.

(e) Technical assistance



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

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

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

- (A) the distribution of funds under this section; and
- (B) the programs and activities supported by such funds.

(f) Research, and evaluation, and data collection.

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

(A) grants awarded under this section; and

(B) other training for health professionals and effective interventions in the health care *or mental* or behavioral health (*including substance use disorder treatment*) setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

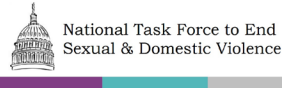
(2) Research and data collection.—Research or data collection authorized in paragraph (1) may include—

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

(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

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





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

(E) research on the intersection of substance use disorder and domestic violence, dating violence, sexual assault, and stalking, including effect of coerced use and efforts by an abusive partner or other to interfere with substance use disorder treatment and recovery; and

(F) improved data collection using existing Federal surveys by including questions about domestic violence, dating violence, sexual assault, or stalking and substance use disorder, coerced use, and mental or behavioral health (*including substance use disorder*).

(g) Authorization of appropriations.— There is authorized to be appropriated to carry out this section ~~\$10,000,000~~ \$20,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

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

## **SEC. 502. MATERNAL MORTALITY OR MORBIDITY STUDY.**

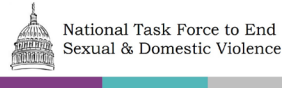
(a) Study.—The Secretary of Health and Human Services, acting through the Director of the Center for Disease Control and Prevention and in consultation with the Attorney General, the Director of the Indian Health Service, and other stakeholders (including community based organizations), shall conduct a study on the leading causes of pregnancy-associated morbidity and mortality and the extent which domestic violence, dating violence, sexual assault, or stalking throughout the United States contribute to the risk of maternal mortality or morbidity.

(b) Reports.—Not later than three years after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Attorney General, the Director of the Indian Health Service, and other stakeholders (including community based organizations), shall report to Congress on the study conducted under subsection (a), which shall include the following:

(1) An analysis of the extent to which domestic violence, dating violence, sexual assault, or stalking contribute to pregnancy-associated morbidity and mortality.

(2) An analysis of the impact of domestic violence, dating violence, sexual assault or stalking on access to health care.

(3) A breakdown of individuals particularly impacted by domestic violence, dating violence, sexual assault, or stalking, by race and ethnicity, disability status, and sexual orientation and gender identity.



(4) An analysis of the impact of domestic violence, dating violence, sexual assault, or stalking on Tribal communities and among Indians.

(5) An assessment of the factors that increase risks for infant and maternal mortality or morbidity among victims of domestic violence, dating violence, sexual assault, or stalking.

(6) Recommendations for legislative or policy changes to help reduce infant and maternal mortality rates.

(7) Best practices to reduce pregnancy-related deaths among survivors of domestic violence, dating violence, sexual assault, or stalking.

(8) Any other information on maternal mortality or morbidity the Secretary determines appropriate to include in the report.

### **SEC. 503. UNDERSTANDING SEXUAL ASSAULT CARE IN HEALTH SYSTEMS.**

(a) Purpose.—It is the purpose of this section to identify areas for improvement in health care delivery systems providing forensic examinations to survivors of sexual assault.

(b) Grants.—The Secretary of Health and Human Services (referred to in this section as “the Secretary”) shall award grants to States and Indian Tribes to develop and implement State and Tribal surveys to identify—

(1) the availability of, and patient access to, medical forensic examinations;

(2) the training level of the health care providers who perform medical forensic examinations;

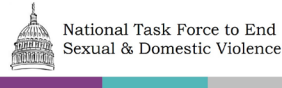
(3) the hospitals or clinics that offer medical forensic examinations and whether each hospital or clinic has full-time, part-time, or on-call coverage;

(4) barriers to medical forensic examinations provided in sexual assault care and services;

(5) billing and reimbursement practices for medical forensic examinations;

(6) State and Tribal requirements, minimum standards, and protocols for training sexual assault examiners for sexual assault forensic examiners and for other personnel involved in medical forensic examinations;

(7) the availability of sexual assault forensic examiner training, the frequency of such training, the providers of such training, the State’s or Indian Tribe’s role in such training, and the processes or procedures in place for continuing education of such examiners; and



(8) the dedicated Federal and State funding available to support sexual assault forensic examiner training.

(c) Eligibility.—To be eligible to receive a grant under this section, a State or Indian Tribe shall submit to the Secretary an application through a competitive process to be determined by the Secretary.

(d) Public Dissemination and Campaign.—

(1) Public Availability.—The results of the surveys conducted under grants awarded under this section shall be published by the Secretary on the website of the Department of Health and Human Services on a biennial basis.

(2) Campaigns.—A State or Indian Tribe that receives a grant under this section shall carry out the following activities:

(A) Make the findings of the survey conducted using amounts received under the grant public, including a map showing health care providers who perform medical forensic examinations, based on the findings from the State and Tribal surveys under subsection (b)(3).

(B) Use the findings to develop a strategic action plan to increase the number of trained medical forensic examiners available in the State or Tribal community and create policies to increase survivor access to trained examiners.

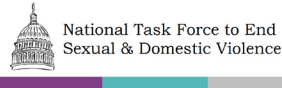
(C) Use the findings to develop and implement a public awareness campaign that includes the following:

(i) An online toolkit describing how and where sexual assault survivors can obtain assistance and care, including medical forensic examinations, in the State or Tribal community.

(ii) A model standard response protocol for health care providers to implement upon arrival of a patient seeking care for sexual assault.

(iii) A model sexual assault response team protocol incorporating interdisciplinary community coordination between hospitals, emergency departments, hospital administration, local rape crisis programs, law enforcement, prosecuting attorneys, and other health and human service agencies and stakeholders with respect to delivering survivor-centered sexual assault care and medical forensic examinations.

(iv) A notice of applicable laws prohibiting charging or billing survivors of sexual assault for care and services related to sexual assault.



(e) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section \$7,000,000 for each of fiscal years 2023 through 2027.

#### **SEC. 504. NATIONAL REPORT ON SEXUAL ASSAULT SERVICES IN OUR NATION’S HEALTH SYSTEM.**

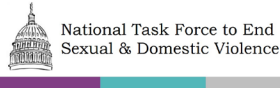
(a) In General.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Agency for Healthcare Research and Quality, in consultation with the Centers for Medicare & Medicaid Services, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Indian Health Service, the Office for Victims of Crime of the Department of Justice, the Office on Women’s Health of the Department of Health and Human Services, and the Office of Violence Against Women of the Department of Justice (collectively referred to in this section as the “Agencies”), shall submit to the Secretary of Health and Human Services (referred to in this section as “the Secretary”) a report of existing Federal, Indian Tribe, and State practices relating to medical forensic examinations which may include the findings of the surveys developed under section 503.

(b) Core Competencies.—In conducting activities under this section, the Agencies shall address sexual assault forensic examination competencies, including—

- (1) providing medical care to sexual assault patients;
- (2) demonstrating the ability to conduct a medical forensic examination, including an evaluation for evidence collection;
- (3) showing compassion and sensitivity towards survivors of sexual assault;
- (4) testifying in Federal, State, local, and Tribal courts; and
- (5) other competencies, as the Agencies determine appropriate.

(c) Publication.—The Agency for Healthcare Research and Quality shall establish, maintain, and publish on the website of the Department of Health and Human Services an online public map of availability of sexual assault forensic examinations. Such maps shall clarify if there is full-time, part-time, or on-call coverage.

(d) Report to Congress.—Not later than 60 days after receiving the report described in subsection (a), the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on Education and Labor of the House of Representatives recommendations for improving sexual assault forensic examination competencies based on the report described in subsection (a).



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## **SEC. 505. IMPROVING AND STRENGTHENING THE SEXUAL ASSAULT EXAMINER WORKFORCE CLINICAL AND CONTINUING EDUCATION PILOT PROGRAM.**

(a) Purpose.—It is the purpose of this section to establish a pilot program to develop, test, and implement training and continuing education that expands and supports the availability of medical forensic examination services for survivors of sexual assault.

(b) Establishment.—

(1) In General.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as “the Secretary”) shall establish a National Continuing and Clinical Education Pilot Program for sexual assault forensic examiners, sexual assault nurse examiners, and other individuals who perform medical forensic examinations.

(2) Consultation.—In establishing such program, the Secretary shall consult with the Centers for Medicare & Medicaid Services, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Indian Health Service, the Office for Victims of Crime of the Department of Justice, the Office on Violence Against Women of the Department of Justice, and the Office on Women’s Health of the Department of Health and Human Services, and shall solicit input from regional, national, and Tribal organizations with expertise in forensic nursing, rape trauma or crisis counseling, investigating rape and gender violence cases, survivors’ advocacy and support, sexual assault prevention education, rural health, and responding to sexual violence in Tribal communities.

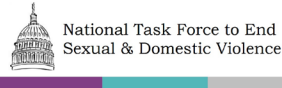
(c) Functions.—The pilot program established under subsection (b) shall develop, pilot, implement, and update, as appropriate, continuing and clinical education program modules, webinars, and programs for all hospitals and providers to increase access to medical forensic examination services and address ongoing competency issues in medical forensic examination services, including—

(1) training and continuing education to help support sexual assault forensic examiners practicing in rural or underserved areas;

(2) training to help connect sexual assault survivors who are Indian with sexual assault forensic examiners, including through emergency first aid, referrals, culturally competent support, and forensic evidence collection in rural communities;

(3) replication of successful sexual assault forensic examination programs to help develop and improve the evidence base for medical forensic examinations; and

(4) training to increase the number of medical professionals who are considered sexual assault forensic examiners based on the recommendations of the National Sexual Assault



Forensic Examination Training Standards issued by the Office on Violence Against Women of the Department of Justice.

(d) Eligibility to Participate in Pilot Programs.—The Secretary shall ensure that medical forensic examination services provided under the pilot program established under subsection (b), and other medical forensic examiner services under the pilot program shall be provided by health care providers who are also one of the following:

- (1) A physician, including a resident physician.
- (2) A nurse practitioner.
- (3) A nurse midwife.
- (4) A physician assistant.
- (5) A certified nurse specialist.
- (6) A registered nurse.
- (7) A community health practitioner or a community health aide who has completed level III or level IV certification and training requirements.

(e) Nature of Training.—The continuing education program established under this section shall incorporate and reflect current best practices and standards on medical forensic examination services consistent with the purpose of this section.

(f) Availability.—After termination of the pilot program established under subsection (b)(1), the training and continuing education program established under such program shall be available to all sexual assault forensic examiners and other providers employed by, or any individual providing services through, facilities that receive Federal funding.

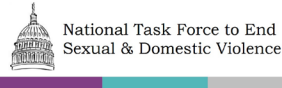
(g) Effective Date.—The pilot program established under this section shall terminate on the date that is 2 years after the date of such establishment.

(h) Authorization.—There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2023 through 2025.

**SEC. 506. EXPANDING ACCESS TO UNIFIED CARE.**

(a) Establishment of Program.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall establish a program (referred to in this section as the “program”) to award grants to eligible partnered entities for the clinical training of sexual assault forensic examiners (including registered nurses, nurse practitioners, nurse midwives, clinical nurse specialists, physician assistants, and physicians) to administer medical forensic examinations and treatments to survivors of sexual assault.

(b) Purpose.—The purpose of the program is to enable each grant recipient to expand access to medical forensic examination services by providing new providers with the clinical training necessary to establish and maintain competency in such services and to test the provisions of such services at new facilities in expanded health care settings.



(c) Grants.—Under the program, the Secretary shall award 3-year grants to eligible entities that meet the requirements established by the Secretary.

(d) Eligible Entities.—To be eligible to receive a grant under this section, an entity shall—

(1) be—

(A) a safety net clinic acting in partnership with a high-volume emergency services provider or a hospital currently providing sexual assault medical forensic examinations performed by sexual assault forensic examiners, that will use grant funds to—

(i) assign rural health care service providers to the high-volume hospitals for clinical practicum hours to qualify such providers as sexual assault forensic examiners; or

(ii) assign practitioners at high-volume hospitals to a rural health care services providers to instruct, oversee, and approve clinical practicum hours in the community to be served;

(B) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of such Code, that provides legal training and technical assistance to Tribal communities and to organizations and agencies serving Indians; or

(C) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)); and

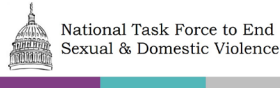
(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a description of whether the applicant will provide services under subparagraph (A) or (B) of paragraph (1).

(e) Grant Amount.—Each grant awarded under this section shall be in an amount not to exceed \$400,000 per year. A grant recipient may carry over funds from one fiscal year to the next without obtaining approval from the Secretary.

(f) Authorization of Appropriations.—

(1) In General.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2023 through 2027.

(2) Set-Aside.—Of the amount appropriated under this subsection for a fiscal year, the Secretary shall reserve 15 percent of such amount for purposes of making grants to entities that are affiliated with Indian Tribes or Tribal organizations (as defined in section



4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or Urban Indian organizations (as defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603)). Amounts reserved may be used to support referrals and the delivery of emergency first aid, culturally competent support, and forensic evidence collection training.

## **SEC. 507. EXPANDING ACCESS TO FORENSICS FOR VICTIMS OF INTERPERSONAL VIOLENCE.**

(a) Definitions.—In this section:

(1) COMMUNITY HEALTH AIDE; COMMUNITY HEALTH PRACTITIONER.—The terms “community health aide” and “community health practitioner” have the meanings given such terms for purposes of section 119 of the Indian Health Care Improvement Act (25 U.S.C. 1616l).

(2) HEALTH CARE PROVIDER.—The term “health care provider” has the meaning given such term by the Secretary, and includes registered nurses, nurse practitioners, nurse midwives, clinical nurse specialists, physician assistants, and physicians.

(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms “Indian Tribe” and “Tribal organization” shall have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

(4) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

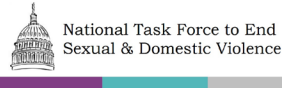
(5) INTERPERSONAL VIOLENCE.—The term “interpersonal violence” means any form of violence which is emotional and trauma inducing for victims, families of victims, perpetrators, and communities.

(6) NATIVE HAWAIIAN ORGANIZATION.—The term “Native Hawaiian organization” has the meaning given such term in section 12 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11711).

(7) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(8) TRAUMA INFORMED CARE.—The term “trauma informed care” means care received by trauma survivors that is culturally competent in accordance with professional standards of practice and accounting for patients’ experiences and preferences in order to eliminate or mitigate triggers that may cause re-traumatization of the patient.





(9) URBAN INDIAN ORGANIZATION.—The term “Urban Indian organization” has the meaning given such term in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 16 1603).

(b) Demonstration Grants for Comprehensive Forensic Training.

(1) Establishment of Program.—The Secretary shall establish a demonstration program to award grants to eligible entities for the clinical training of health care providers to provide generalist forensic services and trauma-informed care to survivors of interpersonal violence of all ages.

(2) Purpose.—The purpose of the demonstration program under this section is to develop training and curriculum to provide health care providers with the skills to support the provision of forensic assessment and trauma-informed care to individuals, families, and communities that have experienced violence or trauma and be available to collaborate with members of an inter-professional forensic team.

(3) Term.—Grants under this section shall be for a term of 5 years.

(4) Eligible Entities.—To be eligible to receive a grant under this section, an entity shall—

(A) be an institute of higher education, including a minority serving institution as described in section 371 of the Higher Education Act of 1965 (20 U.S.C. 1067q); and

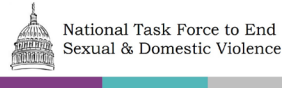
(B) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(5) Grant Amount.—Each grant awarded under this section shall be in an amount that does not exceed \$400,000 per year. A grant recipient may carry over funds from one fiscal year to the next without obtaining approval from the Secretary.

(6) Authorization of Appropriations.—

(A) In General.—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2023 through 2027.

(B) Set-Aside.—Of the amount appropriated under this subsection for a fiscal year, the Secretary shall reserve 10 percent of such amount for purposes of making grants to support training and curricula that addresses the unique needs of Indian Tribes, Tribal organizations, Urban Indian organizations, and Native Hawaiian organizations. Amounts so reserved may be used to support training, referrals, and the delivery of emergency first aid, culturally competent support, and forensic evidence collection training.



(c) Technical assistance grants and learning collectives.--

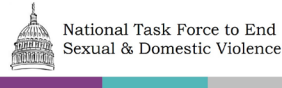
(1) In General.—The Secretary shall establish a State and Tribal forensic provider technical resource center to provide technical assistance and support collaboration and best practices for health care providers, community health aides, and community health practitioners to improve the quality of, and increase access to, forensic services for all survivors of interpersonal violence. The Secretary may enter into contracts with national experts for purposes of carrying out this subsection.

(2) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section, \$2,000,000 for each of fiscal years 2023 through 2027.

(d) National Report.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Office for Victims of Crime of the Department of Justice, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Indian Health Service, the Office on Women’s Health of the Department of Health and Human Services, and the Office of Violence Against Women of the Department of Justice shall jointly submit to the Secretary a report on the need for, throughout the States, Indian Tribes, and territories—

(1) access to generalist medical forensic services, evidence collection, and documentation that aids in meeting the needs of health care patients and improves future law enforcement investigation and prosecution;

(2) data for research to support response and prevention of interpersonal violence, improved ability of health care providers to adequately respond to patients who exhibit signs of victimization, and address the unique needs of Tribal communities.



## TITLE VI — SAFE HOMES FOR VICTIMS

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

**Amend 34 U.S.C. § 12491(a) (Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking) to read as follows:**

(a) Definitions.—In this chapter:

(1) Affiliated individual.—The term “affiliated individual” means, with respect to an individual—

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

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

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

(3) Covered housing program.—The term “covered housing program” means—

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

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

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

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



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

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

(I) rural housing assistance provided under sections 514, 515, 516, 533, 538, and 542 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, 1490p-2, and 1490r); ~~and~~

(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986;

(K) the provision of assistance from the Housing Trust Fund as established under section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4501);

(L) the provision of assistance for housing under the Comprehensive Service Programs for Homeless Veterans program under subchapter II of chapter 20 of title 38, United States Code (38 U.S.C. 2011 et seq.);

(M) the provision of assistance for housing and facilities under the grant program for homeless veterans with special needs under section 2061 of title 38, United States Code;

(N) the provision of assistance for permanent housing under the program for financial assistance for supportive services for very low-income veteran families in permanent housing under section 2044 of title 38, United States Code;

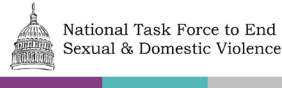
(O) the provision of transitional housing assistance for victims of domestic violence, dating violence, sexual assault, or stalking under the grant program under chapter 11 of subtitle B; and

(P) any other Federal housing programs providing affordable housing to low- and moderate-income persons by means of restricted rents or rental assistance, or more generally providing affordable housing opportunities, as identified by the appropriate agency through regulations, notices, or any other means.

## **SEC. 602. ENSURING COMPLIANCE AND IMPLEMENTATION; PROHIBITING RETALIATION AGAINST VICTIMS.**

**Amend Title 34, Subtitle I, Chapter 121, Subchapter III, Part L, Subpart 2 (Housing Rights), by inserting after § 12491 the following:**

### **§ 12492. Compliance Reviews**



(a) Regular compliance reviews.—

(1) In general.— Each appropriate agency shall establish a process by which to review compliance with the requirements of this subtitle, which shall—

(A) where possible, be incorporated into other existing compliance review processes of the appropriate agency, in consultation with the Gender-based Violence Prevention Office and Violence Against Women Act Director described in section 12493 and any other relevant officials of the appropriate agency; and

(B) examine—

(i) compliance with requirements prohibiting the denial of assistance, tenancy, or occupancy rights on the basis of domestic violence, dating violence, sexual assault, or stalking;

(ii) compliance with confidentiality provisions set forth in section 12491(c)(4);(iii) compliance with the notification requirements set forth in section 12491(d)(2);

(iv) compliance with the provisions for accepting documentation set forth in section 12491(c);

(v) compliance with emergency transfer requirements set forth in section 12491(e);(vi)compliance with the prohibition on retaliation set forth in section 12494.

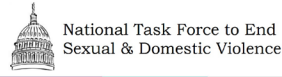
(2) Frequency.—Each appropriate agency shall conduct the review described in paragraph (1) on a regular basis, as determined by the appropriate agency.

(b) Regulations.—

(1) In General.— No later than 2 years after the date of enactment of the Violence Against Women Act of 2022 each appropriate agency shall issue regulations in accordance with section 553 of title 5, United States Code, to implement subsection (a), which shall—

(A) define standards of compliance for covered housing providers;

(B) include detailed reporting requirements, including the number of emergency transfers, requested and granted, as well as the length of time needed to process emergency transfers; and



(C) include standards for corrective action plans where compliance standards have not been met.

(2) Consultation.—In development of the regulations under paragraph (1), an appropriate agency shall engage in additional consultation with appropriate stakeholders including, as appropriate—

(A) individuals and organizations with expertise in the housing needs and experiences of victims of domestic violence, dating violence, sexual assault and stalking; and

(B) individuals and organizations with expertise in the administration or management of covered housing programs, including industry stakeholders and public housing agencies.

(c) Public Disclosure.—Each appropriate agency shall ensure that an agency-level assessment of the information collected during the compliance review process completed pursuant to this subsection—

(1) includes an evaluation of each topic identified in subsection (a); and

(2) is made publicly available.

### **§ 12493. Department of Housing and Urban Development Gender-based Violence Prevention Office and Violence Against Women Act Director**

(a) Establishment.—the Secretary of the Department of Housing and Urban Development shall establish a Gender-based Violence Prevention Office with a Violence Against Women Act Director in this section referred to as the “Director”).

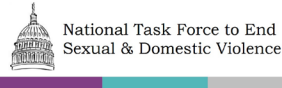
(b) Duties.—The Director shall, among other duties—

(1) support implementation of this chapter;

(2) coordinate with Federal agencies on legislation, implementation, and other issues affecting the housing provisions under this subtitle, as well as other issues related to advancing housing protections for victims of domestic violence, dating violence, sexual assault, and stalking;

(3) coordinate with State and local governments and agencies, including State housing finance agencies, regarding advancing housing protections and access to housing for victims of domestic violence, dating violence, sexual assault, and stalking;

(4) ensure that technical assistance and support are provided to each appropriate agency and housing providers regarding implementation of this subtitle, as well as other issues related to advancing housing protections for victims of domestic violence, dating



violence, sexual assault, and stalking, including compliance with this subtitle;

(5) implement internal systems to track, monitor, and address compliance failures; and

(6) address the housing needs and barriers faced by victims of sexual assault, as well as sexual coercion and sexual harassment by a public housing agency or owner or manager of housing assisted under a covered housing program.

(c) Authorization of appropriations.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2023 through 2027.

### **§ 12494. Prohibition on Retaliation**

(a) Non-Retaliation requirement.—No public housing agency or owner or manager of housing assisted under a covered housing program shall discriminate against any person because that person has opposed any act or practice made unlawful by this subtitle, or because that individual testified, assisted, or participated in any matter related to this chapter

(b) Prohibition on coercion.—No public housing agency or owner or manager of housing assisted under a covered housing program shall coerce, intimidate, threaten, or interfere with, or retaliate against, any person in the exercise or enjoyment of, or on account of the person having exercised or enjoyed, or on account of the person having aided or encouraged any other individual in the exercise or enjoyment of, any rights or protections under this chapter including—

(1) intimidating or threatening any person because that person is assisting or encouraging an individual entitled to claim the rights or protections under this chapter

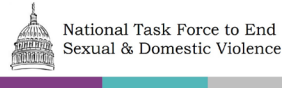
(2) retaliating against any person because that person has participated in any investigation or action to enforce this chapter

(c) Implementation.—The Secretary of Housing and Urban Development and the Attorney General shall implement and enforce this chapter consistent with, and in a manner that provides, the rights and remedies provided for in title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.).

## **SEC 603. PROTECTING THE RIGHT TO REPORT CRIME FROM ONE’S HOME.**

**Chapter 2 of subtitle N of title IV of the Violence Against Women Act of 1994 (34 U.S.C. 12491 et seq.), as amended by this Act, is further amended by inserting after section § 12494 the following:**

### **§ 12495. Right to Report Crime and Emergencies from One’s Home.**



(a) Definition.—In this section, the term “covered governmental entity” means any municipal, county, or state government that receives funding under section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. § 5306).

(b) Right to Report.—

(1) In general.—Landlords, homeowners, tenants, residents, occupants, and guests of, and applicants for, housing—

(A) shall have the right to seek law enforcement or emergency assistance on their own behalf or on behalf of another person in need of assistance, and

(B) shall not be penalized based on their requests for assistance or based on criminal activity of which they are a victim or otherwise not at fault under statutes, ordinances, regulations, or policies adopted or enforced by covered governmental entities.

(2) Prohibited penalties.—Penalties that are prohibited under paragraph (1) include—

(A) actual or threatened assessment of monetary or criminal penalties, fees, or fines;

(B) actual or threatened eviction;

(C) actual or threatened refusal to rent or renew tenancy;

(D) actual or threatened refusal to issue an occupancy permit or landlord permit; and

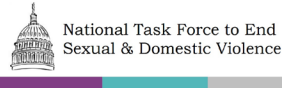
(E) actual or threatened closure of the property, or designation of the property as a nuisance or a similarly negative designation.

(c) Reporting.—Consistent with the process described in section 104(b) of the Housing and Community Development Act of 1974 (42 U.S.C. § 5304(b)), covered governmental entities shall—

(1) report any of their laws or policies, or, as applicable, the laws or policies adopted by subgrantees, that impose penalties on landlords, homeowners, tenants, residents, occupants, guests, or housing applicants based on requests for law enforcement or emergency assistance or based on criminal activity that occurred at a property; and

(2) certify that they are in compliance with the protections under this subtitle or describe the steps the covered governmental entities will take within 180 days to come into compliance, or to ensure compliance among subgrantees.





(d) Implementation.—The Secretary of Housing and Urban Development and the Attorney General shall implement and enforce this chapter consistent with, and in a manner that provides, the same rights and remedies as those provided for in title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.).

(e) Subgrantees.—For those covered governmental entities that distribute funds to subgrantees, compliance with subsection (c)(1) includes inquiring about the existence of laws and policies adopted by subgrantees that impose penalties on landlords, homeowners, tenants, residents, occupants, guests, or housing applicants based on requests for law enforcement or emergency assistance or based on criminal activity that occurred at a property.

#### **SEC. 604. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING.**

**Amend 34 U.S.C. § 12351 (Transitional housing assistance grants for child victims of domestic violence, stalking, or sexual assault) to read as follows:**

(a) In general.— The Attorney General, acting in consultation with the Director of the Office on Violence Against Women Office of the Department of Justice, the Department of Housing and Urban Development, and the Department of Health and Human Services, shall award grants under this section to States, units of local government, Indian tribes, and other organizations, including domestic violence and sexual assault victim service providers, domestic violence and sexual assault coalitions, other nonprofit, nongovernmental organizations, population specific organizations or community-based and culturally specific organizations, that have a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking (referred to in this section as the “recipient”) to carry out programs to provide assistance to minors, adults, and their dependents—

(1) who are homeless, or in need of transitional housing or other housing assistance, as a result of a situation of domestic violence, dating violence, sexual assault, or stalking; and

(2) for whom emergency shelter services or other crisis intervention services are unavailable or insufficient.

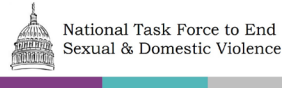
[...]

(g) Authorization of appropriations

(1) In general. There are authorized to be appropriated to carry out this section \$35,000,000 for each of the fiscal years ~~2014 through 2018~~ 2023 through 2027.

~~(2) Limitations. Of the amount made available to carry out this section in any fiscal year, up to 8.5 percent may be used by the Attorney General for evaluation, monitoring, technical assistance, salaries and administrative expenses.~~

(2) (3) Minimum amount



(A) In general.—Except as provided in subparagraph (B), unless all qualified applications submitted by any States, units of local government, Indian tribes, or organizations within a State for a grant under this section have been funded, that State, together with the grantees within the State (other than Indian tribes), shall be allocated in each fiscal year, not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

(B) Exception.—The United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands shall each be allocated not less than ~~0.25~~ 0.5 percent of the total amount appropriated in the fiscal year for grants pursuant to this section.

## SEC. 605. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) McKinney-Vento Homeless Assistance Grants.— The McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) is amended—

(1) Amend 42 U.S.C. § 11302 as follows:

(b) Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Other Dangerous, Traumatic, or Life-Threatening Conditions Relating to Such Violence.—Notwithstanding any other provision of this section, the Secretary shall consider to be homeless any individual or family who—

(1) is experiencing trauma or a lack of safety related to, or fleeing; or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized; ~~and~~

(2) ~~who have~~ has no other safe residence; and

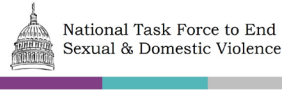
(3) lacks the resources ~~or support networks~~ to obtain other safe permanent housing.

(2) Amend 42 U.S.C. § 11383 as follows:

(a) In general. – Grants awarded under section 11382 of this title to qualified applicants shall be used to carry out projects that serve homeless individuals or families that consist of one or more of the following eligible activities:

[...]

(13) Facilitating and coordinating activities to ensure compliance with 41411(e) of the Violence Against Women Act of 1994 (34 U.S.C. 12491),



and monitoring compliance with the confidentiality protections of subsection (c)(4) of such section.

**(b) Amend 34 U.S.C. § 12474 (Collaborative grants to increase the long-term stability of victims) to read as follows:**

(i) Authorization of appropriations.— There are authorized to be appropriated \$4,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027 to carry out the provisions of this section.

**(c) Amend 34 U.S.C. § 12475 (Grants to combat violence against women in public and assisted housing) as follows:**

(b) Grants authorized

(1) In general.—The Attorney General, acting through the Director of the Office on Violence Against Women ~~Office~~ of the Department of Justice (“Director”), and in consultation with the Secretary of Housing and Urban Development (“Secretary”), and the Secretary of Health and Human Services, acting through the Administration for Children, Youth and Families (“ACYF”), shall award grants and contracts for not less than 2 years to eligible grantees to promote the full and equal access to and use of housing by adult and youth victims of domestic violence, dating violence, sexual assault, and stalking.

[...]

(c) Eligible grantees

[...]

(2) Submission required for all grantees.—To receive assistance under this section, an eligible grantee shall certify that—

[...]

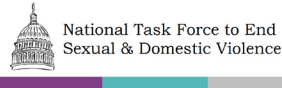
(D) plans are developed that establish meaningful consultation and coordination with local victim service providers, tenant organizations, linguistically and culturally specific service providers, population specific organizations State domestic violence and sexual assault coalitions, and, where they exist, tribal domestic violence and sexual assault coalitions; and

[...]

(g) Authorization of appropriations.— There are authorized to be appropriated \$4,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027 to carry out the provisions of this section.

**(d) Insert after 34 U.S.C. § 12491 (Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking) the following:**

SEC. 41416. TRAINING AND TECHNICAL ASSISTANCE GRANTS.



There is authorized to be appropriated to the Secretary of Housing and Urban Development such sums as may be necessary for fiscal years 2023 through 2027 to be used for training and technical assistance to support the implementation of this chapter, including technical assistance agreements with entities whose primary purpose and expertise is assisting survivors of sexual assault and domestic violence or providing culturally specific services to victims of domestic violence, dating violence, sexual assault, and stalking.

**SEC. 606. STUDY AND REPORT ON HOUSING AND SERVICE NEEDS OF SURVIVORS OF TRAFFICKING AND INDIVIDUALS AT RISK FOR TRAFFICKING.**

(a) Definitions.—In this section:

(1) Survivor of a severe form of trafficking.—The term “survivor of a severe form of trafficking” has the meaning given the term “victim of a severe form of trafficking” in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(2) Survivor of trafficking.—The term “survivor of trafficking” has the meaning given the term “victim of trafficking” in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(b) Study.—

(1) In general.—The Secretary of Housing and Urban Development shall conduct a study assessing the availability and accessibility of housing and services for individuals experiencing homelessness or housing instability who are—

- (A) survivors of trafficking, including survivors of a severe form of trafficking; or
- (B) at risk of being trafficked.

(2) Coordination and consultation.—In conducting the study required under paragraph (1), the Secretary shall—

(A) coordinate with—

(i) the Interagency Task Force to Monitor and Combat Trafficking established under section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103);

(ii) the United States Advisory Council on Human Trafficking;

(iii) the Secretary of Health and Human Services; and

(iv) the Attorney General; and



(B) consult with—

(i) the National Advisory Committee on the Sex Trafficking of Children and Youth in the United States;

(ii) survivors of trafficking;

(iii) direct service providers, including—

(I) organizations serving runaway and homeless youth;

(II) organizations serving survivors of trafficking through community-based programs; and

(III) organizations providing housing services to survivors of trafficking; and

(iv) housing and homelessness assistance providers, including recipients of grants under—

(I) the continuum of care program authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.); and

(II) the Emergency Solutions Grants Program authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.).

(3) Contents.—The study conducted pursuant to paragraph (1) shall include—

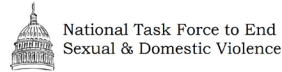
(A) with respect to the individuals described in such paragraph—

(i) an evaluation of formal assessments and outreach methods used to identify and assess the housing and service needs of such individuals, including outreach methods—

(I) to ensure effective communication with individuals with disabilities; and

(II) to reach individuals with limited English proficiency;

(ii) a review of the availability and accessibility of homelessness or housing services for such individuals, including the family members of such individuals who are minors involved in foster care systems, that identifies the disability-related needs of such individuals, including the



need for housing with accessibility features;

(iii) an analysis of the effect of any policies and procedures of mainstream homelessness or housing services that facilitate or limit the availability of such services and accessibility for such individuals, including those such individuals who are involved in the legal system, as such services are in effect as of the date on which the study is conducted;

(iv) a determination of the best practices in meeting the housing and service needs of such individuals; and

(v) an assessment of barriers to fair housing and housing discrimination against survivors of trafficking who are members of a protected class under the Fair Housing Act (42 U.S.C. 3601 et seq.);

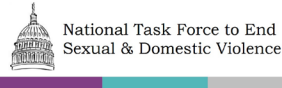
(B) an assessment of the ability of mainstream homelessness or housing services to meet the specialized needs of survivors of trafficking, including trauma responsive approaches specific to labor and sex trafficking survivors; and

(C) an evaluation of the effectiveness of, and infrastructure considerations for, housing and service-delivery models that are specific to survivors of trafficking, including survivors of severe forms of trafficking, including emergency rental assistance models.

(c) Report.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall—

(1) submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that contains the information described in subparagraphs (A) through (C) of subsection (b)(3); and

(2) make the report submitted pursuant to paragraph (1) available to the public.



## TITLE VII — ECONOMIC SECURITY FOR VICTIMS

### SEC. 701. FINDINGS.

Congress finds the following:

(1) Over 1 in 3 women experience sexual violence, and 1 in 5 women have survived completed or attempted rape. Such violence has a devastating impact on women’s physical and emotional health, financial security, and ability to maintain their jobs, and thus impacts interstate commerce and economic security.

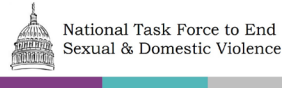
(2) Homicide is one of the leading causes of death for women on the job. Domestic partners or relatives commit 43 percent of workplace homicides against women. One study found that intimate partner violence resulted in 142 homicides among women at work in the United States from 2003 to 2008, a figure which represents 22 percent of the 648 workplace homicides among women during the period. In fact, in 2010, homicides against women at work increased by 13 percent despite continuous declines in overall workplace homicides in recent years.

(3) Violence can have a dramatic impact on the survivor of such violence. Studies indicate that 44 percent of surveyed employed adults experienced the effect of domestic violence in the workplace, and 64 percent indicated their workplace performance was affected by such violence. Another recent survey found that 78 percent of offenders used workplace resources to express anger, check up on, pressure, or threaten a survivor. Sexual assault, whether occurring in or out of the workplace, can impair an employee’s work performance, require time away from work, and undermine the employee’s ability to maintain a job. Nearly 50 percent of sexual assault survivors lose their jobs or are forced to quit in the aftermath of the assaults.

(4) Studies find that 60 percent of single women lack economic security and 81 percent of households with single mothers live in economic insecurity. Significant barriers that survivors confront include access to housing, transportation, and child care. Ninety-two percent of homeless women have experienced domestic violence, and more than 50 percent of such women cite domestic violence as the direct cause for homelessness. Survivors are deprived of their autonomy, liberty, and security, and face tremendous threats to their health and safety.

(5) The Centers for Disease Control and Prevention report that survivors of severe intimate partner violence lose nearly 8 million days of paid work, which is the equivalent of more than 32,000 full-time jobs and almost 5,600,000 days of household productivity each year. Therefore, women disproportionately need time off to care for their health or to find safety solutions, such as obtaining a restraining order or finding housing, to avoid or prevent further violence.

(6) Annual costs of intimate partner violence are estimated to be more than \$8,300,000,000. According to the Centers for Disease Control and Prevention, the costs of intimate partner violence against women in 1995 exceeded an estimated \$5,800,000,000. These costs included nearly \$4,100,000,000 in the direct costs of medical and mental health care and nearly \$1,800,000,000 in the indirect costs of lost productivity. These statistics are generally considered



to be underestimated because the costs associated with the criminal justice system are not included.

(7) Fifty-five percent of senior executives recently surveyed said domestic violence has a harmful effect on their company's productivity, and more than 70 percent said domestic violence negatively affects attendance. Seventy-eight percent of human resources professionals consider partner violence a workplace issue. However, more than 70 percent of United States workplaces have no formal program or policy that addresses workplace violence, let alone domestic violence. In fact, only four percent of employers provided training on domestic violence.

(8) Harassment is a persistent and significant problem in the workplace in the United States, and the Equal Employment Opportunity Commission found that not less than 25 percent, and as many as 85 percent, of women surveyed report having experienced sexual harassment at work.

(9) For decades, survivors of sexual violence have come forward to seek justice and demand their right to be free from violence, harassment, and other forms of discrimination. These calls for change reached a tipping point after October 2017 as a result of Tarana Burke's work and #MeToo going viral. Thousands of courageous individuals, from Hollywood to the halls of Congress and the military, to restaurants, agricultural fields, and factory floors, shined a light on the pervasive and insidious nature of workplace harassment and sexual assault.

(10) Working people can be subjected to multiple forms of harassment in the workplace at the same time.

(11) According to the Equal Employment Opportunity Commission, approximately 3 out of 4 individuals who experience harassment never talked to a supervisor, manager, or union representative about the harassing conduct.

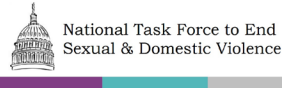
(12) The impact of domestic violence, dating violence, sexual assault, and stalking on the workplace is a part of the challenge of workplace harassment.

(13) Studies indicate that one of the best predictors of whether a survivor will be able to stay away from his or her abuser is the degree of his or her economic independence. However, domestic violence, dating violence, sexual assault, and stalking often negatively impact a survivor's ability to maintain employment.

(14) Abusers frequently seek to exert financial control over their partners by actively interfering with their ability to work, including preventing their partners from going to work, harassing their partners at work, limiting their partners' access to cash or transportation, and sabotaging their partners' child care arrangements.

(15) Economic abuse refers to behaviors that control an intimate partner's ability to acquire, use, and maintain access to, money, credit, ownership of assets, or governmental or private financial benefits, including defaulting on joint obligations (such as school loans, credit card debt, mortgages, or rent). Other forms of such abuse may include preventing someone from attending





school, threatening to or actually terminating employment, controlling or withholding access to cash, checking, or credit accounts, and attempting to damage or sabotage the creditworthiness of an intimate partner, including forcing an intimate partner to write bad checks, forcing an intimate partner to default on payments related to household needs, such as housing, or forcing an intimate partner into bankruptcy.

(16) This title aims to empower survivors of domestic violence, dating violence, sexual assault, or stalking to be free from violence, hardship, and control, which restrains basic human rights to freedom and safety in the United States.

## **SEC. 702. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE**

**Amend 34 U.S.C. § 12501 (Grant for national resource center on workplace responses to assist victims of domestic and sexual violence) as follows:**

(a) Authority. –The Attorney General, acting through the Director of the Office on Violence Against Women, may award a grant to an eligible nonprofit nongovernmental entity or tribal organization, in order to provide for the establishment and operation of a national resource center on workplace responses to assist victims of domestic and sexual violence and sexual harassment. The resource center shall provide information and assistance to employers, ~~and~~ labor organizations, and victim service providers to aid in their efforts to develop and implement responses to such violence.

(b) Applications. –To be eligible to receive a grant under this section, an entity or organization shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require, including—

(1) information that demonstrates that the entity or organization has nationally recognized expertise in the area of domestic or sexual violence;

(2) a plan to maximize, to the extent practicable, outreach to employers (including private companies, and public entities such as public institutions of higher education and State and local governments, and employers with fewer than 20 employees) and labor organizations described in subsection (a) concerning developing and implementing workplace responses to assist victims of domestic or sexual violence; ~~and~~

(3) a plan for developing materials and training for materials for employers that address the needs of employees in cases of domestic violence, dating violence, sexual assault, ~~and~~ stalking, and sexual harassment impacting the workplace, including the needs of underserved communities, which materials shall include a website with resources for employers with fewer than 20 employees, including live training materials.

(c) Use of grant amount



(1) In general. –An entity or organization that receives a grant under this section may use the funds made available through the grant for staff salaries, travel expenses, equipment, printing, and other reasonable expenses necessary to develop, maintain, and disseminate to employers and labor organizations described in subsection (a), information and assistance concerning workplace responses to assist victims of domestic or sexual violence or sexual harassment.

(2) Responses. –Responses referred to in paragraph (1) may include—

(A) providing training to promote a better understanding of workplace assistance to victims of domestic or sexual violence or sexual harassment;

(B) providing conferences and other educational opportunities; and

(C) developing protocols and model workplace policies.

(d) Liability. –The compliance or noncompliance of any employer or labor organization with any protocol or policy developed by an entity or organization under this section shall not serve as a basis for liability in tort, express or implied contract, or by any other means. No protocol or policy developed by an entity or organization under this section shall be referenced or enforced as a workplace safety standard by any Federal, State, or other governmental agency.

(e) Pathways to Opportunity Pilot Project—An eligible nonprofit nongovernmental entity or tribal organization that receives a grant under this section may develop a plan to enhance the capacity of survivors to obtain and maintain employment, including through the implementation of a demonstration pilot program to be known as ‘Pathways to Opportunity’, which shall—

(1) build collaborations between and among victim service providers, workforce development programs, and educational and vocational institutions to provide trauma informed programming to support survivors seeking employment; and

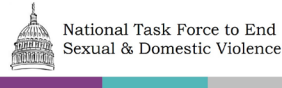
(2) be centered around culturally specific organizations or organizations that primarily serve populations traditionally marginalized in the workplace.

(f) (e) Authorization of appropriations. –There is authorized to be appropriated to carry out this section ~~\$1,000,000~~ \$2,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

(g) (f) Availability of grant funds.—Funds appropriated under this section shall remain available until expended.

## **SEC. 703. PROVISIONS RELATED TO THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM.**

**(a) TANF Personnel Training.—**



(1) In General.—Section 402(a) of the Social Security Act (42 U.S.C. 602(a)) is amended by adding at the end the following new paragraph:

**42 U.S. Code § 602 - Eligible States; State plan**

(a) In general.—As used in this part, the term “eligible State” means, with respect to a fiscal year, a State that, during the 27-month period ending with the close of the 1st quarter of the fiscal year, has submitted to the Secretary a plan that the Secretary has found includes the following:

(1) Outline of family assistance program

(A) General provisions.—A written document that outlines how the State intends to do the following:

(i) Conduct a program, designed to serve all political subdivisions in the State (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work, and support services to enable them to leave the program and become self-sufficient.

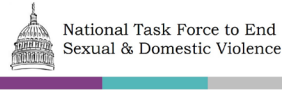
(ii) Require a parent or caretaker receiving assistance under the program to engage in work (as defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier, consistent with section 607(e)(2) of this title.

(iii) Ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 607 of this title.

(iv) Take such reasonable steps as the State deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the Federal Government.

(v) Establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies, and establish numerical goals for reducing the illegitimacy ratio of the State (as defined in section 603(a)(2)(C)(iii) [1] of this title) for calendar years 1996 through 2005.

(vi) Conduct a program, designed to reach State and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that



teenage pregnancy prevention programs may be expanded in scope to include men.

(vii) Implement policies and procedures as necessary to prevent access to assistance provided under the State program funded under this part through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in section 608(a)(12) of this title, including a plan to ensure that recipients of the assistance have adequate access to their cash assistance.

(viii) Ensure that recipients of assistance provided under the State program funded under this part have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and surcharges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.

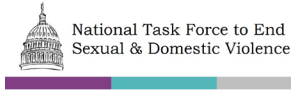
(B) Special provisions

(i) The document shall indicate whether the State intends to treat families moving into the State from another State differently than other families under the program, and if so, how the State intends to treat such families under the program.

(ii) The document shall indicate whether the State intends to provide assistance under the program to individuals who are not citizens of the United States, and if so, shall include an overview of such assistance.

(iii) The document shall set forth objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including an explanation of how the State will provide opportunities for recipients who have been adversely affected to be heard in a State administrative or appeal process.

(iv) Not later than 1 year after August 22, 1996, unless the chief executive officer of the State opts out of this provision by notifying the Secretary, a State shall, consistent with the exception provided in section 607(e)(2) of this title, require a parent or caretaker receiving assistance under the program who, after receiving such assistance for 2 months is not exempt from work requirements and is not engaged in work, as determined under section 607(c) of this title, to participate in community service employment, with minimum hours per week and tasks to be determined by the State.



(v) The document shall indicate whether the State intends to assist individuals to train for, seek, and maintain employment—

(I) providing direct care in a long-term care facility (as such terms are defined under section 1397j of this title); or

(II) in other occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel, and, if so, shall include an overview of such assistance.

(2) Certification that the State will operate a child support enforcement program.—A certification by the chief executive officer of the State that, during the fiscal year, the State will operate a child support enforcement program under the State plan approved under part D.

(3) Certification that the State will operate a foster care and adoption assistance program.—A certification by the chief executive officer of the State that, during the fiscal year, the State will operate a foster care and adoption assistance program under the State plan approved under part E, and that the State will take such actions as are necessary to ensure that children receiving assistance under such part are eligible for medical assistance under the State plan under subchapter XIX.

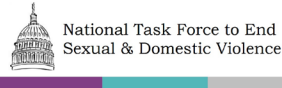
(4) Certification of the administration of the program.—A certification by the chief executive officer of the State specifying which State agency or agencies will administer and supervise the program referred to in paragraph (1) for the fiscal year, which shall include assurances that local governments and private sector organizations—

(A) have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and

(B) have had at least 45 days to submit comments on the plan and the design of such services.

(5) Certification that the State will provide Indians with equitable access to assistance.—A certification by the chief executive officer of the State that, during the fiscal year, the State will provide each member of an Indian tribe, who is domiciled in the State and is not eligible for assistance under a tribal family assistance plan approved under section 612 of this title, with equitable access to assistance under the State program funded under this part attributable to funds provided by the Federal Government.

(6) Certification of standards and procedures to ensure against program fraud and abuse.—A certification by the chief executive officer of the State that the State has established and is enforcing standards and procedures to ensure against program fraud



and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State program, kickbacks, and the use of political patronage.

(7) Optional certification of standards and procedures to ensure that the State will screen for and identify domestic violence

(A) In general.—At the option of the State, a certification by the chief executive officer of the State that the State has established and is enforcing standards and procedures to—

(i) screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals;

(ii) refer such individuals to counseling and supportive services; and

(iii) waive, pursuant to a determination of good cause, other program requirements such as time limits (for so long as necessary) for individuals receiving assistance, residency requirements, child support cooperation requirements, and family cap provisions, in cases where compliance with such requirements would make it more difficult for individuals receiving assistance under this part to escape domestic violence or unfairly penalize such individuals who are or have been victimized by such violence, or individuals who are at risk of further domestic violence.

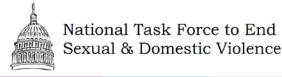
(B) “Domestic violence” defined.—For purposes of this paragraph, the term “domestic violence” has the same meaning as the term “battered or subjected to extreme cruelty”, as defined in section 608(a)(7)(C)(iii) of this title.

(8) Certification that the state will provide information to victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking.—

(A) In general.—A certification by the chief executive officer of the State that the State has established and is enforcing standards and procedures to—

(i) ensure that applicants and potential applicants for assistance under the State program funded under this part are notified of assistance made available by the State to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking;

(ii) ensure that case workers and other agency personnel responsible for administering the State program funded under this part are trained in—



(I) the nature and dynamics of sexual harassment and domestic violence, sexual assault, or stalking;

(II) State standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking; and

(III) methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment or domestic violence, sexual assault, or stalking; and

(iii) ensure that, if a State has elected to establish and enforce standards and procedures regarding the screening for, and identification of, domestic violence, sexual assault, or stalking pursuant to paragraph (7)—

(I) the State program funded under this part provides information about the options under this part to current and potential beneficiaries; and

(II) case workers and other agency personnel responsible for administering the State program funded under this part are provided with training regarding State standards and procedures pursuant to paragraph (7); and

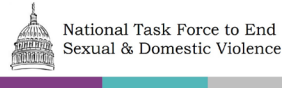
(B) Definitions.—For purposes of this paragraph—

(i) the term “sexual harassment” means hostile, intimidating, or oppressive behavior based on sex that creates an offensive work environment;

(ii) the term “domestic violence” has the meaning given such term in paragraph (7).

(iii) the terms “sexual assault” and “stalking” have the meanings given such terms in section 40002 of the Violence Against Women Act of 1994 (34 U.S.C 12291).

(b) Plan amendments.—Within 30 days after a State amends a plan submitted pursuant to subsection (a), the State shall notify the Secretary of the amendment.



(c) Public availability of State plan summary.—The State shall make available to the public a summary of any plan or plan amendment submitted by the State under this section.

[(2) Implementation—Not later than 1 year after the date of enactment of this Act, each state shall submit the certification required under paragraph (8) of subsection (a) of section 402 of the Social Security Act (42 U.S.C. 602), as added by paragraph (1), in the form of an amendment to the State’s plan submitted under such section. A state shall not be regarded as failing to comply with the requirement of such paragraph (8) before the date that is 1 year after the date of enactment of this Act.]

**(b) National grant program for developing a model training program for Temporary Assistance for Needy Families personnel training.—**

(1) Grants Authorized.—

(A) Model Training Program.— The Secretary of Health and Human Services (in this subsection referred to as the “Secretary”) shall—

(i) develop and disseminate a model training program (and related materials) for the training required under 402(a)(8) of the Social Security Act, and if the state so elects, section 402(a)(7) of such Act; and

(ii) provide technical assistance with respect to such model training program to eligible States (as defined in section 402 of the Social Security Act).

(B) Grants.— In developing the model training program under subparagraph (A)(i), the Secretary may award grants and contracts and may develop such program in cooperation with an eligible partner.

(2) Eligible Partner Defined.—For purposes of paragraph (1), the term “eligible partner” means an entity that is—

(A) a State or tribal domestic violence coalition or sexual assault coalition; or

(B) a State or local victim service provider with recognized expertise in the dynamics of domestic violence, sexual assault, or stalking whose primary mission is to provide services to survivors of domestic violence, sexual assault, or stalking, including a rape crisis center or domestic violence program.

(3) Report.—

(A) Report To Congress.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Ways and Means of





the House of Representatives and the Committee on Finance of the Senate a report on the program established under this subsection.

(B) Report Available To Public.—The Secretary shall establish procedures for the dissemination to the public of the report submitted under subparagraph (A) not later than 10 days after the submission of such report to Congress under such subparagraph. Such procedures shall include the use of the internet to disseminate such report.

(4) Authorization Of Appropriations.—There are authorized to be appropriated \$3,000,000 to carry out this section for each of fiscal years 2023 through 2027.

#### **SEC. 704. STUDY AND REPORTS ON BARRIERS TO SURVIVORS' ECONOMIC SECURITY ACCESS.**

(a) Study.—The Secretary of Health and Human Services, in consultation with the Secretary of Labor, shall conduct a study on the barriers that survivors of domestic violence, dating violence, sexual assault, or stalking throughout the United States experience in maintaining economic security, including the impact of the COVID-19 pandemic on such victims' ability to maintain economic security, as a result of issues related to domestic violence, dating violence, sexual assault, or stalking.

(b) Reports.—Not later than 1 year after the date of enactment of this Act , and every 5 years thereafter, the Secretary of Health and Human Services, in consultation with the Secretary of Labor, shall submit a report to Congress on the study conducted under subsection (a).

(c) Contents.—The study and reports under this section shall include—

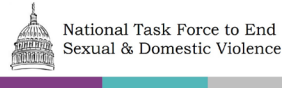
(1) identification of geographic areas in which State laws, regulations, and practices have a strong impact on the ability of survivors of domestic violence, dating violence, sexual assault, or stalking to exercise—

(A) any rights under this title (including any amendments made by this title) without compromising personal safety or the safety of others, including family members and excluding the abuser; and

(B) other components of economic security, including financial empowerment, affordable housing, transportation, healthcare access, credit history, and quality education and training opportunities;

(2) identification of geographic areas with shortages in resources for such survivors, with an accompanying analysis of the extent and impact of such shortage;

(3) analysis of the unique barriers faced by survivors living in rural communities;



(4) analysis of factors related to industries, workplace settings, employer practices, trends, and other elements that impact the ability of such survivors to exercise any rights under this Act (including any amendments made by this Act) without compromising personal safety or the safety of others, including family members;

(5) the recommendations of the Secretary of Health and Human Services and the Secretary of Labor with respect to resources, oversight, and enforcement tools to ensure successful implementation of the provisions of this Act in order to support the economic security and safety of survivors of domestic violence, dating violence, sexual assault, or stalking;

(6) best practices for States, employers, health carriers, insurers, and other private entities in addressing issues related to domestic violence, dating violence, sexual assault, or stalking; and (7) barriers that impede victims' ability to pursue legal action, including legal costs and filing fees, and complexities of the jurisdiction of law enforcement agencies.

#### **SEC. 705. GAO STUDY.**

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that examines, with respect to survivors of domestic violence, dating violence, sexual assault, or stalking who are, or were, enrolled at institutions of higher education and borrowed a loan made, insured, or guaranteed under Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) for which the survivors have not repaid the total interest and principal due, each of the following:

(1) The implications of domestic violence, dating violence, sexual assault, or stalking on a borrower's ability to repay their Federal student loans.

(2) The adequacy of policies and procedures regarding Federal student loan deferment, forbearance, and grace periods when a survivor has to suspend or terminate the survivor's enrollment at an institution of higher education due to domestic violence, dating violence, sexual assault, or stalking.

(3) The adequacy of institutional policies and practices regarding retention or transfer of credits when a survivor has to suspend or terminate the survivor's enrollment at an institution of higher education due to domestic violence, dating violence, sexual assault, or stalking.

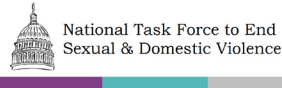
(4) The availability or any options for a survivor of domestic violence, dating violence, sexual assault, or stalking who attended an institution of higher education that committed unfair, deceptive, or abusive acts or practices, or otherwise substantially misrepresented



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information to students, to be able to seek a defense to repayment of the survivor's Federal student loan.

(5) The limitations faced by a survivor of domestic violence, dating violence, sexual assault, or stalking to obtain any relief or restitution on the survivor's Federal student loan debt due to the use of forced arbitration, gag orders, or bans on class actions.



## **TITLE VIII— SAFETY FOR INDIAN WOMEN**

### **Subtitle A—Tools to Enhance Public Safety for Indian Tribes**

#### **SEC. 801. FINDINGS AND PURPOSES.**

**(a) Findings.—Congress finds that—**

**(1) American Indians and Alaska Natives are—**

**(A) 2.5 times as likely to experience violent crimes; and**

**(B) at least 2 times more likely to experience rape or sexual assault crimes;**

**(2) more than 4 in 5 American Indian and Alaska Native women have experienced violence in their lifetime;**

**(3) the vast majority of American Indian and Alaska Native victims of violence—96 percent of women victims and 89 percent of male victims—have experienced sexual violence by a non-Indian perpetrator at least once in their lifetime;**

**(4) Indian Tribes exercising special domestic violence criminal jurisdiction over non-Indians pursuant to section 204 of Public Law 90–284 (25 U.S.C. 1304) (commonly known as the “Indian Civil Rights Act of 1968”), restored by section 904 of the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4; 127 Stat. 120), have reported significant success holding violent offenders accountable for crimes of domestic violence, dating violence, and civil protection order violations;**

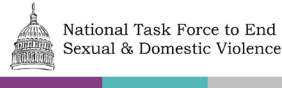
**(5) Tribal prosecutors for Indian Tribes exercising special domestic violence criminal jurisdiction report that the majority of domestic violence cases involve children either as witnesses or victims, and the Department of Justice reports that American Indian and Alaska Native children suffer exposure to violence at rates higher than any other race in the United States;**

**(6) childhood exposure to violence has can have immediate and long term effects, including: increased rates of altered neurological development, poor physical and mental health, poor school performance, substance abuse, and overrepresentation in the juvenile justice system;**

**(7) according to the Centers for Disease Control and Prevention, homicide is—**

**(A) the third leading cause of death among American Indian and Alaska Native women between 10 and 24 years of age; and**

**(B) the fifth leading cause of death for American Indian and Alaska Native women between 25 and 34 years of age;**



(8) in some areas of the United States, Native American women are murdered at more than 10 times the national average;

(9) according to a 2017 report by the Department of Justice, 66 percent of criminal prosecutions for crimes in Indian country that United States Attorneys declined to prosecute involved assault, murder, or sexual assault;

(10) investigation into cases of missing and murdered Indigenous women is made difficult for Tribal law enforcement agencies due to a lack of resources, including a lack of—

(A) necessary personnel, training, equipment, or funding;

(B) interagency cooperation;

(C) appropriate laws in place; and

(D) access to Federal law enforcement databases;

(11) domestic violence calls are among the most dangerous calls that law enforcement receives;

(12) the complicated jurisdictional scheme that exists in Indian country—

(A) has a significant impact on public safety in Indian communities;

(B) according to Tribal justice officials, has been increasingly exploited by criminals; and

(C) requires a high degree of commitment and cooperation among Tribal, Federal, and State law enforcement officials;

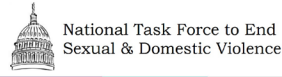
(13) restoring and enhancing Tribal capacity to address violence against women provides for greater local control, safety, accountability, and transparency;

(14) Indian Tribes with restrictive settlement Acts, such as Indian Tribes in the State of Maine, and Indian Tribes located in States with concurrent authority to prosecute crimes in Indian country under the amendments made by the Act of August 15, 1953 (67 Stat. 590, chapter 506), face unique public safety challenges; and

(15) Native Hawaiians experience a disproportionately high rate of human trafficking with 64 percent of human trafficking victims in the State of Hawai'i identifying as at least part Native Hawaiian.

(b) Purposes.—The purposes of this subtitle are—

(1) to clarify the responsibilities of Federal, State, Tribal, and local law enforcement agencies with respect to responding to cases of domestic violence, dating violence,



stalking, trafficking, sexual violence, crimes against children, and assault against tribal law enforcement officers;

(2) to increase coordination and communication among Federal, State, Tribal, and local law enforcement agencies;

(3) to empower tribal governments and Native American communities, including urban Indian communities and Native Hawaiian communities, with the resources and information necessary to effectively respond to cases of domestic violence, dating violence, stalking, sex trafficking, sexual violence, and missing or murdered Native Americans; and

(4) to increase the collection of data related to missing or murdered Native Americans and the sharing of information among Federal, State, Tribal and local officials responsible for responding to and investigating crimes impacting Indian Tribes and Native American communities, including urban Indian communities and Native Hawaiian communities, especially crimes relating to cases of missing or murdered Native Americans

## SEC. 802. TRIBAL ACCESS PROGRAM

### (a) ACCESS TO NATIONAL CRIME INFORMATION DATABASES BY INDIAN TRIBES.—

Section 233(b) of the Tribal Law and Order Act of 2010 (34 U.S.C. 41107) is amended—

#### 34 U.S. Code § 41107 - Access to the national crime information databases by tribes

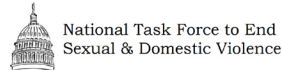
(1) In general.—The Attorney General shall ensure that—

(A) tribal law enforcement officials that meet applicable Federal or State requirements shall be permitted access to national crime information databases; and

(B) technical assistance and training is provided to Bureau of Indian Affairs and tribal law enforcement agencies to gain access to, and the ability to use and input information into, the National Crime Information Center and other national crime information databases pursuant to section 534 of title 28, United States Code.

(2) Sanctions.—For purpose of sanctions for noncompliance with requirements of, or misuse of, national crime information databases and information obtained from those databases, a tribal law enforcement agency or official shall be treated as Federal law enforcement agency or official.

(3) NCIC.—Each tribal justice official serving an Indian tribe ~~with criminal jurisdiction over Indian country~~ shall be considered to be an authorized law enforcement official for purposes of access to the National Crime Information Center of the Federal Bureau of Investigation.



**(b) ACQUISITION, PRESERVATION, AND EXCHANGE OF IDENTIFICATION RECORDS AND INFORMATION.—**

**Section 534(d) of title 28, United States Code, is amended—**

**Amend 28 U.S.C. 534 to read as follows:**

**28 U.S. Code § 534 - Acquisition, preservation, and exchange of identification records and information; appointment of officials**

(a) The Attorney General shall—

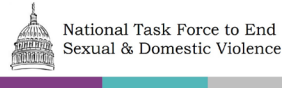
- (1) acquire, collect, classify, and preserve identification, criminal identification, crime, and other records;
- (2) acquire, collect, classify, and preserve any information which would assist in the identification of any deceased individual who has not been identified after the discovery of such deceased individual;
- (3) acquire, collect, classify, and preserve any information which would assist in the location of any missing person (including an unemancipated person as defined by the laws of the place of residence of such person) and provide confirmation as to any entry for such a person to the parent, legal guardian, or next of kin of that person (and the Attorney General may acquire, collect, classify, and preserve such information from such parent, guardian, or next of kin); and
- (4) exchange such records and information with, and for the official use of, authorized officials of the Federal Government, including the United States Sentencing Commission, the States, including State sentencing commissions, Indian tribes, cities, and penal and other institutions.

(b) The exchange of records and information authorized by subsection (a)(4) of this section is subject to cancellation if dissemination is made outside the receiving departments or related agencies.

(c) The Attorney General may appoint officials to perform the functions authorized by this section.

(d) Indian Law Enforcement .—

**(1) In general.**—The Attorney General shall permit tribal and Bureau of Indian Affairs law enforcement agencies—



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(A) ~~(1)~~ to access and enter information into Federal criminal information databases; and

(B) ~~(2)~~ to obtain information from the databases.

(2) Tribal Access Program.—

(A) In general.—The Attorney General shall establish a program, to be known as the “Tribal Access Program”, to enhance the ability of tribal governments and their authorized agencies to access, enter information into, and obtain information from national criminal information databases under this section.

(B) Authorization of appropriations.—There is authorized to be appropriated to carry out the Tribal Access Program under subparagraph (A) \$6,000,000 for each of fiscal years 2023 through 2027, to remain available until expended.

(3) Information sharing.—To the extent otherwise permitted by law, any report issued as a result of the analysis of information entered into national criminal information databases or obtained from Federal criminal databases shall be shared with each Indian tribe of jurisdiction, including Indian tribes located in the State of Maine.

(e) For purposes of this section, the term “other institutions” includes—

(1) railroad police departments which perform the administration of criminal justice and have arrest powers pursuant to a State statute, which allocate a substantial part of their annual budget to the administration of criminal justice, and which meet training requirements established by law or ordinance for law enforcement officers; and

(2) police departments of private colleges or universities which perform the administration of criminal justice and have arrest powers pursuant to a State statute, which allocate a substantial part of their annual budget to the administration of criminal justice, and which meet training requirements established by law or ordinance for law enforcement officers.

(f)

(1) Information from national crime information databases consisting of identification records, criminal history records, protection orders, and wanted person records may be disseminated to civil or criminal courts for use in domestic violence or stalking cases. Nothing in this subsection shall be construed to permit access to such records for any other purpose.

(2) Federal, tribal, and State criminal justice agencies authorized to enter information into criminal information databases may include—





(A) arrests, convictions, and arrest warrants for stalking or domestic violence or for violations of protection orders for the protection of parties from stalking or domestic violence; and

(B) protection orders for the protection of persons from stalking or domestic violence, provided such orders are subject to periodic verification.

(3) As used in this subsection—

(A) the term “national crime information databases” means the National Crime Information Center and its incorporated criminal history databases, including the Interstate Identification Index; and

(B) the term “protection order” includes—

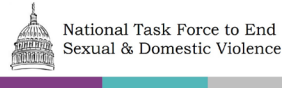
(i) any injunction, restraining order, or any other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence or contact or communication with or physical proximity to, another person, including any temporary or final orders issued by civil or criminal courts whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection; and

(ii) any support, child custody or visitation provisions, orders, remedies, or relief issued as part of a protection order, restraining order, or stay away injunction pursuant to State, tribal, territorial, or local law authorizing the issuance of protection orders, restraining orders, or injunctions for the protection of victims of domestic violence, dating violence, sexual assault, or stalking.

**(c) Identification records.—The second paragraph of the matter under the heading “SALARIES AND EXPENSES” under the heading “FEDERAL BUREAU OF INVESTIGATION” of the Department of Justice Appropriation Act, 1973 (34 U.S.C. 41101) is amended—**

**34 U.S. Code § 41101 - Funds for exchange of identification records**

The funds provided for Salaries and Expenses, Federal Bureau of Investigation, may be used hereafter, in addition to those uses authorized thereunder, for the exchange of identification records with officials or federally chartered or insured banking institutions to promote or maintain the security of those institutions, and, if authorized by State or Tribal statute and approved by the Attorney General, to officials of State, Tribal, and local governments for purposes of employment and licensing, any such exchange to be made only for the official use of any such official and subject to the same restriction with respect to dissemination as that provided for under the aforementioned appropriation.



### **SEC. 803. BUREAU OF PRISONS TRIBAL PRISONER PROGRAM.**

Section 234(c) of the Tribal Law and Order Act of 2010 (25 U.S.C. 1302 note; Public Law 111–211) is amended—

(1) In general.—Not later than 120 days after the date of enactment of ~~this title~~ ~~[July 29, 2010]~~ the Violence Against Women Act Reauthorization Act of 2022, the Director of the Bureau of Prisons shall establish a ~~pilot~~ program under which the Bureau of Prisons shall accept offenders convicted in tribal court pursuant to section 202 of the Indian Civil Rights Act of 1968 (25 U.S.C. 1302) (as amended by this section), subject to the conditions described in paragraph (2).

(2) Conditions.—

(A) In general.—As a condition of participation in the ~~pilot~~ program described in paragraph (1), the tribal court shall submit to the Attorney General a request for confinement of the offender, for approval by the Attorney General (or a designee) by not later than 30 days after the date of submission.

(B) Limitations.—Requests for confinement shall be limited to offenders convicted of a violent crime (comparable to the violent crimes described in section 1153(a) of title 18, United States Code) for which the sentence includes a term of imprisonment of ~~2~~ 1 or more years.

(C) Custody conditions.—The imprisonment by the Bureau of Prisons shall be subject to the conditions described in section 5003 of title 18, United States Code, regarding the custody of State offenders, except that the offender shall be placed in the nearest available and appropriate Federal facility, and imprisoned at the expense of the United States.

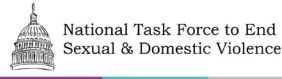
(D) Cap.—The Bureau of Prisons shall confine not more than 100 tribal offenders at any time.

(3) Rescinding requests.—

(A) In general.—The applicable tribal government shall retain the authority to rescind the request for confinement of a tribal offender by the Bureau of Prisons under this paragraph at any time during the sentence of the offender.

(B) Return to tribal custody.—On rescission of a request under subparagraph (A), a tribal offender shall be returned to tribal custody.

(4) Reassessment.—If tribal court demand for participation in this pilot program exceeds 100 tribal offenders, a representative of the Bureau of Prisons shall notify Congress.



~~(5) Report.— Not later than 3 years after the date of establishment of the pilot program, the Attorney General shall submit to Congress a report describing the status of the program, including recommendations regarding the future of the program, if any.~~

~~(6) Termination.— Except as otherwise provided by an Act of Congress, the pilot program under this paragraph shall expire on the date that is 4 years after the date on which the program is established.~~

## SEC. 804. TRIBAL JURISDICTION OVER COVERED CRIMES

Section 204 of Public Law 90–284 (25 U.S.C. 1304) (commonly known as the “Indian Civil Rights Act of 1968”) is amended—

25 U.S. Code § 1304 - Tribal jurisdiction over covered crimes ~~of domestic violence~~

(a) Definitions.—In this section:

(1) Assault of Tribal justice personnel.—The term “assault of Tribal justice personnel” means any violation of the criminal law of the Indian tribe that has jurisdiction over the Indian country where the violation occurs that involves the use, attempted use, or threatened use of physical force against an individual authorized to act for, or on behalf of, that Indian tribe or serving that Indian tribe during, or because of, the performance or duties of that individual in—

(A) preventing, detecting, investigating, making arrests relating to, making apprehensions for, or prosecuting a covered crime;

(B) adjudicating, participating in the adjudication of, or supporting the adjudication of a covered crime;

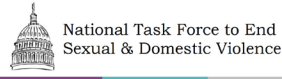
(C) detaining, providing supervision for, or providing services for persons charged with a covered crime; or

(D) incarcerating, supervising, providing treatment for, providing rehabilitation services for, or providing reentry services for persons convicted of a covered crime.

(2) Child.—The term ‘child’ means a person who has not attained the lesser of—

(A) the age of 18; and

(B) except in the case of sexual abuse, the age specified by the criminal law of the Indian tribe that has jurisdiction over the Indian country where the violation occurs.



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(3) Child violence.—The term ‘child violence’ means the use, threatened use, or attempted use of violence against a child proscribed by the criminal law of the Indian tribe that has jurisdiction over the Indian country where the violation occurs.

(4) Coercion; commercial sex act.—The terms ‘coercion’ and ‘commercial sex act’ have the meanings given the terms in section 1591(e) of title 18, United States Code.

(5) Covered crime.—The term ‘covered crime’ means—

- (A) assault of Tribal justice personnel;
- (B) child violence;
- (C) dating violence;
- (D) domestic violence;
- (E) obstruction of justice;
- (F) sexual violence;
- (G) sex trafficking;
- (H) stalking; and
- (I) a violation of a protection order.

(6) (1) Dating Violence.—The term “dating violence” means ~~violence committed~~ any violation of the criminal law of the Indian tribe that has jurisdiction over the Indian country where the violation occurs that is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(7) (2) Domestic Violence.—The term “domestic violence” means ~~violence committed~~ any violation of the criminal law of the Indian tribe that has jurisdiction over the Indian country where the violation occurs that is committed by—

- (A) a current or former spouse or intimate partner of the victim,;
- (B) ~~by~~ a person with whom the victim shares a child in common,;
- (C) ~~by~~ a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,; or
- (D) ~~by~~ a person similarly situated to a spouse of the victim under the domestic- or family-violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs;

(8) (3) The term “Indian country” has the meaning given the term in section 1151 of title 18, United States Code.

(9) Obstruction of justice.—The term “obstruction of justice” means any violation of the criminal law of the Indian tribe that has jurisdiction over the Indian country where the violation occurs that involves interfering with the administration or due process of the laws of the Indian tribe including any Tribal criminal proceeding or investigation of a crime.



(10) (4) Participating tribe.—The term “participating tribe” means an Indian tribe that elects to exercise special ~~domestic violence~~ Tribal criminal jurisdiction over the Indian country of that Indian tribe.

(11) (5) Protection order.—The term “protection order”—

(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a Pendente lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of the person seeking protection.

(12) Sex trafficking.—The term “sex trafficking” means conduct within the meaning of section 1591(a) of title 18, United States Code.

(13) Sexual violence.—The term “sexual violence” means any nonconsensual sexual act or contact proscribed by the criminal law of the Indian tribe that has jurisdiction over the Indian country where the violation occurs, including in any case in which the victim lacks the capacity to consent to the act.

(14) (6) Special ~~domestic violence~~ Tribal criminal jurisdiction.—The term “special ~~domestic violence~~ Tribal criminal jurisdiction” means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

(15) (7) Spouse or intimate partner.—The term “spouse or intimate partner” has the meaning given the term in section 2266 of title 18, United States Code.

(16) Stalking.—The term “stalking” means engaging in a course of conduct directed at a specific person proscribed by the criminal law of the Indian tribe that has jurisdiction over the Indian country where the violation occurs that would cause a reasonable person to—

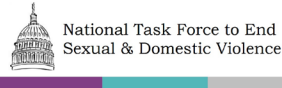
(A) fear for the person’s safety or the safety of others; or

(B) suffer substantial emotional distress.

(17) Violation of a protection order.— The term “violation of a protection order” means an act that—

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

(B) violates a provision of a protection order that—



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

(ii) was issued against the defendant;

(iii) is enforceable by the participating tribe; and

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

(b) Nature of Criminal Jurisdiction.—

(1) In general.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203 [25 USC § 1301 and 1303, respectively], the powers of self-government of a participating tribe, including any participating tribes in the State of Maine, include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special ~~domestic violence-Tribal~~ criminal jurisdiction over all persons.

(2) Concurrent jurisdiction.—The exercise of special ~~domestic violence-Tribal~~ criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

(3) Applicability.—Nothing in this section—

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

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

(4) Exceptions if victim and defendant are both non-Indians

(A) ~~Victim and defendant are both non-Indians.—~~

(i) ~~In general.~~—A participating tribe may not exercise special ~~domestic violence-Tribal~~ criminal jurisdiction over an alleged offense, other than obstruction of justice or assault of Tribal justice personnel, if neither the defendant nor the alleged victim is an Indian.

(B) (ii) Definition of victim.—In this ~~sub~~paragraph and with respect to a criminal proceeding in which a participating tribe exercises special tribal criminal jurisdiction based on a violation of a protection order, the term “victim” means a person specifically protected by a protection order that the defendant allegedly violated.



~~(B) Defendant lacks ties to the Indian tribe.—A participating tribe may exercise special tribal criminal jurisdiction over a defendant only if the defendant—~~

- ~~(i) resides in the Indian country of the participating tribe;~~
- ~~(ii) is employed in the Indian country of the participating tribe; or~~
- ~~(iii) is a spouse, intimate partner, or dating partner of—~~
  - ~~(I) a member of the participating tribe; or~~
  - ~~(II) an Indian who resides in the Indian country of the participating tribe;~~

(c) Criminal Conduct.—A participating tribe may exercise special ~~domestic violence~~ Tribal criminal jurisdiction over a defendant for a covered crime that occurs in the Indian country of the participating tribe. ~~criminal conduct that falls into one or more of the following categories:~~

~~(1) Domestic violence, and dating violence—An act of domestic violence, or dating violence that occurs in the Indian country of the participating tribe.~~

~~(2) Violations of protection orders.—An act that—~~

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

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

- ~~(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;~~
- ~~(ii) was issued against the defendant;~~
- ~~(iii) is enforceable by the participating tribe; and~~
- ~~(iv) is consistent with section 2265(b) of title 18, United States Code.~~

(d) Rights of Defendants.—In a criminal proceeding in which a participating tribe exercises special ~~domestic violence~~ Tribal criminal jurisdiction, the participating tribe shall provide to the defendant—

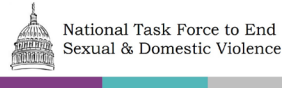
(1) all applicable rights under this Act;

(2) if a term of imprisonment of any length may be imposed, all rights described in section 1302(c) of this title;

(3) the right to a trial by an impartial jury that is drawn from sources that—

(A) reflect a fair cross section of the community; and

(B) do not systematically exclude any distinctive group in the community, including non-Indians; and



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

(e) Petitions to stay detention

(1) In general.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 1303 of this title may petition that court to stay further detention of that person by the participating tribe.

(2) Grant of stay.—A court shall grant a stay described in paragraph (1) if the court—

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

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

~~(3) Notice.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 1303 of this title.~~

(f) Petitions for Writs of Habeas Corpus. –

(1) In General – After a defendant has been sentenced by a participating tribe, the defendant may file a petition for a writ of habeas corpus in a court of the United States under section 203.

(2) Requirement.—An application for a writ of habeas corpus on behalf of a person in custody pursuant to an order of a Tribal Court shall not be granted unless –

(A) the applicant has exhausted the remedies available in the Tribal court system;

(B) there is an absence of an available Tribal corrective process; or

(C) circumstances exist that render the Tribal corrective process ineffective to protect the rights of the applicant.

(g) Notice; Habeas Corpus Petitions – A participating tribe that has ordered the detention of any person has a duty to timely notify in writing such person of their rights and privileges under this subsection and under section 203.





~~(f) Grants to tribal governments.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—~~

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

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

~~(B) prosecution;~~

~~(C) trial and appellate courts;~~

~~(D) probation systems;~~

~~(E) detention and correctional facilities;~~

~~(F) alternative rehabilitation centers;~~

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

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

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

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

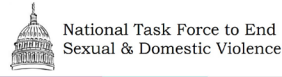
~~(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, consistent with tribal law and custom.~~

~~(g) Supplement, not supplant.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.~~

~~(h) Authorization of appropriations.—There are authorized to be appropriated \$5,000,000 for each of fiscal years 2014 through 2018 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.~~

(h) Grants and Reimbursement to Tribal Governments.—

(1) Reimbursement.—



(A) In general.—The Attorney General may reimburse Tribal government authorities (or an authorized designee of a Tribal government) for expenses incurred in exercising special Tribal criminal jurisdiction.

(B) Eligible expenses.—Eligible expenses for reimbursement under subparagraph (A) shall include expenses and costs incurred in, relating to, or associated with —

(i) investigating, making arrests relating to, making apprehensions for, or prosecuting covered crimes (including costs involving the purchasing, collecting, and processing of sexual assault forensic materials);

(ii) detaining, providing supervision of, or providing services for persons charged with covered crimes (including costs associated with providing health care);

(iii) providing indigent defense services for 1 or more persons charged with 1 or more covered crimes; and

(iv) incarcerating, supervising, or providing treatment, rehabilitation, or re-entry services for 1 or more persons charged with 1 or more covered crimes.

(C) Procedure.—

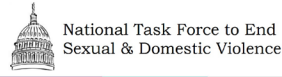
(i) In general.—Reimbursements authorized under subparagraph (A) shall be in accordance with rules promulgated by the Attorney General after consultation with Indian tribes and within 1 year after the date of enactment of the Violence Against Women Act Reauthorization Act of 2022.

(ii) Maximum reimbursement.—The rules promulgated by the Attorney General under clause (i)—

(I) shall set a maximum allowable reimbursement to any Tribal government (or an authorized designee of any Tribal government) in a 1-year period; and

(II) may allow the Attorney General—

(aa) to establish conditions under which a Tribal government (or an authorized designee of a Tribal government) may seek a waiver to the maximum allowable reimbursement requirement established under subclause (I); and



(bb) to waive the maximum allowable reimbursement requirements established under subclause (I) for a Tribal government (or an authorized designee of a Tribal government) if the conditions established by the Attorney General under item (aa) are met by that Tribal government (or authorized designee).

(iii) Timeliness of Reimbursements.—To the maximum extent practicable, the Attorney General shall—

(I) not later than 90 days after the date on which the Attorney General receives a qualifying reimbursement request from a Tribal government (or an authorized designee of a Tribal government)—

(aa) reimburse the Tribal government (or authorized designee); or

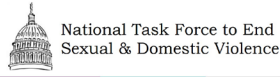
(bb) notify the Tribal government (or authorized designee) of the reason by which the Attorney General was unable to issue the reimbursement; and

(II) not later than 30 days after the date on which a Tribal government (or an authorized designee of a Tribal government) reaches the annual maximum allowable reimbursement for the Tribal government (or an authorized designee) established by the Attorney General under clause (ii)(I), notify the Tribal government (or authorized designee) that the Tribal government has reached its annual maximum allowable reimbursement.

(D) Eligibility for Participating Tribes in Alaska.—A Tribal government (or an authorized designee of a Tribal Government) of an Indian tribe designated as a participating Tribe under subtitle B of title IX of the Violence Against Women Act Reauthorization Act of 2022 shall be eligible for reimbursement, in accordance with this paragraph, of expenses incurred in exercising special Tribal criminal jurisdiction under that subtitle.

(2) Grants.—The Attorney General may award grants to Tribal governments (or to authorized designees of Tribal governments), including a Tribal government (or an authorized designee of a Tribal government) of an Indian tribe designated as a participating Tribe under subtitle B of title IX of the Violence Against Women Act Reauthorization Act of 2022 —

(A) to strengthen Tribal criminal justice systems to assist Indian tribes in exercising special Tribal criminal jurisdiction, including for—



(i) law enforcement (including the capacity of law enforcement, court personnel, or other non-law enforcement entities that have no Federal or State arrest authority agencies but have been designated by a tribe as responsible for maintaining public safety within its territorial jurisdiction, to enter information into and obtain information from national crime information databases);

(ii) prosecution;

(iii) trial and appellate courts (including facilities, maintenance, renovation, and rehabilitation);

(iv) supervision systems;

(v) detention and corrections (including facilities, maintenance, renovation, and rehabilitation);

(vi) treatment, rehabilitation, and reentry programs and services;

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

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

(B) to provide indigent criminal defendants with licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes covered crimes;

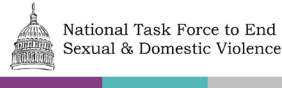
(C) to ensure that, in criminal proceedings in which a participating tribe exercises special Tribal criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

(D) to accord victims of covered crimes rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, consistent with Tribal law and custom.

(i) Supplement, not supplant.—Amounts made available under this section shall supplement and not supplant any other Federal, State, or local government amounts made available to carry out activities described in this section.

(j) Authorization of appropriations.—

(1) In general.—There are authorized to be appropriated \$25,000,000 for each of fiscal years 2023 through 2027—



(A) to carry out subsection (h); and

(B) to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.

(2) Limitations.— Of the total amount made available under paragraph (1) for each fiscal year, not more than 40 percent shall be used for reimbursements under subsection (h)(1).

### **Subtitle B—Alaska Tribal Public Safety Empowerment**

#### **SEC. 811. FINDINGS; PURPOSES.**

(a) Findings.—Congress finds that—

(1) according to the report of the Indian Law and Order Commission established by section 15 of the Indian Law Enforcement Reform Act (25 U.S.C. 2812), Alaska Native women—

(A) are overrepresented in the domestic violence victim population by 250 percent;

(B) in the State of Alaska, comprise—

(i) 19 percent of the population of the State; but

(ii) 47 percent of reported rape victims in the State; and

(C) as compared to the populations of other Indian Tribes, suffer the highest rates of domestic and sexual violence;

(2) most Alaska Native villages are located in remote areas that—

(A) are often inaccessible by road; and

(B) have no local law enforcement presence;

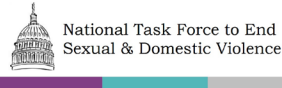
(3) the Commission referred to in paragraph (1)—

(A) determined that the Alaska Department of Public Safety—

(i) has primary responsibility for law enforcement in rural Alaska; but

(ii) provides only 1 to 1.4 field officers per 1,000,000 acres; and

(B) recommended that “devolving authority to Alaska Native communities is essential for addressing local crime. Their governments are best positioned to effectively arrest, prosecute, and punish, and they should have the authority to do



so-or to work out voluntary agreements with each other, and with local governments and the State on mutually beneficial terms”; and

(4) the unique legal relationship of the United States to Indian Tribes creates a Federal trust responsibility to assist Tribal governments in safeguarding the lives of Indian women.

(b) Purposes.—The purposes of this subtitle are—

(1) to increase coordination and communication among Federal, State, Tribal, and local law enforcement agencies; and

(2) to empower Indian Tribes to effectively respond to cases of domestic violence, dating violence, stalking, sex trafficking, sexual violence, and missing or murdered Alaska Natives through the exercise of special Tribal criminal jurisdiction.

## **SEC. 812. DEFINITIONS.**

In this subtitle:

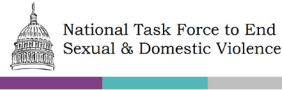
(1) ASSAULT OF TRIBAL JUSTICE PERSONNEL; COVERED CRIME; OBSTRUCTION OF JUSTICE; PROTECTION ORDER; VIOLATION OF A PROTECTION ORDER.—

(A) In General.—The terms “assault of Tribal justice personnel”, “covered crime”, “obstruction of justice”, “protection order”, and “violation of a protection order” have the meanings given the terms in section 204(a) of Public Law 90–284 (25 U.S.C. 1304(a)) (commonly known as the “Indian Civil Rights Act of 1968”).

(B) Application.—For purposes of the application of the definitions of “assault of Tribal justice personnel”, “obstruction of justice”, and “violation of a protection order”, and for purposes of the application of the defined terms contained in the definition of “covered crime”, under section 204(a) of Public Law 90–284 (25 U.S.C. 1304(a)) (commonly known as the “Indian Civil Rights Act of 1968”) to the pilot program, the Attorney General shall modify any reference to “Indian country” to mean the Village of a participating Tribe.

(2) INDIAN; INDIAN COURT; INDIAN TRIBE; POWERS OF SELF-GOVERNMENT.—The terms “Indian”, “Indian court”, “Indian tribe”, and “powers of self-government” have the meanings given the terms in section 201 of Public Law 90–284 (25 U.S.C. 1301) (commonly known as the “Indian Civil Rights Act of 1968”).

(3) PARTICIPATING TRIBE.— The term “participating Tribe” means an Indian tribe that is designated under section 813(d)(1) as a participating Tribe to exercise special Tribal criminal jurisdiction.



(4) PILOT PROGRAM.—The term “pilot program” means the pilot program established by section 813(d)(1).

(5) SPECIAL TRIBAL CRIMINAL JURISDICTION.—The term “special Tribal criminal jurisdiction” means the criminal jurisdiction that a participating Tribe may exercise under this subtitle but could not otherwise exercise.

(6) STATE.—The term “State” means the State of Alaska.

(7) VILLAGE.—The term “Village” means the Alaska Native Village Statistical Area covering all or any portion of a Native village (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)), as depicted on the applicable Tribal Statistical Area Program Verification map of the Bureau of the Census.

## **SEC. 813. TRIBAL JURISDICTION IN ALASKA.**

(a) In General.—Subject to title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”), Congress recognizes and affirms the inherent authority of any Indian tribe occupying a Village in the State to exercise criminal and civil jurisdiction over all Indians present in the Village.

(b) Tribal Civil Jurisdiction to Enforce Protection Orders.—

(1) In General.—A court of any Indian tribe in the State shall have full civil jurisdiction to issue and enforce protection orders involving any person in matters—

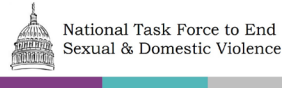
- (A) arising within the Village of the Indian tribe; or
- (B) otherwise within the authority of the Indian tribe.

(2) Inclusions.—The full civil jurisdiction to issue and enforce protection orders under paragraph (1) includes the authority to enforce protection orders through—

- (A) civil contempt proceedings;
- (B) exclusion of violators from the Village of the Indian tribe; and
- (C) other appropriate mechanisms.

(c) Special Tribal Criminal Jurisdiction.—

(1) In General.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed under subsection (a), the powers of self-government of a participating Tribe include the inherent power of the participating Tribe, which is hereby recognized and affirmed, to exercise special Tribal criminal jurisdiction over a defendant for a covered crime that occurs in the Village of the participating Tribe.



(2) Concurrent Jurisdiction.—The exercise of special Tribal criminal jurisdiction by a participating Tribe shall be concurrent with the jurisdiction of the United States, the State, or both.

(3) Exception If Victim And Defendant Are Both Non-Indians.—

(A) In General.—A participating Tribe may not exercise special Tribal criminal jurisdiction over an alleged offense of a covered crime, other than obstruction of justice or assault of Tribal justice personnel, if neither the defendant nor the alleged victim is an Indian.

(B) Definition of Victim.—In this paragraph and with respect to a criminal proceeding in which a participating Tribe exercises special Tribal criminal jurisdiction based on a violation of a protection order, the term “victim” means a person specifically protected by the protection order that the defendant allegedly violated.

(d) Pilot Program for Special Tribal Criminal Jurisdiction Over Persons Who Are Not Indians.—

(1) Establishment.—Subject to title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the “Indian Civil Rights Act of 1968”), there is established a pilot program under which the Attorney General, subject to paragraph (5), shall designate not more than 5 Indian tribes per calendar year as participating Tribes to exercise the special Tribal criminal jurisdiction described in paragraph (6) over all persons present in the Village of the Indian tribe.

(2) Procedure.—At any time during the 1-year period beginning on the date of enactment of this Act, and annually thereafter, an Indian tribe may request the Attorney General to designate the Indian tribe as a participating Tribe under paragraph (1).

(3) Designation of Participating Tribes.—

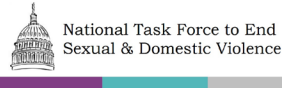
(A) In General.—The Attorney General, in consultation with the Secretary of the Interior and affected Indian tribes, shall establish a process to designate Indian tribes to participate in the pilot program, which process shall—

(i) require that preference shall be given to Indian tribes occupying Villages—

- (I) the populations of which are predominantly Indian; or
- (II) that lack a permanent State law enforcement physical presence;

(ii) require that for each Indian tribe requesting to be designated as a participating Tribe, the Attorney General makes a determination that the criminal justice system of the Indian tribe has adequate safeguards in place to protect defendants’ rights, consistent with section 204(d) of Public Law





90–284 (25 U.S.C. 1304(d)) (commonly known as the “Indian Civil Rights Act of 1968”); and

(iii) be subject to such other criteria as the Attorney General considers to be appropriate to achieve the purposes of this subtitle.

(B) Designation.—The Attorney General shall designate Indian tribes to participate in the pilot program under paragraph (1) using the process established under subparagraph (A).

(4) Intertribal Participation.—

(A) In General.—2 or more participating Tribes (or the Tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) of the participating Tribe, if the Tribal organization is exercising delegated authority from the participating Tribe)—

(i) may elect to participate jointly in the pilot program by providing shared resources to carry out the purposes of the pilot program; and

(ii) on making an election pursuant to clause (i), shall be considered to be a single participating Tribe for purposes of the maximum number of participating Tribes under paragraphs (1) and (5).

(B) Additional Participating Tribes.—

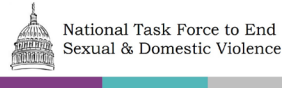
(i) In General.—Additional participating Tribes may elect to join an established intertribal partnership under subparagraph (A) at any time after the intertribal partnership is established.

(ii) Application.—An intertribal partnership that additional participating Tribes elect to join pursuant to clause (i) shall be considered to be a single participating Tribe for purposes of the maximum number of participating Tribes under paragraphs (1) and (5).

(5) Maximum Number of Participating Tribes.—

(A) In General.—Except as provided in subparagraph (B), the Attorney General may designate not more than 30 Indian tribes to participate in the pilot program.

(B) Exception.—The limitation under subparagraph (A) shall not apply if the Attorney General submits to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives, and publishes in the Federal Register, a written notice of the intention to designate additional Indian tribes as participating Tribes, including the rationale for the



designation, by not later than the date that is 180 days before the date of designation.

(6) Description of Jurisdiction.—Congress recognizes and affirms that an Indian tribe selected to participate in the pilot program as a participating Tribe may exercise, subject to paragraph (7), special Tribal criminal jurisdiction with respect to covered crimes.

(7) Rights of Defendants.—In exercising special Tribal criminal jurisdiction under the pilot program, a participating Tribe shall provide to each defendant all rights described in section 204(d) of Public Law 90–284 (25 U.S.C. 1304(d)) (commonly known as the “Indian Civil Rights Act of 1968”).

(e) Sentences.—In a criminal proceeding in which an Indian court of a participating Tribe, in exercising special Tribal criminal jurisdiction with respect to a covered crime, imposes a sentence of imprisonment of more than 1 year on a defendant pursuant to section 202(b) of Public Law 90–284 (25 U.S.C. 1302(b)) (commonly known as the “Indian Civil Rights Act of 1968”), the Indian court may require the defendant—

(1) to serve a sentence—

(A) in a Tribal correctional center that has been approved by the Bureau of Indian Affairs for long-term incarceration, in accordance with guidelines set by the Bureau of Indian Affairs;

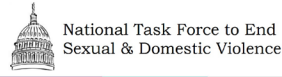
(B) at the expense of the United States, in the nearest appropriate Federal facility pursuant to the Bureau of Prisons Tribal Prisoner Program established under section 234(c)(1) of the Tribal Law and Order Act of 2010 (25 U.S.C. 1302 note; Public Law 111–211); or

(C) at the expense of the participating Tribe and, subject to section 204(f)(1) of Public Law 90–284 (25 U.S.C. 1304(f)(1)) (commonly known as the “Indian Civil Rights Act of 1968”), reimbursable by the Attorney General, in a detention or correctional center approved by the State or a local government of the State pursuant to a memorandum of agreement between the participating Tribe and the State or local government of the State; or

(2) to serve another alternative form of punishment, as determined by the Indian court pursuant to Tribal law.

(f) Memoranda of Agreement.—The Attorney General and the Secretary of the Interior may enter into such memoranda of agreement with participating Tribes and the State as are necessary and appropriate—

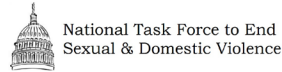
(1) to coordinate respective law enforcement activities;



- (2) to share equipment and other resources;
- (3) to establish cross-deputization arrangements;
- (4) to coordinate appropriate training activities; and
- (5) to address any other matters that will facilitate the successful implementation of the pilot program, including intergovernmental agreements regarding—
  - (A) the incarceration of convicted persons; and
  - (B) cooperation in the investigation and prosecution of crimes.

(g) Alaska Tribal Public Safety Advisory Committee.—

- (1) Establishment.—Not later than 1 year after the date of enactment of this Act, the Attorney General, in consultation with the Secretary of the Interior, affected Indian tribes, and the State, shall establish a committee, to be known as the “Alaska Tribal Public Safety Advisory Committee” (referred to in this subsection as the “Committee”).
- (2) Membership.—The Committee shall consist of 1 or more representatives from—
  - (A) participating Tribes and Indian tribes aspiring to participate in the pilot program;
  - (B) Federal, Tribal, State, and local law enforcement; and
  - (C) Tribal nonprofit organizations providing victim services.
- (3) Duties.—The Committee shall focus on—
  - (A) improving the justice systems, crime prevention, and victim services of Indian tribes and the State; and
  - (B) increasing coordination and communication among Federal, Tribal, State, and local law enforcement agencies.
- (4) Travel Expenses.—A member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.
- (5) Nonapplicability of FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.
- (6) Authorization of Appropriations.— There are authorized to be appropriated to carry out this subsection such sums as may be necessary for the period of fiscal years 2023 through 2027, to remain available until expended.



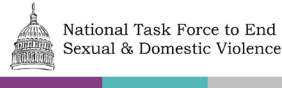
(h) Report to Congress.—Not later than 5 years after the date of enactment of this Act, the Attorney General, in consultation with the Secretary of the Interior and affected Indian tribes, shall submit to Congress a report describing the results of the pilot program, including an explanation of any modifications to law necessary to facilitate improved law enforcement in Villages.

(i) Applicability.—Nothing in this subtitle—

(1) limits, alters, expands, or diminishes the civil or criminal jurisdiction of the United States, the State, any subdivision of the State, or any Indian tribe in the State;

(2) creates or eliminates any Federal or State criminal jurisdiction over a Village; or

(3) affects the authority of the United States or any authority delegated by the United States to the State to investigate and prosecute a criminal violation in a Village.



## TITLE IX – OFFICE ON VIOLENCE AGAINST WOMEN

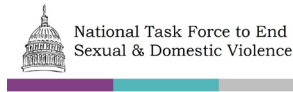
### SEC. 901. ESTABLISHMENT OF OFFICE ON VIOLENCE AGAINST WOMEN.

Amend 34 U.S.C. § 10442 (Establishment of Office on Violence Against Women ~~Office~~) to read as follows:

- (a) In general.— There is hereby established within the Department of Justice, under the general authority of the Attorney General, an Office on Violence Against Women ~~Office~~ (in this subchapter referred to as the “Office”).
- (b) Separate office.—The Office shall be a separate and distinct office within the Department of Justice, not subsumed by any other office, headed by a Director, who shall report to the Attorney General and serve as Counsel to the Attorney General on the subject of violence against women, and who shall have final authority over all grants, cooperative agreements, and contracts awarded by the Office.
- (c) Jurisdiction. – Under the general authority of the Attorney General, the Office—
- (1) shall have sole jurisdiction over all duties and functions described in section 10444 of this title; and
  - (2) shall be solely responsible for coordination with other departments, agencies, or offices of all activities authorized or undertaken under—
    - (A) the Violence Against Women Act of 1994 (title VII of Public Law 103-322) ~~and~~
    - (B) the Violence Against Women Act of 2000 (Division B of Public Law 106-386)
    - (C) the Violence Against Women and Department of Justice Reauthorization Act of 2005 (of Public Law 109-162; 119 Stat. 3080),
    - (D) the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54), and
    - (E) the Violence Against Women Reauthorization Act of 2022.

Amend 34 U.S.C. § 10443 (Director of the Office on Violence Against Women ~~Office~~) to read as follows:

- (a) Appointment. – The President, by and with the advice and consent of the Senate, shall appoint a Director for the Office on Violence Against Women ~~Office~~ (in this subchapter part referred to as the “Director”) to be responsible, under the general authority of the Attorney General, for the administration, coordination, and implementation of the programs and activities of the Office.
- (b) Other employment. –The Director shall not—



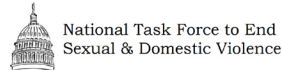
- (1) engage in any employment other than that of serving as Director; or
- (2) hold any office in, or act in any capacity for, any organization, agency, or institution with which the Office makes any contract or other agreement under the Violence Against Women Act of 1994 (title IV of Public Law 103-322), ~~or~~ the Violence Against Women Act of 2000 (division B of Public Law 106-386), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960), the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54), or the Violence Against Women Reauthorization Act of 2022.
- (c) Vacancy. – In the case of a vacancy, the President may designate an officer or employee who shall act as Director during the vacancy.
- (d) Compensation.— The Director shall be compensated at a rate of pay not to exceed the rate payable for level V of the Executive Schedule under section 5316 of Title 5.

**Amend 34 U.S.C. § 10444 (Duties and functions of Director of the Office on Violence Against Women Office) to read as follows:**

The Director shall have the following duties:

- (1) Maintaining liaison with the judicial branches of the Federal and State Governments on matters relating to violence against women.
- (2) Providing information to the President, the Congress, the judiciary, State, local, and tribal governments, and the general public on matters relating to violence against women.
- (3) Serving, at the request of the Attorney General, as the representative of the Department of Justice on domestic task forces, committees, or commissions addressing policy or issues relating to violence against women.
- (4) Serving, at the request of the President, acting through the Attorney General, as the representative of the United States Government on human rights and economic justice matters related to violence against women in international fora, including, but not limited to, the United Nations.
- (5) Carrying out the functions of the Department of Justice under the Violence Against Women Act of 1994 (title IV of Public Law 103-322) ~~and~~ the Violence Against Women Act of 2000 (division B of Public Law 106-386) the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960), and the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54), and the Violence Against Women Reauthorization Act of 2022, including with respect to those functions—

- (A) the development of policy, protocols, and guidelines;



- (B) the development and management of grant programs and other programs, and the provision of technical assistance under such programs; and
- (C) the award and termination of grants, cooperative agreements, and contracts.

(6) Providing technical assistance, coordination, and support to—

(A) other components of the Department of Justice, in efforts to develop policy and to enforce Federal laws relating to violence against women, including the litigation of civil and criminal actions relating to enforcing such laws;

(B) other Federal, State, local, and tribal agencies, in efforts to develop policy, provide technical assistance, synchronize Federal definitions and protocols, and improve coordination among agencies carrying out efforts to eliminate violence against women, including Indian or indigenous women; and

(C) grantees, in efforts to combat violence against women and to provide support and assistance to victims of such violence.

(7) Exercising such other powers and functions as may be vested in the Director pursuant to this subchapter or by delegation of the Attorney General.

(8) Establishing such rules, regulations, guidelines, and procedures as are necessary to carry out any function of the Office.

**Amend 34 U.S.C. § 10445 (Staff of the Office on Violence Against Women Office) to read as follows:**

**§ 10445. Staff of Office on Violence Against Women Office**

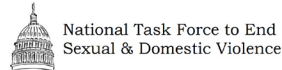
The Attorney General shall ensure that the Director has adequate staff to support the Director in carrying out the Director's responsibilities under this subchapter.

**Amend 34 U.S.C. § 20124 to read as follows:**

**§ 20124 - Enhancing culturally specific services for victims of domestic violence, dating violence, sexual assault, and stalking**

**(a) Establishment**

(1) In general.—Of the amounts appropriated under certain grant programs identified in paragraph (a)(2) of this Section, the Attorney General, through the Director of the Office on Violence Against Women Office (referred to in this section as the “Director”), shall take 5 percent of such appropriated amounts and combine them to establish a new grant program to enhance culturally specific services for victims of domestic violence, dating violence, sexual assault, and stalking. Grants made under this new program shall be administered by the Director. The requirements of the grant programs identified in paragraph (2) shall not apply to this new grant program.



**SEC. 902. SENIOR POLICY ADVISOR FOR CULTURALLY SPECIFIC COMMUNITIES OF THE OFFICE ON VIOLENCE AGAINST WOMEN.**

**Part T of the Omnibus Crime Control and Safe Streets Act (34 U.S.C. 10441 et seq.), as amended by section 101, is further amended by adding at the end the following:**

**§ 10454. Senior policy advisor for culturally specific communities.**

(a) Establishment.—There is established in the Office on Violence Against Women a Senior Policy Advisor for Culturally Specific Communities.

(b) Duties.—The Senior Policy Advisor for Culturally Specific Communities, under the guidance and authority of the Director, shall—

(1) advise on the administration of grants related to culturally specific services and contracts with culturally specific organizations;

(2) coordinate development of Federal policy, protocols, and guidelines on matters relating to domestic violence, dating violence, sexual assault, and stalking in culturally specific communities;

(3) advise the Director on policies, legislation, implementation of laws, and other issues relating to domestic violence, dating violence, sexual assault, and stalking in culturally specific communities;

(4) provide technical assistance, coordination, and support to other offices and bureaus in the Department of Justice to develop policy and to enforce Federal laws relating to domestic violence, dating violence, sexual assault, and stalking in culturally specific communities;

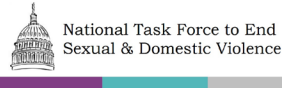
(5) ensure that appropriate technical assistance, developed and provided by entities with expertise in culturally specific communities, is made available to grantees and potential grantees proposing to serve culturally specific communities;

(6) ensure access to grants and technical assistance for culturally specific organizations; and

(7) analyze the distribution of funding in order to identify barriers for culturally specific organizations.

(c) Qualifications.—Not later than 120 days after the date of enactment of this section, the Director shall hire for the position established under subsection (a) an individual with personal, lived, and work experience from a culturally specific community, and a demonstrated history and expertise addressing domestic violence or sexual assault in a nongovernmental agency.





## TITLE X– IMPROVING CONDITIONS FOR WOMEN IN FEDERAL CUSTODY

### SEC. 1001 IMPROVING THE TREATMENT OF PRIMARY CARETAKER PARENTS AND OTHER INDIVIDUALS IN FEDERAL PRISONS.

(a) **Short title.**—This section may be cited as, “The Ramona Brant Improvement of Conditions for Women in Federal Custody Act.”

(b) **In General.**—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

#### § 4051. Treatment of primary caretaker parents and other individuals

(a) Definitions.—In this section—

(1) the term “correctional officer” means a correctional officer of the Bureau of Prisons;

(2) the term “covered institution” means a Federal penal or correctional institution;

(3) the term “Director” means the Director of the Bureau of Prisons;

(4) the term “post-partum recovery” means the first 12-week period of post-partum recovery after giving birth;

(5) the term “primary caretaker parent” has the meaning given the term in section 31903 of the Family Unity Demonstration Project Act (34 U.S.C. 12242);

(6) the term “prisoner” means an individual who is incarcerated in a Federal penal or correctional institution, including a vulnerable person; and

(7) the term “vulnerable person” means an individual who—

(A) is under 21 years of age or over 60 years of age;

(B) is pregnant;

(C) is victim or witness of a crime;

(D) has filed a nonfrivolous civil rights claim in Federal or State court; or

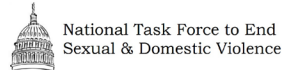
(E) during the period of incarceration, has been determined to have experienced or to be experiencing severe trauma or to be the victim of gender-based violence—

(i) by any court or administrative judicial proceeding;

(ii) by any corrections official;

(iii) by the individual’s attorney or legal service provider; or

(iv) by the individual.



(b) Geographic placement.—

(1) Establishment of office.—The Director shall establish within the Bureau of Prisons an office that determines the placement of prisoners.

(2) Placement of prisoners.—In determining the placement of a prisoner, the office established under paragraph (1) shall—

(A) if the prisoner has children, consider placing the prisoner as close to the children as possible; and

(B) consider any other factor that the office determines to be appropriate.

(c) Prohibition on placement of pregnant prisoners or prisoners in post-partum recovery in segregated housing units.—

(1) Placement in segregated housing units.—A covered institution may not place a prisoner who is pregnant or in post-partum recovery in a segregated housing unit unless the prisoner presents an immediate risk of harm to the prisoner or others.

(2) Restrictions.—Any placement of a prisoner described in paragraph (1) in a segregated housing unit shall be limited and temporary.

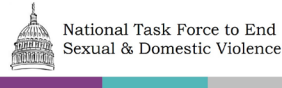
(d) Intake and Assessments.—The Director shall assess the need for family-focused programming at intake, such as questions about children, gauge interest in parenting resources, and concerns about their child or caregiving; and administer ongoing assessment to better inform, identify, and make recommendations about the mother's parental role and familial needs.

(e) Parenting Classes.—The Director shall provide parenting classes to each prisoner who is a primary caretaker parent, and such classes shall be made available to prisoners with limited English proficiency in compliance with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

(f) Trauma Screening.—The Director shall provide training, including cultural competency training, to each correctional officer and each employee of the Bureau of Prisons who regularly interacts with prisoners, including each instructor and health care professional, to enable those correctional officers and employees to—

(1) identify a prisoner who has a mental or physical health need relating to trauma the prisoner has experienced; and

(2) refer a prisoner described in paragraph (1) to the proper healthcare professional for treatment.



(g) Family Needs Training.—The Director shall provide training to correctional officers and employees of the Bureau of Prisons who engage with prisoners' families on—

- (1) how to interact with children in an age-appropriate manner, and the children's caregivers;
- (2) basic childhood and adolescent development information; and
- (3) basic customer service skills.

(h) Inmate Health.—

(1) Health care access.—The Director shall ensure that all prisoners receive adequate health care.

(2) Hygienic products.—The Director shall make essential hygienic products, including shampoo, toothpaste, toothbrushes, and any other hygienic product that the Director determines appropriate, available without charge to prisoners. The Director shall make rules—

(A) on the distribution and accessibility of sanitary products to prisoners, to ensure each prisoner who requires these products receives a quantity the prisoner deems sufficient; and

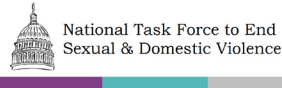
(B) providing that no visitor is prohibited from visiting a prisoner due to the visitor's use of sanitary products.

(3) Gynecologist access.—The Director shall ensure that all prisoners have access to a gynecologist as appropriate.

(4) Relation to Other Laws.—Nothing in paragraph (1) shall be construed to affect the requirements under the Prison Rape Elimination Act of 2003 (34 U.S.C. 30301 et seq.).

**(c) Substance Abuse Treatment.—Section 3621(e) of title 18, United States Code, is amended by adding at the end the following:**

(7) Eligibility of primary caretaker parents and pregnant women.—The Director of the Bureau of Prisons may not prohibit an eligible prisoner who is a primary caretaker parent (as defined in section 4051) or pregnant from participating in a program of residential substance abuse treatment provided under paragraph (1) on the basis of a failure by the eligible prisoner, before being committed to the custody of the Bureau of Prisons, to disclose to any official of the Bureau of Prisons that the prisoner had a substance abuse problem on or before the date on which the eligible prisoner was committed to the custody of the Bureau of Prisons.



**(d) Implementation Date.—**

(1) In general.—Not later than 2 years after the date of enactment of this Act, the Director of the Bureau of Prisons shall implement this section and the amendments made by this section.

(2) Report.—Not later than 1 year after the date of enactment of this Act, the Director of the Bureau of Prisons shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the implementation of this section and the amendments made by this section.

**(e) Technical and Conforming Amendment.—The table of sections for chapter 303 of title 18, United States Code, is amended by adding at the end the following:**

“4051. Treatment of primary caretaker parents and other individuals.”.

**SEC. 1002 HEALTH AND SAFETY OF PREGNANT WOMEN AND MOTHERS**

(a) Short title.—This Act may be cited as the “Stop Infant Mortality And Recidivism Reduction Act” or the “SIMARRA Act”.

(b) Establishment.—Not later than 270 days after the date of the enactment of this Act, the Director of the Bureau of Prisons (in this section referred to as the “Director”) shall establish a pilot program (in this section referred to as the “Program”) in accordance with this section to permit women incarcerated in Federal prisons and the children born to such women during incarceration to reside together while the inmate serves a term of imprisonment .

(c) Purposes.—The purposes of this section are to—

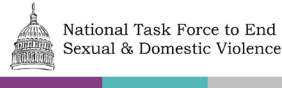
(1) prevent infant mortality among infants born to incarcerated mothers and greatly reduce the trauma and stress experienced by pregnant inmates;

(2) reduce the recidivism rates of federally incarcerated women and mothers, and enhance public safety by improving the effectiveness of the Federal prison system for women as a population with special needs;

(3) utilize a female offender risk and needs assessment to encourage a more effective and efficient Federal prison system;

(4) utilize a validated post-sentencing risk and needs assessment system that relies on dynamic factors to provide Federal prison officials with information regarding needs of Federal pregnant offenders and enhance public safety;

(5) perform regular outcome evaluations of the effectiveness of programs and interventions for federally incarcerated pregnant women and mothers to assure that such



programs and interventions are evidence-based and to suggest changes, deletions, and expansions based on the results of such evaluations; and

(6) assist the Department of Justice to address the underlying cost structure of the Federal prison system and ensure that the Department can continue to run parenting programming safely and securely without compromising the scope or quality of the Department's critical health, safety and law enforcement missions.

(d) Duties of the Director of Bureau of Prisons.—

(1) In general.—The Director shall carry out this section in consultation with—

- (A) the Director of the Administrative Office of the United States Courts;
- (B) the Director of the Office of Probation and Pretrial Services; and
- (C) the Director of the National Institute of Justice.

(2) Duties.—The Director shall, in accordance with paragraph (3), and in addition to the mandates under section 3631 of title 18, United States Code—

(A) evaluate the female offender risk and needs assessment for its ability to address the particular health and sensitivities of federally incarcerated pregnant women and mothers in accordance with this subsection;

(B) develop recommendations regarding recidivism reduction programs and productive activities in accordance with subsection (c);

(C) conduct ongoing research and data analysis on—

(i) the best practices relating to the use of offender risk and needs assessment tools for female offenders with a particular emphasis on how those tools address the health and sensitivities of federally incarcerated pregnant women and mothers;

(ii) potential improvements to risk and needs assessment tools for female offenders to address the health and sensitivities of federally incarcerated pregnant women and mothers;

(iii) which recidivism reduction programs are the most effective—

(I) for federally incarcerated pregnant women and mothers classified at different recidivism risk levels; and

(II) for addressing the specific needs of federally incarcerated pregnant women and mothers;



(D) on a biennial basis, review any findings related to evaluations conducted under subparagraph (A) and the recommendations developed under subparagraph (B), using the research conducted under subparagraph (C), to determine whether any revisions or updates should be made to female offender risk and needs assessment systems, and if so, make such revisions or updates;

(E) hold periodic meetings with the individuals listed in paragraph (1) at intervals to be determined by the Director; and

(F) develop tools to communicate parenting program availability and eligibility criteria to each employee of the Bureau of Prisons and each pregnant inmate to ensure that each pregnant inmate in the custody of a Bureau of Prisons facility understands the resources available to such inmate; and

(G) report to Congress in accordance with subsection (h).

(3) Methods.—In carrying out the duties under paragraph (2), the Director shall—

(A) consult relevant stakeholders; and

(B) make decisions using data that is based on available statistical and empirical evidence.

(e) Eligibility.—An inmate may apply to participate in the Program if the inmate—

(1) is pregnant at the beginning of or during the term of imprisonment; and

(2) is in the custody or control of the Federal Bureau of Prisons.

(f) Program terms.—

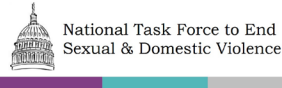
(1) Term of participation.—To correspond with the purposes and goals of the program to promote bonding during the critical stages of child development, an eligible inmate selected for the Program may participate in the Program, subject to subsection (g), until the earliest of—

(A) the date that the inmate’s term of imprisonment terminates; or

(B) the date the infant fails to meet any medical criteria established by the Director

(2) Inmate Requirements.—For the duration of an inmate’s participation in the Program, the inmate shall agree to—

(A) take substantive steps towards acting in the role of a parent or guardian to any child of that inmate;



(B) participate in any recommended educational or counseling opportunities, including topics such as child development, parenting skills, domestic violence, vocational training, or substance abuse, as appropriate;

(C) abide by any court decision regarding the legal or physical custody of the child;

(D) specify a person who has agreed to take at least temporary custody of the child if the inmate's participation in the Program terminates before the inmate's release.

(g) Continuity of care.—The Director shall take appropriate actions to prevent detachment or disruption of either an inmate's or infant's health and bonding-based well-being due to termination of the Program.

(h) Reporting.—

(1) In General.—Not later than 6 months after the date of the enactment of this Act and once each year thereafter for 5 years, the Director shall submit a report to the Congress with regards to progress in implementing the Program.

(2) Final Report.—Not later than 6 months after the termination of the Program, the Director shall issue a final report to the Congress that contains a detailed statement of the Director's findings and conclusions, including recommendations for legislation, administrative actions, and regulations the Director considers appropriate.

[SEC. 1005.] Authorization of appropriations.—To carry out this title, there is authorized to be appropriated \$8,000,000 for each of fiscal years 2023 through 2027.

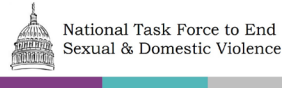
### **SEC. 1003. RESEARCH AND REPORT ON WOMEN IN FEDERAL INCARCERATION.**

Not later than 18 months after the date of enactment of this Act, and thereafter, every other year, the National Institutes of Justice, in consultation with the Bureau of Justice Statistics and the Bureau of Prisons (including the Women and Special Population Branch) shall prepare a report on the status of women in federal incarceration. Depending on the topic to be addressed, and the facility, data shall be collected from Bureau of Prisons personnel and a sample that is representative of the population of incarcerated women. The report shall include—

(1) With regard to federal facilities wherein women are incarcerated—

(A) responses by such women to questions from the Adverse Childhood Experience (ACES) questionnaire;

(B) demographic data of such women;



(C) data on the number of women who are incarcerated and placed in federal and private facilities more than 200 miles from their place of residence;

(D) responses by such women to questions about the extent of exposure to sexual victimization, sexual violence and domestic violence (both inside and outside of incarceration);

(E) the number of such women were pregnant at the time that they entered incarceration;

(F) the number of such women who have children age 18 or under, and if so, how many; and

(G) the crimes for which such women are incarcerated and the length of their sentence and to the extent practicable, any information on the connection between the crime of which they were convicted and their experience of domestic violence, dating violence, sexual assault, or stalking; and

(2) With regard to all federal facilities where persons are incarcerated—

(A) a list of best practices with respect to women’s incarceration and transition, including staff led programs, services, and management practices (including making sanitary products readily available and easily accessible, and access to and provision of healthcare);

(B) the availability of trauma treatment at each facility (including number of beds, and number of trained staff);

(C) rates of serious mental illness broken down by gender and security level and a list of residential programs available by site; and

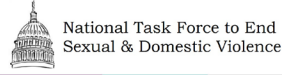
(D) the availability of vocational education and a list of vocational programs provided by each facility.

#### **SEC. 1004. REENTRY PLANNING AND SERVICES FOR INCARCERATED WOMEN.**

(a) In General. The Attorney General, in coordination with the Director of the Office of the U.S. Probation and Pretrial Services and the Director of the Bureau of Prisons (including Women and Special Population Branch), shall collaborate on a model of gender responsive transition for incarcerated women, including the development of a national standard on prevention with respect to domestic and sexual violence.

(b) Required Consultation. In developing the model required by subsection (a), the Attorney General shall consult with such experts within the federal government (including the Office on Violence Against Women of the Department of Justice, within Indian Tribes (as defined in





section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), within Native Hawaiian organizations (as defined in Section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)) and in the victim service provider community (including sexual and domestic violence and homelessness, job training and job placement service providers) as are necessary to the completion of a comprehensive plan.

(c) Contents.—The model required under subsection (a) shall address, at a minimum—

(1) the development by the Bureau of Prisons of a contract for gender collaborative services; and

(2) identification by re-entry affairs coordinators and responsive planning for the needs of re-entering women with respect to—

(A) housing, including risk of homelessness;

(B) previous exposure to and risk for domestic and sexual violence;

(C) the need for parenting classes, assistance securing childcare, or assistance in seeking or securing jobs that afford flexibility (as might be necessary in the re-entry, parenting or other contexts);

(D) other support tailored to the needs of Indigenous women, including American Indian, Alaska Native and Native Hawaiian women; and

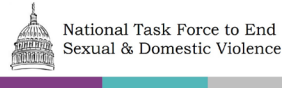
(E) the need to ensure a family-focused reentry, by—

(i) including incarcerated mothers, their children, and their caregivers to create family reentry planning and programming; and

(ii) informing reentry information to visiting families.

#### **SEC. 1005. AUTHORIZATION OF APPROPRIATIONS.**

To carry out this title, there are authorized to be appropriated \$8,000,000 for each of fiscal years 2023 through 2027.



## TITLE XI– LAW ENFORCEMENT TOOLS TO ENHANCE PUBLIC SAFETY

### SEC. 1101. NICS DENIAL NOTIFICATION ACT OF 2022.

(a) **Short Title.**—This section may be cited as the “NICS Denial Notification Act of 2022”.

(b) **LOCAL LAW ENFORCEMENT AUTHORITY DEFINED.**—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

(36) The term ‘local law enforcement authority’ means a bureau, office, department or other authority of a State or local government or Tribe that has jurisdiction to investigate a violation or potential violation of, or enforce, a State, local, or Tribal law.

(c) **Amendment.**—Chapter 44 of title 18, United States Code, is amended by inserting after section 925A the following:

#### **§ 925B. Reporting of background check denials to State authorities**

(a) In general.—If the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) (commonly referred to as ‘NICS’) provides a notice pursuant to section 922(t) of this title that the receipt of a firearm by a person would violate subsection (g) or (n) of section 922 of this title or State, local, or Tribal law, the Attorney General shall, in accordance with subsection (b) of this section—

(1) report to the law enforcement authorities of the State or Tribe where the person sought to acquire the firearm and, if different, the law enforcement authorities of the State or Tribe of residence of the person—

(A) that the notice was provided;

(B) the Federal, State, local or Tribal prohibition;

(C) the date and time the notice was provided;

(D) the location of the licensee where the firearm was sought to be transferred;

and

(E) the identity of the person; and

(2) where practicable, report the incident to State and local prosecutors or Tribal prosecutors in the jurisdiction where the firearm transfer was sought.

(b) Requirements for report.—A report is made in accordance with this subsection if the report is made under subsection (a) within 24 hours after the NICS denies a firearm transfer in accordance with section 922(t) of title 18, United States Code, except that the making of the report may be delayed for so long as is necessary to avoid compromising an ongoing investigation.

(c) Amendment of Report.—If a report is made in accordance with subsection (b) and, after such report is made, the Federal Bureau of Investigation determines that the receipt of a firearm by a person for whom the report was made would not violate subsection (g) or (n) of section 922 or



State, local, or Tribal law, the Attorney General shall notify any law enforcement authority and any prosecutor to whom the report was made of that determination.

(d) Rule of construction.—Nothing in subsection (a) shall be construed to require a report with respect to a person to be made to the same State authorities that made the original denial determination with respect to the transfer of the firearm.

**(d) Clerical amendment.—The table of sections for such chapter is amended by inserting after the item relating to section 925A the following:**

“925B. Reporting of background check denials to State authorities.”

## **SEC. 1102. ANNUAL REPORT TO CONGRESS.**

**(a) In General.—Chapter 44 of title 18, United States Code, as amended by section 1101, is amended by inserting after section 925B the following:**

### **§ 925C. Annual report to Congress**

Not later than 1 year after the date of enactment of this section, and annually thereafter, the Attorney General shall submit to Congress a report detailing the following, broken down by Federal judicial district:

(1) With respect to each category of persons prohibited by subsection (g) or (n) of section 922 or State law from receiving or possessing a firearm—

(A) the number of denials;

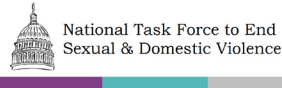
(B) the number of denials referred to the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

(C) the number of denials for which the Bureau of Alcohol, Tobacco, Firearms, and Explosives determines that the person denied was not prohibited by subsection (g) or (n) of section 922 or State law from receiving or possessing a firearm;

(D) the number of denials overturned through the appeals process of the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901);

(E) the number of denials with respect to which an investigation was opened by a field division of the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

(F) the number of persons charged with a Federal criminal offense in connection with a denial; and



(G) the number of convictions obtained by Federal authorities in connection with a denial.

(2) The number of background check notices reported pursuant to section 925B (including the number of the notices that would have been so reported but for section 925B(c)).

(b) Clerical Amendment.—The table of sections for chapter 44 of title 18, United States Code, as amended by section 1201, is amended by inserting after the item relating to section 925B the following:

“925C. Annual report to Congress.”.

### **SECTION 1103. SPECIAL ASSISTANT U.S. ATTORNEYS AND CROSS-DEPUTIZED ATTORNEYS.**

**(a) IN GENERAL.**—Chapter 44 of title 18, United States Code, as amended by this Act, is further amended by inserting after section 925C the following:

#### **§ 925D. Special assistant U.S. attorneys and cross-deputized attorneys**

(a) In general.—In order to improve the enforcement of paragraphs (8) and (9) of section 922(g), the Attorney General may—

(1) appoint, in accordance with section 543 of title 28, qualified State, Tribal, territorial and local prosecutors and qualified attorneys working for the United States government to serve as special assistant United States attorneys for the purpose of prosecuting violations of such paragraphs; and

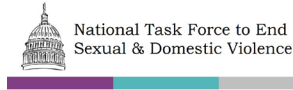
(2) deputize State, Tribal, territorial and local law enforcement officers for the purpose of enhancing the capacity of the agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives in responding to and investigating violations of such paragraphs.

(b) Improve intimate partner and public safety.—The Attorney General shall—

(1) identify not fewer than 75 jurisdictions among States, territories and Tribes where there are high rates of firearms violence and threats of firearms violence against intimate partners and other persons protected under paragraphs (8) and (9) of section 922(g) and where local authorities lack the resources to address such violence;

(2) make such appointments as described in subsection (a) in jurisdictions where enhanced enforcement of such paragraphs is necessary to reduce firearms homicide and injury rates; and

(3) establish, in order to receive and expedite requests for assistance from State, Tribal, territorial and local law enforcement agencies responding to intimate partner violence



cases where such agencies have probable cause to believe that the offenders may be in violation of such paragraphs, points of contact within—

(A) each Field Division of the Bureau of Alcohol, Tobacco, Firearms, and Explosives; and

(B) each District Office of the United States Attorneys.

(c) Qualified defined.—For purposes of this section, the term “qualified” means, with respect to an attorney, that the attorney is a licensed attorney in good standing with any relevant licensing authority.

**(b) Clerical amendment.—The table of sections for chapter 44 of Title 18, United States code, as amended by this Act, is further amended by inserting after the item relating to section 925B the following:**

“925D. Special assistant U.S. attorneys and cross-deputized attorneys.”

## **SEC. 1104. UNLAWFUL ACTS.**

**(a) Misdemeanor crime of domestic violence defined.—Section 921(a)(33)(A)(i) of title 18, United States Code, is amended as follows—**

(33)

(A) Except as provided in subparagraph (C),<sup>[2]</sup> the term “misdemeanor crime of domestic violence” means an offense that—

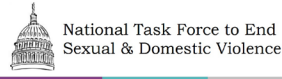
(i) is a misdemeanor under Federal, State, ~~or~~ Tribal, or local law; and

(ii) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

**(b) Transfers.— Section 922(t) of title 18, United States Code, is amended as follows –**

(t)

(1) Beginning on the date that is 30 days after the Attorney General notifies licensees under section 103(d) of the Brady Handgun Violence Prevention Act that the national instant criminal background check system is established, a licensed importer, licensed manufacturer, or licensed dealer shall not transfer a firearm to any other person who is not licensed under this chapter, unless—



- (A) before the completion of the transfer, the licensee contacts the national instant criminal background check system established under section 103 of that Act;
- (B)
- (i) the system provides the licensee with a unique identification number; or
  - (ii) 3 business days (meaning a day on which State offices are open) have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section, or State, local, or Tribal law; and
- (C) the transferor has verified the identity of the transferee by examining a valid identification document (as defined in section 1028(d) of this title) of the transferee containing a photograph of the transferee.
- (2) If receipt of a firearm would not violate subsection (g) or (n) or State, local or Tribal law, the system shall—
- (A) assign a unique identification number to the transfer;
  - (B) provide the licensee with the number; and
  - (C) destroy all records of the system with respect to the call (other than the identifying number and the date the number was assigned) and all records of the system relating to the person or the transfer.
- (3) Paragraph (1) shall not apply to a firearm transfer between a licensee and another person if—
- (A)
    - (i) such other person has presented to the licensee a permit that—
      - (I) allows such other person to possess or acquire a firearm; and
      - (II) was issued not more than 5 years earlier by the State in which the transfer is to take place; and
    - (ii) the law of the State provides that such a permit is to be issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a firearm by such other person would be in violation of law;
  - (B) the Attorney General has approved the transfer under section 5812 of the Internal Revenue Code of 1986; or
  - (C) on application of the transferor, the Attorney General has certified that compliance with paragraph (1)(A) is impracticable because—



- (i) the ratio of the number of law enforcement officers of the State in which the transfer is to occur to the number of square miles of land area of the State does not exceed 0.0025;
- (ii) the business premises of the licensee at which the transfer is to occur are extremely remote in relation to the chief law enforcement officer (as defined in subsection (s)(8)); and
- (iii) there is an absence of telecommunications facilities in the geographical area in which the business premises are located.

(4) If the national instant criminal background check system notifies the licensee that the information available to the system does not demonstrate that the receipt of a firearm by such other person would violate subsection (g) or (n) or State, local, or Tribal law, and the licensee transfers a firearm to such other person, the licensee shall include in the record of the transfer the unique identification number provided by the system with respect to the transfer.

(5) If the licensee knowingly transfers a firearm to such other person and knowingly fails to comply with paragraph (1) of this subsection with respect to the transfer and, at the time such other person most recently proposed the transfer, the national instant criminal background check system was operating and information was available to the system demonstrating that receipt of a firearm by such other person would violate subsection (g) or (n) of this section or State, local, or Tribal law, the Attorney General may, after notice and opportunity for a hearing, suspend for not more than 6 months or revoke any license issued to the licensee under section 923, and may impose on the licensee a civil fine of not more than \$5,000.

(6) Neither a local government nor an employee of the Federal Government or of any State or local government, responsible for providing information to the national instant criminal background check system shall be liable in an action at law for damages—

(A) for failure to prevent the sale or transfer of a firearm to a person whose receipt or possession of the firearm is unlawful under this section; or

(B) for preventing such a sale or transfer to a person who may lawfully receive or possess a firearm.

## **SEC. 1105. REVIEW ON CRIMINAL OFFENSES AFFECTING NATIVE HAWAIIANS**

(a) Native Hawaiian Defined.—In this section, the term “Native Hawaiian” has the meaning given the term in section 801 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4221).

(b) Review of Relevant Federal Crime Prevention, Victim Service, and Criminal Justice Programs Serving Native Hawaiians.—



(1) Report.—Not later than 18 months after the date of enactment of this Act, the Attorney General shall submit a report to Congress containing the following:

(A) The results and findings of the comprehensive review required to be conducted under paragraph (2).

(B) The amount of Federal funding received by Native Hawaiian-serving organizations from relevant Federal programs, including the percentage of each such amount of funding received by Native Hawaiian-serving organizations relative to the total amount of funding dispersed for each relevant Federal program.

(C) Recommendations and legislative proposals to—

(i) improve how relevant Federal programs address the needs of Native Hawaiians;

(ii) improve responses to and investigation of incidences of missing or murdered Native Hawaiians;

(iii) reduce the likelihood that a Native Hawaiian may become involved in the criminal justice system; and

(iv) address any other relevant matters deemed necessary by the Attorney General.

(2) Comprehensive review.—The Attorney General shall conduct a comprehensive review of relevant Federal programs.

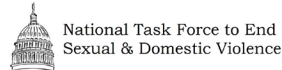
(3) Relevant federal program.—In this subsection, the term “relevant Federal program” means any—

(A) law enforcement or other crime prevention program targeting criminal offenses that affect Native Hawaiians, including child sexual exploitation, child abuse, intimate partner violence, human trafficking, missing or murdered individuals, and substance abuse;

(B) any program that provide services to victims of criminal offenses affecting Native Hawaiians, including child sexual exploitation, child abuse, intimate partner violence, human trafficking, and substance abuse; and

(C) any criminal justice system program or service available to and used by Native Hawaiians in various jurisdictions, including diversion programs, in-prison education programs, and reentry services.





(c) Report on Native Hawaiians in the Criminal Justice System.—

(1) In general.—Not later than 180 days after the date of enactment of this Act, the Attorney General, acting through the National Institute of Justice, in coordination with the Bureau of Justice Statistics, shall prepare a report on the interaction of Native Hawaiians with the criminal justice system.

(2) Contents of report.—The report required under this subsection shall include—

(A) known statistics related to the percentage of persons who are Native Hawaiians out of the total of—

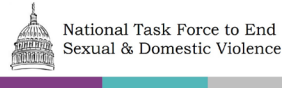
- (i) all persons arrested;
- (ii) all persons detained in Federal, State, and local jails;
- (iii) all persons subject to pretrial supervision;
- (iv) all persons subject to post-conviction supervision;
- (v) all persons incarcerated in Federal and State prisons; and
- (vi) all persons subject to post-release supervision;

(B) an explanation of why the statistics described in subparagraph (A) may not be comprehensive;

(C) recommendations on how data collection related to the statistics described in subparagraph (A) could be improved;

(D) a description of any culturally relevant programs available to Native Hawaiians who interact with the Federal criminal justice system; and

(E) a summary of any available data on the number of Native Hawaiians who are incarcerated and placed in Federal and private correctional facilities more than 200 miles from their place of residence.



## TITLE XII—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

### SEC. 1201. SHORT TITLE.

This title may be cited as the “Closing the Law Enforcement Consent Loophole Act of 2022”.

### SEC. 1202. PENALTIES FOR CIVIL RIGHTS OFFENSES INVOLVING SEXUAL MISCONDUCT.

#### (a) AMENDMENT.—

(1) **In general.**—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

#### **§ 250. Penalties for civil rights offenses involving sexual misconduct**

(a) Offense.—It shall be unlawful for any person to, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631), engage in, or cause another to engage in, sexual misconduct.

(b) Penalties.—Any person who violates subsection (a) shall be—

(1) in the case of an offense involving aggravated sexual abuse, as defined in section 2241, or if the offense involved sexual abuse, as defined in section 2242, or if the offense involved an attempt to commit such aggravated sexual abuse or sexual abuse, fined under this title and imprisoned for any term of years or for life;

(2) in the case of an offense involving abusive sexual contact of a child who has not attained the age of 16, of the type prohibited by section 2244(a)(5), fined under this title and imprisoned for any term of years or for life;

(3) in the case of an offense involving a sexual act, as defined in section 2246, with another person without the other person’s permission, and it does not amount to sexual abuse or aggravated sexual abuse, be fined under this title and imprisoned for not more than 40 years;

(4) in the case of an offense involving abusive sexual contact of the type prohibited by subsection (a)(1) or (b) of section 2244, but excluding abusive sexual contact through the clothing—

(A) fined under this title and imprisoned for not more than 10 years; and

(B) if the offense involves a child who has not attained the age of 12 years, imprisoned for not more than 30 years;



(5) in the case of an offense involving abusive sexual contact of the type prohibited by section 2244(a)(2)—

(A) fined under this title and imprisoned for not more than 3 years; and

(B) if the offense involves a child under the age of 12, imprisoned for not more than 20 years; and

(6) in the case of an offense involving abusive sexual contact through the clothing of the type prohibited by subsection (a)(3), (a)(4), or (b) of section 2244—

(A) fined under this title and imprisoned for not more than 2 years; and

(B) if the offense involves a child under the age of 12, imprisoned for not more than 10 years.

**(2) Technical And Conforming Amendment.—The table of sections for chapter 13 of title 18, United States Code, is amended by inserting after the item relating to section 249 the following:**

“250. Penalties for civil rights offenses involving sexual misconduct.”.

**(b) Sexual Abuse.—Section 2242 of title 18, United States Code, is amended—**

**18 U.S. Code § 2242 - Sexual abuse**

Whoever, in the special maritime and territorial jurisdiction of the United States or in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the head of any Federal department or agency, knowingly—

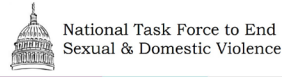
(1) causes another person to engage in a sexual act by threatening or placing that other person in fear (other than by threatening or placing that other person in fear that any person will be subjected to death, serious bodily injury, or kidnapping);

~~or~~

(2) engages in a sexual act with another person if that other person is—

(A) incapable of appraising the nature of the conduct; or

(B) physically incapable of declining participation in, or communicating unwillingness to engage in, that sexual act; or attempts to do so, shall be fined under this title and imprisoned for any term of years or for life; or



(3) engages in a sexual act with another person without that other person's consent, to include doing so through coercion;

**(c)(1) In general.—Section 2243 of title 18, United States Code, is amended as follows:**

**§ 2243. Sexual abuse of a minor, ~~or~~ a ward, or of an individual in Federal custody.**

(a) Of a Minor.—Whoever, in the special maritime and territorial jurisdiction of the United States or in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the head of any Federal department or agency, knowingly engages in a sexual act with another person who—

(1) has attained the age of 12 years but has not attained the age of 16 years; and

(2) is at least four years younger than the person so engaging;  
or attempts to do so, shall be fined under this title, imprisoned not more than 15 years, or both.

(b) Of a Ward.—Whoever, in the special maritime and territorial jurisdiction of the United States or in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the head of any Federal department or agency, knowingly engages in a sexual act with another person who is—

(1) in official detention; and

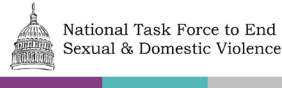
(2) under the custodial, supervisory, or disciplinary authority of the person so engaging;

or attempts to do so, shall be fined under this title, imprisoned not more than 15 years, or both.

(c) Of an individual in Federal custody.—Whoever, while acting in their capacity as a Federal law enforcement officer, knowingly engages in a sexual act with an individual who is under arrest, under supervision, in detention, or in Federal custody, shall be fined under this title, imprisoned not more than 15 years, or both.

(d) (e)-Defenses.—

(1) In a prosecution under subsection (a) of this section, it is a defense, which the defendant must establish by a preponderance of the evidence, that the defendant reasonably believed that the other person had attained the age of 16 years.



(2) In a prosecution under this section, it is a defense, which the defendant must establish by a preponderance of the evidence, that the persons engaging in the sexual act were at that time married to each other.

**(e)** ~~(d)~~ State of Mind Proof Requirement.—In a prosecution under subsection (a) of this section, the Government need not prove that the defendant knew—

- (1) the age of the other person engaging in the sexual act; or
- (2) that the requisite age difference existed between the persons so engaging.

**(2) Clerical Amendment.—The table of sections for chapter 109A of title 18, United States Code, is amended by striking the item relating to section 2243 and inserting the following:**

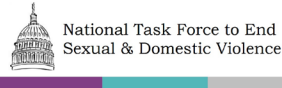
**“2243. Sexual abuse of a minor, a ward, or an individual in Federal custody.”**

**(d) Abusive Sexual Contact.-- Section 2244 of title 18, United States Code, is amended as follows:**

**§ 2244. Abusive sexual contact.**

(a) Sexual Conduct in Circumstances Where Sexual Acts Are Punished by This Chapter.—Whoever, in the special maritime and territorial jurisdiction of the United States or in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the head of any Federal department or agency, knowingly engages in or causes sexual contact with or by another person, if so to do would violate—

- (1) subsection (a) or (b) of section 2241 of this title had the sexual contact been a sexual act, shall be fined under this title, imprisoned not more than ten years, or both;
- (2) section 2242 of this title had the sexual contact been a sexual act, shall be fined under this title, imprisoned not more than three years, or both;
- (3) subsection (a) of section 2243 of this title had the sexual contact been a sexual act, shall be fined under this title, imprisoned not more than two years, or both;
- (4) subsection (b) of section 2243 of this title had the sexual contact been a sexual act, shall be fined under this title, imprisoned not more than two years, or both; ~~or~~
- (5) subsection (c) of section 2241 of this title had the sexual contact been a sexual act, shall be fined under this title and imprisoned for any term of years or for life; or



(6) subsection (c) of section 2243 of this title had the sexual contact been a sexual act, shall be fined under this title, imprisoned not more than two years, or both.

(b) In Other Circumstances.—Whoever, in the special maritime and territorial jurisdiction of the United States or in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the head of any Federal department or agency, knowingly engages in sexual contact with another person without that other person’s permission shall be fined under this title, imprisoned not more than two years, or both.

(c) Offenses Involving Young Children.—If the sexual contact that violates this section (other than subsection (a)(5)) is with an individual who has not attained the age of 12 years, the maximum term of imprisonment that may be imposed for the offense shall be twice that otherwise provided in this section.

**(e) DEFINITION.—Section 2246 of title 18, United States Code, is amended as follows:**

**§ 2246. Definitions for chapter.**

As used in this chapter—

- (1) the term “prison” means a correctional, detention, or penal facility;
- (2) the term “sexual act” means—
  - (A) contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;
  - (B) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
  - (C) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or
  - (D) the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;
- (3) the term “sexual contact” means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks



of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person;

(4) the term “serious bodily injury” means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty;

(5) the term “official detention” means—

(A) detention by a Federal officer or employee, or under the direction of a Federal officer or employee, following arrest for an offense; following surrender in lieu of arrest for an offense; following a charge or conviction of an offense, or an allegation or finding of juvenile delinquency; following commitment as a material witness; following civil commitment in lieu of criminal proceedings or pending resumption of criminal proceedings that are being held in abeyance, or pending extradition, deportation, or exclusion; or

(B) custody by a Federal officer or employee, or under the direction of a Federal officer or employee, for purposes incident to any detention described in subparagraph (A) of this paragraph, including transportation, medical diagnosis or treatment, court appearance, work, and recreation; but does not include supervision or other control (other than custody during specified hours or days) after release on bail, probation, or parole, or after release following a finding of juvenile delinquency; ~~and~~

(6) the term “State” means a State of the United States, the District of Columbia, and any commonwealth, possession, or territory of the United States; ~~and~~

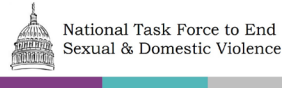
(7) the term “Federal law enforcement officer” has the meaning given the term in section 115.

## SEC. 1203. INCENTIVES FOR STATES.

(a) Authority to make grants.—The Attorney General is authorized to make grants to States that have in effect a law that—

(1) makes it a criminal offense for any person acting under color of law of the State to knowingly engage in a sexual act with an individual, including an individual who is under arrest, in detention, or otherwise in the actual custody of any law enforcement officer; and

(2) prohibits a person charged with an offense described in paragraph (1) from asserting the consent of the other individual as a defense.



(b) Reporting requirement.—A State that receives a grant under this section shall submit to the Attorney General, on an annual basis, information on—

(1) the number of reports made to law enforcement agencies in that State regarding persons engaging in a sexual act while acting under color of law during the previous year; and

(2) the disposition of each case in which sexual misconduct by a person acting under color of law was reported during the previous year.

(c) Application.—A State seeking a grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require, including information about the law described in subsection (a).

(d) Grant amount.—The amount of a grant to a State under this section shall be in an amount that is not greater than 10 percent of the average of the total amount of funding of the 3 most recent awards that the State received under the following grant programs:

(1) Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10441 et seq.) (commonly referred to as the “STOP Violence Against Women Formula Grant Program”).

(2) Section 41601 of the Violence Against Women Act of 1994 (34 U.S.C. 12511) (commonly referred to as the “Sexual Assault Services Program”).

(e) Grant term.—

(1) In general.—The Attorney General shall provide an increase in the amount provided to a State under the grant programs described in subsection (d) for a 2-year period.

(2) Renewal.—A State that receives a grant under this section may submit an application for a renewal of such grant at such time, in such manner, and containing such information as the Attorney General may reasonably require.

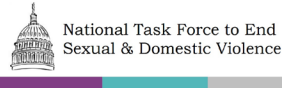
(3) Limit.—A State may not receive a grant under this section for more than 4 years.

(f) Uses of funds.—A State that receives a grant under this section shall use—

(1) 25 percent of such funds for any of the permissible uses of funds under the grant program described in paragraph (1) of subsection (d); and

(2) 75 percent of such funds for any of the permissible uses of funds under the grant program described in paragraph (2) of subsection (d).





(g) Authorization of appropriations.—There are authorized to be appropriated to carry out this chapter \$5,000,000 for each of fiscal years 2023 through 2027(h) Definition.—For purposes of this section, the term “State” means each of the several States and the District of Columbia, Indian Tribes, and the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

#### **SEC. 1204. REPORTS TO CONGRESS.**

(a) Report by Attorney General.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall submit to Congress and make publicly available on the Department of Justice website a report containing—

(1) the information required to be reported to the Attorney General under section 1203(b); and

(2) information on—

(A) the number of reports made, during the previous year, to Federal law enforcement agencies regarding persons engaging in a sexual act while acting under color of law; and

(B) the disposition of each case in which sexual misconduct by a person acting under color of law was reported.

(b) Report by GAO.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall submit to Congress a report on any violations of section 2243(c) of title 18, United States Code, as amended by section 1302, committed during the 1-year period covered by the report.

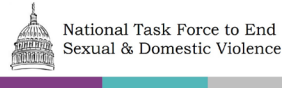
(c) Report by Attorney General on conflicts between State’s marriage-age and age-based sex offenses.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall submit to Congress a report that examines inconsistencies between State laws on marriage-age and State laws on age-based sex offenses and, in particular, States with laws that—

(1) provide an exception to definitions of age-based sex offenses (including statutory rape), or a defense to prosecution for such offenses, based on the marriage of the perpetrator to the victim; or

(2) allow marriages between parties at ages, or with age differences between them, such that sexual acts between those parties outside of marriage would constitute an age-based sex offense (including statutory rape).

#### **SEC. 1205. DEFINITION.**

In this title, the term “sexual act” has the meaning given the term in section 2246 of title 18, United States Code.



## TITLE XIII — OTHER MATTERS

### SEC. 1301. NATIONAL STALKER AND DOMESTIC VIOLENCE REDUCTION.

Section 40603 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. § 12402 - Authorization of appropriations) is amended as follows:

There is authorized to be appropriated to carry out this part \$3,000,000 for fiscal years ~~2014 through 2018~~ 2023 through 2027.

### SEC. 1302. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103–322; 108 Stat. 1910) is amended as follows:

#### SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM~~S~~ AND WITNESS ~~COUNSELORS~~ COORDINATORS.

There are authorized to be appropriated for the United States Attorneys for the purpose of appointing victim and witness Counselors coordinators for the prosecution of sex crimes and domestic violence crimes where applicable (such as the District of Columbia), \$1,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

### SEC. 1303. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Section 224(a) of the Crime Control Act of 1990 (34 U.S.C. § 20334 - Authorization of appropriations) is amended as follows:

(a) Authorization.—There is authorized to be appropriated to carry out this subchapter subchapter \$2,300,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

### SEC. 1304. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. § 12311 - Training programs) is amended as follows:

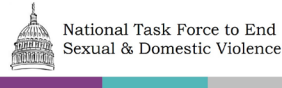
(c) Authorization of appropriations.— There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

### SEC. 1305. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Section 219(a) of the Crime Control Act of 1990( 34 U.S.C. § 20324 - Authorization of appropriations) is amended as follows:

(a) Authorization.—There is authorized to be appropriated to carry out this subchapter \$12,000,000 for each of fiscal years ~~2014 through 2018~~ 2023 through 2027.

Section 304(d) of the DNA Sexual Assault Justice Act of 2004 (34 U.S.C. 40723 - Sexual assault forensic exam program grants) is amended as follows:



(d) Authorization of appropriations.—There are authorized to be appropriated \$30,000,000 for each of fiscal years to carry out this section.

**SEC. 1306. REVIEW OF LINK BETWEEN SUBSTANCE USE AND VICTIMS OF DOMESTIC VIOLENCE DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING.**

Not later than 2 years after the date of enactment of this Act, the Secretary of the Department of Health and Human Services shall complete a review and submit to Congress a report on whether being a victim of domestic violence, dating violence, sexual assault, or stalking increases the likelihood of having a substance use disorder.

**SEC. 1307. INTERAGENCY WORKING GROUP TO STUDY FEDERAL EFFORTS TO COLLECT DATA ON SEXUAL VIOLENCE.**

(a) Establishment.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall establish an interagency working group to study Federal efforts to collect data on sexual violence and to make recommendations on the harmonization of such efforts.

(b) Composition.—The Working Group shall be comprised of at least one representative from the following agencies, who shall be selected by the head of that agency:

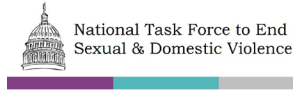
- (1) The Centers for Disease Control and Prevention.
- (2) The Department of Education.
- (3) The Department of Health and Human Services.
- (4) The Department of Justice.
- (5) The Equal Employment Opportunity Commission.

(c) Duties.—The Working Group shall consider the following:

- (1) What activity constitutes different acts of sexual violence.
- (2) Whether reports that use the same terms for acts of sexual violence are collecting the same data on these acts.
- (3) Whether the context which led to an act of sexual violence should impact how that act is accounted for in reports.
- (4) Whether the data collected is presented in a way that allows the general public to understand what acts of sexual violence are included in each measurement.
- (5) Steps that agencies that compile reports relating to sexual violence can take to avoid double counting incidents of sexual violence.

(d) Report required.—Not later than 2 years after the date of the enactment of this Act, the Working Group shall publish and submit to Congress a report on the following:

- (1) The activities of the Working Group.



(2) Recommendations to harmonize Federal efforts to collect data on sexual violence.

(3) Actions Federal agencies can take to implement the recommendations described in paragraph (2).

(4) Recommendations, if any, for congressional action to implement the recommendations described in paragraph (2).

(e) Termination.—The Working Group shall terminate 30 days after the date on which the report is submitted pursuant to subsection (d).

(f) Definitions.—In this section:

(1) Harmonize.—The term “harmonize” includes efforts to coordinate sexual violence data collection to produce complementary information, as appropriate, without compromising programmatic needs.

(2) Sexual violence.—The term “sexual violence” includes an unwanted sexual act (including both contact and non-contact) about which the Federal Government collects information.

(3) Working group.—The term “Working Group” means the interagency working group established under subsection (a).

**SEC. 1308. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE ASSISTANCE FOR MICROBUSINESSES.**

Section 41501(b) of the Violence Against Women Act of 1994 (34 U.S.C. 12501(b)) is amended—

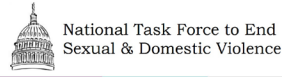
(1) in paragraph (2)—

(A) by striking “companies and public entities” and inserting “companies, public entities”; and

(B) by inserting “, and employers with fewer than 20 employees” after “State and local governments”; and

(2) in paragraph (3), by inserting before the period at the end the following: “, which materials shall include a website with resources for employers with fewer than 20 employees, including live training materials

*[SEE TITLE VII FOR INSERTION]*



## SEC. 1309. CIVIL ACTION RELATING TO DISCLOSURE OF INTIMATE IMAGES.

### (a) Definitions.—In this section:

(1) Commercial pornographic content.—The term “commercial pornographic content” means any material that is subject to the record keeping requirements under section 2257 of title 18, United States Code.

(2) Consent.—The term “consent” means an affirmative, conscious, and voluntary authorization made by the individual free from force, fraud, misrepresentation, or coercion .

(3) Depicted individual.—The term “depicted individual” means an individual whose body appears in whole or in part in an intimate visual depiction and who is identifiable by virtue of the person’s face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature, or from information displayed in connection with the visual depiction.

(4) Disclose.—The term “disclose” means to transfer, publish, distribute, or make accessible.

(5) Intimate visual depiction.—The term “intimate visual depiction

(A) means a visual depiction, as that term is defined in section 2256(5) of title 18, United States Code, that depicts—

(i) the uncovered genitals, pubic area, anus, or post-pubescent female nipple of an individual; or

(ii) the display or transfer of bodily sexual fluids—

(I) on to any part of the body of an identifiable individual;

(II) from the body of an identifiable individual; or

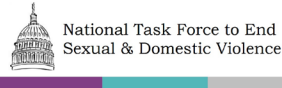
(III) an identifiable individual engaging in sexually explicit conduct and

(B) includes any visual depictions described in subparagraph (A) produced while the identifiable individual was in a public place only if the individual did not—

(i) voluntarily display the content depicted; or

(ii) consent to the sexual conduct depicted.

(6) Sexually explicit conduct.—The term “sexually explicit conduct” has the meaning given the term in subparagraphs (A) and (B) of section 2256(2) of title 18, United States Code.



(b) Civil Action.—

(1) Right of action.—

(A) In General.—Except as provided in paragraph (4), an individual whose intimate visual depiction is disclosed, in or affecting interstate or foreign commerce or using any means or facility of interstate or foreign commerce, without the consent of the individual, where such disclosure was made by a person who knows that, or recklessly disregards whether, the individual has not consented to such disclosure, may bring a civil action against that person in an appropriate district court of the United States for relief as set forth in paragraph (3).

(B) Rights on Behalf of Certain Individuals.—In the case of an individual who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the individual or representative of the identifiable individual's estate, another family member, or any other person appointed as suitable by the court, may assume the identifiable individual's rights under this section, but in no event shall the defendant be named as such representative or guardian.

(2) Consent.—For purposes of an action under paragraph (1)—

(A) the fact that the individual consented to the creation of the depiction shall not establish that the person consented to its distribution; and

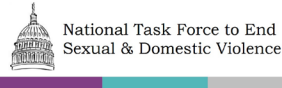
(B) the fact that the individual disclosed the intimate visual depiction to someone else shall not establish that the person consented to the further disclosure of the intimate visual depiction by the person alleged to have violated paragraph (1).

(3) Relief.—

(A) In general.—In a civil action filed under this section—

(i) an individual may recover the actual damages sustained by the individual or liquidated damages in the amount of \$150,000, and the cost of the action, including reasonable attorney's fees and other litigation costs reasonably incurred; and

(ii) the court may, in addition to any other relief available at law, order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to cease display or disclosure of the visual depiction.



(B) Preservation of anonymity.—In ordering relief under subparagraph (A), the court may grant injunctive relief maintaining the confidentiality of a plaintiff using a pseudonym.

(4) Exceptions.—An identifiable individual may not bring an action for relief under this section relating to—

(A) an intimate image that is commercial pornographic content unless the content was produced by force, fraud, misrepresentation, or coercion of the depicted individual(B) a disclosure made in good faith—

(i) to a law enforcement officer or agency;

(ii) as part of a legal proceeding;

(iii) as part of medical education, diagnosis, or treatment; or

(iv) in the reporting or investigation of—

(I) unlawful content; or

(II) unsolicited or unwelcome conduct;

(C) a matter of public concern or public interest; or

(D) a disclosure reasonably intended to assist the depicted individual.

## **SEC. 1310. CHOOSE RESPECT ACT.**

**(a) Short title.—This section maybe cited as the “Choose Respect Act.”**

**(b) Designation.—**

**(1) In General.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:**

### **§146. Choose Respect Day**

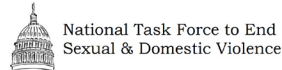
**(a) Designation.—October 1 is Choose Respect Day.**

**(b) Recognition.—All private citizens, organizations, and Federal, State, and local governmental and legislative entities are encouraged to recognize Choose Respect Day through proclamations, activities, and educational efforts in furtherance of changing the culture around the tolerance of violence against women.**

**(2) Technical and Conforming Amendment.—The table of sections for chapter 1 of title 36, United States Code, is amended by adding at the end the following:**

**“146. Choose Respect Day.”**

**(c) Media campaign.--**



(1) Definitions.—In this subsection:

(A) DIRECTOR.—The term “Director” means the Director of the Office on Violence Against Women.

(B) NATIONAL MEDIA CAMPAIGN.—The term “national media campaign” means the national “Choose Respect” media campaign described in paragraph (2)

(2) Media Campaign.—The Director shall, to the extent feasible and appropriate, conduct a national “Choose Respect” media campaign in accordance with this section for the purposes of—

(A) preventing and discouraging violence against women, including domestic violence, dating violence, sexual assault, and stalking by targeting the attitudes, perceptions, and beliefs of individuals who have or are likely to commit such crimes;

(B) encouraging victims of the crimes described in subparagraph (A) to seek help through the means determined to be most effective by the most current evidence available, including seeking legal representation; and

(C) informing the public about the help available to victims of the crimes described in subparagraph (A).

(3) Use of Funds.—

(A) IN GENERAL.—Amounts made available to carry out this section for the national media campaign may only be used for the following:

(i) The purchase of media time and space, including the strategic planning for, tracking, and accounting of, such purchases.

(ii) Creative and talent costs, consistent with subparagraph (B).

(iii) Advertising production costs, which may include television, radio, internet, social media, and other commercial marketing venues.

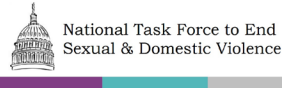
(iv) Testing and evaluation of advertising.

(v) Evaluation of the effectiveness of the national media campaign.

(vi) Costs of contracts to carry out activities authorized by this subsection.

(vii) Partnerships with professional and civic groups, community-based organizations, including faith-based organizations and culturally specific





organizations, and government organizations related to the national media campaign.

(viii) Entertainment industry outreach, interactive outreach, media projects and activities, public information, news media outreach, corporate sponsorship and participation, and professional sports associations and military branch participation.

(ix) Operational and management expenses.

(B) SPECIFIC REQUIREMENTS.—

(i) CREATIVE SERVICES.—In using amounts for creative and talent costs under subparagraph (A), the Director shall use creative services donated at no cost to the Government wherever feasible and may only procure creative services for advertising—

(I) responding to high-priority or emergent campaign needs that cannot timely be obtained at no cost; or

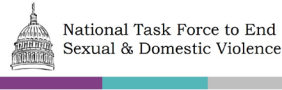
(II) intended to reach a minority, ethnic, or other special audience that cannot reasonably be obtained at no cost.

(ii) TESTING AND EVALUATION OF ADVERTISING.—In using amounts for testing and evaluation of advertising under subparagraph (A)(iv), the Director shall test all advertisements prior to use in the national media campaign to ensure that the advertisements are effective with the target audience and meet industry-accepted standards. The Director may waive this requirement for advertisements using no more than 10 percent of the purchase of advertising time purchased under this section in a fiscal year and no more than 10 percent of the advertising space purchased under this section in a fiscal year, if the advertisements respond to emergent and time-sensitive campaign needs or the advertisements will not be widely utilized in the national media campaign.

(iii) CONSULTATION.—For the planning of the campaign under paragraph (2), the Director may consult with—

(I) the Office for Victims of Crime, the Administration on Children, Youth and Families, and other related Federal Government entities;

(II) State, local, and Indian Tribal governments;



(III) the prevention of domestic violence, dating violence, sexual assault, or stalking, including national and local non-profits; and

(IV) communications professionals.

(iv) EVALUATION OF EFFECTIVENESS OF NATIONAL MEDIA CAMPAIGN.—In using amounts for the evaluation of the effectiveness of the national media campaign under subparagraph (A)(v), the Attorney General shall—

(I) designate an independent entity to evaluate by April 20 of each year the effectiveness of the national media campaign based on data from any relevant studies or publications, as determined by the Attorney General, including tracking and evaluation data collected according to marketing and advertising industry standards; and

(II) ensure that the effectiveness of the national media campaign is evaluated in a manner that enables consideration of whether the national media campaign has contributed to changes in attitude or behaviors among the target audience with respect to violence against women and such other measures of evaluation as the Attorney General determines are appropriate.

(4) Advertising.—In carrying out this subsection, the Director shall ensure that sufficient funds are allocated to meet the stated goals of the national media campaign.

(5) Responsibilities and functions under the program.—

(A) IN GENERAL.—The Director shall determine the overall purposes and strategy of the national media campaign.

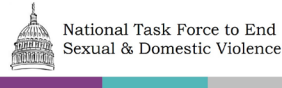
(B) DIRECTOR.—

(i) IN GENERAL.—The Director shall approve—

(I) the strategy of the national media campaign;

(II) all advertising and promotional material used in the national media campaign; and

(III) the plan for the purchase of advertising time and space for the national media campaign.



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(ii) IMPLEMENTATION.—The Director shall be responsible for implementing a focused national media campaign to meet the purposes described in paragraph (2) and shall ensure—

(I) information disseminated through the campaign is accurate and scientifically valid; and

(II) the campaign is designed using strategies demonstrated to be the most effective at achieving the goals and requirements of paragraph (2), which may include—

(aa) a media campaign, as described in paragraph (3);

(bb) local, regional, or population specific messaging;

(cc) the development of websites to publicize and disseminate information;

(dd) conducting outreach and providing educational resources for women;

(ee) collaborating with law enforcement agencies; and

(ff) providing support for school-based public health education classes to improve teen knowledge about the effects of violence against women.

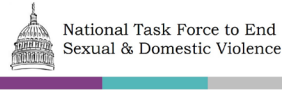
(6) Prohibitions.—None of the amounts made available under paragraph (3) may be obligated or expended for any of the following:

(A) To supplant current antiviolence against women campaigns by community-based coalitions.

(B) To supplant pro bono public service time donated by national and local broadcasting networks for other public service campaigns.

(C) For partisan political purposes, or to express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal.

(D) To fund advertising that features any elected officials, persons seeking elected office, cabinet level officials, or other Federal officials employed pursuant to schedule C of subpart C of title 5, Code of Federal Regulations.



(E) To fund advertising that does not contain a primary message intended to reduce or prevent violence against women.

(F) To fund advertising containing a primary message intended to promote support for the national media campaign or private sector contributions to the national media campaign.

(7) Financial and performance accountability.—The Director shall cause to be performed—

(A) audits and reviews of costs of the national media campaign pursuant to section 4706 of title 41, United States Code; and

(B) an audit to determine whether the costs of the national media campaign are allowable under chapter 43 of title 41, United States Code.

(8) Report to Congress.—The Director shall submit on an annual basis a report to Congress that describes—

(A) the strategy of the national media campaign and whether specific objectives of the national media campaign were accomplished;

(B) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the national media campaign;

(C) plans to purchase advertising time and space;

(D) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse;

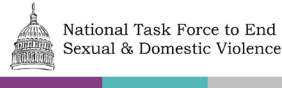
(E) all contracts entered into with a corporation, partnership, or individual working on behalf of the national media campaign;

(F) the results of any financial audit of the national media campaign;

(G) a description of any evidence used to develop the national media campaign;

(H) specific policies and steps implemented to ensure compliance with this section;

(I) a detailed accounting of the amount of funds obligated during the previous fiscal year for carrying out the national media campaign, including each recipient of funds, the purpose of each expenditure, the amount of each expenditure, any



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available outcome information, and any other information necessary to provide a complete accounting of the funds expended; and

(J) a review and evaluation of the effectiveness of the national media campaign strategy for the previous year.

(9) Authorization of Appropriations.—There are authorized to be appropriated to the Director to carry out this section \$5,000,000 for each of fiscal years 2023 through 2027, to remain available until expended.

**SEC. 1311. TECHNICAL CORRECTION TO VICTIMS OF CRIME ACT.  
Section 1403(a)(1) of the Victims of Crime Act of 1984 is amended as follows:**

**34 U.S.C. 20102 – Crime victim compensation.**

**(a) Authority of Director; grants**

(1) Except as provided in paragraph (2), the Director shall make an annual grant from the Fund to an eligible crime victim compensation program of 75 percent of the amounts awarded during the preceding fiscal year, other than amounts awarded for property damage. Except as provided in paragraph ~~(3)~~(4), a grant under this section shall be used by such program only for awards of compensation.

**SEC. 1312. ELIMINATING THE MARRIAGE DEFENSE TO STATUTORY RAPE.  
Section 2243(c) of title 18, United States Code, is amended as follows—**

**18 U.S. Code § 2243 - Sexual abuse of a minor or ward.**

[...]

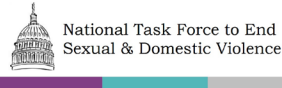
**(c) Defenses.—**

~~(1)~~ In a prosecution under subsection (a) of this section, it is a defense, which the defendant must establish by a preponderance of the evidence, that the defendant reasonably believed that the other person had attained the age of 16 years.

~~(2) In a prosecution under this section, it is a defense, which the defendant must establish by a preponderance of the evidence, that the persons engaging in the sexual act were at that time married to each other.~~

**SEC. 1313. DEPUTY ASSISTANT ATTORNEY GENERAL ON CULTURALLY SPECIFIC COMMUNITIES WITHIN THE OFFICE OF JUSTICE PROGRAMS.**

(a) Establishment; Duties.--There shall be a Deputy Assistant Attorney General on Culturally Specific Communities within the Office of Justice Programs who shall, under the guidance and authority of the Director of the Office of Justice Programs—



(1) advise on the administration of grants related to culturally specific (as defined in section 40002(a) of the Violence Against Women act of 1994 (34 U.S.C. 12291(a)) services and contracts with culturally specific organizations;

(2) coordinate development of Federal policy, protocols, and guidelines on matters relating to domestic violence, dating violence, sexual assault and stalking (as those terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)), in culturally specific communities;

(3) advise the Assistant Attorney General for the Office of Justice Programs concerning policies, legislation, implementation of laws, and other issues relating to domestic violence, dating violence, sexual assault, and stalking in culturally specific communities;

(4) provide technical assistance, coordination, and support to other offices and bureaus in the Department of Justice to develop policy and to enforce Federal laws relating to domestic violence, dating violence, sexual assault, and stalking in culturally specific communities;

(5) ensure that appropriate technical assistance, developed and provided by entities having expertise in culturally specific communities is made available to grantees and potential grantees proposing to serve culturally specific communities; and

(6) ensure access to grants and technical assistance for culturally specific organizations and analyze the distribution of funding in order to identify barriers for culturally specific organizations.

(b) Qualifications.--The Deputy Assistant Attorney General on Culturally Specific Communities shall be an individual with—

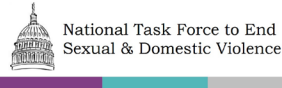
(1) personal, lived, and work experience from a culturally specific community; and

(2) a demonstrated history of and expertise in addressing domestic violence or sexual assault in a nongovernmental agency.

(c) Initial Appointment.--Not later than 120 days after the date of enactment of this Act, the Director of the Office of Justice Programs shall appoint an individual as Deputy Assistant Attorney General on Culturally Specific Communities.

## **SEC. 1314. TASK FORCE ON SEXUAL VIOLENCE IN EDUCATION.**

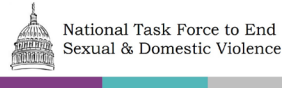
(a) Task Force on Sexual Violence in Education.—Not later than September 1, 2022, the Secretary of Education, the Secretary of Health and Human Services, and the Attorney General shall establish a joint interagency task force to be known as the “Task Force on Sexual Violence in Education” that shall—



- (1) provide pertinent information to the Secretary of Education, Attorney General, Congress, and the public with respect to campus sexual violence prevention, investigations, and responses, including the creation of consistent, public complaint processes for violations of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f));
- (2) provide recommendations to educational institutions for establishing sexual assault prevention and response teams;
- (3) develop recommendations for educational institutions on providing survivor resources, including health care, sexual assault kits, sexual assault nurse examiners, culturally responsive and inclusive standards of care, trauma-informed services, and access to confidential advocacy and support services;
- (4) develop recommendations in conjunction with student groups for best practices for responses and prevention of sexual violence and dating violence for educational institutions, taking into consideration an institution's size and resources;
- (5) develop recommendations for educational institutions on sex education, as appropriate, training for school staff, and various equitable discipline models;
- (6) develop recommendations on culturally responsive and inclusive approaches to supporting survivors, which include consideration of race, ethnicity, national origin, religion, immigrant status, lesbian, gay, bisexual, or transgender (commonly referred to as "LBTQ") status, ability, disability, socio-economic status, exposure to trauma, and other compounding factors;
- (7) solicit periodic input from a diverse group of survivors, trauma specialists, advocates from national, State, and local anti-sexual violence advocacy organizations, institutions of higher education, and other public stakeholders;
- (8) assess the Department of Education's ability under section 902 of the Education Amendments of 1972 (20 U.S.C. 1682) to levy intermediate fines for noncompliance with title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the advisability of additional remedies for such noncompliance, in addition to the remedies already available under Federal law; and
- (9) create a plan described in subsection (c).

(b) Personnel Details.—

- (1) Authority to detail.—Notwithstanding any other provision of law, the head of a component of any Federal agency that is funded under the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.), or any amendments made by that Act, may detail an



officer or employee of such component to the Task Force on Sexual Violence in Education or to the Secretary of Education to assist the Task Force with the duties described in subsection (a), as jointly agreed to by the head of such component and the Task Force.

(2) Terms of detail.—A personnel detail made under paragraph (1) may be made—  
(A) for a period of not more than 3 years; and  
(B) on a reimbursable or nonreimbursable basis.

(c) Additional Plan.—Not later than 90 days after the date on which the Task Force on Sexual Violence in Education is established under subsection (a), the Task Force shall submit to Congress recommendations for recruiting, retaining, and training a highly-qualified workforce employed by the Department of Education to carry out investigation of complaints alleging a violation of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) or section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)), and enforcement of such title IX (20 U.S.C. 1681 et seq.) or such section 485(f) (20 U.S.C. 1092(f)), with respect to sexual violence in education, which shall include—

(1) an assessment to identify current gaps or challenges carrying out such investigation and enforcement, which may include surveying current investigative workforce to solicit feedback on areas in need of improvement;

(2) an examination of issues of recruiting, retention, and the professional development of the current investigative workforce, including the possibility of providing retention bonuses or other forms of compensation for the purpose of ensuring the Department of Education has the capacity, in both personnel and skills, needed to properly perform its mission and provide adequate oversight of educational institutions;

(3) an assessment of the benefits of outreach and training with both law enforcement agencies and educational institutions with respect to such workforce;

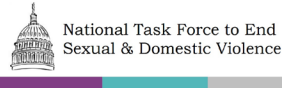
(4) an examination of best practices for making educational institutions aware of the most effective campus sexual violence prevention, investigation, and response practices and identifying areas where more research should be conducted; and

(5) strategies for addressing such other matters as the Secretary of Education considers necessary to sexual violence prevention, investigation, and responses.

(d) Annual Report.—The Task Force on Sexual Violence in Education shall submit to Congress, and make publicly available, an annual report of its activities and any update of the plan required under subsection (c), including--

(1) the number of complaints received regarding sexual violence at educational institutions;





- (2) the number of open investigations of sexual violence at educational institutions;
- (3) the number of complaints that continued to resolution;
- (4) the number of complaints resolved using informal resolution;
- (5) the average time to complete such an investigation;
- (6) the number of investigations initiated based on complaints; and
- (7) the number of investigations initiated by the Department of Education.

(e) Definitions.—In this section:

- (1) Educational institution.--The term “educational institution” includes an institution of higher education, an elementary school, or a secondary school.
- (2) Elementary school; Secondary school.--The terms “elementary school” and “secondary school” have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).
- (3) Institution of higher education.--The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

**SEC. 1315. BREE’S LAW.**

**(a) SHORT TITLE.—This section may be cited as “Bree’s Law”.**

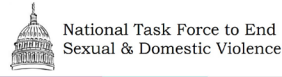
**(b) TEEN DATING VIOLENCE PREVENTION.—Section 1708 of the Public Health Service Act (42 U.S.C. 300u-7) is amended—**

**42 U.S.C. §300u-7. Office of Adolescent Health**

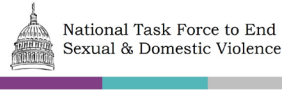
(a) In general.—There is established an Office of Adolescent Health within the Office of the Assistant Secretary for Health, which office shall be headed by a director appointed by the Secretary. The Secretary shall carry out this section acting through the Director of such Office.

(b) Duties.—With respect to adolescent health, the Secretary shall-

- (1) coordinate all activities within the Department of Health and Human Services that relate to disease prevention, health promotion, preventive health services, and health information and education with respect to the appropriate use of health care, including coordinating-



- (A) the design of programs, support for programs, and the evaluation of programs;
- (B) the monitoring of trends;
- (C) projects of research (including multidisciplinary projects) on adolescent health; and
- (D) the training of health providers who work with adolescents, particularly nurse practitioners, physician assistants, and social workers;
- (2) coordinate the activities described in paragraph (1) with similar activities in the private sector; and
- (3) support projects, conduct research, and disseminate information relating to preventive medicine, health promotion, and physical fitness and sports medicine.
- (c) Certain demonstration projects
- (1) In general.—In carrying out subsection (b)(3), the Secretary may make grants to carry out demonstration projects for the purpose of improving adolescent health, including—  
~~projects to train health care providers in providing services to adolescents and projects to reduce the incidence of violence among adolescents, particularly among minority males.~~  
(A) projects to train health care providers in providing services to adolescents;  
and  
(B) projects to reduce the incidence of violence among adolescents, particularly violence related to teen dating, which shall include projects to develop and implement educational program to increase abuse awareness and prevention.
- (2) Authorization of appropriations.—For the purpose of carrying out paragraph (1), there are authorized to be appropriated ~~\$5,000,000~~ \$8,000,000 for ~~fiscal year 1993, and such sums as may be necessary for~~ each of the fiscal years ~~1994~~ 2023 through ~~1997~~ 2027.
- (d) Information clearinghouse.—In carrying out subsection (b), the Secretary shall establish and maintain a National Information Clearinghouse on Adolescent Health to collect and disseminate to health professionals and the general public information on adolescent health.
- (e) National plan.—In carrying out subsection (b), the Secretary shall develop a national plan for improving adolescent health. The plan shall be consistent with the applicable objectives established by the Secretary for the health status of the people of the United States for the year 2000, and shall be periodically reviewed, and as appropriate, revised. The plan, and any revisions in the plan, shall be submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate.



(f) Adolescent health.—For purposes of this section, the term "adolescent health", with respect to adolescents of all ethnic and racial groups, means all diseases, disorders, and conditions (including with respect to mental health)-

- (1) unique to adolescents, or more serious or more prevalent in adolescents;
- (2) for which the factors of medical risk or types of medical intervention are different for adolescents, or for which it is unknown whether such factors or types are different for adolescents; or
- (3) with respect to which there has been insufficient clinical research involving adolescents as subjects or insufficient clinical data on adolescents.

(g) Interagency work group.—

(1) Establishment.—The Secretary shall establish the Federal Interagency Work Group on Teen Dating Violence (referred to in this section as the ‘Work Group’).

(2) In general.—

(A) Composition.—Not later than 120 days after the date of enactment of Bree’s Law, the Secretary shall appoint representatives to the Work Group from the Administration for Children and Families, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Department of Education, the Department of Justice, and other Federal agencies as determined appropriate by the Secretary.

(B) Consultation.—The Work Group shall consult with—

(i) experts at the State, Tribal, and local levels with relevant backgrounds in reducing and preventing the incidence of teen dating violence;

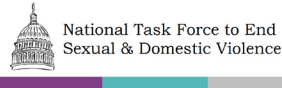
(ii) victims of teen dating violence; and

(iii) family members of teens who were killed by a dating partner.

(3) Duties.—The Work Group shall—

(A) examine all Federal efforts directed towards reducing and preventing teen dating violence;

(B) identify strategies, resources, and supports to improve State, Tribal, and local responses to the incidence of teen dating violence;



(C) make recommendations to Congress for improving Federal programs and efforts and coordination across such programs and efforts to reduce and prevent teen dating violence; and

(D) make recommendations for educating middle and high school students on teen dating violence.

(4) Annual report to secretary.—The Work Group shall annually prepare and submit to the Secretary, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and Labor of the House of Representatives, a report on the activities carried out by the Work Group under subsection (c), including recommendations to reduce and prevent teen dating violence.

## **SEC. 1316. FAIRNESS FOR RAPE KIT BACKLOG SURVIVORS ACT OF 2022.**

**(a) Short Title.—This section may be cited as the “Fairness for Rape Kit Backlog Survivors Act of 2022”.**

**(b) Crime Victim Compensation.—Section 1403(b) of the Victims of Crime Act of 1984 (34 U.S.C. 20102(b)) is amended—**

### **34 U.S. Code § 20102 - Crime victim compensation.**

**(a) Authority of Director; grants.**

(1) Except as provided in paragraph (2), the Director shall make an annual grant from the Fund to an eligible crime victim compensation program of 75 percent of the amounts awarded during the preceding fiscal year, other than amounts awarded for property damage. Except as provided in paragraph (3), a grant under this section shall be used by such program only for awards of compensation.

(2) If the sums available in the Fund for grants under this section are insufficient to provide grants as provided in paragraph (1), the Director shall make, from the sums available, a grant to each eligible crime victim compensation program so that all such programs receive the same percentage of the amounts awarded by such program during the preceding fiscal year, other than amounts awarded for property damage.

(3) For the purposes of calculating amounts awarded in the previous fiscal year under this subsection, the Director shall not require eligible crime victim compensation programs to deduct recovery costs or collections from restitution or from subrogation for payment under a civil lawsuit.

(4) Not more than 5 percent of a grant made under this section may be used for training purposes and the administration of the State crime victim compensation program receiving the grant.



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- (b) Eligible crime victim compensation programs.—A crime victim compensation program is an eligible crime victim compensation program for the purposes of this section if—
- (1) such program is operated by a State and offers compensation to victims and survivors of victims of criminal violence, including drunk driving and domestic violence for—
    - (A) medical expenses attributable to a physical injury resulting from compensable crime, including expenses for mental health counseling and care;
    - (B) loss of wages attributable to a physical injury resulting from a compensable crime; and
    - (C) funeral expenses attributable to a death resulting from a compensable crime;
  - (2) such program promotes victim cooperation with the reasonable requests of law enforcement authorities, except if a program determines such cooperation may be impacted due to a victim’s age, physical condition, psychological state, cultural or linguistic barriers, or any other health or safety concern that jeopardizes the victim’s wellbeing;
  - (3) such State certifies that grants received under this section will not be used to supplant State funds otherwise available to provide crime victim compensation;
  - (4) such program, as to compensable crimes occurring within the State, makes compensation awards to victims who are nonresidents of the State on the basis of the same criteria used to make awards to victims who are residents of such State;
  - (5) such program provides compensation to victims of Federal crimes occurring within the State on the same basis that such program provides compensation to victims of State crimes;
  - (6) such program provides compensation to residents of the State who are victims of crimes occurring outside the State if—
    - (A) the crimes would be compensable crimes had they occurred inside that State; and
    - (B) the places the crimes occurred in are States not having eligible crime victim compensation programs;
  - (7) such program does not, except pursuant to rules issued by the program to prevent unjust enrichment of the offender, deny compensation to any victim because of that victim’s familial relationship to the offender, or because of the sharing of a residence by the victim and the offender;



(8) such program does not provide compensation to any person who has been convicted of an offense under Federal law with respect to any time period during which the person is delinquent in paying a fine, other monetary penalty, or restitution imposed for the offense; ~~and~~

(9) beginning not later than 3 years after the date of enactment of this paragraph, such program—

(A) provides a waiver for any application filing deadline imposed by the program for a crime victim if—

(i) the crime victim is otherwise eligible for compensation; and

(ii) the delay in filing the application was a result of a delay in the testing of, or a delay in the DNA profile matching from, a sexual assault forensic examination kit or biological material collected as evidence related to a sexual offense; and

(B) does not require the crime victim to undergo an appeals process to have the application of the crime victim considered for a filing deadline waiver under subparagraph (A); and

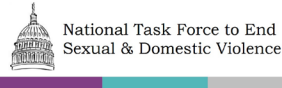
(10) ~~(9)~~ such program provides such other information and assurances related to the purposes of this section as the Director may reasonably require.

(c) Exclusion from income, resources, and assets for purposes of means tests.—Notwithstanding any other law (other than title IV of Public Law 107–42), for the purpose of any maximum allowed income, resource, or asset eligibility requirement in any Federal, State, or local government program using Federal funds that provides medical or other assistance (or payment or reimbursement of the cost of such assistance), any amount of crime victim compensation that the applicant receives through a crime victim compensation program under this section shall not be included in the income, resources, or assets of the applicant, nor shall that amount reduce the amount of the assistance available to the applicant from Federal, State, or local government programs using Federal funds, unless the total amount of assistance that the applicant receives from all such programs is sufficient to fully compensate the applicant for losses suffered as a result of the crime.

(d) Definitions.—As used in this section—

(1) the term “property damage” does not include damage to prosthetic devices, eyeglasses or other corrective lenses, or dental devices;

(2) the term “medical expenses” includes, to the extent provided under the eligible crime victim compensation program, expenses for eyeglasses or other corrective lenses, for



dental services and devices and prosthetic devices, and for services rendered in accordance with a method of healing recognized by the law of the State;

(3) the term “compensable crime” means a crime the victims of which are eligible for compensation under the eligible crime victim compensation program, and includes crimes, whose victims suffer death or personal injury, that are described in section 247 of title 18, driving while intoxicated, and domestic violence;

(4) the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and any other possession or territory of the United States; and

(5) the term “recovery costs” means expenses for personnel directly involved in the recovery efforts to obtain collections from restitution or from subrogation for payment under a civil law suit.

(e) Relationship to certain Federal programs.—Notwithstanding any other law, if the compensation paid by an eligible crime victim compensation program would cover costs that a Federal program, including the program established under title IV of Public Law 107–42, or a federally financed State or local program, would otherwise pay,—

(1) such crime victim compensation program shall not pay that compensation; and

(2) the other program shall make its payments without regard to the existence of the crime victim compensation program.

#### **SEC. 1317. STUDY RELATING TO STATE ACTIONS TO PROHIBIT AIDING AND ABETTING SEXUAL MISCONDUCT IN SCHOOLS.**

Not later than 30 days after the date of enactment of this Act, the Secretary of Education shall publish in the Federal Register the findings of the Department of Education’s study, as described in the notice published in the Federal Register entitled “Agency Information Collection Activities; Comment Request; Study of State Policies to Prohibit Aiding and Abetting Sexual Misconduct in Schools” (84 Fed. Reg. 57708 (October 28, 2019)), reviewing State actions to prohibit, in accordance with section 8546 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7926), the aiding and abetting of sexual misconduct in schools.

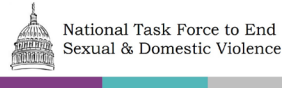
#### **SEC. 1318. SUPPORTING SURVIVORS ACCESS TO NURSE EXAMS (“SANE”) ACT.**

##### **Sec. 1. Short Title.**

This Act may be cited as the Supporting Survivors Access to Nurse Exams Act or the SANE Act.

##### **Sec. 2. Definitions.**

Section 304 of the DNA Sexual Assault Justice Act of 2004 (34 U.S.C. 40723) is amended by striking subsections (a), (b), and (c) and inserting the following:



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### 34 U.S. Code § 40723 - Sexual assault forensic exam program grants

~~(a) In general.—The Attorney General shall make grants to eligible entities to provide training, technical assistance, education, equipment, and information relating to the identification, collection, preservation, analysis, and use of DNA samples and DNA evidence by medical personnel and other personnel, including doctors, medical examiners, coroners, nurses, victim service providers, and other professionals involved in treating victims of sexual assault and sexual assault examination programs, including SANE (Sexual Assault Nurse Examiner), SAFE (Sexual Assault Forensic Examiner), and SART (Sexual Assault Response Team).~~

(a) Definitions.—In this section:

(1) (b) ELIGIBLE ENTITY.—For purposes of this section, the term “eligible entity” includes—

~~(1) States;~~

~~(2) units of local government; and~~

(A) a Tribal government or hospital;

(B) (3) a sexual assault examination program, including—

(i) (A) sexual assault nurse examiner a SANE program;

(ii) (B) sexual assault forensic examiner a SAFE program;

(iii) (C) sexual assault response team a SART program;

~~(D) State sexual assault coalitions;~~

(iv) (E) medical personnel, including a doctor or nurse doctors, medical examiners, coroners, and nurses, involved in treating victims of sexual assault; and

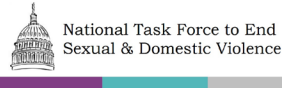
(v) (F) a victim service providers involved in treating victims of sexual assault.

(C) a State sexual assault coalition;

(D) a health care facility, including a hospital that provides sexual assault forensic examinations by a qualified or certified SANE or SAFE;

(E) a sexual assault examination program that provides SANE or SAFE training; and





(F) a community-based program that provides sexual assault forensic examinations, including pediatric forensic exams in a multidisciplinary setting, by a qualified or certified SANE or SAFE outside of a traditional health care setting.

(2) HEALTH CARE FACILITY.—The term ‘health care facility’ means any State, local, Tribal, community, free, nonprofit, academic, or private medical facility, including a hospital, that provides emergency medical care to patients.

(3) MEDICAL FORENSIC EXAMINATION; MFE.—The term ‘medical forensic examination’ or ‘MFE’ means an examination of a sexual assault patient by a health care provider, who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients, which includes—

(A) gathering information from the patient for the medical forensic history;

(B) an examination;

(C) coordinating treatment of injuries, documentation of biological and physical findings, and collection of evidence from the patient;

(D) documentation of findings;

(E) providing information, treatment, and referrals for sexually transmitted infections, pregnancy, suicidal ideation, alcohol and substance abuse, and other non-acute medical concerns; and

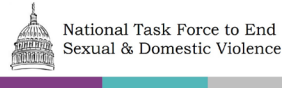
(F) providing follow-up as needed to provide additional healing, treatment, or collection of evidence.

(4) PEDIATRIC SANE AND SAFE.—The term ‘pediatric SANE and SAFE’ means a SANE or SAFE who is trained to conduct sexual assault forensic examinations on children and youth between the ages of 0 and 18.

(5) QUALIFIED PERSONNEL.—The term ‘qualified personnel’ includes a registered or advanced practice nurse, physician, doctor of osteopathy, or physician assistant who has specialized training conducting medical forensic examinations.

(6) QUALIFIED SANE AND SAFE TRAINING PROGRAM.—The term ‘qualified SANE and SAFE training program’ means a program that—

(A) is qualified to prepare current and future sexual assault nurse examiners to be profession-ready and meet the applicable State and National certification and licensure requirements, through didactic, clinical, preceptor, or capstone programs that include longer-term training;



(B) provides that preparation under a health care model that uses trauma-informed techniques; and

(C) is approved as meeting the most recent National Training Standards for Sexual Assault Medical Forensic Examiners.

(7) RURAL AREA.—The term ‘rural area’ has the meaning given the term in section 40002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291).

(8) SECRETARY.—The term ‘Secretary’ means the Secretary of Health and Human Services.

(9) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act or sexual contact proscribed by Federal, Tribal, or State law, including when the individual lacks capacity to consent.

(10) SEXUAL ASSAULT FORENSIC EXAMINER; SAFE.—The term ‘sexual assault forensic examiner’ or ‘SAFE’ means an individual who has specialized forensic training in treating sexual assault survivors and conducting medical forensic examinations.

(11) SEXUAL ASSAULT FORENSIC EXAMINATION.—The term ‘sexual assault forensic examination’ means an examination of a sexual assault patient by a health care provider, who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients, which includes—

(A) gathering information from the patient for the medical forensic history;

(B) an examination;

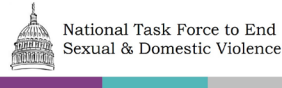
(C) coordinating treatment of injuries, documentation of biological and physical findings, and collection of evidence from the patient;

(D) documentation of findings;

(E) providing information, treatment, and referrals for sexually transmitted infections, pregnancy, suicidal ideation, alcohol and substance abuse, and other non-acute medical concerns; and

(F) providing follow-up as needed to provide additional healing, treatment, or collection of evidence.

(12) SEXUAL ASSAULT NURSE EXAMINER; SANE.—The term ‘sexual assault nurse examiner’ or ‘SANE’ means a registered or advanced practice nurse who has specialized training conducting medical forensic examinations.



(13) SEXUAL ASSAULT RESPONSE TEAM; SART.—The term ‘sexual assault response team’ or ‘SART’ means a multidisciplinary team that—

(A) provides a specialized and immediate response to survivors of sexual assault; and

(B) may include health care personnel, law enforcement representatives, community-based survivor advocates, prosecutors, and forensic scientists.

(14) STATE.—The term ‘State’ means any State of the United States, the District of Columbia, and any territory or possession of the United States.

(15) TRAUMA-INFORMED.—The term ‘trauma-informed’ means, with respect to services or training—

(A) uses a patient-centered approach to providing services or care;

(B) promotes the dignity, strength, and empowerment of patients who have experienced trauma; and

(C) incorporates evidence-based practices based on knowledge about the impact of trauma on patients’ lives.

(16) UNDERSERVED POPULATIONS.—The term ‘underserved populations’ has the meaning given the term in section 40002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291).

(b) Sexual Assault Nurse Examiner Training Program Grants.—

(1) Authorization for Grants.—The Attorney General, in consultation with the Secretary, shall make grants to eligible entities for the following purposes:

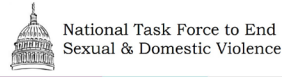
(A) To establish qualified regional SANE training programs—

(i) to provide clinical education for SANE students;

(ii) to provide salaries for full and part-time SANE instructors, including those specializing in pediatrics and working in a multidisciplinary team setting, to help with the clinical training of SANEs; and

(iii) to provide access to simulation laboratories and other resources necessary for clinical education.

(B) To provide full and part time salaries for SANEs and SAFEs, including pediatric SANEs and SAFEs.



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(C) To increase access to SANEs and SAFEs by otherwise providing training, education, or technical assistance relating to the collection, preservation, analysis, and use of DNA samples and DNA evidence by SANEs, SAFEs, and other qualified personnel.

(2) Preference for Grants.—(1) In general In reviewing applications for grants under submitted in accordance with a program authorized, in whole or in part, by this section, the Attorney General shall give preference to any eligible entity that certifies in the grant application that the entity will coordinate with a rape crisis center or the State sexual assault coalition to facilitate sexual assault advocacy to support sexual assault survivors and use the grant funds to—

(A) improve forensic nurse examiner programs in a rural area or for an underserved population, as those terms are defined in section 12291 of this title;  
(A) establish qualified SANE training programs in localities with a high volume of forensic trauma cases, including adult and child sexual assault, domestic violence, elder abuse, sex trafficking, and strangulation cases;

(B) engage in activities that will assist in the employment of full-time forensic nurse examiners to conduct activities under subsection (a); or  
(B) increase the local and regional availability of full and part-time sexual assault nurse examiners in a rural area, Tribal area, an area with a health professional shortage, or for an underserved population, including efforts to provide culturally competent services; or

(C) sustain or establish a training program for forensic nurse examiners.  
(C) establish or sustain sexual assault mobile teams or units or otherwise enhance SANE and SAFE access through telehealth.

(c) (2) Directive to the Attorney General.—

(1) In General.—Not later than the beginning of fiscal year 2018-2022, the Attorney General shall coordinate with the Secretary of Health and Human Services to inform health care facilities, including Federally qualified health centers, Community Health Centers, and hospitals, colleges and universities, and other appropriate health-related entities about—

(A) the availability of grant funding under this section; and

(B) the role of forensic nurses, sexual assault nurse examiners, both adult and pediatric, and existing available resources available within of the Department of Justice and the Department of Health and Human Services to train or employ forensic nurses sexual assault nurses examiners to address the needs of communities dealing with sexual assault, domestic violence, sex trafficking, elder



abuse, strangulation, and, in particular, the need for pediatric ~~sexual assault nurse examiners~~ SANEs, including such nurse examiners working in the multidisciplinary setting, in responding to abuse of both children and adolescents. ~~The Attorney General shall collaborate on this effort with nongovernmental organizations representing forensic nurses.~~

(2) Requirement.—In carrying out paragraph (1), the Attorney General shall collaborate with nongovernmental organizations representing SANEs.

(d) Public Information on Access to Sexual Assault Forensic Examinations.—

(1) In General.—Not later than 2 years after the date of enactment of the Survivors Access to Nurse Exams Act , the Attorney General, in consultation with the Secretary, shall establish, and update annually, a public website on the access to forensic nurse examiners.

(2) Contents.—The website required under paragraph (1) shall with specificity describe, by State—

- (A) funding opportunities for SANE training and continuing education; and
- (B) the availability of sexual assault advocates at locations providing sexual assault forensic exams.

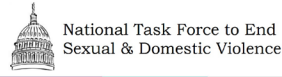
(3) Report To Congress.—Not later than 4 years after the date of enactment of the Survivors Supporting Access to Nurse Exams Act , the Attorney General, in consultation with the Secretary of Health and Human Services, shall submit to the Committee on the Judiciary of the Senate, the Committee on Health, Education, Labor and Pensions of the Senate, the Committee on the Judiciary of the House of Representatives, and the Committee of Energy and Commerce of the House of Representatives a report on Attorney General, in consultation with the Secretary, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on—

(A) the availability of, and patient access to, trained SANEs and other providers who perform MFEs or sexual assault forensic examinations;

(B) the health care facilities, including hospitals or clinics, that offer SANEs and sexual assault forensic examinations and whether each health care facility, including a hospital or clinic, has full-time, part-time, or on-call coverage;

(C) regional, provider, or other barriers to access for SANE care and services, including MFEs and sexual assault forensic examinations;

(D) State requirements, minimum standards, and protocols for training SANEs, including trauma-informed and culturally competent training standards;



(E) State requirements, minimum standards, and protocols for training emergency services personnel involved in MFEs and sexual assault forensic examinations;

(F) the availability of sexual assault nurse examiner training, frequency of when training is convened, the providers of such training, the State's role in such training, and what process or procedures are in place for continuing education of such examiners;

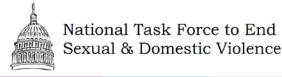
(G) the dedicated Federal and State funding to support SANE training;

(H) funding opportunities for SANE training and continuing education;

(I) the availability of sexual assault advocates at locations providing MFEs and sexual assault forensic exams; and

(J) the total annual cost of conducting sexual assault forensic exams described in section 2010(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10449(b)).

(e) (d) Authorization of appropriations.—There are authorized to be appropriated \$30,000,000 for each of fiscal years ~~2019 through 2024~~ 2023 through 2027 to carry out this section.



## TITLE XVI—CYBERCRIME ENFORCEMENT

### SEC. 1401 LOCAL LAW ENFORCEMENT GRANTS FOR ENFORCEMENT OF CYBERCRIMES.

#### (a) Definitions.—In this section:

(1) COMPUTER.—The term “computer” includes a computer network and an interactive electronic device.

(2) CYBERCRIME AGAINST INDIVIDUALS.—The term “cybercrime against individuals”—

(A) means a criminal offense applicable in the area under the jurisdiction of the relevant State, Indian Tribe, or unit of local government that involves the use of a computer to harass, threaten, stalk, extort, coerce, cause fear to, intimidate an individual, or without consent distribute intimate images of an adult, except that use of a computer need not be an element of such an offense; and

(B) does not include the use of a computer to cause harm to a commercial entity, government agency, or any non-natural persons.

(3) INDIAN TRIBE; STATE; TRIBAL GOVERNMENT; UNIT OF LOCAL GOVERNMENT—The terms “Indian Tribe”, “State”, “Tribal government”, and “unit of local government” have the meanings given such terms in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)), as amended by this Act.

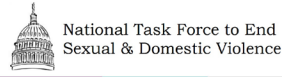
(b) Authorization of Grant Program.—Subject to the availability of appropriations, the Attorney General shall award grants under this section to States, Indian Tribes, and units of local government for the prevention, enforcement, and prosecution of cybercrimes against individuals.

#### (c) Application.—

(1) In general.—To request a grant under this section, the chief executive officer of a State, Tribal government, or unit of local government shall submit an application to the Attorney General not later than 90 days after the date on which funds to carry out this section are appropriated for a fiscal year, in such form as the Attorney General may require.

(2) Contents.— An application submitted under paragraph (1) shall include the following:

(A) A certification that Federal funds made available under this section will not be used to supplant State, Tribal, or local funds, but will be used to increase the



amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.

(B) An assurance that, not later than 30 days before the application (or any amendment to the application) was submitted to the Attorney General, the application (or amendment) was submitted for review to the governing body of the State, Tribe, or unit of local government (or to an organization designated by that governing body).

(C) An assurance that, before the application (or any amendment to the application) was submitted to the Attorney General—

(i) the application (or amendment) was made public; and

(ii) an opportunity to comment on the application (or amendment) was provided to citizens, to neighborhood or community-based organizations, and to victim service providers, to the extent applicable law or established procedure makes such an opportunity available.

(D) An assurance that, for each fiscal year covered by an application, the applicant shall maintain and report such data, records, and information (programmatic and financial) as the Attorney General may reasonably require.

(E) A certification, made in a form acceptable to the Attorney General and executed by the chief executive officer of the applicant (or by another officer of the applicant, if qualified under regulations promulgated by the Attorney General), that—

(i) the programs to be funded by the grant meet all the requirements of this section;

(ii) all the information contained in the application is correct;

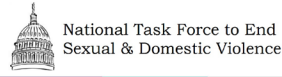
(iii) there has been appropriate coordination with affected agencies; and

(iv) the applicant will comply with all provisions of this section and all other applicable Federal laws.

(F) A certification that the State, Tribe, or in the case of a unit of local government, the State in which the unit of local government is located, has in effect criminal laws which prohibit cybercrimes against individuals.

(G) A certification that any equipment described in subsection (d)(8) purchased using grant funds awarded under this section will be used primarily for investigations and forensic analysis of evidence in matters involving cybercrimes against individuals.





(d) Use of funds.—Grants awarded under this section may be used only for programs that provide—

(1) training for State, Tribal, or local law enforcement personnel relating to cybercrimes against individuals, including—

(A) training such personnel to identify and protect victims of cybercrimes against individuals, provided that the training is developed in collaboration with victim service providers;

(B) training such personnel to utilize Federal, State, Tribal, local, and other resources to assist victims of cybercrimes against individuals;

(C) training such personnel to identify and investigate cybercrimes against individuals;

(D) training such personnel to enforce and utilize the laws that prohibit cybercrimes against individuals;

(E) training such personnel to utilize technology to assist in the investigation of cybercrimes against individuals and enforcement of laws that prohibit such crimes; and

(F) the payment of overtime incurred as a result of such training;

(2) training for State, Tribal, or local prosecutors, judges, and judicial personnel, relating to cybercrimes against individuals, including—

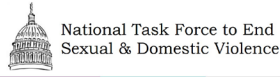
(A) training such personnel to identify, investigate, prosecute, or adjudicate cybercrimes against individuals;

(B) training such personnel to utilize laws that prohibit cybercrimes against individuals;

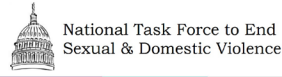
(C) training such personnel to utilize Federal, State, Tribal, local, and other resources to assist victims of cybercrimes against individuals; and

(D) training such personnel to utilize technology to assist in the prosecution or adjudication of acts of cybercrimes against individuals, including the use of technology to protect victims of such crimes;

(3) training for State, Tribal, or local emergency dispatch personnel relating to cybercrimes against individuals, including—



- (A) training such personnel to identify and protect victims of cybercrimes against individuals;
  - (B) training such personnel to utilize Federal, State, Tribal, local, and other resources to assist victims of cybercrimes against individuals;
  - (C) training such personnel to utilize technology to assist in the identification of and response to cybercrimes against individuals; and
  - (D) the payment of overtime incurred as a result of such training;
- (4) assistance to State, Tribal, or local law enforcement agencies in enforcing laws that prohibit cybercrimes against individuals, including expenses incurred in performing enforcement operations, such as overtime payments;
- (5) assistance to State, Tribal, or local law enforcement agencies in educating the public in order to prevent, deter, and identify violations of laws that prohibit cybercrimes against individuals;
- (6) assistance to State, Tribal, or local law enforcement agencies to support the placement of victim assistants to serve as liaisons between victims of cybercrimes against individuals and personnel of law enforcement agencies;
- (7) assistance to State, Tribal, or local law enforcement agencies to establish task forces that operate solely to conduct investigations, forensic analyses of evidence, and prosecutions in matters involving cybercrimes against individuals;
- (8) assistance to State, Tribal, or local law enforcement agencies and prosecutors in acquiring computers, computer equipment, and other equipment necessary to conduct investigations and forensic analysis of evidence in matters involving cybercrimes against individuals, including expenses incurred in the training, maintenance, or acquisition of technical updates necessary for the use of such equipment for the duration of a reasonable period of use of such equipment;
- (9) assistance in the facilitation and promotion of sharing, with State, Tribal, and local law enforcement agencies and prosecutors, of the expertise and information of Federal law enforcement agencies about the investigation, analysis, and prosecution of matters involving laws that prohibit cybercrimes against individuals, including the use of multijurisdictional task forces; or
- (10) assistance to State, Tribal, and local law enforcement and prosecutors in processing interstate extradition requests for violations of laws involving cybercrimes against individuals, including expenses incurred in the extradition of an offender from one State to another.



(e) Reports to the Attorney General .—On the date that is 1 year after the date on which a State, Indian Tribe, or unit of local government receives a grant under this section, and annually thereafter, the chief executive officer of the State, Tribal government, or unit of local government shall submit to the Attorney General a report which contains—

- (1) a summary of the activities carried out during the previous year with any grant received under this section by such State, Indian Tribe, or unit of local government;
- (2) an evaluation of the results of such activities; and
- (3) such other information as the Attorney General may reasonably require.

(f) Reports to Congress.—Not later than November 1 of each even-numbered fiscal year, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that contains a compilation of the information contained in the report submitted under subsection (e).

(g) Authorization of appropriations.—

(1) In general.—There are authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2023 through 2027.

(2) Limitation.—Of the amount made available under paragraph (1) in any fiscal year, not more than 5 percent may be used for evaluation, monitoring, technical assistance, salaries, and administrative expenses.

## **SEC.1402. NATIONAL RESOURCE CENTER GRANT.**

(a) Definitions.—In this section:

(1) CYBERCRIME AGAINST INDIVIDUALS.—The term “cybercrime against individuals” has the meaning given such term in section 1401.

(2) ELIGIBLE ENTITY.—The term “eligible entity” means a nonprofit private organization that

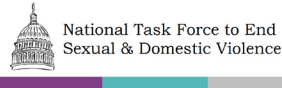
(A) focuses on cybercrimes against individuals;

(B) provides documentation to the Attorney General demonstrating experience working directly on issues of cybercrimes against individuals; and

(C) includes on the organization’s advisory board representatives who--

(i) have a documented history of working directly on issues of cybercrimes against individuals;

(ii) have a history of working directly with victims of cybercrimes against individuals; and



(iii) who are geographically and culturally diverse.

(b) Authorization of Grant Program.—Subject to the availability of appropriations, the Attorney General shall award a grant under this section to an eligible entity for the purpose of the establishment and maintenance of a National Resource Center on Cybercrimes Against Individuals to provide resource information, training, and technical assistance to improve the capacity of individuals, organizations, governmental entities, and communities to prevent, enforce, and prosecute cybercrimes against individuals.

(c) Application.—

(1) In general.—To request a grant under this section, an eligible entity shall submit an application to the Attorney General not later than 90 days after the date on which funds to carry out this section are appropriated for fiscal year 2022 in such form as the Attorney General may require.

(2) Contents.—An application submitted under paragraph (1) shall include the following:

(A) An assurance that, for each fiscal year covered by an application, the applicant will maintain and report such data, records, and information (programmatic and financial) as the Attorney General may reasonably require.

(B) A certification, made in a form acceptable to the Attorney General, that—

(i) the programs funded by the grant meet all the requirements of this section;

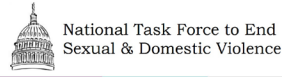
(ii) all the information contained in the application is correct; and

(iii) the applicant will comply with all provisions of this section and all other applicable Federal laws.

(d) Use of funds.—The eligible entity awarded a grant under this section shall use such amounts for the establishment and maintenance of a National Resource Center on Cybercrimes Against Individuals, which shall—

(1) offer a comprehensive array of technical assistance and training resources to Federal, State, and local governmental agencies, community-based organizations, and other professionals and interested parties, related to cybercrimes against individuals, including programs and research related to victims;

(2) maintain a resource library which shall collect, prepare, analyze, and disseminate information and statistics related to—



(A) the incidence of cybercrimes against individuals;

(B) the enforcement and prosecution of laws relating to cybercrimes against individuals; and

(C) the provision of supportive services and resources for victims, including victims from underserved populations, of cybercrimes against individuals; and

(3) conduct research related to—

(A) the causes of cybercrimes against individuals;

(B) the effect of cybercrimes against individuals on victims of such crimes; and

(C) model solutions to prevent or deter cybercrimes against individuals or to enforce the laws relating to cybercrimes against individuals.

(e) Duration of grant.—

(1) In general.—The grant awarded under this section shall be awarded for a period of 5 years.

(2) Renewal.—A grant under this section may be renewed for additional 5-year periods if the Attorney General determines that the funds made available to the recipient were used in a manner described in subsection (d), and if the recipient resubmits an application described in subsection (c) in such form, and at such time, as the Attorney General may reasonably require.

(f) Subgrants.—The eligible entity awarded a grant under this section may make subgrants to other nonprofit private organizations with relevant subject matter expertise in order to establish and maintain the National Resource Center on Cybercrimes Against Individuals in accordance with subsection (d).

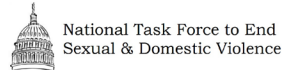
(g) Reports to the Attorney General.—On the date that is 1 year after the date on which an eligible entity receives a grant under this section, and annually thereafter for the duration of the grant period, the entity shall submit to the Attorney General a report which contains—

(1) a summary of the activities carried out under the grant program during the previous year;

(2) an evaluation of the results of such activities; and

(3) such other information as the Attorney General may reasonably require.

(h) Reports to Congress.—Not later than November 1 of each even-numbered fiscal year, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives



and the Committee on the Judiciary of the Senate a report that contains a compilation of the information contained in the report submitted under subsection (g)

(i) Authorization of appropriations.—There are authorized to be appropriated to carry out this section \$4,000,000 for each of fiscal years 2023 through 2027.

### **SEC. 1403. NATIONAL STRATEGY, CLASSIFICATION, AND REPORTING ON CYBERCRIME.**

(a) Definitions.—In this section:

(1) Computer.—The term “computer” includes a computer network and any interactive electronic device.

(2) Cybercrime against individuals.—The term “cybercrime against individuals” has the meaning given the term in section 1401

(b) National strategy.—The Attorney General shall develop a national strategy to—

(1) reduce the incidence of cybercrimes against individuals;

(2) coordinate investigations of cybercrimes against individuals by Federal law enforcement agencies;

(3) increase the number of Federal prosecutions of cybercrimes against individuals, and

(4) develop an evaluation process that measures rates of cybercrime victimization and prosecutorial rates among Tribal and culturally specific communities.

(c) Classification of cybercrimes against individuals for purposes of crime reports.—In accordance with the authority of the Attorney General under section 534 of title 28, United States Code, the Director of the Federal Bureau of Investigation shall—

(1) design and create within the Uniform Crime Reports a category for offenses that constitute cybercrimes against individuals;

(2) to the extent feasible, within the category established under paragraph (1), establish subcategories for each type of cybercrime against individuals that is an offense under Federal or State law;

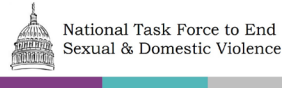
(3) classify the category established under paragraph (1) as a Part I crime in the Uniform Crime Reports; and



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(4) classify each type of cybercrime against individuals that is an offense under Federal or State law as a Group A offense for the purpose of the National Incident-Based Reporting System.

(d) Annual summary.—The Attorney General shall publish an annual summary of the information reported in the Uniform Crime Reports and the National Incident-Based Reporting System relating to cybercrimes against individuals, including an evaluation of the implementation process for the national strategy developed under subsection (b) and outcome measurements on its impact on Tribal and culturally specific communities.



## TITLE XV—KEEPING CHILDREN SAFE FROM FAMILY VIOLENCE

### SEC. 1501.SHORT TITLE.

This Act may be cited as the “Keeping Children Safe From Family Violence Act” or “Kayden’s Law.”

### SEC. 1502. FINDINGS.

Congress finds the following:

(1) Approximately one in 15 children are exposed to domestic violence each year.

(2) Most child abuse is perpetrated in the family and by a parent. Intimate partner violence and child abuse overlap in the same families at rates of between 30 to 60 percent. A child’s risk of abuse increases after a perpetrator of intimate partner violence separates from a domestic partner, even when the perpetrator had not previously directly abused the child. Children who have witnessed intimate partner violence are approximately 4 times more likely to experience direct child maltreatment than children who have not witnessed intimate partner violence.

(3) More than 75 percent of child sexual abuse is perpetrated by a family member or a person known to the child. Data of the U.S. Department of Justice shows that family members are 49 percent, or almost half, of the perpetrators of crimes against child sex assault victims younger than 6 years of age.

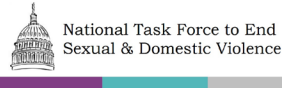
(4) Research suggests a child’s exposure to a batterer is among the strongest indicators of risk of incest victimization. One study found female children with whose fathers who are batterers of their mothers were 6.5 times more likely to experience father-daughter incest than female children who do not have an abusive fathers.

(5) Child abuse is a major public health issue in the United States. Total lifetime financial costs associated with just 1 year of confirmed cases of child maltreatment, including child physical abuse, sexual abuse, psychological abuse and neglect, results in \$124,000,000,000 in annual costs to the economy of the United States, or approximately 1 percent of the gross domestic product of the United States.

(6) Empirical research indicates that courts regularly discount allegations of child physical and sexual abuse when those allegations are raised in child custody cases, Courts believed less than ¼ of claims that a father has committed child physical or sexual abuse. With respect to cases in which an allegedly abusive parent claimed the mother “alienated” the child, courts believed only 1 out of 51 claims of sexual molestation by a father. Independent research indicates that child sexual abuse allegations are credible 50 to 70 percent of the time.

(7) Empirical research shows that alleged or known abusive parents are often granted custody or unprotected parenting time by courts. Approximately 1/3 of parents alleged to





have committed child abuse took primary custody from the protective parent reporting the abuse, placing children at ongoing risk.

(8) Researchers have documented nearly 800 children murdered in the United States since 2008 committed by a divorcing or separating parent. More than 100 of these child murders are known to have occurred after a court ordered the child ~~into~~ to have contact with the dangerous parent over the objection of a safe parent or caregiver.

(9) Scientifically unsound theories that treat abuse allegations of mothers as likely false attempts to undermine the father are frequently applied in family court to minimize or deny reports of abuse of parents and children. Many experts who testify against abuse allegations lack expertise in the relevant type of alleged abuse, relying instead on unsound and unproven theories.

(10) Judges presiding over custody cases involving allegations of child abuse, child sexual abuse, and domestic violence are rarely required to receive training on these subjects, and most states have not established standards for such trainings.

#### **SEC. 1503. PURPOSES.**

The purposes of this title are to:

(1) increase the priority given to child safety in any State court divorce, separation, visitation, paternity, child support, civil protection order, or family custody court proceeding affecting the custody and care of children, excluding child protective, abuse, or neglect proceedings and juvenile justice proceedings;

(2) strengthen the abilities of courts to—

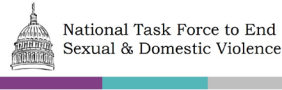
(A) recognize and adjudicate domestic violence and child abuse allegations based on valid, admissible evidence, and

(B) enter orders which protect and minimize the risk of harm to children and(3) ensure that professional personnel involved in cases containing domestic violence or child abuse allegations receive trauma-informed and culturally appropriate training on the dynamics, signs, and impact of domestic violence and child abuse, including child sexual abuse.

#### **SEC. 1504. INCREASED FUNDING FOR STOP GRANTS.**

**Section 2007 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10446) is amended by adding at the end the following:**

(k) Grant Increases for States With Certain Child Custody Proceeding Laws and Standards.—



(1) Definitions.—In this subsection:

(A) CHILD CUSTODY PROCEEDING.—The term ‘child custody proceeding’—

(i) means a private family court proceeding in State or local court that, with respect to a child, involves the care or custody of the child in a private divorce, separation, visitation, paternity, child support, legal or physical custody, or civil protection order proceeding between the parents of the child; and

(ii) does not include—

- (I) any child protective, abuse, or neglect proceeding;
- (II) a juvenile justice proceeding; or
- (III) any child placement proceeding in which a State, local, or Tribal government, a designee of such a government, or any contracted child welfare agency or child protective services agency of such a government is a party to the proceeding.

(B) ELIGIBLE STATE.—The term ‘eligible State’ means a State that—

(i) receives a grant under subsection (a); and

(ii) has in effect—

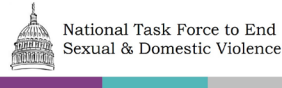
- (I) each law described in paragraph (3);
- (II) the standards described in paragraph (4); and
- (III) the training program described in paragraph (5).

(C) REUNIFICATION TREATMENT.—The term ‘reunification treatment’ means a treatment or therapy aimed at reuniting or reestablishing a relationship between a child and an estranged or rejected parent or other family member of the child.

(2) INCREASE.—

(A) IN GENERAL.—The Attorney General shall increase the amount of a grant awarded under subsection (a) to an eligible State that submits an application under paragraph (6) by an amount that is not more than 10 percent of the average of the total amount of funding provided to the State under subsection (a) under the 3 most recent awards to the State.

(B) TERM OF INCREASE.—An increase of a grant under subparagraph (A) shall be for 1 fiscal year.



(C) RENEWAL.—An eligible State that receives an increase under subparagraph (A) may submit an application for renewal of the increase at such time, in such manner, and containing such information as the Attorney General may reasonably require.

(D) LIMIT.—An eligible State may not receive an increase under subparagraph (A) for more than 4 fiscal years.

(3) LAWS.—The laws described in this paragraph are the following:

(A) A law that ensures that, with respect to a child custody proceeding in which a parent has been alleged to have committed domestic violence or child abuse, including child sexual abuse—

(i) expert evidence from a court-appointed or outside professional relating to the alleged abuse may be admitted only if the professional possesses demonstrated expertise and clinical experience in working with victims of domestic violence or child abuse, including child sexual abuse, that is not solely of a forensic nature; and

(ii) in making a finding regarding any allegation of domestic violence or child abuse, including child sexual abuse, in addition to any other relevant admissible evidence, evidence of past sexual or physical abuse committed by the accused parent shall be considered, including—

(I) any past or current protection or restraining orders against the accused parent;

(II) sexual violence abuse protection orders against the accused parent;

(III) arrests of the accused parent for domestic violence, sexual violence, or child abuse; or

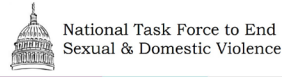
(IV) convictions of the accused parent for domestic violence, sexual violence, or child abuse.

(B) A law that ensures that, during a child custody proceeding—

(i) a court may not, solely in order to improve a deficient relationship with the other parent of a child, remove the child from a parent or litigating party—

(I) who is competent, protective, and not physically or sexually abusive; and

(II) with whom the child is bonded or to whom the child is attached;



(ii) a court may not, solely in order to improve a deficient relationship with the other parent of a child, restrict contact between the child and a parent or litigating party—

(I) who is competent, protective, and not physically or sexually abusive; and

(II) with whom the child is bonded or to whom the child is attached;

(iii) a court may not order a reunification treatment, unless there is generally accepted and scientifically valid proof of the safety, effectiveness, and therapeutic value of the reunification treatment;

(iv) a court may not order a reunification treatment that is predicated on cutting off a child from a parent to whom the child is bonded or attached; and

(v) any order to remediate the resistance of a child to have contact with a violent or abusive parent primarily addresses the behavior of that parent or the contributions of that parent to the resistance of the child before ordering the other parent of the child to take steps to potentially improve the relationship of the child with the parent with whom the child resists contact.

(C) A law that requires judges and magistrates who hear child custody proceedings and other relevant court personnel involved in child custody proceedings, including guardians ad litem, best interest attorneys, counsel for children, custody evaluators, masters, and mediators to complete, with respect to the training program described in paragraph (5)—

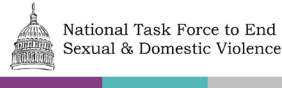
(i) not less than 20 hours of initial training; and

(ii) not less than 15 hours of ongoing training every 5 years.

(4) UNIFORM REQUIRED STANDARDS.—The standards described in this paragraph are uniform required standards that—

(A) apply to any neutral professional appointed by a court during a child custody proceeding to express an opinion relating to abuse, trauma, or the behaviors of victims and perpetrators of abuse and trauma; and

(B) require that a professional described in subparagraph (A) possess demonstrated expertise and clinical experience in working with victims of domestic violence or child abuse, including child sexual abuse, that is not solely of a forensic nature.



(5) TRAINING AND EDUCATION PROGRAM.—The training program described in this paragraph is an ongoing education and training program that—

(A) focuses solely on domestic and sexual violence and child abuse, including—

- (i) child sexual abuse;
- (ii) physical abuse;
- (iii) emotional abuse;
- (iv) coercive control;
- (v) implicit and explicit bias, including biases relating to parents with disabilities;
- (vi) trauma;
- (vii) long and short-term impacts of domestic violence and child abuse on children; and
- (viii) victim and perpetrator behavior patterns and relationship dynamics within the cycle of violence;

(B) is provided by—

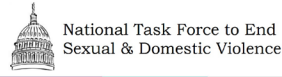
- (i) a professional with substantial experience in assisting survivors of domestic violence or child abuse, including a victim service provider (as defined in section 4002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291)); and
- (ii) if possible, a survivor of domestic violence or child physical or sexual abuse;

(C) relies on evidence-based and peer-reviewed research by recognized experts in the types of abuse described in subparagraph (A);

(D) does not include theories, concepts, or belief systems unsupported by the research described in subparagraph (C); and

(E) is designed to improve the ability of courts to—

- (i) recognize and respond to child physical abuse, child sexual abuse, domestic violence, and trauma in all family victims, particularly children; and
- (ii) make appropriate custody decisions that—
  - (I) prioritize child safety and well-being; and
  - (II) are culturally sensitive and appropriate for diverse communities.



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(6) APPLICATION.—

(A) IN GENERAL.—An eligible State desiring a grant increase under this subsection shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require.

(B) CONTENTS.—An application submitted by an eligible State under subparagraph (A) shall include information relating to—

- (i) the laws described paragraph (3);
- (ii) the standards described in paragraph (4); and
- (iii) the training program described in paragraph (5).

(7) USE OF FUNDS.—An eligible State that receives a grant increase under paragraph (2)(A) shall use the total amount of the increase for the purposes described in subparagraph (C) or (D) of subsection (c)(4).

(8) RULE OF CONSTRUCTION.—Nothing in this subsection shall be interpreted as discouraging States from adopting additional provisions to increase safe outcomes for children. Additional protective provisions are encouraged.

(9) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2023 through 2027.

**SEC. 1505. SEXUAL ASSAULT SURVIVORS' RIGHTS.**

**Section 3772(a)(2) of title 18, United States Code, is amended—**

**18 U.S. Code § 3772 - Sexual assault survivors' rights**

(a) Rights of Sexual Assault Survivors.—In addition to those rights provided in section 3771, a sexual assault survivor has the following rights:

(1) The right not to be prevented from, or charged for, receiving a medical forensic examination.

(2) The right to—

(A) subject to paragraph (3), have a sexual assault evidence collection kit or its probative contents preserved, without charge, for the duration of the maximum applicable statute of limitations or 20 years, whichever is shorter;

(B) be informed of any result of a sexual assault evidence collection kit, including a DNA profile match, toxicology report, or other information collected as part of



a medical forensic examination, if such disclosure would not impede or compromise an ongoing investigation; and

(C) be informed in writing of policies governing the collection and preservation of a sexual assault evidence collection kit.; and

(D) be informed of the status and location of a sexual assault evidence collection kit.

(3) The right to—

(A) upon written request, receive written notification from the appropriate official with custody not later than 60 days before the date of the intended destruction or disposal; and

(B) upon written request, be granted further preservation of the kit or its probative contents.

(4) The right to be informed of the rights under this subsection.

(b) Applicability.—Subsections (b) through (f) of section 3771 shall apply to sexual assault survivors.

(c) Definition of Sexual Assault.—In this section, the term “sexual assault” means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

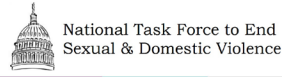
(d) Funding.—This section, other than paragraphs (2)(A) and (3)(B) of subsection (a), shall be carried out using funds made available under section 1402(d)(3)(A)(i) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)(A)(i)). No additional funds are authorized to be appropriated to carry out this section.

## **SEC. 1506. GRANTS TO STATE AND TRIBAL COURTS TO IMPLEMENT PROTECTION ORDER PILOT PROGRAMS.**

**Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10461 et seq.) is amended—**

**(1) by redesignating sections 2103, 2104, and 2105 as sections 2104, 2105, and 2106, respectively; and**

**(2) by inserting after section 2102 the following:**



**34 U.S.C. 10463] U.S.C. SEC. 2103. GRANTS TO STATE AND TRIBAL COURTS TO IMPLEMENT PROTECTION ORDER PILOT PROGRAMS.**

(a) Definition of Eligible Entity.—In this section, the term ‘eligible entity’ means a State or Tribal court that is part of a multidisciplinary partnership that includes, to the extent practicable—

- (1) State, Tribal, or local law enforcement agency;
- (2) a State, Tribal, or local prosecutor’s office
- (3) a victim service provider or State or Tribal domestic violence coalition;
- (4) a provider of culturally specific services;
- (5) a nonprofit program or government agency with demonstrated experience in providing legal assistance or legal advice to victims of domestic violence and sexual assault;
- (6) the bar association of the applicable State or Indian Tribe;
- (7) the State or Tribal association of court clerks;
- (8) a State, Tribal, or local association of criminal defense attorneys;
- (9) not fewer than 2 individuals with expertise in the design and management of court case management systems and systems of integration;
- (10) not fewer than 2 State or Tribal court judges with experience in—
  - (A) the field of domestic violence; and
  - (B) issuing protective orders; and
- (11) a judge assigned to the criminal docket of the State or Tribal court.

(b) Grants Authorized.—

(1) In general.— The Attorney General shall make grants to eligible entities to carry out the activities described in subsection (c) of this section.

(2) Number.—The Attorney General may award not more than 10 grants under paragraph (1).

(3) Amount.—The amount of a grant awarded under paragraph (1) may be not more than \$1,500,000.

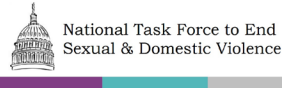
(c) Mandatory Activities.—

(1) In general.—An eligible entity that receives a grant under this section shall use the grant funds, in consultation with the partners required under subsection (a), to—

(A) develop and implement a program for properly and legally serving protection orders through electronic communication methods to—

(i) modernize the service process and make the process more effective and efficient;





(ii) provide for improved safety of victims; and

(iii) make protection orders enforceable as quickly as possible;

(B) develop best practices relating to the service of protection orders through electronic communication methods;

(C) ensure that the program developed under subparagraph (A) complies with due process requirements and any other procedures required by law or by a court; and

(D) implement any technology necessary to carry out the program developed under subparagraph (A), such as technology to verify and track the receipt of a protection order by the intended party.

(2) Timeline.—An eligible entity that receives a grant under this section shall—

(A) implement the program required under paragraph (1)(A) not later than 2 years after the date on which the eligible entity received the grant; and

(B) carry out the program required under paragraph (1)(A) for not fewer than 3 years.

(d) Diversity of Recipients.—The Attorney General shall award grants under this section to eligible entities in a variety of areas and situations, including, to the extent practicable —

(1) a State court that serves a population of not fewer than 1,000,000 individuals;

(2) a State court that—

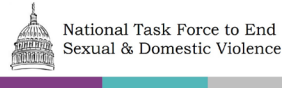
(A) serves a State that is among the 7 States with the lowest population density in the United States; and

(B) has a relatively low rate of successful service with respect to protection orders, as determined by the Attorney General;

(3) a State court that—

(A) serves a State that is among the 7 States with the highest population density in the United States; and

(B) has a relatively low rate of successful service with respect to protection orders, as determined by the Attorney General;



- (4) a court that uses an integrated, statewide case management system;
- (5) a court that uses a standalone case management system;
- (6) a Tribal court; and
- (7) a court that primarily serves a culturally specific and underserved population.

(e) Application.—

(1) In general.—An eligible entity desiring a grant under this section shall submit to the Attorney General an application that includes—

(A) a description of the process that the eligible entity uses for service of protection orders at the time of submission of the application;

(B) to the extent practicable, statistics relating to protection orders during the 3 calendar years preceding the date of submission of the application, including rates of—

- (i) successful service; and
- (ii) enforcement;

(C) an initial list of the entities serving as the partners of the eligible entity described in subsection (a); and

(D) any other information the Attorney General may reasonably require.

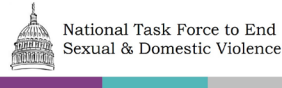
(2) No other application required.—An eligible entity shall not be required to submit an application under section 2102 to receive a grant under this section.

(f) Report to Attorney General.—

(1) Initial report.—Not later than 2 years after the date on which an eligible entity receives a grant under this section, an eligible entity shall submit to the Attorney General a report that details the plan of the eligible entity for implementation of the program under subsection (c).

(2) Subsequent reports.—

(A) In general.—Not later than 1 year on which an eligible entity implements a program under subsection (c), and not later than 2 years thereafter, the eligible entity shall submit to the Attorney General a report that describes the program, including, with respect to the program—



- (i) viability;
- (ii) cost;
- (iii) service statistics;
- (iv) the challenges;
- (v) an analysis of the technology used to fulfill the goals of the program;
- (vi) an analysis of any legal or due process issues resulting from the electronic service method described in subsection (c)(1)(A); and
- (vii) best practices for implementing such a program in other similarly situated locations.

(B) Contents of final report.—An eligible entity shall include in the second report submitted under subparagraph (A) recommendations for—

- (i) future nationwide implementation of the program implemented by the eligible entity; and
- (ii) usage of electronic service, similar to the service used by the eligible entity, for other commonly used court orders, including with respect to viability and cost.

(g) No Regulations or Guidelines Required.—Notwithstanding section 2105, the Attorney General shall not be required to publish regulations or guidelines implementing this section.

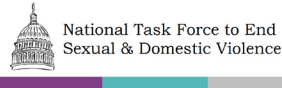
(h) Authorization of Appropriations.— There is authorized to be appropriated to carry out this section \$10,000,000 for fiscal years 2023 through 2027.

## **SEC. 1507.ONLINE SURVEY TOOL FOR CAMPUS SAFETY.**

(a) In General.—The Secretary of Education, in consultation with the Attorney General, Director of the Centers for Disease Control, the Secretary of the Department of Health and Human Services, and experts in domestic violence, dating violence, sexual assault, sexual harassment, and stalking, shall develop, design, and make available through a secure and accessible online portal, a standardized online survey tool regarding postsecondary student experiences with domestic violence, dating violence, sexual assault, sexual harassment, and stalking.

(b) Development of Survey Tool.—In developing the survey tool required under subsection (a), the Secretary of Education shall—

- (1) use best practices from peer-reviewed research measuring domestic violence, dating violence, sexual assault, sexual harassment, and stalking;
- (2) consult with the higher education community, experts in survey research related to domestic violence, dating violence, sexual assault, sexual harassment, and stalking, and



organizations engaged in the prevention of and response to, and advocacy on behalf of victims of, domestic violence, dating violence, sexual assault, sexual harassment, and stalking, including victims from culturally specific populations and victims with disabilities, regarding the development and design of such survey tool and the methodology for administration of such survey tool; and

(3) ensure that the survey tool is readily accessible to and usable by individuals with disabilities.

(c) Elements.—

(1) In general.—The survey tool developed pursuant to this paragraph shall be fair and unbiased, scientifically valid and reliable, and meet the highest standards of survey research, and notify the participant that anonymized results of the survey may be published.

(2) Survey questions.—Survey questions included in the survey tool developed pursuant to this section shall—

(A) be designed to gather information on student experiences with domestic violence, dating violence, sexual assault, sexual harassment, and stalking, including the experiences of victims of such incidents;

(B) use trauma-informed language to prevent re-traumatization; and

(C) include—

(i) questions that give students the option to report their demographic information;

(ii) questions designed to determine the incidence and prevalence of domestic violence, dating violence, sexual assault, sexual harassment, and stalking;

(iii) questions regarding whether students know about institutional policies and procedures related to domestic violence, dating violence, sexual assault, sexual harassment, and stalking;

(iv) questions designed to determine, if victims reported domestic violence, dating violence, sexual assault, sexual harassment, or stalking—

(I) to whom the incident was reported and what response the victim may have received;



(II) whether the victim was informed of, or referred to, national, State, local, Tribal, or on-campus resources; and

(III) whether the entity to whom the victim reported the incident conducted an investigation and the duration and final resolution of such an investigation;

(v) questions regarding contextual factors, such as whether force, incapacitation, or coercion was involved;

(vi) questions to determine whether an accused individual was a student at the institution;

(vii) questions to determine whether a victim reported an incident to State, local, Tribal, or campus law enforcement;

(viii) questions to determine why the victim chose to report or not report an incident to the institution or State, local, or campus law enforcement;

(ix) questions to determine the impact of domestic violence, dating violence, sexual assault, sexual harassment, and stalking on the victim's education, including diminished grades, dropped classes, leaves of absence, and negative financial consequences (such as costs associated with loss in paid tuition due to leaves of absence, loss in scholarship awards due to diminished grades, loss of foreign-student visas, and costs associated with counseling, medical services, or housing changes);

(x) questions to determine the impact and effectiveness of prevention and awareness programs and complaints processes;

(xi) questions to determine attitudes toward sexual violence and harassment, including the willingness of individuals to intervene as a bystander of sex-based (including against lesbian, gay, bisexual, or transgender (commonly referred to as "LGBT") individuals), race-based, national origin-based, and disability-based discrimination, harassment, assault, domestic violence, dating violence, sexual assault, sexual harassment, and stalking; and

(xii) other questions, as determined by the Secretary of Education.

(3) Additional elements.—In addition to the standardized questions developed by the Secretary of Education under paragraph (2), subject to the review and approval of the Secretary of Education, an institution of higher education may request additional information from students that would increase the understanding of the institution of school climate factors unique to the campuses affiliated with the institution.



(4) Responses.—The responses to the survey questions described in paragraph (2) shall—

- (A) be submitted confidentially;
- (B) not be included in crime statistics; and
- (C) in the case of such responses being included in a report, not include personally identifiable information.

(d) Administration of Survey.—

(1) Federal administration.—The Secretary of Education, in consultation with the Attorney General, the Director of the Centers for Disease Control and Prevention, and Secretary of Health and Human Services, shall develop a mechanism by which institutions of higher education may, with respect to the survey tool developed pursuant to this section—

- (A) administer such survey tool; and
- (B) modify such survey tool to include additional elements or requirements, as determined by the institution, subject to the review and approval of the Secretary of Education.

(2) Costs.—The Secretary of Education may not require an institution of higher education to pay to modify the survey tool in accordance with paragraph (1)(B).

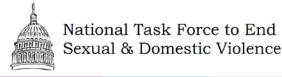
(3) Accessibility.—The Secretary of Education shall ensure that the survey tool is administered in such a way as to be readily accessible to and usable by individuals with disabilities.

(4) Institutional administration.—Beginning not later than 1 year after the date on which the Secretary of Education makes available to institutions the mechanism described in paragraph (1), and every 2 years thereafter, each institution shall administer the survey tool developed pursuant to this section.

(e) Completed Surveys.—The Secretary of Education shall require each institution of higher education that administers the survey tool developed pursuant to this section to ensure, to the maximum extent practicable, that an adequate, random, and representative sample size of students (as determined by the Secretary) enrolled at the institution complete the survey tool developed pursuant to this section.

(f) Report.—

(1) In general.— Beginning not later than 2 years after the date of enactment of this Act, the Secretary of Education shall—



(A) prepare a biennial report on the information gained from the standardized elements of the survey under this section and publish such report in an accessible format on the website of the Department of Education, including as part of any online consumer tool offered or supported by the Department of Education that provides information to students regarding specific postsecondary educational institutions, such as the College Scorecard or any successor or similar tool; and

(B) submit such report to Congress.

(2) Inclusions and exclusions.—The report required to be prepared under paragraph (1)—

(A) shall include campus-level data for each institution and attributed by name of each campus in a manner that permits comparisons across institutions and campuses; and

(B) shall not publish any individual survey responses.

(g) Publication.—Each institution shall publish, in a manner that is readily accessible and usable by individuals, including individuals with disabilities—

(1) the campus-level results of the standardized elements of the survey under this section on the website of the institution and in the biennial report required under subsection (f) for the campuses affiliated with the institution; and

(2) the campus-level results of the additional elements modifying the survey by the institution, if any, on the website of the institution.

#### **SEC. 1508. STUDY ON CHILD CUSTODY IN DOMESTIC VIOLENCE CASES.**

The Attorney General, in consultation with the Secretary of Health and Human Services, shall conduct a study that shall—

(1) provide a review of State laws, regulations, and practices on how child neglect and custody situations are handled in domestic violence situations; and

(2) include a list of recommendations on how to restructure State laws, regulations, and practices to better protect victims of domestic violence and their children.