S 1925

Violence Against Women Reauthorization Act of 2012

Congress: 112 (2011–2013, Ended)
Chamber: Senate
Policy Area: Crime and Law Enforcement
Introduced: Nov 30, 2011
Current Status: Passed Senate with an amendment by Yea-Nay Vote. 68 - 31. Record Vote Number: 87.
Latest Action: Passed Senate with an amendment by Yea-Nay Vote. 68 - 31. Record Vote Number: 87. (Apr 26, 2012)
Official Text: https://www.congress.gov/bill/112th-congress/senate-bill/1925

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]
Party: Democratic • **State:** VT • **Chamber:** Senate

Cosponsors (60 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Crapo, Mike [R-ID]	R · ID		Nov 30, 2011
Sen. Blumenthal, Richard [D-CT]	D · CT		Dec 7, 2011
Sen. Boxer, Barbara [D-CA]	D · CA		Dec 7, 2011
Sen. Durbin, Richard J. [D-IL]	D · IL		Dec 7, 2011
Sen. Kirk, Mark Steven [R-IL]	R · IL		Dec 7, 2011
Sen. Klobuchar, Amy [D-MN]	D · MN		Dec 7, 2011
Sen. Kohl, Herb [D-WI]	D · WI		Dec 7, 2011
Sen. Franken, Al [D-MN]	D · MN		Dec 8, 2011
Sen. Schumer, Charles E. [D-NY]	D · NY		Dec 8, 2011
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Dec 8, 2011
Sen. Kerry, John F. [D-MA]	D · MA		Dec 12, 2011
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Dec 12, 2011
Sen. Harkin, Tom [D-IA]	D · IA		Dec 13, 2011
Sen. Murray, Patty [D-WA]	D · WA		Dec 13, 2011
Sen. Shaheen, Jeanne [D-NH]	D · NH		Dec 13, 2011
Sen. Stabenow, Debbie [D-MI]	D · MI		Dec 13, 2011
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Dec 14, 2011
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Dec 15, 2011
Sen. Reed, Jack [D-RI]	D · RI		Dec 16, 2011
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jan 23, 2012
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Jan 23, 2012
Sen. Levin, Carl [D-MI]	D · MI		Jan 23, 2012
Sen. Sanders, Bernard [I-VT]	I · VT		Jan 23, 2012
Sen. Coons, Christopher A. [D-DE]	D · DE		Jan 24, 2012
Sen. Feinstein, Dianne [D-CA]	D · CA		Jan 24, 2012
Sen. Begich, Mark [D-AK]	D · AK		Jan 26, 2012
Sen. Murkowski, Lisa [R-AK]	R · AK		Jan 26, 2012
Sen. Wyden, Ron [D-OR]	D · OR		Jan 26, 2012
Sen. Collins, Susan M. [R-ME]	R · ME		Jan 30, 2012
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jan 30, 2012
Sen. Bingaman, Jeff [D-NM]	D · NM		Feb 1, 2012
Sen. Brown, Scott P. [R-MA]	R · MA		Feb 1, 2012
Sen. Cantwell, Maria [D-WA]	D · WA		Feb 1, 2012
Sen. Landrieu, Mary L. [D-LA]	D · LA		Feb 1, 2012
Sen. Menendez, Robert [D-NJ]	D · NJ		Feb 2, 2012
Sen. Hagan, Kay R. [D-NC]	D · NC		Feb 6, 2012
Sen. Johnson, Tim [D-SD]	D · SD		Feb 6, 2012
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Feb 7, 2012
Sen. Akaka, Daniel K. [D-HI]	D · HI		Feb 9, 2012
Sen. Baucus, Max [D-MT]	D · MT		Feb 9, 2012
Sen. Bennet, Michael F. [D-CO]	D · CO		Feb 9, 2012

Cosponsor	Party / State	Role	Date Joined
Sen. Conrad, Kent [D-ND]	D · ND		Feb 9, 2012
Sen. Tester, Jon [D-MT]	D · MT		Feb 9, 2012
Sen. McCaskill, Claire [D-MO]	D · MO		Feb 13, 2012
Sen. Udall, Tom [D-NM]	D · NM		Feb 13, 2012
Sen. Nelson, Ben [D-NE]	D · NE		Feb 14, 2012
Sen. Warner, Mark R. [D-VA]	D · VA		Feb 14, 2012
Sen. Webb, Jim [D-VA]	D · VA		Feb 14, 2012
Sen. Brown, Sherrod [D-OH]	D · OH		Feb 16, 2012
Sen. Inouye, Daniel K. [D-HI]	D · HI		Feb 16, 2012
Sen. Merkley, Jeff [D-OR]	D · OR		Feb 17, 2012
Sen. Carper, Thomas R. [D-DE]	D · DE		Feb 27, 2012
Sen. Manchin, Joe, III [D-WV]	D · WV		Feb 27, 2012
Sen. Nelson, Bill [D-FL]	D · FL		Feb 27, 2012
Sen. Udall, Mark [D-CO]	D · CO		Feb 28, 2012
Sen. Pryor, Mark L. [D-AR]	D · AR		Mar 5, 2012
Sen. Reid, Harry [D-NV]	D · NV		Mar 5, 2012
Sen. Snowe, Olympia J. [R-ME]	R · ME		Mar 13, 2012
Sen. Heller, Dean [R-NV]	R · NV		Mar 20, 2012
Sen. Ayotte, Kelly [R-NH]	R · NH		Mar 22, 2012

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Feb 7, 2012

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
112 HR 4271	Related bill	**Sep 26, 2012:** Referred to the Subcommittee on Higher Education and Workforce Training.
112 HR 4982	Related bill	**Jun 1, 2012:** Referred to the Subcommittee on Insurance, Housing and Community Opportunity.
112 HR 4970	Related bill	**May 21, 2012:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 406.
112 S 2338	Related bill	**Apr 24, 2012:** Read the second time. Ordered Placed on Senate Legislative Calendar under General Orders. Calendar No. 364.
112 HR 4154	Related bill	**Mar 15, 2012:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
112 HR 3977	Related bill	**Feb 16, 2012:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
112 HR 3515	Related bill	**Dec 5, 2011:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
112 S 1920	Related bill	**Nov 29, 2011:** Read twice and referred to the Committee on the Judiciary.
112 S 1892	Related bill	**Nov 17, 2011:** Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. (text of measure as introduced: CR S7707-7708)

Summary (as of Apr 26, 2012)

Violence Against Women Reauthorization Act of 2012 - (Sec. 3) Amends the Violence Against Women Act of 1994 (VAWA) to add or expand definitions of several terms for purposes of such Act, including : (1) "culturally specific services" to mean community-based services that offer culturally relevant and linguistically specific services and resources to culturally specific communities; (2) "personally identifying information or personal information" with respect to a victim of domestic violence, dating violence, sexual assault, or stalking; and (3) "youth" to mean a person who is 11 to 24 years old.

Modifies or expands grant conditions under such Act, including requirements relating to: (1) nondisclosure of personally identifying information or other client information, (2) information sharing between grantees and subgrantees, (3) civil rights and nondiscrimination, (4) audits, and (5) nonprofit organizations.

Requires the Office on Violence Against Women of the Department of Justice (DOJ) to establish a biennial conferral process with state and tribal coalitions, technical assistance providers, and other key stakeholders on the administration of grants and related matters.

(Sec. 4) Makes specified provisions of this Act effective at the beginning of the fiscal year following the enactment of this Act.

Title I: Enhancing Judicial and Law Enforcement Tools to Combat Violence Against Women - (Sec. 101) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to authorize appropriations through FY2016 for grants to combat violent crime against women (STOP grants). Expands the purposes for which STOP grants may be used to include training of law enforcement personnel and prosecutors, addressing backlogs of sexual assault evidence collection kits, and providing protections for male victims of sexual assault crimes. Revises the application process for STOP grants.

Requires states receiving funds under the STOP grant program to develop and submit to the Attorney General implementation plans for using grant funds.

(Sec. 102) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to expand the grant program to encourage governmental entities to treat domestic violence, dating violence, sexual assault, and stalking as serious violations of criminal law. Requires such entities to use grant funds for: (1) training programs with respect to domestic violence and sexual assaults against women; (2) developing best practices for responding to domestic violence and sexual assault crimes; (3) developing, implementing, or enhancing sexual assault nurse examiner programs and Sexual Assault Response Teams; (4) providing human immunodeficiency virus testing programs; and (5) identifying and inventorying backlogs of sexual assault evidence collection kits. Requires not less than 25% of grant funding to be used for projects that address sexual assault. Extends the authorization of appropriations for such grant program through FY2016.

(Sec. 103) Amends the Violence Against Women Act of 2000 to expand the availability of competent pro bono legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking and to authorize appropriations for such assistance through FY2016.

(Sec. 104) Revises the grant programs for supporting families with a history of domestic violence, dating violence, sexual assault, or stalking to authorize the Attorney General to make grants to improve the response of the civil and criminal justice system to such families and to train court personnel in assisting such families.

(Sec. 105) Extends through FY2016 the authorization of appropriations for: (1) the training of probation and parole officers to manage sex offenders, and (2) the Court-Appointed Special Advocate program.

(Sec. 107) Amends the federal criminal code with respect to the crime of stalking to prohibit the use of any interactive computer or electronic communication service to stalk victims.

(Sec. 108) Revises and reauthorizes through FY2016 the grant program for outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations.

(Sec. 109) Eliminates the requirement that recipients of grants to combat violent sex crimes against women include linguistically specific services in administering such grants.

Title II: Improving Services for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking - (Sec. 201) Amends VAWA to extend through FY2016 grant programs to: (1) assist states, Indian tribes, and U.S. territories to establish, maintain, and expand rape crisis centers and other programs to assist victims of sexual assault; and (2) assist victims of domestic violence and other sexual assault crimes in rural areas.

(Sec. 203) Amends the Victims of Trafficking and Violence Protection Act of 2000 to extend through FY2016 the authorization of appropriations for grants to end violence against women with disabilities.

(Sec. 204) Amends VAWA to authorize appropriations through FY2016 for the grant program to end elder abuse, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect, and to provide training for law enforcement agencies to better serve victims of abuse in later life. Directs the Attorney General in awarding grants to end elder abuse to give priority to proposals for serving culturally specific and underserved populations.

Title III: Services, Protection, and Justice for Young Victims of Violence - (Sec. 301) Amends the Public Health Service Act to: (1) include tribal or territorial sexual assault coalitions in the grant program for rape prevention and education, and (2) extend through FY2016 the authorization of appropriations for grants for rape prevention and education programs conducted by rape crisis centers. Establishes a minimum allocation of grant funding for states, the District of Columbia, Puerto Rico, and each U.S. territory.

(Sec. 302) Amends VAWA to replace certain grant programs for the protection of young victims of violent crimes with a program requiring the Attorney General, in collaboration with the Secretary of Health and Human Services (HHS) and the Secretary of Education, to award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and to prevent future violence. Authorizes appropriations for FY2012-FY2016.

(Sec. 303) Amends the Violence Against Women and Department of Justice Reauthorization Act of 2005 to revise, expand, and reauthorize through FY2016 the grant program for combatting violent crimes on college campuses.

(Sec. 304) Amends the Higher Education Act of 1965 to expand requirements for the disclosure of campus security policies and crime statistics by institutions of higher education to require education programs to: (1) promote the awareness of rape and other violent sex crimes, (2) require disclosure of disciplinary proceedings involving rape and other violent sex crimes and the standard of evidence that will govern such proceedings, and (3) establish procedures for the protection of the confidentiality of crime victims.

Title IV: Violence Reduction Practices - (Sec. 401) Amends the Violence Against Women and Department of Justice Reauthorization Act of 2005 to authorize appropriations for FY2012-FY2016 for grants from the Centers for Disease

Control and Prevention (CDC) to academic institutions and organizations to conduct research that examines best practices for reducing and preventing violence against women and children. Reduces the amount of such funding by 50% of the level for FY2007-FY2011.

(Sec. 402) Amends VAWA to authorize the Attorney General, in consultation with the HHS Secretary and the Secretary of Education, to award grants to prevent domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms (SMART Prevention grants). Authorizes appropriations for such grant program through FY2016.

Title V: Strengthening the Healthcare System's Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking - (Sec. 501) Amends the Public Health Service Act to reauthorize, revise, and consolidate grant programs that address domestic violence, dating violence, sexual assault, and stalking by developing or enhancing and implementing: (1) interdisciplinary training for health professionals, public health staff, and allied health professionals; (2) education programs for health profession students to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and (3) comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings to domestic violence, dating violence, sexual assault, and stalking.

Permits grant funds to be used for the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs.

Requires grantees to: (1) provide patients with advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws; and (2) give patients the option to receive information and referrals without affirmatively disclosing abuse.

Requires the HHS Secretary to give preference to grant applicants based on the strength of their evaluation strategies, with priority given to outcome-based evaluations.

Revises requirements for training and education grants to require that grantees be: (1) 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; (2) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health; (3) a health care provider membership or professional organization or a health care system; or (4) a state, tribal, territorial, or local entity (currently, grantees must be a school of allopathic or osteopathic medicine). Requires grantees to represent a team of entities that include at least one of each of: (1) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field; (2) a health care facility or system; and (3) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault or stalking.

Revises the training and education grant program to remove the matching requirement. Revises the public health response grant program to remove requirements that: (1) a grant award cannot exceed two years, and (2) funds must be distributed equally between state and local programs.

Authorizes the Secretary to 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 under this title.

Requires the Secretary to: (1) make publicly available materials developed by grantees under this title, including materials on training, best practices, and research and evaluation; and (2) publish a biennial report on the distribution of

funds under this title and the programs and activities supported by such funds.

Makes the grant program on research of effective interventions in the health care setting permissible, rather than required. Authorizes the Secretary to use not more than 20% of funds available under this title for research and evaluation of: (1) grants awarded under this title; and (2) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

Allows research grant funds to be used to research 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. Removes provisions permitting research grant funds to be used for: (1) research and testing of best messages and strategies to mobilize public and health care provider action concerning the prevention of domestic, dating, or sexual violence; or (2) measuring the comparative effectiveness and outcomes of efforts to reduce violence and increase women's safety.

Title VI: Safe Homes for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking - (Sec. 601) Amends VAWA with respect to housing rights of victims of domestic violence, dating violence, sexual assault, and stalking.

Prohibits denial or termination of housing assistance on the basis of being such a victim under specified federal housing programs (covered programs), including the low-income housing tax credit program, if the applicant or tenant otherwise qualifies for such admission, assistance, participation, or occupancy.

Prohibits denial of assistance, tenancy, or occupancy rights to assisted housing based solely on certain criminal activity directly related to domestic violence engaged in by a member of the individual's household or by any guest or other person under the individual's control, if the tenant or an affiliated individual is the victim or threatened victim.

Defines "affiliated individual" as: (1) a spouse, parent, brother, sister, or child of that individual, or someone to whom such individual stands in loco parentis; or (2) any other individual, tenant, or lawful occupant living in the individual's household.

Allows a public housing agency (PHA) or an owner or manager of assisted housing to bifurcate a housing lease in order to evict, remove, or terminate assistance to any tenant or lawful occupant who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant. Requires specified accommodation of any tenants remaining after the eviction of the sole tenant eligible to receive assistance under a covered housing program.

Authorizes a PHA or an owner or manager of assisted housing to: (1) require certified documentation from any applicant claiming protection under this Act, or (2) deny or terminate any assistance if such documentation is not produced.

Requires each executive department carrying out a covered housing program to adopt a model emergency transfer plan, meeting specified criteria, for PHAs and owners or managers of assisted housing to use in allowing tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit of assisted housing.

Requires the Secretary of Housing and Urban Development (HUD) to establish policies and procedures under which a

victim requesting such a transfer may receive section 8 (voucher program) assistance under the United States Housing Act of 1937.

Makes conforming amendments to the United States Housing Act of 1937.

(Sec. 602) Revises eligibility requirements for transitional housing assistance grants for child victims of domestic violence, dating violence, sexual assault, or stalking to specify that any victims are eligible.

Authorizes the use of such grants for support services designed to enable a minor, an adult, or a dependent to secure employment, including employment counseling, occupational training, job retention counseling, and counseling concerning re-entry into the workforce.

Extends the authorization of appropriations for such grants, but at decreased levels, for FY2012-FY2016.

(Sec. 603) Extends the authorization of appropriations, but also at decreased levels, for FY2012-FY2016 for: (1) collaborative grants to increase the long-term stability of victims, and (2) grants to combat violence against women in public and assisted housing.

Title VII: Economic Security for Victims of Violence - (Sec. 701) Amends VAWA to extend through FY2016 the authorization of appropriations for the grant program to establish and operate a national resource center on workplace responses to assist victims of domestic and sexual violence.

Title VIII: Protection of Battered Immigrants - (Sec. 801) Amends the Immigration and Nationality Act to expand the definition of nonimmigrant U-visa (victims of certain crimes) to include victims of stalking.

(Sec. 802) Directs the Secretary of Homeland Security (DHS) to report to Congress regarding the number of aliens: (1) applying for and granted or not granted nonimmigrant status based upon being victims of trafficking or other criminal activities such as domestic violence or sexual exploitation, and (2) granted continued U.S. presence.

(Sec. 803) Makes a child of an alien who was a self-petitioner under VAWA who filed a pending or approved petition for classification or application for adjustment of status or other benefit eligible for lawful permanent resident status under such alien's petition.

(Sec. 804) Excludes from the public charge bar to admission an alien who is: (1) a VAWA self-petitioner, (2) a U-visa applicant, or (3) a battered spouse or child.

(Sec. 805) Provides that, beginning in FY2012, if fiscal year U-visa limitations are met, up to 5,000 additional visas of the aggregate number of visas that were available and not issued in FY2006-FY2011 may be issued until the end of the fiscal year.

States that an unmarried alien who seeks to accompany or follow to join a parent granted U-visa status who was under 21 years of age on the date on which the parent petitioned for such status shall continue to be classified as a child if the alien attains 21 years of age after the parent's petition was filed but while it was pending.

(Sec. 806) Extends the conditions under which the waiver of the two-year waiting period for permanent resident status application may be granted to a battered alien spouse.

(Sec. 807) Expands the scope of criminal-related information that must be disclosed by a U.S. citizen petitioning for a nonimmigrant K-visa (alien fiancee or fiance).

(Sec. 808) Amends the International Marriage Broker Regulation Act of 2005 to require DHS to: (1) conduct a background check of the National Crime Information Center's Protection Order Database on each K-visa petitioner, and (2) include any appropriate information in the criminal background information provided to the alien fiance/fiancee.

Prohibits an international marriage broker from providing any individual or entity with information about an individual under the age of 18. Requires a broker to obtain a valid copy of each foreign national client's birth certificate or other official proof of age document.

Establishes criminal penalties for specified broker violations.

Requires the Government Accountability Office (GAO) to report to Congress on the impact of this section on the K-visa process.

(Sec. 809) Amends the the Consolidated Natural Resources Act of 2008 to permit U- and T-visa (victims of human trafficking) holders in the Commonwealth of the Northern Mariana Islands to count their time physically present in the Commonwealth toward the three-year continuous U.S. presence required for adjustment to permanent resident status.

(Sec. 810) Amends the Immigration and Nationality Act to require a $30 fee for diversity immigrant visa petitions filed before December 31, 2015.

(Sec. 811) Provides for compliance of the budgetary effects of this Act with the Statutory Pay-As-You-Go Act of 2010.

(Sec. 812) Amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to authorize the DHS Secretary (in addition to the Attorney General) to disclose information relating to aliens who are victims of domestic violence to law enforcement officials for law enforcement purposes in a manner that protects the confidentiality of such information. Authorizes the Attorney General and the Secretaries of Homeland Security and State to disclose such information to national security officials to be used solely for a national security purpose. Requires the Attorney General and the Secretaries of Homeland Security and State to provide guidance to officers and employees of their respective departments regarding such disclosures of information.

Title IX: Safety for Indian Women - (Sec. 901) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to include sex trafficking as a target of the grants to Indian tribal governments to combat violent crime against Indian women.

Allows those grants to be used to: (1) address the needs of youth who are victims of, or exposed to, domestic violence, dating violence, sexual assault, sex trafficking, or stalking; and (2) develop and promote best practices for responding to domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

(Sec. 902) Allows tribal coalition grants to be used to develop and promote state, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women.

Requires the Attorney General to award such grants annually to each tribal coalition that meets certain criteria under VAWA, is recognized by the Office on Violence Against Women, and serves Indian tribes.

Requires that tribal coalition grants also be provided to organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists. Prohibits more than 10% of the tribal coalition grant funds appropriated for each of FY2012-FY2016 from being made available to such organizations.

(Sec. 903) Amends the Violence Against Women and Department of Justice Reauthorization Act of 2005 to include the Secretary of the Interior, in addition to the HHS Secretary and the Attorney General, as a participant in consultations with Indian tribes regarding the administration of tribal funds and programs, enhancement of Indian women's safety, and federal response to violent crimes against Indian women.

Directs the Attorney General to submit an annual report to Congress regarding the recommendations made by Indians on those subjects during consultations.

(Sec. 904) Gives Indian tribes criminal jurisdiction over domestic violence, dating violence, and violations of protective orders that occur on their lands. Makes that jurisdiction concurrent with federal and state jurisdiction. Requires Indian tribes prosecuting crimes of violence to: (1) prove that the defendant has requisite ties to the Indian tribe; (2) provide defendants the right to an impartial jury trial; and (3) notify a defendant of his or her rights, including the right to file a writ of habeas corpus in federal court.

Authorizes the Attorney General to award grants to Indian tribes to assist them in exercising such jurisdiction, providing indigent defendants with free legal counsel, and securing the rights of victims of such crimes.

Authorizes appropriations for FY2012-FY2016 for such grant program, and to provide participating Indian tribes with training, technical assistance, data collection, and an evaluation of their criminal justice systems.

(Sec. 905) Grants courts of an Indian tribe full civil jurisdiction to issue and enforce protection orders. Declares that nothing in this Act alters or modifies the existing jurisdiction or authority of an Indian tribe in Alaska with respect to the enforcement of protection orders.

(Sec. 906) Amends the federal criminal code to increase the maximum federal penalties for assault convictions.

Subjects individuals who commit an assault resulting in substantial bodily injury to a spouse, intimate partner, or a dating partner to a fine or imprisonment for up to five years, or both.

Subjects individuals who assault a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, to a fine or imprisonment up to 10 years or both.

Makes federal felony assault penalties applicable to Indians.

Subjects individuals convicted under tribal law of repeat domestic violence or stalking offenses to maximum federal penalty provisions for repeat offenders.

(Sec. 907) Amends the Violence Against Women and Department of Justice Reauthorization Act of 2005 to require the National Institute of Justice to include women in Alaska Native Villages and sex trafficking in its study of violence against Indian women.

Reauthorizes appropriations for the study for FY2012-FY2013.

Reauthorizes appropriations for the national tribal sex offender registry and the tribal protection order registry for FY2012-FY2016.

(Sec. 908) Makes Indian tribes' criminal jurisdiction over domestic violence, dating violence, and violations of protection orders that occur on their lands effective two years after this Act's enactment. Gives them the opportunity to participate in a pilot project that allows them to exercise that jurisdiction sooner.

(Sec. 909) Extends the Indian Law and Order Commission's reporting deadline by one year.

Directs the Attorney General to report to Congress within one year of this Act's enactment on whether the Alaska Rural Justice and Law Enforcement Commission should be continued.

(Sec. 910) Declares that nothing in this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the state of Alaska, or any of its subdivisions or Indian tribes.

Title X: Other Matters - (Sec. 1001) Amends the federal criminal code to provide that the prohibition against sexual abuse of a ward in official detention or under official supervision or control shall apply: (1) during or after arrest; (2) after release pretrial; (3) while on bail, probation, supervised release, or parole; or (4) after release following a finding of juvenile delinquency or pending any further judicial proceedings.

Increases penalties for criminal civil rights violations involving sexual abuse.

(Sec. 1002) Amends the Civil Rights of Institutionalized Persons Act to allow a prisoner in federal custody to bring a suit against the United States for a mental or emotional injury if such injury resulted from the commission of a sexual act (currently, requires a prior showing of a physical injury). Amends the Prison Rape Elimination Act of 2003 to direct the DHS Secretary to publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rapes and sexual assaults in detention facilities against aliens detained for a violation of U.S. immigration laws. Requires the HHS Secretary to publish a similar final rule for the protection of unaccompanied alien children in custodial facilities.

(Sec. 1003) Amends the Communications Act of 1934, with respect to obscene or harassing telephone calls, to: (1) remove the intent to annoy requirement in the definition of such crime; and (2) include any specific person as an intended victim of such crime (currently, any person at the called number or who receives the communication).

(Sec. 1004) Amends VAWA to extend through FY2016 the grant programs for: (1) improving and implementing processes for entering data on stalking and domestic violence into crime information databases, and (2) appointing victim/witness counselors for the prosecution of sex crimes and domestic violence crimes.

(Sec. 1006) Amends the Victims of Child Abuse Act of 1990 to authorize appropriations for FY2012-FY2016 for child abuse and neglect technical assistance and training programs for judicial personnel and attorneys practicing in juvenile and family courts.

(Sec. 1007) Amends the federal criminal code to impose a mandatory five-year minimum prison term for aggravated sexual abuse.

(Sec. 1008) Amends the Immigration and Nationality Act to include within the definition of "aggravated felony," for purposes of removing an alien from the United States, a third drunk driving conviction.

Actions Timeline

- **Apr 26, 2012:** Considered by Senate. (consideration: CR S2745-2757, S2761-2799)
- **Apr 26, 2012:** The committee reported substitute was withdrawn by Unanimous Consent. (consideration: CR S2272)
- **Apr 26, 2012:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 68 - 31. Record Vote Number: 87.
- **Apr 26, 2012:** Passed Senate with an amendment by Yea-Nay Vote. 68 - 31. Record Vote Number: 87.
- **Apr 25, 2012:** Motion to proceed to measure considered in Senate. (consideration: CR S2664-2683)
- **Apr 25, 2012:** Motion to proceed to consideration of measure agreed to in Senate. (consideration: CR S2698)
- **Apr 25, 2012:** Measure laid before Senate by unanimous consent. (consideration: CR S2698-2720; text of measure as reported in Senate: CR S2698-2717)
- **Apr 24, 2012:** Motion to proceed to measure considered in Senate. (consideration: CR S2615-2616, S2630-2634)
- **Apr 23, 2012:** Motion to proceed to measure considered in Senate. (consideration: CR S2560-2568, S2579-2585, S2587-2592)
- **Apr 19, 2012:** Motion to proceed to measure considered in Senate. (consideration: CR S2519-2538)
- **Apr 18, 2012:** Motion to proceed to measure considered in Senate. (consideration: CR S2457-2562)
- **Apr 17, 2012:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S2370)
- **Mar 12, 2012:** By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-153. Minority views filed.
- **Feb 7, 2012:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **Feb 7, 2012:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 312.
- **Feb 2, 2012:** Committee on the Judiciary. Ordered to be reported with amendments favorably.
- **Nov 30, 2011:** Introduced in Senate
- **Nov 30, 2011:** Sponsor introductory remarks on measure. (CR S8071)
- **Nov 30, 2011:** Read twice and referred to the Committee on the Judiciary.

LegiList

CONGRESS, MADE CLEAR.

Search Every Federal Bill, Law, and Vote

LegiList is the fastest way to research Congress. Track any bill from introduction to enactment, see how every legislator voted, follow committee activity, and read the full text of every bill — all in one place, always up to date.

legilist.com

Free Course: Learn How Congress Actually Works

LegiList Learn is a free, self-paced course that walks through the entire legislative process — from drafting a bill to a presidential signature. Seven modules, plain language, no politics. Earn a certificate when you finish.

legilist.com/learn

Developer API: Build Apps on Legislative Data

The LegiList API gives developers direct access to bills, votes, legislators, committees, and more. Start free with 1,000 requests per day — no credit card required. Upgrade to Pro when you need to scale.

legilist.com/api

Public data belongs to the public. — legilist.com