

## S 47

Violence Against Women Reauthorization Act of 2013

**Congress:** 113 (2013–2015, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Jan 22, 2013

**Current Status:** Became Public Law No: 113-4.

**Latest Action:** Became Public Law No: 113-4. (Mar 7, 2013)

**Law:** 113-4 (Enacted Mar 7, 2013)

**Official Text:** <https://www.congress.gov/bill/113th-congress/senate-bill/47>

### Sponsor

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**Name:** Sen. Leahy, Patrick J. [D-VT]

**Party:** Democratic • **State:** VT • **Chamber:** Senate

**Cosponsors** (61 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Ayotte, Kelly [R-NH]	R · NH		Jan 22, 2013
Sen. Bennet, Michael F. [D-CO]	D · CO		Jan 22, 2013
Sen. Cantwell, Maria [D-WA]	D · WA		Jan 22, 2013
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jan 22, 2013
Sen. Collins, Susan M. [R-ME]	R · ME		Jan 22, 2013
Sen. Coons, Christopher A. [D-DE]	D · DE		Jan 22, 2013
Sen. Crapo, Mike [R-ID]	R · ID		Jan 22, 2013
Sen. Durbin, Richard J. [D-IL]	D · IL		Jan 22, 2013
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Sen. Murray, Patty [D-WA]	D · WA		Jan 22, 2013
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Sen. Udall, Mark [D-CO]	D · CO		Jan 22, 2013
Sen. Begich, Mark [D-AK]	D · AK		Jan 23, 2013
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Sen. Feinstein, Dianne [D-CA]	D · CA		Jan 23, 2013
Sen. Franken, Al [D-MN]	D · MN		Jan 23, 2013
Sen. Hagan, Kay R. [D-NC]	D · NC		Jan 23, 2013
Sen. King, Angus S., Jr. [I-ME]	I · ME		Jan 23, 2013
Sen. Reed, Jack [D-RI]	D · RI		Jan 23, 2013
Sen. Tester, Jon [D-MT]	D · MT		Jan 23, 2013
Sen. Udall, Tom [D-NM]	D · NM		Jan 23, 2013
Sen. Warren, Elizabeth [D-MA]	D · MA		Jan 23, 2013
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jan 23, 2013
Sen. Wyden, Ron [D-OR]	D · OR		Jan 23, 2013
Sen. Baucus, Max [D-MT]	D · MT		Jan 24, 2013
Sen. Heitkamp, Heidi [D-ND]	D · ND		Jan 24, 2013
Sen. Pryor, Mark L. [D-AR]	D · AR		Jan 24, 2013
Sen. Stabenow, Debbie [D-MI]	D · MI		Jan 24, 2013
Sen. Baldwin, Tammy [D-WI]	D · WI		Jan 28, 2013
Sen. Blumenthal, Richard [D-CT]	D · CT		Jan 28, 2013
Sen. Brown, Sherrod [D-OH]	D · OH		Jan 28, 2013
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jan 28, 2013
Sen. Harkin, Tom [D-IA]	D · IA		Jan 28, 2013
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Sen. Hirono, Mazie K. [D-HI]	D · HI		Jan 28, 2013
Sen. Landrieu, Mary L. [D-LA]	D · LA		Jan 28, 2013
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Jan 28, 2013

Cosponsor	Party / State	Role	Date Joined
Sen. Levin, Carl [D-MI]	D · MI		Jan 28, 2013
Sen. Manchin, Joe, III [D-WV]	D · WV		Jan 28, 2013
Sen. Menendez, Robert [D-NJ]	D · NJ		Jan 28, 2013
Sen. Merkley, Jeff [D-OR]	D · OR		Jan 28, 2013
Sen. Reid, Harry [D-NV]	D · NV		Jan 28, 2013
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Jan 28, 2013
Sen. Sanders, Bernard [I-VT]	I · VT		Jan 28, 2013
Sen. Schumer, Charles E. [D-NY]	D · NY		Jan 28, 2013
Sen. Warner, Mark R. [D-VA]	D · VA		Jan 28, 2013
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Sen. Johnson, Tim [D-SD]	D · SD		Jan 30, 2013
Sen. Carper, Thomas R. [D-DE]	D · DE		Jan 31, 2013
Sen. Heller, Dean [R-NV]	R · NV		Jan 31, 2013
Sen. Nelson, Bill [D-FL]	D · FL		Jan 31, 2013
Sen. Schatz, Brian [D-HI]	D · HI		Jan 31, 2013
Sen. Boxer, Barbara [D-CA]	D · CA		Feb 4, 2013
Sen. Cowan, William M. [D-MA]	D · MA		Feb 7, 2013

## Committee Activity

*No committee referrals or activity are recorded for this bill.*

## Subjects & Policy Tags

### Policy Area:

Crime and Law Enforcement

## Related Bills

Bill	Relationship	Last Action
113 HR 11	Related bill	<b>Apr 23, 2013:</b> Referred to the Subcommittee on Higher Education and Workforce Training.
113 HR 812	Related bill	<b>Apr 23, 2013:</b> Referred to the Subcommittee on Higher Education and Workforce Training.
113 HR 354	Related bill	<b>Feb 28, 2013:</b> Referred to the Subcommittee on Crime, Terrorism, Homeland Security, And Investigations.
113 HR 393	Related bill	<b>Feb 28, 2013:</b> Referred to the Subcommittee on Crime, Terrorism, Homeland Security, And Investigations.
113 HRES 83	Procedurally related	<b>Feb 27, 2013:</b> Motion to reconsider laid on the table Agreed to without objection.
113 S 128	Related bill	<b>Jan 24, 2013:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
113 S 129	Related bill	<b>Jan 24, 2013:</b> Read twice and referred to the Committee on the Judiciary.
113 S 80	Related bill	<b>Jan 23, 2013:</b> Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S215-217)

**(This measure has not been amended since it was passed by the Senate on February 12, 2013. The summary of that version is repeated here.)**

Violence Against Women Reauthorization Act of 2013 - (Sec. 3) Amends the Violence Against Women Act of 1994 (VAWA) to add or expand definitions of several terms used in 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; (3) "underserved populations" as populations that face barriers in accessing and using victim services because of geographic location, religion, sexual orientation or gender identity; and (4) "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) audit requirements for grants, 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.

Requires the Attorney General to authorize in writing expenditures for DOJ conferences that exceed \$20,000.

(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 for FY2014-FY2018 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 implement policies, training programs, and best practices for recognizing, investigating, and prosecuting instances of domestic violence and violent sex crimes. 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. Authorizes appropriations for such grant program for FY2014-FY2018, and requires the allotment of not less than 5% of such funding for Indian tribal governments.

(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 FY2014-FY2018.

(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. Authorizes appropriations for FY2014-FY2018.

(Sec. 105) Extends through FY2018 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 FY2018 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 authorize appropriations for FY2014-FY2018 for grants to: (1) assist states, Indian tribes, and U.S. territories to establish, maintain, and expand rape crisis centers and other nongovernmental or tribal 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 authorize appropriations for FY2014-FY2018 for grants to end violence against women with disabilities.

(Sec. 204) Amends VAWA to authorize appropriations for FY2014-FY2018 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 (i.e., individuals who are 50 years of age or older). 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 territorial or tribal sexual assault coalitions in the grant program for rape prevention and education, and (2) authorize appropriations for FY2014-FY2018 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 FY2014-FY2018.

(Sec. 303) Amends the Violence Against Women and Department of Justice Reauthorization Act of 2005 to expand the grant program for combating violent crimes on college campuses by providing for educational materials to address prevention and intervention in domestic violence, dating violence, sexual violence, and stalking and to develop or adapt population specific strategies for victims of domestic violence and violent sex crimes for underserved populations on campus. Authorizes appropriations for FY2014-FY2018.

(Sec. 304) Amends the Higher Education Act of 1965 to expand requirements for the disclosure of campus security policy 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 rights of accusers and the accused in disciplinary proceedings and 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 FY2014-FY2018 for grants from the Centers for Disease Control and Prevention (CDC) to academic institutions and organizations to support 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 FY2014-FY2018.

Repeals grant programs for: (1) training home visitation service providers, (2) engaging men and youth in preventing domestic violence and violent sex crimes, and (3) increasing public awareness of issues regarding domestic violence against pregnant women.

**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 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 grant recipients 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. Eliminates 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 womens' safety.

Authorizes appropriations for FY2014-FY2018.

Repeals grant programs for : (1) research on effective interventions in the health care setting that prevent domestic violence and violent sex crimes; and (2) interdisciplinary training and education programs for medical personnel on domestic violence, sexual assault, stalking, and dating violence.

#### **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 admission, assistance, participation, or occupancy under such programs.

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 FY2014-FY2018.

(Sec. 603) Extends the authorization of appropriations, but also at decreased levels, for FY2014-FY2018 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 authorize appropriations for FY2014-FY2018 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 (INA) to expand the definition of nonimmigrant U-visa (aliens who are victims of certain crimes) to include victims of stalking.



(Sec. 802) Directs the Secretary of Homeland Security (DHS) to report annually to the Judiciary Committees of Congress on 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. Requires such report to include a description of actions being taken to reduce the adjudication and processing time for U visas.

(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) Amends INA to: (1) provide 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, (2) extend the conditions under which the waiver of the two-year waiting period for a permanent resident status application may be granted to a battered alien spouse, and (3) expand the scope of criminal-related information that must be disclosed by a U.S. citizen petitioning for a nonimmigrant K-visa (alien fiancée or fiancé)

(Sec. 808) Requires the Attorney General, not later than 90 days after the enactment of this Act, to report to Congress: (1) the name of the Department of Justice (DOJ) component responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005, and (2) a description of DOJ policies and procedures for consultation with the Secretaries of DHS and State in investigating and prosecuting such violations.

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 fiancée/fiancé.

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 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 such 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 FY2014-FY2018 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 Secretary of HHS 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 on recommendations made by Indian tribes during consultations.

(Sec. 904) Gives Indian tribes 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 a defendant has requisite ties to the Indian tribe; (2) provide defendants the right to an impartial jury trial; and (3) notify defendants of their 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 domestic and dating violence crimes.

Authorizes appropriations for FY2014-FY2018 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 in matters arising anywhere in the Indian country of the Indian tribe or otherwise within the authority of the tribe.

(Sec. 906) Amends the federal criminal code to include sexual abuse crimes under the 20-year criminal penalty for assault.

Imposes enhanced criminal penalties on individuals who: (1) commit an assault resulting in substantial bodily injury to a spouse, intimate partner, or a dating partner who has not attained age 16; and (2) assault a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate.

Makes federal felony assault penalties and enhanced penalties for prior domestic violence or stalking offenses applicable

to Indians and Indian tribes.

(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 FY2014-FY2015.

Reauthorizes appropriations for the national tribal sex offender registry and the tribal protection order registry for FY2014-FY2018.

(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. Allows Indian tribes to exercise such jurisdiction prior to the two-year effective date under a pilot program.

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

Directs the Attorney General to report to Congress on whether the Alaska Rural Justice and Law Enforcement Commission should be continued.

(Sec. 910) Makes provisions of this Title relating to tribal jurisdiction over domestic violence crimes and the issuance and enforcement of protection orders applicable, in Alaska, only to the Indian country of the Metlakatla Indian Community, Annette Island Reserve.

Provides that the existing jurisdiction and authority of each Alaskan Indian tribe shall remain in full force and effect and shall not be limited or diminished by this Act.

Declares that nothing in this Act limits or diminishes the jurisdiction of the state of Alaska or any of its subdivisions or Indian tribes.

**Title X: Safer Act** - Sexual Assault Forensic Evidence Reporting Act of 2013 or the SAFER Act of 2013 - (Sec. 1002) Amends the DNA Analysis Backlog Elimination Act of 2000 to authorize the Attorney General to make Debbie Smith grants under such Act to states or local governments to: (1) conduct audits of samples of sexual assault evidence that are awaiting testing, provided such governments submit an audit plan that includes a good-faith estimate of the number of such samples; and (2) ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes is carried out in an appropriate and timely manner and in accordance with specified protocols and practices. Requires not less than 5% but not more than 7% of Debbie Smith grant funds distributed in FY2014-FY2017 to be awarded for such purposes if sufficient applications to justify such amounts are received by the Attorney General, provided such awards do not decrease funds for other distribution requirements.

Authorizes the Attorney General to award a grant to a state or local government for auditing sexual assault evidence backlogs only if the recipient submits a plan for performing the audit of samples and includes a good-faith estimate of the number of such samples. Sets forth provisions regarding grant conditions and circumstances under which the Attorney General may grant an extension of the initial deadline.

Requires grant recipients to report to the Department of Justice (DOJ) every 60 days, including on the cumulative total number of samples of sexual assault evidence that have been submitted to a laboratory for DNA or other forensic analyses.

Requires the Director of the Federal Bureau of Investigation (FBI) to: (1) develop and publish a description of protocols

and practices for the accurate, timely, and effective collection and processing of DNA evidence, which shall address appropriate steps in the investigation of cases that might involve DNA evidence; and (2) make available technical assistance and training to support states and local governments in adopting and implementing such protocols and practices.

(Sec. 1003) Requires the Attorney General to submit to Congress an annual report on: (1) grants awarded to states and local governments, (2) the number of deadline extensions granted by the Attorney General, and (3) the processing status of the samples of sexual assault evidence identified in Sexual Assault Forensic Evidence Reports.

(Sec. 1004) Requires, for each fiscal year through FY2018, that not less than 75% of Debbie Smith grant amounts be awarded to carry out for inclusion in the Combined DNA Index System DNA analyses of samples collected under applicable legal authority and of samples collected from crime scenes and to increase the capacity of state or local government laboratories to carry out DNA analyses.

(Sec. 1005) Makes all grants awarded by DOJ that are authorized under this Act subject to specified oversight and accountability requirements.

Requires the DOJ Inspector General to conduct audits of grant recipients to prevent waste, fraud, and abuse. Makes a grant recipient found to have an unresolved audit finding ineligible to receive grants under this Act for two fiscal years. Directs the Attorney General to give priority in awarding grants to eligible entities that, during the three fiscal years before submitting a grant application, did not have an unresolved audit finding showing a violation in the terms or conditions of a DOJ grant program.

Prohibits the Attorney General from awarding a grant to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying tax on certain unrelated business income.

Requires each nonprofit organization awarded a grant that uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, to disclose to the Attorney General in the grant application the process for determining such compensation.

Limits the sum that may be used by the Attorney General for salaries and administrative expenses of DOJ to 7.5% of amounts authorized to be appropriated under this Act, unless otherwise explicitly provided in authorizing legislation.

Prohibits amounts authorized to be appropriated to DOJ under this Act from being 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 uses more than \$20,000 in DOJ funds without prior written authorization from specified individuals.

Prohibits amounts authorized to be appropriated under this Act from being utilized by any grant recipient to lobby any government representative regarding the award of grant funding. Directs the Attorney General to require a grant recipient that violates such provision to repay the grant and to prohibit the recipient from receiving another grant under this Act for five years.

(Sec. 1006) Sunsets specified provisions of this Act regarding Debbie Smith grants for auditing sexual assault evidence backlogs on December 31, 2018.

**Title XI: Other Matters** - (Sec. 1101) 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 law. Requires the HHS Secretary to publish a similar final rule for the protection of unaccompanied alien children in custodial facilities.

(Sec. 1102) 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. 1103) Amends VAWA to authorize appropriations for FY2014-FY2018 for 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. 1105) Amends the Victims of Child Abuse Act of 1990 to authorize appropriations for FY2014-FY2018 for child abuse and neglect technical assistance and training programs for judicial personnel and attorneys practicing in juvenile and family courts.

**Title XII: Trafficking Victims Protection - Subtitle A: Combating International Trafficking in Persons - (Sec. 1201)**

Amends the Trafficking Victims Protection Act of 2000 to require that: (1) each Department of State regional bureau annually submit a list of goals for combating trafficking in persons for each country in its geographic area of responsibility, and (2) host governments be informed of and consulted regarding the goals and objectives for their particular country.

(Sec. 1202) Requires the Director of the Office to Monitor and Combat Trafficking to build U.S. government-private entity partnerships to ensure that: (1) U.S. citizens do not use any item, product, or material produced or extracted with the labor of victims of severe forms of trafficking; and (2) such entities do not contribute to trafficking in persons involving sexual exploitation.

Authorizes the Secretary of State to: (1) establish a fund to assist foreign governments meet urgent trafficking prevention needs, protect victims, and prosecute trafficking offenders; (2) provide assistance for each country with a high prevalence of trafficking that enters into a child protection compact with the United States; and (3) suspend or terminate assistance to countries that are engaged in activities that are contrary to U.S. security interests.

(Sec. 1203) Amends the Trafficking Victims Protection Act of 2000 to: (1) require the Interagency Task Force to Monitor and Combat Trafficking to make reasonable efforts to enable agencies to publicize the National Human Trafficking Resource Center Hotline on their websites, and (2) require an annual congressional briefing on Department of State and United States Agency for International Development (USAID) efforts to promote international international cooperation regarding victim protection and assistance.

(Sec. 1204) Revises Department of State standards for measuring efforts to eliminate human trafficking and reporting requirements on the status of severe forms of trafficking in persons.

(Sec. 1206) Amends the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to require that a video about U.S. legal rights and resources be developed and shown in embassies and consulates with the greatest concentrations of aliens applying for employment- or education-based nonimmigrant visas.

(Sec. 1207) Amends the Trafficking Victims Protection Act of 2000 to direct the Secretary to establish a strategy: (1) to

prevent child marriage, (2) to promote the empowerment of girls at risk of child marriage in developing countries, and (3) that addresses the needs of girls younger than 18 years of age in developing countries.

Amends the Foreign Assistance Act of 1961 to require the annual State Department Country Reports on Human Rights Practices to include reporting on child marriage.

(Sec. 1208) Amends the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to prohibit the provision of peacekeeping operation funds to countries that use child soldiers. Waives such prohibition for programs to professionalize military or security forces or to demobilize and reintegrate child soldiers.

**Subtitle B: Combating Trafficking of Persons in the United States - Part I: Penalties Against Traffickers and Other Crimes** - (Sec. 1211) Amends the Racketeer Influenced and Corrupt Organizations Act (RICO) to include labor contract fraud under the scope of such Act.

Amends the federal criminal code to subject a U.S. citizen or permanent resident alien who resides overseas and engages in illicit sexual conduct, including sex trafficking, with a person under 18 years old to a fine and/or imprisonment.

Subjects a person to fine and/or imprisonment for the knowing destruction, concealment, removal, confiscation, or possession of certain immigration documents.

(Sec. 1212) Extends the statute of limitations to 10 years for a person to bring a civil action for an injury received while a minor that was caused by specified sexual- or forced labor-related violations of federal criminal law.

**Part II: Ensuring Availability of Possible Witnesses and Informants** - (Sec. 1221) Amends the Immigration and Nationality Act to: (1) make eligible for a nonimmigrant T visa (trafficking victims cooperating with law enforcement) adult or minor children of certain derivative family members of a T visa alien if such children face a danger of retaliation in their home country by the traffickers, and (2) make an alien who was the victim of foreign labor contracting fraud eligible for a nonimmigrant U visa (victims of certain crimes).

**Part III: Ensuring Interagency Coordination and Expanded Reporting** - (Sec. 1231) Revises certain trafficking-related reporting requirements for the Attorney General and the Secretary of Labor.

(Sec. 1233) Amends the Trafficking Victims Protection Act of 2005 to direct the Secretary of State to provide the Department of Labor with information relating to child labor and forced labor in the production of goods in violation of international standards.

(Sec. 1235) Requires the Comptroller General (GAO) to report to Congress regarding the use of foreign labor contractors.

(Sec. 1236) Requires all recipients of grants awarded by the Attorney General under this Title to be subject to accountability provisions, including audits, disclosure of compensation of key employees, limitations on conference expenditures, and annual compliance certifications by the Attorney General.

**Part IV: Enhancing State and Local Efforts to Combat Trafficking in Persons** - (Sec. 1241) Amends the Trafficking Victims Protection Reauthorization Act of 2005 to authorize the Assistant Attorney General for the Office of Justice Programs to make renewable one-year block grants to four eligible state or local government entities in different regions of the United States to combat sex trafficking of minors. Authorizes appropriations for FY2014 -FY2017. Terminates the block grant program four years after enactment of this Act.

(Sec. 1242) Authorizes appropriations through FY2017 for grants for local law enforcement investigations and prosecutions of trafficking and commercial sex act violations. Directs GAO to evaluate the grant program.

(Sec. 1243) Includes in the model state criminal provisions protections for persons under 18 years old who have been arrested for engaging in commercial sex acts.

**Subtitle C: Authorization of Appropriations** - (Sec. 1251) Amends the Trafficking Victims Protection Act of 2000 to authorize appropriations through FY2017 for: (1) the Human Smuggling and Trafficking Center, (2) the Interagency Task Force to Monitor and Combat Trafficking, (3) the Office to Monitor and Combat Trafficking, (4) the Secretary of Health and Human Services (HHS) for trafficking victim assistance, (5) the Secretary of State to combat trafficking, (6) the Attorney General for trafficking victim assistance in the United States, (7) the President for foreign victim trafficking assistance and to foreign countries to meet minimum standards for the elimination of trafficking, (8) the Secretary of Labor for trafficking victim assistance in the United States, and (9) the Secretary of Homeland Security (DHS) for trafficking investigations by the Bureau of Immigration and Customs Enforcement.

(Sec. 1252) Amends the Trafficking Victims Protection Reauthorization Act of 2005 to authorize appropriations through FY2017 for annual conferences conducted by the Attorney General to address severe forms of trafficking in persons and commercial sex acts that occur within the United States.

**Subtitle D: Unaccompanied Alien Children** - (Sec. 1261) Amends the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to direct: (1) the DHS Secretary, with respect to individuals who reach the age of 18 and are transferred to DHS, to consider placement in the least restrictive setting available, including alternative detention programs; and (2) the HHS Secretary to appoint child advocates at 3 new immigration detention sites to advocate for trafficking victims and vulnerable unaccompanied alien children and report to the Judiciary Committees of Congress on such child advocate program.

Authorizes appropriations through FY2017 for the HHS child advocacy programs.

Directs GAO to conduct studies of the effectiveness of: (1) the HHS child advocate program, and (2) DHS border screening of unaccompanied alien children to determine whether they are trafficking victims.

(Sec. 1263) Makes a child granted U visa status eligible for resettlement assistance for refugee children.

## Actions Timeline

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- **Mar 7, 2013:** Signed by President.
- **Mar 7, 2013:** Became Public Law No: 113-4.
- **Mar 4, 2013:** Presented to President.
- **Feb 28, 2013:** Considered under the provisions of rule H. Res. 83. (consideration: CR H707-801)
- **Feb 28, 2013:** Rule provides for consideration of S. 47 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. A specified amendment is in order. The resolution waives all points of order against provisions in the bill. It provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-2, if offered by the Majority Leader or his designee, which shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent.
- **Feb 28, 2013:** DEBATE - The House proceeded with one hour of debate on S. 47.
- **Feb 28, 2013:** DEBATE - Pursuant to the provisions of H.Res. 83, the House proceeded with 20 minutes of debate on the McMorris Rodgers amendment in the nature of a substitute.
- **Feb 28, 2013:** DEBATE - The House resumed with debate on the McMorris Rodgers amendment in the nature of a substitute.
- **Feb 28, 2013:** Passed/agreed to in House: On passage Passed by recorded vote: 286 - 138 (Roll no. 55).(text: CR H707-735)
- **Feb 28, 2013:** On passage Passed by recorded vote: 286 - 138 (Roll no. 55). (text: CR H707-735)
- **Feb 28, 2013:** Motion to reconsider laid on the table Agreed to without objection.
- **Feb 27, 2013:** Rule H. Res. 83 passed House.
- **Feb 26, 2013:** Rules Committee Resolution H. Res. 83 Reported to House. Rule provides for consideration of S. 47 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. A specified amendment is in order. The resolution waives all points of order against provisions in the bill. It provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-2, if offered by the Majority Leader or his designee, which shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent.
- **Feb 12, 2013:** Considered by Senate. (consideration: CR S598-645)
- **Feb 12, 2013:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 78 - 22. Record Vote Number: 19.(text: CR S616-645)
- **Feb 12, 2013:** Passed Senate with amendments by Yea-Nay Vote. 78 - 22. Record Vote Number: 19. (text: CR S616-645)
- **Feb 12, 2013:** Message on Senate action sent to the House.
- **Feb 12, 2013:** Received in the House.
- **Feb 12, 2013:** Held at the desk.
- **Feb 11, 2013:** Considered by Senate. (consideration: CR S571-586)
- **Feb 7, 2013:** Considered by Senate. (consideration: CR S480-497, S497-514)
- **Feb 4, 2013:** Motion to proceed to measure considered in Senate. (consideration: CR S461-463)
- **Feb 4, 2013:** Motion to proceed to consideration of measure agreed to in Senate by Yea-Nay Vote. 85 - 8. Record Vote Number: 12. (consideration: CR S463)
- **Feb 4, 2013:** Measure laid before Senate by motion. (consideration: CR S463)
- **Jan 31, 2013:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S433)
- **Jan 28, 2013:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 1.
- **Jan 22, 2013:** Introduced in Senate
- **Jan 22, 2013:** Sponsor introductory remarks on measure. (CR S157-158)
- **Jan 22, 2013:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time. (text of measure as introduced: CR S158-180)