

117TH CONGRESS
2^D SESSION

H. R. 1620

IN THE SENATE OF THE UNITED STATES

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Read twice and referred to the Committee on the Judiciary

AN ACT

To reauthorize the Violence Against Women Act of 1994,
and for other purposes.

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

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Violence Against Women Act Reauthorization Act of
4 2021”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Universal definitions and grant conditions.
- Sec. 3. Agency and Department Coordination.
- Sec. 4. Effective date.
- Sec. 5. Availability of funds.
- Sec. 6. Sense of Congress.
- Sec. 7. Inclusion of disparate impact in studies.

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

- Sec. 101. Stop grants.
- Sec. 102. Grants to encourage improvements and alternatives to the criminal
justice response.
- Sec. 103. Legal assistance for victims.
- Sec. 104. Grants to support families in the justice system.
- Sec. 105. Outreach and services to underserved populations grants.
- Sec. 106. Criminal provisions.
- Sec. 107. Rape survivor child custody.
- Sec. 108. Enhancing culturally specific services for victims of domestic violence,
dating violence, sexual assault, and stalking.
- Sec. 109. Grants for lethality assessment programs authorization.

TITLE II—IMPROVING SERVICES FOR VICTIMS

- Sec. 201. Sexual assault services program.
- Sec. 202. Sexual Assault Services Program.
- Sec. 203. Rural domestic violence, dating violence, sexual assault, stalking, and
child abuse enforcement assistance program.
- Sec. 204. Grants for training and services to end violence against people with
disabilities and Deaf people.
- Sec. 205. Training and services to end abuse in later life.
- Sec. 206. Demonstration program on trauma-informed, victim-centered training
for law enforcement.
- Sec. 207. Authorization of the FAST Initiative.
- Sec. 208. Lesbian, Gay, Bisexual, and Transgender Specific Services Program.

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

- Sec. 301. Rape prevention and education grant.
- Sec. 302. Creating hope through outreach, options, services, and education
(CHOOSE) for children and youth.
- Sec. 303. Grants to combat violent crimes on campuses.

TITLE IV—VIOLENCE REDUCTION PRACTICES

- Sec. 401. Study conducted by the Centers for Disease Control and Prevention.
- Sec. 402. Saving Money and Reducing Tragedies (SMART) through Prevention grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEMS
RESPONSE

- Sec. 501. Grants to strengthen the healthcare systems response to domestic violence, dating violence, sexual assault, and stalking.
- Sec. 502. Maternal mortality or morbidity study.

TITLE VI—SAFE HOMES FOR VICTIMS

- Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 602. Ensuring compliance and implementation; prohibiting retaliation against victims.
- Sec. 603. Protecting the right to report crime from one's home.
- Sec. 604. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, or stalking.
- Sec. 605. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 606. United States Housing Act of 1937 amendments.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS

- Sec. 701. Findings.
- Sec. 702. National Resource Center on workplace responses to assist victims of domestic and sexual violence.
- Sec. 703. Provisions related to Unemployment Compensation and the Temporary Assistance for Needy Families Program.
- Sec. 704. Study and reports on barriers to survivors' economic security access.
- Sec. 705. GAO Study.
- Sec. 706. Education and information programs for survivors.
- Sec. 707. Severability.
- Sec. 708. Study on costs of divorce in domestic violence cases.

TITLE VIII—HOMICIDE REDUCTION INITIATIVES

- Sec. 801. Prohibiting persons convicted of misdemeanor crimes against dating partners and persons subject to protection orders.
- Sec. 802. Prohibiting stalkers and individuals subject to court order from possessing a firearm.

TITLE IX—SAFETY FOR INDIAN WOMEN

- Sec. 901. Findings and purposes.
- Sec. 902. Authorizing funding for the Tribal access program.
- Sec. 903. Tribal jurisdiction over covered crimes of domestic violence, dating violence, obstruction of justice, sexual violence, sex trafficking, stalking, and assault of a law enforcement officer or corrections officer.

TITLE X—OFFICE ON VIOLENCE AGAINST WOMEN

- Sec. 1001. Establishment of Office on Violence Against Women.

Sec. 1002. Office on Violence Against Women a Deputy Director for Culturally Specific Communities.

TITLE XI—IMPROVING CONDITIONS FOR WOMEN IN FEDERAL CUSTODY

- Sec. 1101. Improving the treatment of primary caretaker parents and other individuals in federal prisons.
- Sec. 1102. Public health and safety of women.
- Sec. 1103. Research and report on women in federal incarceration.
- Sec. 1104. Reentry planning and services for incarcerated women.

TITLE XII—LAW ENFORCEMENT TOOLS TO ENHANCE PUBLIC SAFETY

- Sec. 1201. Notification to law enforcement agencies of prohibited purchase or attempted purchase of a firearm.
- Sec. 1202. Reporting of background check denials to state, local, and Tribal authorities.
- Sec. 1203. Special assistant U.S. attorneys and cross-deputized attorneys.
- Sec. 1204. Review on Native American interactions with law enforcement.

TITLE XIII—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

- Sec. 1301. Short title.
- Sec. 1302. Prohibition on engaging in sexual acts while acting under color of law.
- Sec. 1303. Incentives for States.
- Sec. 1304. Reports to Congress.
- Sec. 1305. Definition.

TITLE XIV—OTHER MATTERS

- Sec. 1401. National stalker and domestic violence reduction.
- Sec. 1402. Federal victim assistants reauthorization.
- Sec. 1403. Child abuse training programs for judicial personnel and practitioners reauthorization.
- Sec. 1404. Sex offender management.
- Sec. 1405. Court-appointed special advocate program.
- Sec. 1406. Sexual assault forensic exam program grants.
- Sec. 1406A. Strategies to improve coordination of sexual assault forensic nurse exam training and program sustainability.
- Sec. 1407. Review on link between substance use and victims of domestic violence dating violence, sexual assault, or stalking.
- Sec. 1408. Interagency working group to study Federal efforts to collect data on sexual violence.
- Sec. 1409. National Domestic Violence Hotline.
- Sec. 1410. Deputy Assistant Attorney General on Culturally Specific Communities within the Office of Justice Programs.
- Sec. 1411. National resource center on workplace responses to assist victims of domestic and sexual violence assistance for microbusinesses.
- Sec. 1412. Civil action relating to disclosure of intimate images.
- Sec. 1413. Certain activities relating to intimate visual depictions.
- Sec. 1414. Task force on sexual violence in education.
- Sec. 1415. Survivors' bill of rights.
- Sec. 1416. Report on sexual assault response teams at hospitals.

TITLE XV—CYBERCRIME ENFORCEMENT

- Sec. 1501. Local law enforcement grants for enforcement of cybercrimes.
 Sec. 1502. National Resource Center Grant.
 Sec. 1503. National strategy, classification, and reporting on cybercrime.

TITLE XVI—KEEPING CHILDREN SAFE FROM FAMILY VIOLENCE

- Sec. 1601. Short title.
 Sec. 1602. Findings.
 Sec. 1603. Purposes.
 Sec. 1604. Definition of covered formula grant.
 Sec. 1605. Increased funding for formula grants authorized.
 Sec. 1606. Application.
 Sec. 1607. Rule of construction.
 Sec. 1608. Grant term.
 Sec. 1609. Uses of funds.
 Sec. 1610. Authorization of appropriations.
 Sec. 1611. Sexual assault survivors' rights.
 Sec. 1612. Grants to State and Tribal courts to implement protection order pilot programs.
 Sec. 1613. Online survey tool for campus safety.
 Sec. 1614. Study on child custody in domestic violence cases.

TITLE XVII—PROTECTIONS FOR CERTAIN IMMIGRANT WOMEN

- Sec. 1701. Pilot program to provide additional protections.

1 SEC. 2. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

2 Section 40002 of the Violence Against Women Act
 3 of 1994 (34 U.S.C. 12291) is amended—

4 (1) in subsection (a)—

5 (A) by striking “In this title” and insert-
 6 ing “In this title, and for the purpose of all
 7 grants authorized under this title”;

8 (B) by striking paragraph (5) and insert-
 9 ing the following new paragraph:

10 “(5) COURT-BASED AND COURT-RELATED PER-
 11 SONNEL.—The terms ‘court-based personnel’ and
 12 ‘court-related personnel’ mean persons working in
 13 the court, whether paid or volunteer, including—

1 “(A) clerks, special masters, domestic rela-
2 tions officers, administrators, mediators, cus-
3 tody evaluators, guardians ad litem, lawyers,
4 negotiators, probation, parole, interpreters, vic-
5 tim assistants, victim advocates, and judicial,
6 administrative, or any other professionals or
7 personnel similarly involved in the legal process;

8 “(B) court security personnel;

9 “(C) personnel working in related, supple-
10 mentary offices or programs (such as child sup-
11 port enforcement); and

12 “(D) any other court-based or community-
13 based personnel having responsibilities or au-
14 thority to address domestic violence, dating vio-
15 lence, sexual assault, or stalking in the court
16 system.”;

17 (C) by striking paragraph (8) and insert-
18 ing the following new paragraph:

19 “(8) DOMESTIC VIOLENCE.—The term ‘domes-
20 tic violence’ means a pattern of behavior involving
21 the use or attempted use of physical, sexual, verbal,
22 psychological, economic, or technological abuse or
23 any other coercive behavior committed, enabled, or
24 solicited to gain or maintain power and control over
25 a victim, by a person who—

1 “(A) is a current or former spouse or dat-
2 ing partner of the victim, or other person simi-
3 larly situated to a spouse of the victim;

4 “(B) is cohabitating with or has
5 cohabitated with the victim as a spouse or dat-
6 ing partner;

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

9 “(D) is an adult family member of, or paid
10 or nonpaid caregiver in an ongoing relationship
11 of trust with, a victim aged 50 or older or an
12 adult victim with disabilities; or

13 “(E) commits acts against a youth or adult
14 victim who is protected from those acts under
15 the family or domestic violence laws of the ju-
16 risdiction.”;

17 (D) in paragraph (9)—

18 (i) by striking “consideration of” and
19 inserting “consideration of one or more of
20 the following factors”;

21 (ii) in subparagraph (B), by striking
22 “; and” and inserting a semicolon;

23 (iii) in subparagraph (C), by striking
24 the period at the end and inserting “; or”;
25 and

1 (iv) by inserting the following new
2 subparagraph:

3 “(D) the cultural context of the relation-
4 ship.”;

5 (E) in the matter following paragraph (9),
6 by inserting the following:

7 “Sexual contact is not a necessary component of
8 such a relationship.”;

9 (F) in paragraph (10)—

10 (i) by striking “person—” and insert-
11 ing “dating partner.”; and

12 (ii) by striking subparagraphs (A) and
13 (B);

14 (G) by striking paragraphs (11) and (12);

15 (H) by striking paragraph (19) and insert-
16 ing the following new paragraph:

17 “(19) LEGAL ASSISTANCE.—

18 “(A) The term ‘legal assistance’ means as-
19 sistance provided by or under the direct super-
20 vision of a person described in subparagraph
21 (B) to a person described in subparagraph (C)
22 relating to a matter described in subparagraph
23 (D).

24 “(B) A person described in this subpara-
25 graph is—

1 “(i) a licensed attorney;

2 “(ii) in the case of an immigration
3 proceeding, a Board of Immigration Ap-
4 peals accredited representative;

5 “(iii) in the case of legal services pro-
6 vided at a facility operated by the Depart-
7 ment of Veterans Affairs, a representative
8 authorized by the Secretary who is pro-
9 viding legal services in connection with
10 medical services, and other unmet legal
11 needs, such as issues related to child cus-
12 tody, elder law, and landlord-tenant dis-
13 putes; or

14 “(iv) any person who functions as an
15 attorney or lay advocate in a Tribal court.

16 “(C) A person described in this subpara-
17 graph is an adult or youth victim of domestic
18 violence, dating violence, sexual assault, or
19 stalking.

20 “(D) A matter described in this subpara-
21 graph is a matter related to—

22 “(i) divorce, parental rights, child
23 support, Tribal, territorial, immigration,
24 employment, administrative agency, hous-
25 ing, campus, education, healthcare, pri-

1 vacy, contract, consumer, civil rights, pro-
2 tection or order or other injunctive pro-
3 ceedings, related enforcement proceedings,
4 and other similar matters;

5 “(ii) criminal justice investigations,
6 prosecutions and post-conviction matters
7 (including sentencing, parole, probation,
8 and vacatur or expungement) that impact
9 the victim’s safety, privacy, or other inter-
10 ests as a victim; or

11 “(iii) alternative dispute resolution,
12 restorative practices, or other processes in-
13 tended to promote victim safety, privacy,
14 and autonomy, and offender accountability,
15 regardless of court involvement.

16 For purposes of this paragraph, intake or refer-
17 ral, by itself, does not constitute legal assist-
18 ance.”;

19 (I) in paragraph (39)—

20 (i) by inserting “who cannot access,
21 or” before “who face barriers”;

22 (ii) by striking “and using victim
23 services” and inserting “, using, or receiv-
24 ing appropriate victim services”; and

1 (iii) by striking “alienage” and insert-
2 ing “immigration”; and

3 (J) by adding at the end the following new
4 paragraphs:

5 “(46) ABUSE IN LATER LIFE.—The term ‘abuse
6 in later life’—

7 “(A) means—

8 “(i) neglect, abandonment, economic
9 abuse, or willful harm of an adult aged 50
10 or older by an individual in an ongoing re-
11 lationship of trust with the victim; or

12 “(ii) domestic violence, dating vio-
13 lence, sexual assault, or stalking of an
14 adult aged 50 or older by any individual;
15 and

16 “(B) does not include self-neglect.

17 “(47) RESTORATIVE PRACTICE.—The term ‘re-
18 storative practice’ means a process, whether court-
19 referred or community-based, that—

20 “(A) involves, on a voluntary basis, and to
21 the extent possible, those who have committed
22 a specific offense and those who have been
23 harmed as a result of the offense, as well as the
24 affected community;

1 “(B) has the goal of collectively seeking ac-
2 countability from the accused, and developing a
3 process whereby the accused will take responsi-
4 bility for his or her actions, and a plan for pro-
5 viding relief to those harmed, through allocu-
6 tion, restitution, community service or other
7 processes upon which the victim, the accused,
8 the community, and the court (if court-referred)
9 can agree;

10 “(C) is conducted in a framework that pro-
11 tects victim safety and supports victim auton-
12 omy; and

13 “(D) includes protocols to address the use
14 of information disclosed during such process for
15 other law enforcement purposes.

16 “(48) DIGITAL SERVICES.—The term ‘digital
17 services’ means services, resources, information, sup-
18 port or referrals provided through electronic commu-
19 nications platforms and media, whether via mobile
20 device technology, video technology, or computer
21 technology, including utilizing the internet, as well
22 as any other emerging communications technologies
23 that are appropriate for the purposes of providing
24 services, resources, information, support, or referrals

1 for the benefit of victims of domestic violence, dating
2 violence, sexual assault, or stalking.

3 “(49) ECONOMIC ABUSE.—The term ‘economic
4 abuse’, in the context of domestic violence, dating vi-
5 olence, and abuse in later life, means behavior that
6 is coercive, deceptive, or unreasonably controls or re-
7 strains a person’s ability to acquire, use, or maintain
8 economic resources to which they are entitled, in-
9 cluding using coercion, fraud, or manipulation to—

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

12 “(B) unfairly use a person’s personal eco-
13 nomic resources, including money, assets, and
14 credit, for one’s own advantage; or

15 “(C) exert undue influence over a person’s
16 financial and economic behavior or decisions,
17 including forcing default on joint or other fi-
18 nancial obligations, exploiting powers of attor-
19 ney, guardianship, or conservatorship, or failing
20 or neglecting to act in the best interests of a
21 person to whom one has a fiduciary duty.

22 “(50) INTERNET ENABLED DEVICE.—The term
23 ‘internet enabled device’ means devices that have a
24 connection the Internet, send and receive informa-
25 tion and data, and may be accessed via mobile device

1 technology, video technology, or computer tech-
2 nology, away from the location where the device is
3 installed, and may include home automation sys-
4 tems, door locks, and thermostats.

5 “(51) TECHNOLOGICAL ABUSE.—The term
6 ‘technological abuse’ means an act or pattern of be-
7 havior that occurs within domestic violence, sexual
8 assault, dating violence or stalking and is intended
9 to harm, threaten, intimidate, control, stalk, harass,
10 impersonate, exploit, extort, or monitor, except as
11 otherwise permitted by law, another person, that oc-
12 curs using any form of information technology, in-
13 cluding: internet enabled devices, online spaces and
14 platforms, computers, mobile devices, cameras and
15 imaging platforms, apps, location tracking devices,
16 communication technologies, or any other emerging
17 technologies.

18 “(52) FEMALE GENITAL MUTILATION.—The
19 term ‘female genital mutilation’ has the meaning
20 given such term in section 116 of title 18, United
21 States Code.

22 “(53) ELDER ABUSE.—The term ‘elder abuse’
23 has the meaning given that term in section 2 of the
24 Elder Abuse Prevention and Prosecution Act. The
25 terms ‘abuse,’ ‘elder,’ and ‘exploitation’ have the

1 meanings given those terms in section 2011 of the
2 Social Security Act (42 U.S.C. 1397j).

3 “(54) FORCED MARRIAGE.—The term ‘forced
4 marriage’ means a marriage to which one or both
5 parties do not or cannot consent, and in which one
6 or more elements of force, fraud, or coercion is
7 present. Forced marriage can be both a cause and
8 a consequence of domestic violence, dating violence,
9 sexual assault or stalking.

10 “(55) HOMELESS.—The term ‘homeless’ has
11 the meaning given such term in section 41403(6).”;

12 (2) in subsection (b)—

13 (A) in the matter before paragraph (1), by
14 inserting “For the purpose of all grants author-
15 ized under this title.”;

16 (B) in paragraph (2), by inserting after
17 subparagraph (G) the following:

18 “(H) DEATH OF THE PARTY WHOSE PRI-
19 VACY HAD BEEN PROTECTED.—In the event of
20 the death of any victim whose confidentiality
21 and privacy is required to be protected under
22 this subsection, such requirement shall continue
23 to apply, and the right to authorize release of
24 any confidential or protected information be
25 vested in the next of kin, except that consent

1 for release of the deceased victim’s information
2 may not be given by a person who had per-
3 petrated abuse against the deceased victim.

4 “(I) USE OF TECHNOLOGY.—Grantees and
5 subgrantees may use telephone, internet, and
6 other technologies to protect the privacy, loca-
7 tion and help-seeking activities of victims using
8 services. Such technologies may include—

9 “(i) software, apps or hardware that
10 block caller ID or conceal IP addresses, in-
11 cluding instances in which victims use dig-
12 ital services; or

13 “(ii) technologies or protocols that in-
14 hibit or prevent a perpetrator’s attempts to
15 use technology or social media to threaten,
16 harass or harm the victim, the victim’s
17 family, friends, neighbors or co-workers, or
18 the program providing services to them.”;

19 (C) in paragraph (3), by inserting after
20 “designed to reduce or eliminate domestic vio-
21 lence, dating violence, sexual assault, and stalk-
22 ing” the following: “, provided that the con-
23 fidentiality and privacy requirements of this
24 title are maintained, and that personally identi-
25 fying information about adult, youth, and child

1 victims of domestic violence, dating violence,
2 sexual assault and stalking is not requested or
3 included in any such collaboration or informa-
4 tion-sharing”;

5 (D) in paragraph (6), by adding at the end
6 the following: “Such disbursing agencies must
7 ensure that the confidentiality and privacy re-
8 quirements of this title are maintained in mak-
9 ing such reports, and that personally identifying
10 information about adult, youth and child vic-
11 tims of domestic violence, dating violence, sex-
12 ual assault and stalking is not requested or in-
13 cluded in any such reports.”;

14 (E) in paragraph (8), by striking “under
15 this title” and inserting “under this title. In
16 this title, including for the purpose of grants
17 authorized under this title, the term ‘violent
18 crimes against women’ includes violent crimes
19 against a person of any gender.”;

20 (F) in paragraph (11), by adding at the
21 end the following: “The Office on Violence
22 Against Women shall make all technical assist-
23 ance available as broadly as possible to any ap-
24 propriate grantees, subgrantees, potential
25 grantees, or other entities without regard to

1 whether the entity has received funding from
2 the Office on Violence Against Women for a
3 particular program or project.”;

4 (G) in paragraph (13)—

5 (i) in subparagraph (A)—

6 (I) by inserting after “the Violence Against Women Reauthorization
7 Act of 2013” the following: “(Public
8 Law 113–4; 127 Stat. 54)”;

9 (II) by striking “the Violence
10 Against Women and Department of
11 Justice Reauthorization Act of 2005
12 (title IX of Public Law 109–162; 119
13 Stat. 3080), the Violence Against
14 Women Reauthorization Act of 2013,
15 and any other program or activity
16 funded in whole or in part with funds
17 appropriated for grants, cooperative
18 agreements, and other assistance ad-
19 ministered by the Office on Violence
20 Against Women” and inserting “the
21 Violence Against Women and Depart-
22 ment of Justice Reauthorization Act
23 of 2005 (Public Law 109–162; 119
24 Stat. 3080), the Violence Against
25

1 Women Reauthorization Act of 2013,
2 the Violence Against Women Act Re-
3 authorization Act of 2021, and any
4 other program or activity funded in
5 whole or in part with funds appro-
6 priated for grants, cooperative agree-
7 ments, and other assistance adminis-
8 tered by the Office on Violence
9 Against Women”; and

10 (ii) in subparagraph (C), by striking
11 “section 3789d of title 42, United States
12 Code” and inserting “section 809 of title I
13 of the Omnibus Crime Control and Safe
14 Streets Act of 1968 (34 U.S.C. 10228)”;

15 (H) in paragraph (14)—

16 (i) by inserting after “are also victims
17 of” the following: “forced marriage, or”;
18 and

19 (ii) by inserting “, and includes serv-
20 ices and assistance to adult survivors of
21 child sexual assault” before the period at
22 the end;

23 (I) by striking paragraph (15); and

24 (J) in paragraph (16)—

1 (i) by striking paragraph (A)(iii) and
2 inserting the following new clause:

3 “(iii) TECHNICAL ASSISTANCE.—A re-
4 cipient of grant funds under this Act that
5 is found to have an unresolved audit find-
6 ing shall be eligible to receive prompt, indi-
7 vidualized technical assistance to resolve
8 the audit finding and to prevent future
9 findings, for a period not to exceed the fol-
10 lowing 2 fiscal years.”;

11 (ii) in paragraph (C)(i) by striking
12 “\$20,000 in Department funds, unless the
13 Deputy Attorney General” and inserting
14 “\$100,000 in Department funds, unless
15 the Director or Principal Deputy Director
16 of the Office on Violence Against Women,
17 the Deputy Attorney General,”; and

18 (iii) by adding at the end the fol-
19 lowing:

20 “(E) INELIGIBILITY.—If the Attorney
21 General finds that a recipient of grant funds
22 under this Act has fraudulently misused such
23 grant funds, after reasonable notice and oppor-
24 tunity for a hearing, such recipient shall not be
25 eligible to receive grant funds under this Act

1 for up to 5 years. A misuse of grant funds or
2 an error that does not rise to the level of fraud
3 is not grounds for ineligibility.”.

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

5 The heads of Executive Departments responsible for
6 carrying out this Act are authorized to coordinate and col-
7 laborate on the prevention of domestic violence, dating vio-
8 lence, sexual assault, and stalking, including sharing best
9 practices and efficient use of resources and technology for
10 victims and those seeking assistance from the Govern-
11 ment.

12 **SEC. 4. EFFECTIVE DATE.**

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

17 (b) EFFECTIVE ON DATE OF ENACTMENT.—Sections
18 106, 107, 205, 304, 606, 702, 801, 802, 903, and 1406
19 and any amendments made by such sections shall take ef-
20 fect on the date of enactment of this Act.

21 **SEC. 5. AVAILABILITY OF FUNDS.**

22 Any funds appropriated pursuant to an authorization
23 of appropriations under this Act or an amendment made
24 by this Act shall remain available until expended.

1 **SEC. 6. SENSE OF CONGRESS.**

2 It is the sense of Congress—

3 (1) that sex trafficking victims experience sex-
4 ual violence and assault; and

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

7 **SEC. 7. INCLUSION OF DISPARATE IMPACT IN STUDIES.**

8 Any study conducted under this Act or an amend-
9 ment made by this Act shall include an assessment, to the
10 extent practicable, of any disparate impacts of the matter
11 studied, by race, ethnicity, sex, sexual orientation, and
12 gender identity.

13 **TITLE I—ENHANCING LEGAL**
14 **TOOLS TO COMBAT DOMES-**
15 **TIC VIOLENCE, DATING VIO-**
16 **LENCE, SEXUAL ASSAULT,**
17 **AND STALKING**

18 **SEC. 101. STOP GRANTS.**

19 (a) IN GENERAL.—Part T of title I of the Omnibus
20 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
21 10441 et seq.) is amended—

22 (1) in section 2001(b)—

23 (A) in paragraph (3)—

24 (i) by striking “prosecution policies”
25 and inserting “prosecution policies, such as

1 implementing a vertical prosecution sys-
2 tem,”; and

3 (ii) by inserting before the semicolon
4 at the end the following: “including imple-
5 mentation of the non-discrimination re-
6 quirements in section 40002(b)(13) of the
7 Violence Against Women Act of 1994”;

8 (B) in paragraph (5), by inserting “and
9 legal assistance” after “improving delivery of
10 victim services”;

11 (C) in paragraph (9)—

12 (i) by striking “older and disabled
13 women” and inserting “people 50 years of
14 age or over, people with disabilities, and
15 Deaf people”;

16 (ii) inserting “legal assistance,” after
17 “counseling,”; and

18 (iii) by striking “older and disabled
19 individuals” and inserting “people”;

20 (D) in paragraph (11), by inserting before
21 the semicolon at the end the following: “, in-
22 cluding rehabilitative work with offenders, re-
23 storative practices, and similar initiatives”;

24 (E) in paragraph (19), by striking “and”
25 at the end;

1 (F) in paragraph (20), by striking the pe-
2 riod at the end and inserting a semicolon; and

3 (G) by inserting after paragraph (20), the
4 following:

5 “(21) developing and implementing laws, poli-
6 cies, procedures, or training to ensure the lawful re-
7 covery and storage of any dangerous weapon by the
8 appropriate law enforcement agency from an adju-
9 dicated perpetrator of any offense of domestic vio-
10 lence, dating violence, sexual assault, or stalking,
11 and the return of such weapon when appropriate,
12 where any Federal, State, Tribal, or local court
13 has—

14 “(A)(i) issued protective or other restrain-
15 ing orders against such a perpetrator; or

16 “(ii) found such a perpetrator to be guilty
17 of misdemeanor or felony crimes of domestic vi-
18 olence, dating violence, sexual assault, or stalk-
19 ing; and

20 “(B) ordered the perpetrator to relinquish
21 dangerous weapons that the perpetrator pos-
22 sesses or has used in the commission of at least
23 one of the aforementioned crimes;

24 Policies, procedures, protocols, laws, regulations, or
25 training under this section shall include the safest

1 means of recovery of, and best practices for storage
2 of, relinquished and recovered dangerous weapons
3 and their return, when applicable, at such time as
4 the individual is no longer prohibited from pos-
5 sessing such weapons under Federal, State, or Trib-
6 al law, or posted local ordinances;

7 “(22) developing, enlarging, or strengthening
8 culturally specific victim services programs to pro-
9 vide culturally specific victim services regarding, re-
10 sponses to, and prevention of female genital mutila-
11 tion;

12 “(23) providing victim advocates in State or
13 local law enforcement agencies, prosecutors’ offices,
14 and courts and providing supportive services and ad-
15 vocacy to urban American Indian and Alaska Native
16 victims of domestic violence, dating violence, sexual
17 assault, and stalking; and

18 “(24) paying any fees charged by any govern-
19 mental authority for furnishing a victim or the child
20 of a victim with any of the following documents:

21 “(A) A birth certificate of the person.

22 “(B) An identification card issued to the
23 person by a State, that shows that the person
24 is a resident of the State.”;

25 (2) in section 2007—

1 (A) in subsection (d)—

2 (i) by redesignating paragraphs (5)
3 and (6) as paragraphs (7) and (8), respec-
4 tively; and

5 (ii) by inserting after paragraph (4)
6 the following:

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

10 “(6) proof of compliance with the requirements
11 regarding civil rights under section 40002(b)(13) of
12 the Violent Crime Control and Law Enforcement
13 Act of 1994;”;

14 (B) in subsection (i)—

15 (i) in paragraph (1), by inserting be-
16 fore the semicolon at the end the following:
17 “and the requirements under section
18 40002(b) of the Violent Crime Control and
19 Law Enforcement Act of 1994 (34 U.S.C.
20 12291(b))”; and

21 (ii) in paragraph (2)(C)(iv), by insert-
22 ing after “ethnicity,” the following: “sexual
23 orientation, gender identity,”; and

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

1 “(k) REVIEWS FOR COMPLIANCE WITH NON-
2 DISCRIMINATION REQUIREMENTS.—

3 “(1) IN GENERAL.—If allegations of discrimina-
4 tion in violation of section 40002(b)(13)(A) of the
5 Violence Against Women Act of 1994 (34 U.S.C.
6 12291(b)(13)(A)) by a potential grantee under this
7 part have been made to the Attorney General, the
8 Attorney General shall, prior to awarding a grant
9 under this part to such potential grantee, conduct a
10 review and take steps to ensure the compliance of
11 the potential grantee with such section.

12 “(2) ESTABLISHMENT OF RULE.—Not later
13 than 1 year after the date of enactment of the Vio-
14 lence Against Women Act Reauthorization Act of
15 2021, the Attorney General shall by rule establish
16 procedures for such a review.

17 “(3) BIENNIAL REPORT.—Beginning on the
18 date that is 1 year after the date of enactment of
19 the Violence Against Women Act Reauthorization
20 Act of 2021, and once every 2 years thereafter, the
21 Attorney General shall report to the Committees on
22 the Judiciary of the Senate and of the House of
23 Representatives regarding compliance with section
24 40002(b)(13)(A) of the Violence Against Women Act
25 of 1994 (34 U.S.C. 12291(b)(13)(A)) by recipients

1 of grants under this part, including a report on the
2 number of complaints filed and the resolution of
3 those complaints.”; and

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

5 **“SEC. 2017. GRANT ELIGIBILITY REGARDING COMPELLING**
6 **VICTIM TESTIMONY.**

7 “In order for a prosecutor’s office to be eligible to
8 receive funds under this part, the head of the office shall
9 certify to the State, Indian Tribal government, or terri-
10 torial government receiving a grant under this part, and
11 from which the office will receive funds, that the office
12 implemented and trained its personnel regarding victim-
13 centered approaches in domestic violence, sexual assault,
14 dating violence, and stalking cases, including policies ad-
15 dressing the use of bench warrants, body attachments, and
16 material witness warrants for victims who fail to appear.
17 The training shall be developed by experts in the fields
18 of domestic violence, sexual assault, dating violence, stalk-
19 ing, and prosecution.”.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
21 1001(a)(18) of the Omnibus Crime Control and Safe
22 Streets Act of 1968 (34 U.S.C. 10261(a)(18)) is amended
23 by striking “2014 through 2018” and inserting “2022
24 through 2026”.

1 **SEC. 102. GRANTS TO ENCOURAGE IMPROVEMENTS AND**
2 **ALTERNATIVES TO THE CRIMINAL JUSTICE**
3 **RESPONSE.**

4 (a) **HEADING.**—Part U of title I of the Omnibus
5 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
6 10461 et seq.) is amended in the heading, by striking
7 **“GRANTS TO ENCOURAGE ARREST POLICIES”** and in-
8 serting **“GRANTS TO ENCOURAGE IMPROVEMENTS**
9 **AND ALTERNATIVES TO THE CRIMINAL JUSTICE RE-**
10 **SPONSE”**.

11 (b) **GRANTS.**—Section 2101 of the Omnibus Crime
12 Control and Safe Streets Act of 1968 (34 U.S.C. 10461)
13 is amended—

14 (1) by striking subsection (a) and inserting the
15 following:

16 **“(a) PURPOSE.**—The purpose of this part is to assist
17 States, Indian Tribal governments, State and local courts
18 (including juvenile courts), Tribal courts, and units of
19 local government to improve the criminal justice response
20 to domestic violence, dating violence, sexual assault, and
21 stalking, and to seek safety and autonomy for victims.”;

22 (2) in subsection (b)—

23 (A) in paragraph (1), by striking
24 **“proarrest”** and inserting **“offender account-**
25 **ability and homicide reduction”**;

1 (B) in paragraph (5), by striking “legal
2 advocacy service programs” and inserting “legal
3 advocacy and legal assistance programs”;

4 (C) in paragraph (7), strike “and tribal ju-
5 risdictions” and insert “Tribal jurisdictions,
6 coalitions, and victim service providers”;

7 (D) in paragraph (8)—

8 (i) by striking “older individuals (as
9 defined in section 102 of the Older Ameri-
10 cans Act of 1965 (42 U.S.C. 3002))” and
11 inserting “people 50 years of age or over”;
12 and

13 (ii) by striking “individuals with dis-
14 abilities (as defined in section 3(2) of the
15 Americans with Disabilities Act of 1990
16 (42 U.S.C. 12102(2))” and inserting
17 “people with disabilities (as defined in the
18 Americans with Disabilities Act of 1990
19 (42 U.S.C. 12102)) and Deaf people”;

20 (E) in paragraph (19), by inserting before
21 the period at the end the following “, including
22 victims among underserved populations (as de-
23 fined in section 40002(a) of the Violence
24 Against Women Act of 1994)”;

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

1 “(25) To develop and implement restorative
2 practices.

3 “(26) To develop and implement laws, policies,
4 procedures, and training—

5 “(A) for the purpose of homicide preven-
6 tion, preventing lethal assaults, and responding
7 to threats of lethal assaults through effective
8 enforcement of court orders prohibiting posses-
9 sion of and mandating the recovery of firearms
10 from adjudicated domestic violence, dating vio-
11 lence, sexual assault or stalking offenders; and

12 “(B) to address victim safety, safe storage
13 of contraband during the pendency of the court
14 order and, where appropriate, safe return of
15 such contraband at the conclusion of the court
16 order.

17 “(27) To develop and implement alternative
18 methods of reducing crime in communities, to sup-
19 plant punitive programs or policies. For purposes of
20 this paragraph, a punitive program or policy is a
21 program or policy that—

22 “(A) imposes a penalty on a victim of do-
23 mestic violence, dating violence, sexual assault,
24 or stalking, on the basis of a request by the vic-

1 tim for law enforcement or emergency assist-
2 ance; or

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

6 “(28) To develop or strengthen policies and
7 training for law enforcement officers, prosecutors,
8 and the judiciary in recognizing, investigating, and
9 prosecuting instances of domestic violence, dating vi-
10 olence, sexual assault, and stalking against individ-
11 uals who have been arrested or otherwise have con-
12 tact with the juvenile or adult criminal justice sys-
13 tem, and to develop or strengthen diversion pro-
14 grams for such individuals and for such individuals
15 to receive comprehensive victim services.”;

16 (3) in subsection (c)(1)—

17 (A) in subparagraph (A)—

18 (i) in clause (i), by striking “encour-
19 age or mandate arrests of domestic vio-
20 lence offenders” and inserting “encourage
21 arrests of offenders”; and

22 (ii) in clause (ii), by striking “encour-
23 age or mandate arrest of domestic violence
24 offenders” and inserting “encourage arrest
25 of offenders”; and

1 (B) by inserting after subparagraph (E)
2 the following:

3 “(F) certify that, not later than 2 years
4 after the date of its first award received under
5 this subchapter after enactment of this sub-
6 paragraph, the grantee has implemented and
7 trained on victim-centered approaches to pros-
8 ecution in domestic violence, sexual assault,
9 dating violence, and stalking cases, including
10 policies addressing the use of bench warrants,
11 body attachments, and material witness war-
12 rants for victims who fail to appear, which have
13 been developed by experts in the fields of do-
14 mestic violence, sexual assault, dating violence,
15 stalking, and prosecution;

16 “(G) certify that the laws, policies, and
17 practices of the State in which the eligible
18 grantee resides prohibits the prosecution of a
19 minor under the age of 18 with respect to pros-
20 titution; and”;

21 (4) insert after subsection (g) the following:

22 “(h) ALLOCATION FOR CULTURALLY SPECIFIC SERV-
23 ICES.—Of the amounts appropriated for purposes of this
24 part for each fiscal year, not less than 5 percent shall be

1 available for grants to culturally specific victim service
2 providers.”.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
4 1001(a)(19) of the Omnibus Crime Control and Safe
5 Streets Act of 1968 (34 U.S.C. 10261(a)(19)) is amended
6 by striking “2014 through 2018” and inserting “2022
7 through 2026”.

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

9 (a) IN GENERAL.—Section 1201 of division B of the
10 Victims of Trafficking and Violence Protection Act of
11 2000 (34 U.S.C. 20121) is amended—

12 (1) in subsection (a), by inserting after “no cost
13 to the victims.” the following: “When legal assist-
14 ance to a dependent is necessary for the safety of a
15 victim, such assistance may be provided.”;

16 (2) in subsection (c)—

17 (A) in paragraph (2), by striking “and” at
18 the end;

19 (B) in paragraph (3), by striking the pe-
20 riod at the end and inserting “; and”; and

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

22 “(4) to implement, expand, and establish efforts
23 and projects to provide legal representation for post-
24 conviction relief proceedings, including any pro-

1 proceedings relating to vacatur, expungement, record-
2 sealing, or other post-conviction relief measure.”;

3 (3) in subsection (d)—

4 (A) by amending paragraph (1) to read as
5 follows:

6 “(1) any person providing legal assistance
7 through a program funded under this section—

8 “(A)(i) is a licensed attorney or is working
9 under the direct supervision of a licensed attor-
10 ney;

11 “(ii) in immigration proceedings, is a
12 Board of Immigration Appeals accredited rep-
13 resentative; or

14 “(iii) is any person who functions as an at-
15 torney or lay advocate in Tribal court; and

16 “(B)(i) has demonstrated expertise in pro-
17 viding legal assistance to victims of domestic vi-
18 olence, dating violence, sexual assault, or stalk-
19 ing in the targeted population; or

20 “(ii)(I) is partnered with an entity or per-
21 son that has demonstrated expertise described
22 in clause (i); and

23 “(II) has completed, or will complete,
24 training in connection with domestic violence,
25 dating violence, stalking, or sexual assault and

1 related legal issues, including training on evi-
2 dence-based risk factors for domestic and dat-
3 ing violence homicide;”;

4 (B) in paragraph (2), strike “or local” and
5 insert the following: “local, or culturally spe-
6 cific”;

7 (C) in paragraph (4), after “dating vio-
8 lence,” insert “stalking;” and
9 (4) in subsection (f)(1)—

10 (A) by striking “\$57,000,000” and insert-
11 ing “\$75,000,000”; and

12 (B) by striking “2014 through 2018” and
13 inserting “2022 through 2026”.

14 (b) GAO REPORT.—Not later than 1 year after the
15 date of enactment of this Act, the Comptroller General
16 of the United States shall submit to Congress a report
17 on the return on investment for legal assistance grants
18 awarded pursuant to section 1201 of division B of the Vic-
19 tims of Trafficking and Violence Protection Act of 2000
20 (34 U.S.C. 20121), including an accounting of the amount
21 saved, if any, on housing, medical, or employment social
22 welfare programs.

1 **SEC. 104. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE**
2 **SYSTEM.**

3 Section 1301 of division B of the Victims of Traf-
4 ficking and Violence Protection Act of 2000 (34 U.S.C.
5 12464) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (3)—

8 (i) by striking “educate” and insert-
9 ing “(A) educate”;

10 (ii) by inserting “and” after the semi-
11 colon at the end; and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(B) establish community-based initiatives
15 within the court system (such as court watch
16 programs, victim assistants, pro se victim as-
17 sistance programs, or community-based supple-
18 mentary services);”;

19 (B) in paragraph (7), by striking “and” at
20 the end;

21 (C) in paragraph (8)—

22 (i) by striking “to improve” and in-
23 serting “improve”; and

24 (ii) by striking the period at the end
25 and inserting “; and”; and

1 (D) by inserting after paragraph (8) the
2 following:

3 “(9) develop and implement restorative prac-
4 tices (as such term is defined in section 40002(a) of
5 the Violence Against Women Act of 1994).”;

6 (2) in subsection (e), by striking “2014 through
7 2018” and inserting “2022 through 2026”; and

8 (3) by adding at the end the following new sub-
9 section:

10 “(h) CULTURAL RELEVANCE.—Any services provided
11 pursuant to a grant funded under this section shall be pro-
12 vided in a culturally relevant manner.”.

13 **SEC. 105. OUTREACH AND SERVICES TO UNDERSERVED**
14 **POPULATIONS GRANTS.**

15 Section 120 of the Violence Against Women and De-
16 partment of Justice Reauthorization Act of 2005 (34
17 U.S.C. 20123) is amended—

18 (1) in subsection (a), by adding at the end the
19 following:

20 “(3) PURPOSE.—The purpose of this grant pro-
21 gram is to ensure that all underserved populations
22 (as such term is defined in section 40002 of the Vio-
23 lent Crime Control and Law Enforcement Act of
24 1994 (34 U.S.C. 12291(a)) are given non-exclu-
25 sionary consideration in each grant cycle. Periodic

1 priority may be placed on certain underserved popu-
2 lations and forms of violence to meet identified
3 needs and must be accompanied by a non-priority
4 option.”;

5 (2) in subsection (d)—

6 (A) in paragraph (4)—

7 (i) by striking “effectiveness” and in-
8 serting “response”; and

9 (ii) by inserting “population-specific”
10 before “training”;

11 (B) in paragraph (5), by striking the pe-
12 riod at the end and inserting a semicolon; and

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

14 “(6) developing, enlarging, or strengthening
15 culturally specific programs and projects to provide
16 culturally specific services regarding, responses to,
17 and prevention of female genital mutilation; or

18 “(7) strengthening the response of social and
19 human services by providing population-specific
20 training for service providers on domestic violence,
21 dating violence, sexual assault, or stalking in under-
22 served populations.”; and

23 (3) in subsection (g)—

24 (A) by striking “\$2,000,000” and inserting
25 “\$10,000,000”; and

1 (B) by striking “2014 through 2018” and
2 inserting “2022 through 2026”.

3 **SEC. 106. CRIMINAL PROVISIONS.**

4 Section 2265 of title 18, United States Code, is
5 amended—

6 (1) in subsection (d)(3)—

7 (A) by striking “restraining order or in-
8 junction,”; and

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

10 “The prohibition under this paragraph applies
11 to all protection orders for the protection of a
12 person residing within a State, territorial, or
13 Tribal jurisdiction, whether or not the protec-
14 tion order was issued by that State, territory,
15 or Tribe.”; and

16 (2) in subsection (e), by adding at the end the
17 following: “This applies to all Alaska Tribes without
18 respect to ‘Indian country’ or the population of the
19 Native village associated with the Tribe.”.

20 **SEC. 107. RAPE SURVIVOR CHILD CUSTODY.**

21 Section 409 of the Justice for Victims of Trafficking
22 Act of 2015 (34 U.S.C. 21308) is amended by striking
23 “2015 through 2019” and inserting “2022 through
24 2026”.

1 **SEC. 108. ENHANCING CULTURALLY SPECIFIC SERVICES**
2 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
3 **ING VIOLENCE, SEXUAL ASSAULT, AND**
4 **STALKING.**

5 Section 121 of the Violence Against Women and De-
6 partment of Justice Reauthorization Act of 2005 (34
7 U.S.C. 20124) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1), by striking “shall
10 take 5 percent of such appropriated amounts”
11 and inserting “shall take 10 percent of such ap-
12 propriated amounts for the program under sub-
13 section (a)(2)(A) and 5 percent of such appro-
14 priated amounts for the programs under sub-
15 section (a)(2)(B) through (E)”; and

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

17 “(3) **ADDITIONAL AUTHORIZATION OF APPRO-**
18 **PRIATIONS.**—In addition to the amounts made avail-
19 able under paragraph (1), there are authorized to be
20 appropriated to carry out this section \$40,000,000
21 for each of fiscal years 2022 through 2026.

22 “(4) **DISTRIBUTION.**—Of the total amount
23 available for grants under this section, not less than
24 40 percent of such funds shall be allocated for pro-
25 grams or projects that meaningfully address non-in-
26 timate partner relationship sexual assault.”;

1 (2) in subsection (b)(3), by adding at the end
2 the following: “At least one such organization shall
3 have demonstrated expertise primarily in domestic
4 violence services, and at least one such organization
5 shall have demonstrated expertise primarily in non-
6 intimate partner sexual assault services.”; and

7 (3) by striking subsection (e).

8 **SEC. 109. GRANTS FOR LETHALITY ASSESSMENT PRO-**
9 **GRAMS AUTHORIZATION.**

10 (a) IN GENERAL.—The Attorney General may make
11 grants to States, units of local government, Indian Tribes,
12 domestic violence victim service providers, and State or
13 Tribal Domestic Violence Coalitions for technical assist-
14 ance and training in the operation or establishment of a
15 lethality assessment program.

16 (b) DEFINITION.—In this section, the term “lethality
17 assessment program” means a program that—

18 (1) rapidly connects a victim of domestic vio-
19 lence to local community-based victim service pro-
20 viders;

21 (2) helps first responders and others in the jus-
22 tice system, including courts, law enforcement agen-
23 cies, and prosecutors of Tribal government and units
24 of local government, identify and respond to possibly
25 lethal circumstances; and

1 (3) identifies victims of domestic violence who
2 are at high risk of being seriously injured or killed
3 by an intimate partner.

4 (c) QUALIFICATIONS.—To be eligible for a grant
5 under this section, an applicant shall demonstrate experi-
6 ence in developing, implementing, evaluating, and dissemi-
7 nating a lethality assessment program.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated \$5,000,000 to carry out
10 this section for each of fiscal years 2022 through 2026.

11 (e) DEFINITIONS AND GRANT CONDITIONS.—In this
12 section, the definitions and grant conditions in section
13 40002 of the Violence Against Women Act of 1994 (34
14 U.S.C. 12291).

15 **TITLE II—IMPROVING SERVICES** 16 **FOR VICTIMS**

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

18 Section 41601 of the Violent Crime Control and Law
19 Enforcement Act of 1994 (34 U.S.C. 12511) is amended
20 in subsection (f)(1), by striking “2014 through 2018” and
21 inserting “2022 through 2026”.

22 **SEC. 202. SEXUAL ASSAULT SERVICES PROGRAM.**

23 Section 41601(f)(1) of the Violent Crime Control and
24 Law Enforcement Act of 1994 (34 U.S.C. 12511(f)(1))
25 is amended by striking “\$40,000,000 to remain available

1 until expended for each of fiscal years 2014 through
2 2018” and inserting “\$60,000,000 to remain available
3 until expended for each of fiscal years 2022 through
4 2026”.

5 **SEC. 203. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE,**
6 **SEXUAL ASSAULT, STALKING, AND CHILD**
7 **ABUSE ENFORCEMENT ASSISTANCE PRO-**
8 **GRAM.**

9 Section 40295 of the Violent Crime Control and Law
10 Enforcement Act of 1994 (34 U.S.C. 12341) is amend-
11 ed—

12 (1) in subsection (a)(3), by striking “women”
13 and inserting “adults, youth,”;

14 (2) in subsection (a)—

15 (A) in paragraph (2), by striking “and” at
16 the end;

17 (B) in paragraph (3)(B), by striking the
18 period at the end and inserting “; and”; and

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

20 “(4) to develop, expand, implement, and im-
21 prove the quality of sexual assault forensic medical
22 examination or sexual assault nurse examiner pro-
23 grams.”;

24 (3) in subsection (b)(5), by inserting after “by
25 the lack of access to” the following: “quality forensic

1 sexual assault examinations by trained healthcare
2 providers,”; and

3 (4) in subsection (e)(1), by striking “2014
4 through 2018” and inserting “2022 through 2026”.

5 **SEC. 204. GRANTS FOR TRAINING AND SERVICES TO END**
6 **VIOLENCE AGAINST PEOPLE WITH DISABIL-**
7 **ITIES AND DEAF PEOPLE.**

8 Section 1402 of division B of the Victims of Traf-
9 ficking and Violence Protection Act of 2000 (34 U.S.C.
10 20122) is amended—

11 (1) in the heading—

12 (A) by striking “**WOMEN**” and inserting
13 “**PEOPLE**”; and

14 (B) by inserting after “**DISABILITIES**”
15 the following: “**AND DEAF PEOPLE**”;

16 (2) in subsection (a)—

17 (A) by striking “individuals” each place it
18 appears and inserting “people”; and

19 (B) by inserting after “with disabilities (as
20 defined in section 3 of the Americans with Dis-
21 abilities Act of 1990 (42 U.S.C. 12102))” the
22 following: “and Deaf people”;

23 (3) in subsection (b)—

1 (A) by striking “disabled individuals” each
2 place it appears and inserting “people with dis-
3 abilities and Deaf people”;

4 (B) in paragraph (3), by inserting after
5 “law enforcement” the following: “and other
6 first responders”; and

7 (C) in paragraph (8), by striking “pro-
8 viding advocacy and intervention services with-
9 in” and inserting “to enhance the capacity of”;
10 (4) in subsection (e), by striking “disabled indi-
11 viduals” and inserting “people with disabilities and
12 Deaf people”; and

13 (5) in subsection (e), by striking “2014 through
14 2018” and inserting “2022 through 2026”.

15 **SEC. 205. TRAINING AND SERVICES TO END ABUSE IN**
16 **LATER LIFE.**

17 Section 40801 of the Violent Crime Control and Law
18 Enforcement Act of 1994 (34 U.S.C. 12421)—

19 (1) in the heading, by striking “**ENHANCED**
20 **TRAINING**” and inserting “**TRAINING**”;

21 (2) by striking subsection “(a) DEFINITIONS.—
22 In this section—” and all that follows through para-
23 graph (1) of subsection (b) and inserting the fol-
24 lowing: “The Attorney General shall make grants to
25 eligible entities in accordance with the following:”;

1 (3) by redesignating paragraphs (2) through
2 (5) of subsection (b) as paragraphs (1) through (4);
3 (4) in paragraph (1) (as redesignated by para-
4 graph (3) of this subsection)—

5 (A) by striking “, including domestic vio-
6 lence, dating violence, sexual assault, stalking,
7 exploitation, and neglect” each place it appears;

8 (B) in subparagraph (A)—

9 (i) in clause (i), by striking “elder
10 abuse” and inserting the following: “abuse
11 in later life”; and

12 (ii) in clause (iv), by striking “advo-
13 cates, victim service providers, and courts
14 to better serve victims of abuse in later
15 life” and inserting “leaders, victim advo-
16 cates, victim service providers, courts, and
17 first responders to better serve older vic-
18 tims”;

19 (C) in subparagraph (B)(i), by striking “or
20 other community-based organizations in recog-
21 nizing and addressing instances of abuse in
22 later life” and inserting “community-based or-
23 ganizations, or other professionals who may
24 identify or respond to abuse in later life”; and

1 (D) in subparagraph (D), by striking “sub-
2 paragraph (B)(ii)” and inserting “paragraph
3 (2)(B)”;

4 (5) in paragraph (2) (as redesignated by para-
5 graph (3))—

6 (A) in subparagraph (A)—

7 (i) in clause (iv), by striking “with
8 demonstrated experience in assisting indi-
9 viduals 50 years of age or older”; and

10 (ii) in clause (v), by striking “with
11 demonstrated experience in addressing do-
12 mestic violence, dating violence, sexual as-
13 sault, and stalking”; and

14 (B) in subparagraph (B)—

15 (i) in the matter preceding clause (i),
16 by striking “at a minimum” and inserting
17 “at least two of”;

18 (ii) in clause (iii), by striking “and”
19 at the end, and inserting “or”; and

20 (iii) in clause (iv), by striking “in
21 later life;” and inserting “50 years of age
22 or over.”; and

23 (6) in paragraph (4) (as redesignated by para-
24 graph (3)), by striking “2014 through 2018” and
25 inserting “2022 through 2026”.

1 **SEC. 206. DEMONSTRATION PROGRAM ON TRAUMA-IN-**
2 **FORMED, VICTIM-CENTERED TRAINING FOR**
3 **LAW ENFORCEMENT.**

4 Title IV of the Violent Crime Control and Law En-
5 forcement Act of 1994 (34 U.S.C. 10101 note) is amended
6 by adding at the end the following:

7 **“Subtitle Q—Trauma-Informed,**
8 **Victim-Centered Training for**
9 **Law Enforcement**

10 **“SEC. 41701. DEMONSTRATION PROGRAM ON TRAUMA-IN-**
11 **FORMED, VICTIM-CENTERED TRAINING FOR**
12 **LAW ENFORCEMENT.**

13 “(a) DEFINITIONS.—In this section—

14 “(1) the term ‘Attorney General’ means the At-
15 torney General, acting through the Director of the
16 Office on Violence Against Women;

17 “(2) the term ‘covered individual’ means an in-
18 dividual who interfaces with victims of domestic vio-
19 lence, dating violence, sexual assault, and stalking,
20 including—

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

23 “(B) a school or university administrator
24 or personnel (including a campus police officer
25 or a school resource officer); and

1 “(C) an emergency services or medical em-
2 ployee;

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

6 “(A) if the eligible entity is a law enforce-
7 ment agency described in paragraph (4)(A), the
8 area over which the eligible entity has jurisdic-
9 tion; and

10 “(B) if the eligible entity is an organiza-
11 tion or agency described in paragraph (4)(B),
12 the area over which a law enforcement agency
13 described in paragraph (4)(A) that is working
14 in collaboration with the eligible entity has ju-
15 risdiction; and

16 “(4) the term ‘eligible entity’ means—

17 “(A) a State, local, territorial, or Tribal
18 law enforcement agency; or

19 “(B) a national, regional, or local victim
20 services organization or agency working in col-
21 laboration with a law enforcement agency de-
22 scribed in subparagraph (A).

23 “(b) GRANTS AUTHORIZED.—

24 “(1) IN GENERAL.—The Attorney General shall
25 award grants on a competitive basis to eligible enti-

1 ties to carry out the demonstration program under
2 this section by implementing evidence-based or
3 promising policies and practices to incorporate trauma-informed, victim-centered techniques designed
4 to—
5

6 “(A) prevent re-traumatization of the vic-
7 tim;

8 “(B) ensure that covered individuals use
9 evidence-based practices to respond to and in-
10 vestigate cases of domestic violence, dating vio-
11 lence, sexual assault, and stalking;

12 “(C) improve communication between vic-
13 tims and law enforcement officers in an effort
14 to increase the likelihood of the successful in-
15 vestigation and prosecution of the reported
16 crime in a manner that protects the victim to
17 the greatest extent possible;

18 “(D) increase collaboration among stake-
19 holders who are part of the coordinated commu-
20 nity response to domestic violence, dating vio-
21 lence, sexual assault, and stalking; and

22 “(E) evaluate the effectiveness of the
23 training process and content by measuring—

24 “(i) investigative and prosecutorial
25 practices and outcomes; and

1 “(ii) the well-being of victims and
2 their satisfaction with the criminal justice
3 process.

4 “(2) TERM.—The Attorney General shall make
5 grants under this section for each of the first 2 fis-
6 cal years beginning after the date of enactment of
7 this Act.

8 “(3) AWARD BASIS.—The Attorney General
9 shall award grants under this section to multiple eli-
10 gible entities for use in a variety of settings and
11 communities, including—

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

14 “(B) college campuses; or

15 “(C) traditionally underserved commu-
16 nities.

17 “(c) USE OF FUNDS.—An eligible entity that receives
18 a grant under this section shall use the grant to—

19 “(1) train covered individuals within the dem-
20 onstration site of the eligible entity to use evidence-
21 based, trauma-informed, and victim-centered tech-
22 niques and knowledge of crime victims’ rights
23 throughout an investigation into domestic violence,
24 dating violence, sexual assault, or stalking, including
25 by—

1 “(A) conducting victim interviews in a
2 manner that—

3 “(i) elicits valuable information about
4 the domestic violence, dating violence, sex-
5 ual assault, or stalking; and

6 “(ii) avoids re-traumatization of the
7 victim;

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

11 “(C) customizing investigative approaches
12 to ensure a culturally and linguistically appro-
13 priate approach to the community being served;

14 “(D) becoming proficient in understanding
15 and responding to complex cases, including
16 cases of domestic violence, dating violence, sex-
17 ual assault, or stalking—

18 “(i) facilitated by alcohol or drugs;

19 “(ii) involving strangulation;

20 “(iii) committed by a non-stranger;

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

23 “(v) involving a victim with a dis-
24 ability;

25 “(vi) involving a male victim; or

1 “(vii) involving a lesbian, gay, bisex-
2 ual, or transgender (commonly referred to
3 as ‘LGBT’) victim;

4 “(E) developing collaborative relationships
5 between—

6 “(i) law enforcement officers and
7 other members of the response team; and

8 “(ii) the community being served; and

9 “(F) developing an understanding of how
10 to define, identify, and correctly classify a re-
11 port of domestic violence, dating violence, sex-
12 ual assault, or stalking; and

13 “(2) promote the efforts of the eligible entity to
14 improve the response of covered individuals to do-
15 mestic violence, dating violence, sexual assault, and
16 stalking through various communication channels,
17 such as the website of the eligible entity, social
18 media, print materials, and community meetings, in
19 order to ensure that all covered individuals within
20 the demonstration site of the eligible entity are
21 aware of those efforts and included in trainings, to
22 the extent practicable.

23 “(d) DEMONSTRATION PROGRAM TRAININGS ON
24 TRAUMA-INFORMED, VICTIM-CENTERED APPROACHES.—

1 “(1) IDENTIFICATION OF EXISTING
2 TRAININGS.—

3 “(A) IN GENERAL.—The Attorney General
4 shall identify trainings for law enforcement offi-
5 cers, in existence as of the date on which the
6 Attorney General begins to solicit applications
7 for grants under this section, that—

8 “(i) employ a trauma-informed, vic-
9 tim-centered approach to domestic violence,
10 dating violence, sexual assault, and stalk-
11 ing; and

12 “(ii) focus on the fundamentals of—

13 “(I) trauma responses; and

14 “(II) the impact of trauma on
15 victims of domestic violence, dating vi-
16 olence, sexual assault, and stalking.

17 “(B) SELECTION.—An eligible entity that
18 receives a grant under this section shall select
19 one or more of the approaches employed by a
20 training identified under subparagraph (A) to
21 test within the demonstration site of the eligible
22 entity.

23 “(2) CONSULTATION.—In carrying out para-
24 graph (1), the Attorney General shall consult with
25 the Director of the Office for Victims of Crime in

1 order to seek input from and cultivate consensus
2 among outside practitioners and other stakeholders
3 through facilitated discussions and focus groups on
4 best practices in the field of trauma-informed, vic-
5 tim-centered care for victims of domestic violence,
6 dating violence, sexual assault, and stalking.

7 “(e) EVALUATION.—The Attorney General, in con-
8 sultation with the Director of the National Institute of
9 Justice, shall require each eligible entity that receives a
10 grant under this section to identify a research partner,
11 preferably a local research partner, to—

12 “(1) design a system for generating and col-
13 lecting the appropriate data to facilitate an inde-
14 pendent process or impact evaluation of the use of
15 the grant funds;

16 “(2) periodically conduct an evaluation de-
17 scribed in paragraph (1); and

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

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

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

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—The At-
2 torney General shall carry out this section using amounts
3 otherwise available to the Attorney General.

4 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion shall be construed to interfere with the due process
6 rights of any individual.”.

7 **SEC. 207. AUTHORIZATION OF THE FAST INITIATIVE.**

8 Section 41601(e) of the Violent Crime Control and
9 Law Enforcement Act of 1994 (34 U.S.C. 12511(e)) is
10 amended by adding at the end the following:

11 “(g) FORENSIC-MEDICAL AND ADVOCACY SERVICES
12 FOR TRIBES INITIATIVE.—

13 “(1) IN GENERAL.—The Attorney General, in
14 consultation with the Secretary of Health and
15 Human Services, shall make grants to eligible enti-
16 ties establish, sustain, or expand programs offering
17 sexual assault medical forensic exams and sexual as-
18 sault victim services in Tribal communities.

19 “(2) ELIGIBLE ENTITY.—An eligible entity any
20 of the following:

21 “(A) A State, local, or federally recognized
22 Tribal government.

23 “(B) An agency of a State, local, or feder-
24 ally recognized Tribal government.

25 “(C) A nonprofit organization.

1 “(D) A Tribal organization.

2 “(E) An entity, the principal purpose of
3 which is to provide healthcare, such as a hos-
4 pital, clinic, or health department.

5 “(F) An institution of higher education.

6 “(3) FUNDING.—Of the amount made available
7 to carry out this section, \$14,000,000 shall be for
8 grants under this subsection.

9 “(4) PRIORITY.—The Attorney General shall
10 give priority to applicants proposing innovative ways
11 of bringing experienced sexual assault forensic
12 exams to remote Tribal communities.

13 “(5) APPLICANT REQUIREMENTS.—Applicants
14 shall demonstrate coordination with victim service
15 providers, law enforcement (including a crime lab-
16 oratory), and prosecutors.

17 “(6) USE OF FUNDS.—Recipients of a grant
18 under this subsection may use such funds to hire a
19 sexual assault response team.”.

20 **SEC. 208. LESBIAN, GAY, BISEXUAL, AND TRANSGENDER**
21 **SPECIFIC SERVICES PROGRAM.**

22 (a) ESTABLISHMENT.—The Attorney General, acting
23 through the Director of the Violence Against Women Of-
24 fice, shall make grants to eligible entities to enhance

1 LGBTQ+ specific services for victims of domestic vio-
2 lence, dating violence, sexual assault and stalking.

3 (b) PURPOSE OF PROGRAM AND GRANTS .—

4 (1) GENERAL PROGRAM PURPOSE.— The
5 purpose of the program required by this section is
6 to promote the following:

7 (A) The maintenance and replication of ex-
8 isting successful LGBTQ+ specific domestic vi-
9 olence, dating violence, sexual assault, and
10 stalking community-based programs providing
11 services and resources for LGBTQ+ victims of
12 domestic violence, dating violence, sexual as-
13 sult, and stalking.

14 (B) The development of innovative
15 LGBTQ+ specific strategies and projects to en-
16 hance access to services and resources for
17 LGBTQ+ victims of domestic violence, dating
18 violence, sexual assault, and stalking who face
19 obstacles to using more traditional services and
20 resources.

21 (2) PURPOSES FOR WHICH GRANTS MAY BE
22 USED.—The Director shall make grants to commu-
23 nity-based programs for the purpose of enhancing
24 LGBTQ+ specific services for victims of domestic
25 violence, dating violence, sexual assault, and stalk-

1 ing. Grants under the program shall support com-
2 munity-based efforts to address distinctive
3 LGBTQ+ specific responses to domestic violence,
4 dating violence, sexual assault, and stalking, includ-
5 ing—

6 (A) providing or enhancing services for
7 LGBTQ+ victims of domestic violence, dating
8 violence, sexual assault, or stalking, including
9 services that address the safety, emotional well-
10 being, economic, housing, legal and workplace
11 needs of LGBTQ+ victims;

12 (B) supporting programs that specifically
13 address underserved LGBTQ+ communities,
14 including culturally specific communities, to
15 provide specific resources and support for
16 LGBTQ+ underserved victims of domestic vio-
17 lence, dating violence, sexual assault, and stalk-
18 ing;

19 (C) working in cooperation with the com-
20 munity to develop education and prevention
21 strategies highlighting LGBTQ+ specific issues
22 and resources regarding victims of domestic vio-
23 lence, dating violence, sexual assault, and stalk-
24 ing;

1 (D) conducting outreach activities to en-
2 sure that LGBTQ+ people who are victims of
3 domestic violence, dating violence, stalking, or
4 sexual assault receive appropriate assistance;

5 (E) providing training for victim service
6 organizations, governmental agencies, courts,
7 law enforcement and other first responders, and
8 nonprofit, nongovernmental organizations serv-
9 ing the LGBT community about risk reduction,
10 intervention, prevention and the nature of do-
11 mestic violence, dating violence, stalking, and
12 sexual assault for LGBTQ+ individuals;

13 (F) developing and implementing
14 LGBTQ+ specific programming that incor-
15 porates alternative justice responses that are fo-
16 cused on victim autonomy, agency and safety in
17 order to provide resolution and restitution for
18 the victim; and

19 (G) providing LGBTQ+ specific programs
20 for LGBTQ+ parents of children exposed to
21 domestic violence, dating violence, sexual as-
22 sault, and stalking; (H) examining the dynam-
23 ics of anti-LGBTQ+ bias and its impact on vic-
24 timization and healing.

1 (3) TECHNICAL ASSISTANCE AND TRAINING.—

2 The Director shall provide technical assistance and
3 training to grantees of this and other programs
4 under this Act regarding the development and provi-
5 sion of effective LGBTQ+ specific community-based
6 services by entering into cooperative agreements or
7 contracts with an organization or organizations hav-
8 ing a demonstrated expertise in and whose primary
9 purpose is addressing the development and provision
10 of LGBTQ+ specific community-based services to
11 victims of domestic violence, dating violence, sexual
12 assault, and stalking.

13 (c) ELIGIBLE ENTITIES.—Eligible entities for grants
14 under this section include—

15 (1) community-based programs, the primary
16 purpose of which is providing LGBTQ+ specific
17 services to victims of domestic violence, dating vio-
18 lence, sexual assault, and stalking; and

19 (2) community-based programs, the primary
20 purpose of which is providing LGBTQ+ specific
21 services that can partner with a program having
22 demonstrated expertise in serving victims of domes-
23 tic violence, dating violence, sexual assault, and
24 stalking, and that agrees to receive technical assist-

1 ance from a program with LGBTQ+ specific exper-
2 tise.

3 (d) REPORTING.—The Director shall issue a biennial
4 report on the distribution of funding under this section,
5 the progress made in replicating and supporting increased
6 services to LGBTQ+ victims of domestic violence, dating
7 violence, sexual assault, and stalking and the types of
8 LGBTQ+ specific programs, strategies, technical assist-
9 ance, and training developed or enhanced through this
10 program.

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

14 (f) EVALUATION.—The Director shall award a con-
15 tract or cooperative agreement to evaluate programs under
16 this section to an entity with the demonstrated expertise
17 in and primary goal of providing enhanced access to serv-
18 ices and resources for victims of domestic violence, dating
19 violence, sexual assault, and stalking who face obstacles
20 to using more traditional services and resources.

21 (g) NON-EXCLUSIVITY.—Nothing in this section shall
22 be construed to exclude LGBTQ+ community-based pro-
23 grams from applying to other grant programs authorized
24 under this Act.

25 (h) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—Two percent the amounts
2 appropriated to carry out a covered grant program
3 for each of fiscal years 2022 through 2026, shall be
4 made available for grants under this section.

5 (2) COVERED GRANT PROGRAM.—In this sec-
6 tion, the term “covered grant program” means any
7 of the following:

8 (A) Section 2101 of the Omnibus Crime
9 Control and Safe Streets Act of 1968 (34
10 U.S.C. 10461).

11 (B) Section 1301 of the Violence Against
12 Women Act of 2000 (34 U.S.C. 12464).

13 (3) ADDITIONAL AMOUNT.—In addition to the
14 funds described in paragraph (1), there is authorized
15 to be appropriated to carry out this section
16 \$8,000,000 for each of fiscal years 2022 through
17 2026. Funds appropriated under this paragraph
18 shall remain available until expended.

19 **TITLE III—SERVICES, PROTEC-**
20 **TION, AND JUSTICE FOR**
21 **YOUNG VICTIMS**

22 **SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.**

23 Section 393A of the Public Health Service Act (42
24 U.S.C. 280b–1b) is amended—

25 (1) in subsection (a)—

1 (A) in paragraph (2), by inserting before
2 the semicolon at the end the following “or dig-
3 ital services (as such term is defined in section
4 40002(a) of the Violence Against Women Act of
5 1994)”;

6 (B) in paragraph (3), by striking “profes-
7 sionals” and inserting “professionals, including
8 school-based professionals, to identify and refer
9 students who may have experienced or are at
10 risk of experiencing sexual violence”; and

11 (C) in paragraph (7), by striking “sexual
12 assault” and inserting “sexual violence, sexual
13 assault, and sexual harassment”;

14 (2) in subsection (b), by striking “Indian trib-
15 al” and inserting “Indian Tribal”;

16 (3) by redesignating subsection (c) through (d)
17 as subsections (d) through (e), respectively;

18 (4) by inserting the following new subsection:

19 “(c) MEANINGFUL INVOLVEMENT OF STATE SEXUAL
20 ASSAULT COALITIONS, CULTURALLY SPECIFIC ORGANI-
21 ZATIONS, AND UNDERSERVED COMMUNITIES.—In grant-
22 ing funds to States, the Secretary shall set forth proce-
23 dures designed to ensure meaningful involvement of the
24 State or territorial sexual assault coalitions, culturally spe-
25 cific organizations, and representatives from underserved

1 communities in the application for and implementation of
2 funding.”;

3 (5) in subsection (d) (as redesignated by para-
4 graph (3))—

5 (A) in paragraph (1), by striking
6 “\$50,000,000 for each of fiscal years 2014
7 through 2018” and inserting “\$110,000,000
8 for each of fiscal years 2022 through 2026”;

9 (B) in paragraph (3), by adding at the end
10 the following: “Not less than 80 percent of the
11 total amount made available under this sub-
12 section in each fiscal year shall be awarded in
13 accordance with this paragraph.”; and

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

15 “(4) STATE, TERRITORIAL, AND TRIBAL SEX-
16 UAL ASSAULT COALITION ALLOTMENT.—Of the total
17 amount made available under this subsection in each
18 fiscal year, not less than 15 percent shall be avail-
19 able to State, territorial, and Tribal sexual assault
20 coalitions for the purposes of coordinating and pro-
21 viding prevention activities, providing assistance to
22 prevention programs, and collaborating and coordi-
23 nating with Federal, State, Tribal, and local entities
24 engaged in sexual violence prevention. From
25 amounts appropriated for grants under this sub-

1 section for each fiscal year, not less than 10 percent
2 of funds shall be available for grants to Tribal sexual
3 assault coalitions, and the remaining funds shall
4 be available for grants to State and territorial coalitions,
5 and the Attorney General shall allocate an
6 amount equal to $\frac{1}{56}$ of the amounts so appropriated
7 to each of those State and territorial coalitions. Receipt
8 of an award under this subsection by each sexual
9 assault coalition shall not preclude the coalition
10 from receiving additional grants or administering
11 funds to carry out the purposes described in subsection
12 (a).”; and

13 (6) by adding at the end the following:

14 “(f) REPORT.—Not later than 1 year after the date
15 of the enactment of the Violence Against Women Act Re-
16 authorization Act of 2021, the Secretary, acting through
17 the Director of the Centers for Disease Control and Pre-
18 vention, shall submit to Congress, the Committee on Ap-
19 propriations and the Committee on Energy and Commerce
20 of the House of Representatives, and the Committee on
21 Appropriations and the Committee on Health, Education,
22 Labor, and Pensions of the Senate a report on the activi-
23 ties funded by grants awarded under this section and best
24 practices relating to rape prevention and education.”.

1 **SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS,**
2 **SERVICES, AND EDUCATION (CHOOSE) FOR**
3 **CHILDREN AND YOUTH.**

4 Section 41201 of the Violent Crime Control and Law
5 Enforcement Act of 1994 (34 U.S.C. 12451) is amend-
6 ed—

7 (1) in subsection (a)—

8 (A) by striking “stalking, or sex traf-
9 ficking” and inserting “or stalking”; and

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

11 “Grants awarded under this section may be
12 used to address sex trafficking or bullying as
13 part of a comprehensive program focused pri-
14 marily on domestic violence, dating violence,
15 sexual assault, or stalking.”;

16 (2) in subsection (b)—

17 (A) in paragraph (1)—

18 (i) in the matter preceding subpara-
19 graph (A)—

20 (I) by striking “target youth who
21 are victims of domestic violence, dat-
22 ing violence, sexual assault, stalking,
23 and sex trafficking” and inserting
24 “target youth, including youth in un-
25 derserved populations who are victims
26 of domestic violence, dating violence,

1 sexual assault, stalking, and sex traf-
2 ficking”]; and

3 (II) by striking “specific serv-
4 ices” and inserting “specific services,
5 restorative practices”;

6 (ii) in subparagraph (B), by striking
7 “or” at the end;

8 (iii) in subparagraph (C), by striking
9 the period at the end and inserting a semi-
10 colon; and

11 (iv) by inserting after subparagraph
12 (C) the following:

13 “(D) clarify State or local mandatory re-
14 porting policies and practices regarding peer-
15 on-peer dating violence, sexual assault, stalking,
16 and sex trafficking; or

17 “(E) develop, enlarge, or strengthen cul-
18 turally specific victim services and response re-
19 lated to, and prevention of, female genital muti-
20 lation.”; and

21 (B) in paragraph (2)—

22 (i) in subparagraph (A), by striking
23 “stalking, or sex trafficking” and inserting
24 “stalking, sex trafficking, or female genital
25 mutilation”;

1 (ii) in subparagraph (B), by striking
2 the semicolon and inserting the following
3 “, and restorative practices;”;

4 (iii) in subparagraph (C), by inserting
5 “confidential” before “support services”;
6 and

7 (iv) in subparagraph (E), by inserting
8 after “programming for youth” the fol-
9 lowing: “, including youth in underserved
10 populations,”;

11 (3) in subsection (c)—

12 (A) in paragraph (1), by striking “stalk-
13 ing, or sex trafficking” and inserting “or stalk-
14 ing”; and

15 (B) in paragraph (2)(A), by striking
16 “paragraph (1)” and inserting “subparagraph
17 (A) or (B) of paragraph (1)”;

18 (4) in subsection (d)(3), by striking “stalking,
19 and sex trafficking” and inserting “and stalking, in-
20 cluding training on working with youth in under-
21 served populations (and, where intervention or pro-
22 gramming will include a focus on female genital mu-
23 tilation, or on sex trafficking, sufficient training on
24 those topics)”; and

1 (5) in subsection (f), by striking “\$15,000,000
2 for each of fiscal years 2014 through 2018” and in-
3 serting “\$25,000,000 for each of fiscal years 2022
4 through 2026”.

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

7 (a) IN GENERAL.—Section 304 of the Violence
8 Against Women and Department of Justice Reauthoriza-
9 tion Act of 2005 (34 U.S.C. 20125) is amended—

10 (1) in subsection (b)—

11 (A) by amending paragraph (2) to read as
12 follows:

13 “(2) To develop, strengthen, and implement
14 campus policies, protocols, and services that more ef-
15 fectively identify and respond to the crimes of do-
16 mestic violence, dating violence, sexual assault and
17 stalking, including the use of technology to commit
18 these crimes, and to train campus administrators,
19 campus security personnel, and all participants in
20 the resolution process, including personnel from the
21 Title IX coordinator’s office, student conduct office,
22 and campus disciplinary or judicial boards on such
23 policies, protocols, and services.”;

24 (B) by amending paragraph (3) to read as
25 follows:

1 “(3) To provide prevention and education pro-
2 gramming about domestic violence, dating violence,
3 sexual assault, and stalking, including technological
4 abuse and reproductive and sexual coercion, that is
5 age-appropriate, culturally relevant, ongoing, deliv-
6 ered in multiple venues on campus, accessible, pro-
7 motes respectful nonviolent behavior as a social
8 norm, and engages men and boys. Such program-
9 ming should be developed in partnership or collabo-
10 ratively with experts in intimate partner and sexual
11 violence prevention and intervention.”;

12 (C) in paragraph (4), by inserting after
13 “improve delivery of” the following: “primary
14 prevention training and”;

15 (D) in paragraph (9), by striking “and
16 provide” and inserting “, provide, and dissemi-
17 nate”;

18 (E) in paragraph (10), by inserting after
19 “or adapt” the following “and disseminate”;
20 and

21 (F) by inserting after paragraph (10) the
22 following:

23 “(11) To train campus health centers and ap-
24 propriate campus faculty, such as academic advisors
25 or professionals who deal with students on a daily

1 basis, on how to recognize and respond to domestic
2 violence, dating violence, sexual assault, and stalk-
3 ing, including training health providers on how to
4 provide universal education to all members of the
5 campus community on the impacts of violence on
6 health and unhealthy relationships and how pro-
7 viders can support ongoing outreach efforts.

8 “(12) To train campus personnel in how to use
9 a victim-centered, trauma-informed interview tech-
10 nique, which means asking questions of a student or
11 a campus employee who is reported to be a victim
12 of sexual harassment, sexual assault, domestic vio-
13 lence, dating violence, or stalking, in a manner that
14 is focused on the experience of the reported victim,
15 that does not judge or blame the reported victim for
16 the alleged crime, and that is informed by evidence-
17 based research on trauma response. To the extent
18 practicable, campus personnel shall allow the re-
19 ported victim to participate in a recorded interview
20 and to receive a copy of the recorded interview.

21 “(13) To develop and implement restorative
22 practices (as such term is defined in section
23 40002(a) of the Violence Against Women Act of
24 1994).”;

1 (2) in subsection (c)(3), by striking “2014
2 through 2018” and inserting “2022 through 2026”;

3 (3) in subsection (d)—

4 (A) in paragraph (3)(B), by striking “for
5 all incoming students” and inserting “for all
6 students”;

7 (B) by amending paragraph (3)(D) to read
8 as follows:

9 “(D) The grantee shall train all partici-
10 pants in the resolution process, including the
11 Title IX coordinator’s office and student con-
12 duct office, to respond effectively to situations
13 involving domestic violence, dating violence, sex-
14 ual assault, or stalking.”; and

15 (C) in paragraph (4)(C), by inserting after
16 “sex,” the following: “sexual orientation, gender
17 identity,”; and

18 (4) in subsection (e), by striking “\$12,000,000
19 for each of fiscal years 2014 through 2018” and in-
20 serting “\$16,000,000 for each of fiscal years 2022
21 through 2026”.

22 (b) REPORT ON BEST PRACTICES REGARDING DO-
23 MESTIC VIOLENCE, DATING VIOLENCE, SEXUAL AS-
24 SAULT, AND STALKING ON CAMPUSES.—Not later than 1
25 year after the date of enactment of this Act, the Secretary

1 of Education shall submit to Congress a report, which in-
2 cludes—

3 (1) an evaluation of programs, events, and edu-
4 cational materials related to domestic violence, dat-
5 ing violence, sexual assault, and stalking; and

6 (2) an assessment of best practices and guid-
7 ance from the evaluation described in paragraph (1),
8 which shall be made publicly available online to uni-
9 versities and college campuses to use as a resource.

10 **TITLE IV—VIOLENCE** 11 **REDUCTION PRACTICES**

12 **SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DIS-** 13 **EASE CONTROL AND PREVENTION.**

14 Section 402 of the Violence Against Women and De-
15 partment of Justice Reauthorization Act of 2005 (42
16 U.S.C. 280b–4) is amended—

17 (1) in subsection (b), by striking “violence
18 against women” and inserting “violence against
19 adults, youth,”; and

20 (2) in subsection (c), by striking “2014 through
21 2018” and inserting “2022 through 2026”.

22 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES** 23 **(SMART) THROUGH PREVENTION GRANTS.**

24 Section 41303 of the Violence Against Women Act
25 of 1994 (34 U.S.C. 12463) is amended—

1 (1) in subsection (b)(1)—

2 (A) in subparagraph (C), by striking
3 “and” at the end;

4 (B) in subparagraph (D), by striking the
5 period at the end and inserting “; and”; and

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

7 “(E) strategies within each of these areas
8 addressing the unmet needs of underserved pop-
9 ulations.”;

10 (2) in subsection (b)(2)(B), by inserting “cul-
11 turally specific,” after “after-school,”;

12 (3) in subsection (d)(3)—

13 (A) in subparagraph (A), by striking
14 “and” at the end;

15 (B) in subparagraph (B), by striking the
16 period at the end and inserting “; and”; and

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

18 “(C) include a focus on the unmet needs of
19 underserved populations.”;

20 (4) in subsection (f), by striking “\$15,000,000
21 for each of fiscal years 2014 through 2018” and in-
22 serting “\$45,000,000 for each of fiscal years 2022
23 through 2026”; and

24 (5) in subsection (g), by adding at the end the
25 following:

1 “(3) REMAINING AMOUNTS.—Any amounts not
2 made available under paragraphs (1) and (2) may be
3 used for any set of purposes described in paragraph
4 (1), (2), or (3) of subsection (b), or for a project
5 that fulfills two or more of such sets of purposes.”.

6 **TITLE V—STRENGTHENING THE**
7 **HEALTHCARE SYSTEMS RE-**
8 **SPONSE**

9 **SEC. 501. GRANTS TO STRENGTHEN THE HEALTHCARE SYS-**
10 **TEMS RESPONSE TO DOMESTIC VIOLENCE,**
11 **DATING VIOLENCE, SEXUAL ASSAULT, AND**
12 **STALKING.**

13 Section 399P of the Public Health Service Act (42
14 U.S.C. 280g–4) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1), by inserting “com-
17 munity health workers, violence prevention ad-
18 vocates working with health providers,” after
19 “health staff,”;

20 (B) in paragraph (2)—

21 (i) by inserting “(including midwives
22 and doulas)” after “residents”; and

23 (ii) by striking “and” at the end;

24 (C) in paragraph (3)—

1 (i) by striking “response” after “im-
2 prove the” and inserting “capacity”;

3 (ii) by inserting “prevent and respond
4 to” after “(including behavioral and men-
5 tal health programs) to”; and

6 (iii) by striking the period at the end
7 and inserting a semicolon; and

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

9 “(4) the development or enhancement and im-
10 plementation of training programs to improve the
11 capacity of early childhood programs to address do-
12 mestic violence, dating violence, sexual assault, and
13 stalking among families they serve; and

14 “(5) the development or enhancement and im-
15 plementation of comprehensive statewide strategies
16 for health and violence prevention programs to work
17 together to promote primary prevention onf domestic
18 violence, dating violence, sexual assault, and stalk-
19 ing.”;

20 (2) in subsection (b)(1)—

21 (A) in subparagraph (A)(i)—

22 (i) by inserting “provide universal
23 education on healthy relationships” after
24 “providers to”;

25 (ii) by striking “identify”;

1 (iii) by inserting “trauma-informed”
2 after “and provide”; and

3 (iv) by striking “and” at the end;

4 (B) in subparagraph (A)(ii)—

5 (i) by inserting “, including labor and
6 sex trafficking” after “other forms of vio-
7 lence and abuse”;

8 (ii) by striking “culturally competent
9 clinical” after “plan and develop”;

10 (iii) by inserting after “training com-
11 ponents” the following; “that center the
12 experiences of and are developed in col-
13 laboration with Black and Indigenous peo-
14 ple and People of Color, and include com-
15 munity-defined practices such as the use of
16 doulas, midwives, and traditional healers,”;
17 and

18 (iv) by striking “disparities” and in-
19 serting “inequities”;

20 (C) in subparagraph (A), by inserting after
21 clause (ii) the following:

22 “(iii) are designed to be inclusive of
23 the experiences of all individuals including
24 LGBTQ+ individuals and include training
25 on equity and anti-racism approaches to

1 health services delivery; disparities in ac-
2 cess to health-care services and prevention
3 resources; and current and historic sys-
4 temic racism in health care services; and

5 “(iv) include training on the use of
6 universal prevention education approach to
7 both prevent and respond to domestic vio-
8 lence, dating violence, sexual assault, or
9 stalking in health care settings;”;

10 (D) in subparagraph (B), in the matter
11 preceding clause (i)—

12 (i) by striking “response” after “im-
13 prove the” and inserting “capacity”; and

14 (ii) by inserting “prevent and respond
15 to” after “system to”;

16 (E) in subparagraph (B)(i)—

17 (i) by inserting “and promoting pre-
18 vention of” after “responding to”;

19 (ii) by inserting “during in person or
20 virtual visits and” after “and stalking”;
21 and

22 (iii) by inserting after “follow-up
23 care” the following: “ and to maximize vic-
24 tim choice on the use and sharing of their
25 health information”;

1 (F) in subparagraph (B)(ii)—

2 (i) by striking “on-site access to”; and

3 (ii) by striking “patients by increas-
4 ing” and all that follows through the semi-
5 colon and inserting the following: “patients
6 by—

7 “(I) increasing the capacity of
8 existing health care professionals, in-
9 cluding professionals who specialize in
10 trauma and in behavioral and mental
11 health care (including substance abuse
12 disorder), community health workers,
13 and public health staff to address do-
14 mestic violence, dating violence, sexual
15 assault, stalking, and children exposed
16 to violence;

17 “(II) contracting with or hiring
18 advocates for victims of domestic vio-
19 lence or sexual assault to provide such
20 services; or

21 “(III) providing funding to State
22 domestic and sexual violence coalitions
23 to improve the capacity of such coali-
24 tions to coordinate and support health

1 advocates and other health system
2 partnerships;”;

3 (G) in subparagraph (B)(iii)—

4 (i) by striking “identification” after
5 “practice of” and inserting “prevention”;

6 (ii) by inserting “during in person or
7 virtual visits,” after “and stalking”; and

8 (iii) by striking “and” at the end;

9 (H) in subparagraph (B)(iv)—

10 (i) by inserting “and promote preven-
11 tion during in person or virtual visits,”
12 after “or stalking,”; and

13 (ii) by striking the period at the end;

14 (I) in subparagraph (B), by adding at the
15 end the following:

16 “(v) the development, implementation,
17 dissemination, and evaluation of best prac-
18 tices, tools, and training materials, includ-
19 ing culturally relevant tools, for behavioral
20 health professionals to identify and re-
21 spond to domestic violence, sexual violence,
22 stalking, and dating violence; and

23 “(vi) the development and provision of
24 culturally relevant training and follow-up
25 technical assistance to health care profes-

1 sionals, and public health staff, and allied
2 health professionals to identify, assess,
3 treat, and refer clients who are victims of
4 domestic violence, dating violence, sexual
5 assault, or stalking from culturally specific
6 communities and promote prevention,
7 using tools and training materials, devel-
8 oped by and for culturally specific commu-
9 nities, with priority given to trainings pro-
10 vided by culturally specific organizations;
11 and”;

12 (J) by inserting after subparagraph (B)
13 the following:

14 “(C) design and implement comprehensive
15 strategies to prevent domestic or sexual violence
16 including through the use of universal education
17 in clinical and public health settings, hospitals,
18 clinics and other health settings.”;

19 (3) in subsection (b)(2)(A)—

20 (A) in the heading, by striking “CHILD
21 AND ELDER ABUSE” and inserting the fol-
22 lowing: “CHILD ABUSE AND ABUSE IN LATER
23 LIFE”; and

1 (B) by striking “child or elder abuse” and
2 inserting the following: “child abuse or abuse in
3 later life”;

4 (4) in subsection (b)(2)(C)(i), by striking “elder
5 abuse” and inserting “abuse in later life”;

6 (5) in subsection (b)(2)(C)(ii), by inserting
7 “programs that promote the prevention of sexual as-
8 sault as well as” after “implementation of”;

9 (6) in subsection (b)(2)(C)(iii)—

10 (A) by inserting “and exposure to violence
11 against generations” after “abuse”; and

12 (B) by striking “or” at the end;

13 (7) in subsection (b)(2)(C)(iv)—

14 (A) by inserting “mental health,” after
15 “dental,”; and

16 (B) by striking “exams.” and inserting
17 “exams and certifications,”;

18 (8) in subsection (b)(2)(C), by inserting after
19 clause (iv) the following:

20 “(v) providing funding to culturally
21 specific organizations to improve the ca-
22 pacity of such organizations to engage and
23 partner with healthcare providers to sup-
24 port victims and meet increased referrals
25 from health systems;

1 “(vi) development of a State-level pilot
2 program to—

3 “(I) improve the response of sub-
4 stance use disorder treatment pro-
5 grams, harm reduction programs for
6 people who use substances, and sys-
7 tems to domestic violence, dating vio-
8 lence, sexual assault, and stalking;

9 “(II) improve the capacity of
10 substance use disorder treatment pro-
11 grams, harm reduction programs for
12 people who use substances, and sys-
13 tems to serve survivors of domestic vi-
14 olence, dating violence, sexual assault,
15 and stalking dealing with substance
16 use disorder; and

17 “(III) improve the capacity of do-
18 mestic violence, dating violence, sexual
19 assault, and stalking programs to
20 serve survivors who has substance use
21 history with substance abuse disorder;
22 or

23 “(vii) development and utilization of
24 existing technical assistance and training
25 resources to improve the capacity of sub-

1 stance use disorder treatment programs
2 and harm reduction programs for people
3 who use substances to address domestic vi-
4 olence, dating violence, sexual assault, and
5 stalking among patients the programs
6 serve.”;

7 (9) in subsection (c)(3)(A) by striking the pe-
8 riod at the end and inserting the following: “and—

9 “(i) culturally specific and population
10 specific organizations, and specifically or-
11 ganizations whose leadership include Black
12 or Indigenous people, People of Color, or
13 LGBTQ+ individuals; and

14 “(ii) programs developing and imple-
15 menting community-driven solutions to ad-
16 dress domestic violence, dating violence,
17 sexual assault, or stalking, instead of
18 carceral and law enforcement interven-
19 tion.”;

20 (10) in subsection (c)(3)(B)(i)(III) by inserting
21 after “nonprofit entity” the following “, including a
22 culturally-specific organization or community-based
23 organization working to address the social deter-
24 minants of health,”;

25 (11) in subsection (c)(3)(C)(ii)—

1 (A) by striking “strategies for” and insert-
2 ing “(I) strategies for”;

3 (B) by inserting “and generations” after
4 “lifespan”;

5 (C) by striking “settings;” and inserting
6 “settings; and”; and

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

8 “(II) strategies to address pri-
9 mary prevention of domestic violence,
10 dating violence, sexual assault, and
11 stalking over the lifespan and genera-
12 tions including strategies that address
13 related social determinants of health
14 and center economic justice, anti-rac-
15 ism, and that are inclusive of all gen-
16 ders and identities including
17 LGBTQ+ individuals;”;

18 (12) in subsection (c)(3)(C)(iii)—

19 (A) by inserting “culturally specific organi-
20 zations” after “advocacy organizations”; and

21 (B) by striking “State or tribal law en-
22 forcement task forces (where appropriate)”;

23 (13) in subsection (c)(3)(C)(iv) by inserting
24 “(including culturally specific organizations)” after
25 “service providers”;

1 (14) in subsection (d)(2)(A)—

2 (A) by inserting “or behavioral health”
3 after “of health”;

4 (B) by inserting “behavioral” after “phys-
5 ical or”;

6 (C) by striking “mental” before “health
7 care”; and

8 (D) by inserting “, including substance use
9 disorder treatment” before “; or”;

10 (15) in subsection (d)(2)(B)—

11 (A) by striking “or health system” and in-
12 serting “behavioral health treatment system”;

13 (B) by striking “mental” and inserting
14 “behavioral”; and

15 (C) by inserting “, or a community-based
16 organization with a history of partnership with
17 programs in the domestic violence, dating vio-
18 lence, sexual assault, or stalking and health
19 care, including physical, mental, or behavioral
20 health care” before the period at the end;

21 (16) in subsection (g)—

22 (A) by striking “\$10,000,000” and insert-
23 ing “\$15,000,000”; and

24 (B) by striking “2014 through 2018” and
25 inserting “2022 through 2026”; and

1 (17) in subsection (h), by striking “herein” and
2 “provided for”.

3 **SEC. 502. MATERNAL MORTALITY OR MORBIDITY STUDY.**

4 (a) **STUDY.**—The Secretary of Health and Human
5 Services, in collaboration with the Center for Disease Con-
6 trol and Prevention and in consultation with the Attorney
7 General, the Director of the Indian Health Service, and
8 other stakeholders (including community based organiza-
9 tions), shall conduct a study on the whether victims of
10 domestic violence, dating violence, sexual assault, or stalk-
11 ing throughout the United States are more at risk of ma-
12 ternal mortality or morbidity as a result of issues related
13 to domestic violence, dating violence, sexual assault, or
14 stalking.

15 (b) **REPORTS.**—Not later than 3 years after the date
16 of enactment of this title, the Secretary of Health and
17 Human Services, in consultation with the Attorney Gen-
18 eral, the Director of the Indian Health Service, and other
19 stakeholders (including community based organizations),
20 shall report to Congress on the study conducted under
21 subsection (a). The report shall include:

22 (1) An analysis of the extent in which domestic
23 violence, dating violence, sexual assault, or stalking
24 result in pregnancy related death.

1 (2) An analysis of the impact of domestic vio-
2 lence, dating violence, sexual assault or stalking on
3 access to health care.

4 (3) A breakdown of individuals particularly im-
5 pacted by domestic violence, dating violence, sexual
6 assault, or stalking, by race and ethnicity.

7 (4) An analysis of the impact of domestic vio-
8 lence, dating violence, sexual assault, or stalking on
9 Tribal communities and among Native Americans.

10 (5) An assessment of the factors that increase
11 risks for infant and maternal mortality or morbidity
12 among survivors of domestic violence, dating vio-
13 lence, sexual assault, or stalking.

14 (6) Recommendations for legislative or policy
15 changes to help reduce infant and maternal mor-
16 tality rates.

17 (7) Best practices to reduce pregnancy related
18 deaths among survivors of domestic violence, dating
19 violence, sexual assault, or stalking.

20 (8) Any other information on maternal mor-
21 tality or morbidity the the Secretary determine ap-
22 propriate to include in the report.

1 **TITLE VI—SAFE HOMES FOR**
2 **VICTIMS**

3 **SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMES-**
4 **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**
5 **ASSAULT, AND STALKING.**

6 (a) IN GENERAL.—Section 41411 of the Violence
7 Against Women Act of 1994 (34 U.S.C. 12491) is amend-
8 ed—

9 (1) in subsection (a)—

10 (A) in paragraph (1)(A), by striking
11 “brother, sister,” and inserting “sibling,”;

12 (B) in paragraph (3)—

13 (i) in subparagraph (A), by inserting
14 before the semicolon at the end the fol-
15 lowing: “including the direct loan program
16 under such section”;

17 (ii) in subparagraph (D), by striking
18 “the program under subtitle A of” and in-
19 serting “the programs under”;

20 (iii) in subparagraph (I)—

21 (I) by striking “sections 514,
22 515, 516, 533, and 538 of the Hous-
23 ing Act of 1949 (42 U.S.C. 1484,
24 1485, 1486, 1490m, and 1490p-2)”
25 and inserting “sections 514, 515, 516,

1 533, 538, and 542 of the Housing Act
2 of 1949 (42 U.S.C. 1484, 1485, 1486,
3 1490m, 1490p-2, 1490r)”; and

4 (II) by striking “and” at the end;

5 (iv) in subparagraph (J), by striking
6 the period at the end and inserting a semi-
7 colon; and

8 (v) by adding at the end the following:

9 “(K) the provision of assistance from the
10 Housing Trust Fund established under section
11 1338 of the Federal Housing Enterprises Fi-
12 nancial Safety and Soundness Act of 1992 (12
13 U.S.C. 4501);

14 “(L) the provision of assistance for hous-
15 ing under the Comprehensive Service Programs
16 for Homeless Veterans program under sub-
17 chapter II of chapter 20 of title 38, United
18 States Code;

19 “(M) the provision of assistance for hous-
20 ing and facilities under the grant program for
21 homeless veterans with special needs under sec-
22 tion 2061 of title 38, United States Code;

23 “(N) the provision of assistance for perma-
24 nent housing under the program for financial
25 assistance for supportive services for very low-

1 income veteran families in permanent housing
2 under section 2044 of title 38, United States
3 Code;

4 “(O) housing assisted under the rent sup-
5 plement program under section 101 of the
6 Housing and Urban Development Act of 1965
7 (12 U.S.C. 1701s);

8 “(P) the program under Chapter 11 of
9 subtitle B of the Violence Against Women Act
10 of 1994 (34 U.S.C. 12351 et seq.); and

11 “(Q) any other Federal housing programs
12 providing affordable housing to low- and mod-
13 erate-income persons by means of restricted
14 rents or rental assistance as identified by the
15 appropriate agency.”; and

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

17 “(4) COLLABORATIVE APPLICANT.—The term
18 ‘collaborative applicant’ has the meaning given the
19 term in section 401 of the McKinney-Vento Home-
20 less Assistance Act (42 U.S.C. 11360).

21 “(5) CONTINUUM OF CARE.—The term ‘Con-
22 tinuum of Care’ means the Federal program author-
23 ized under subtitle C of title IV of the McKinney-
24 Vento Homeless Assistance Act (42 U.S.C. 11381 et
25 seq.).

1 “(6) COVERED HOUSING PROVIDER.—The term
2 ‘covered housing provider’—

3 “(A) means the individual or entity under
4 a covered housing program that has responsi-
5 bility for the administration or oversight of
6 housing assisted under a covered housing pro-
7 gram; and

8 “(B) includes public housing agencies,
9 sponsors, owners, mortgagors, managers, grant-
10 ees under the Continuum of Care, State and
11 local governments or agencies thereof, and non-
12 profit or for-profit organizations or entities.

13 “(7) DRUG-RELATED CRIMINAL ACTIVITY.—The
14 term ‘drug-related criminal activity’ has the meaning
15 given the term in section 3(b)(9) of the United
16 States Housing Act of 1937 (42 U.S.C.
17 1437a(b)(9)).

18 “(8) EMERGENCY SOLUTIONS GRANT.—The
19 term ‘emergency solutions grant’ means a grant pro-
20 vided under subtitle B of title IV of the McKinney-
21 Vento Homeless Assistance Act (42 U.S.C. 11371 et
22 seq.).

23 “(9) EMERGENCY TRANSFER.—The term ‘emer-
24 gency transfer’—

1 “(A) except as provided under subpara-
2 graph (B), means a transfer under subsection
3 (e) from a unit of a covered housing provider
4 to any other unit of the same principal, affil-
5 iate, or management agent of the covered hous-
6 ing provider; and

7 “(B) with respect to a project funded
8 under the Continuum of Care, means a transfer
9 under subsection (e) to any unit of the same
10 covered housing provider under the same cov-
11 ered housing program.

12 “(10) EXTERNAL REFERRAL.—The term ‘exter-
13 nal referral’—

14 “(A) except as provided under subpara-
15 graph (B), means a referral provided to a vic-
16 tim of domestic violence, dating violence, sexual
17 assault, or stalking by a covered housing pro-
18 vider to the applicable regional office of the De-
19 partment of Housing and Urban Development
20 to facilitate a move from a unit of a covered
21 housing provider under the same or a different
22 covered housing program; and

23 “(B) with respect to a project funded
24 under the Continuum of Care, including any
25 local system funding by the Continuum of Care

1 or a recipient or subrecipient of an Emergency
2 Solutions Grant, means the facilitation of a
3 move from a unit of a covered housing provider
4 to a unit of a different covered housing provider
5 under the same covered housing program.

6 “(11) HUD REGIONAL OFFICE.—The term
7 ‘HUD regional office’ means a regional office of the
8 Department of Housing and Urban Development.

9 “(12) NATIONAL VAWA VICTIMS RELOCATION
10 POOL VOUCHER.—The term ‘National VAWA Vic-
11 tims Relocation Pool voucher’ means a housing
12 voucher provided under section 8(o) of the United
13 States Housing Act of 1937 (42 U.S.C. 1437f(o)).

14 “(13) PROGRAM PARTICIPANT.—The term ‘pro-
15 gram participant’ means an individual (including an
16 unaccompanied youth) or family who is assisted by
17 programs under the McKinney-Vento Homeless As-
18 sistance Act (42 U.S.C. 11360 et seq.).”;

19 (2) in subsection (b), by amending paragraph
20 (1) to read as follows:

21 “(1) IN GENERAL.—A covered housing provider
22 shall prioritize the safety of victims when making
23 housing and housing-related decisions, including ad-
24 missions, terminations of assistance, evictions, trans-

1 fers, referrals, family break-ups, and income deter-
2 minations.”;

3 (3) in subsection (b)(3)—

4 (A) in the paragraph heading, by inserting
5 after “CRIMINAL ACTIVITY” the following: “AND
6 FAMILY BREAK-UP”;

7 (B) by amending subparagraph (A) to read
8 as follows:

9 “(A) DENIAL OF ASSISTANCE, TENANCY,
10 AND OCCUPANCY RIGHTS PROHIBITED.—

11 “(i) IN GENERAL.—A tenant, program
12 participant, or resident of a unit who is an
13 unreported member of the household be-
14 cause of domestic violence, dating violence,
15 sexual assault, dating violence, or stalking
16 shall not be denied assistance, tenancy, or
17 occupancy rights to housing assisted under
18 a covered housing program solely on the
19 basis of criminal activity directly relating
20 to domestic violence, dating violence, sex-
21 ual assault, or stalking that is engaged in
22 by a member of the household of the ten-
23 ant, program participant, resident, or any
24 guest or other person under the control of
25 the tenant, program participant, or resi-

1 dent, if the tenant, program participant,
2 resident or an affiliated individual of the
3 tenant, program participant, or resident is
4 the victim or threatened victim of such do-
5 mestic violence, dating violence, sexual as-
6 sault, or stalking.

7 “(ii) CRIMINAL ACTIVITY ENGAGED IN
8 BY PERPETRATOR OF ABUSE.—

9 “(I) IN GENERAL.—A tenant,
10 program participant, or resident of a
11 unit who is an unreported member of
12 the household because of domestic vio-
13 lence, dating violence, sexual assault,
14 dating violence, or stalking shall not
15 be denied assistance, tenancy, or occu-
16 pancy rights to housing assisted under
17 a covered housing program solely on
18 the basis of criminal activity, includ-
19 ing drug-related criminal activity, en-
20 gaged in by the perpetrator of the do-
21 mestic violence, dating violence, sexual
22 assault, or stalking.

23 “(II) RULE OF CONSTRUC-
24 TION.—Nothing in subclause (I) shall
25 be construed to limit the authority to

1 terminate assistance to a tenant or
2 program participant or evict or termi-
3 nate a tenant or program participant
4 from housing assisted under a covered
5 housing program if a public housing
6 agency or an owner, recipient or sub-
7 recipient, or a manager of the housing
8 demonstrates an actual and imminent
9 threat to other tenants, program par-
10 ticipants, or individuals employed at
11 or providing service to the housing if
12 the assistance is not terminated or the
13 tenant or program participant is not
14 evicted.

15 “(iii) REVIEW PRIOR TO TERMINATION
16 FOR CURRENT PROGRAM PARTICIPANTS.—
17 Before terminating assistance, tenancy, or
18 occupancy rights to housing assisted under
19 a covered housing program to a tenant or
20 program participant who is a victim of do-
21 mestic violence, dating violence, sexual as-
22 sault, or stalking on the basis of criminal
23 activity of the tenant or program partici-
24 pant, including drug-related criminal activ-
25 ity—

1 “(I) the covered housing provider
2 shall consider—

3 “(aa) the seriousness of the
4 case;

5 “(bb) the extent of partici-
6 pation or culpability of the ten-
7 ant or program participant, in-
8 cluding whether the tenant or
9 program participant was coerced
10 by the perpetrator of the domes-
11 tic violence, dating violence, sex-
12 ual assault, or stalking;

13 “(cc) whether the criminal
14 activity was related to a symptom
15 of a disability, including a sub-
16 stance use disorder;

17 “(dd) in cases involving
18 drug-related criminal activity or
19 criminal activity involving alcohol
20 abuse, whether the tenant or pro-
21 gram participant is participating
22 in, or has successfully completed,
23 a supervised drug or alcohol re-
24 habilitation program, or has oth-

1 otherwise been rehabilitated success-
2 fully; and

3 “(ee) any other relevant
4 mitigating circumstances; and

5 “(II) the covered housing pro-
6 gram shall provide the tenant or pro-
7 gram participant with—

8 “(aa) a written summary of
9 the review conducted by the cov-
10 ered housing program; and

11 “(bb) an opportunity to in-
12 voke the applicable grievance pol-
13 icy of the covered housing pro-
14 gram to dispute the findings of
15 the review.”;

16 (C) in subparagraph (B)—

17 (i) in the heading, by striking “BI-
18 FURCATION” and inserting “FAMILY
19 BREAK-UP”;

20 (ii) by redesignating clauses (i) and
21 (ii) as clauses (ii) and (iii), respectively;

22 (iii) by inserting before clause (ii), as
23 so redesignated, the following:

24 “(i) IN GENERAL.—If a family break-
25 up results from an occurrence of domestic

1 violence, dating violence, sexual assault, or
2 stalking, and the perpetrator no longer re-
3 sides in the unit and was the sole tenant
4 or program participant eligible to receive
5 assistance under a covered housing pro-
6 gram, the covered housing provider shall—

7 “(I) provide any other tenant,
8 program participant, or resident of
9 the unit who is an unreported member
10 of the household because of domestic
11 violence, dating violence, sexual as-
12 sault, dating violence, or stalking the
13 opportunity to establish eligibility for
14 the covered housing program; or

15 “(II) provide a tenant, program
16 participant, or resident described in
17 subclause (I) with not less than 180
18 days—

19 “(aa) to remain in the unit
20 under the same terms and condi-
21 tions as the perpetrator; and

22 “(bb) find new housing or
23 establish eligibility for another
24 covered housing program.”;

1 (iv) in clause (ii), as so redesignated—
2 nated—

3 (I) in the heading, by striking
4 “IN GENERAL” and inserting “EVIC-
5 TION”; and

6 (II) by inserting after “a public
7 housing agency” the following: “, par-
8 ticipating jurisdictions, grantees under
9 the Continuum of Care, grantees,”;
10 and

11 (v) by striking clause (iii), as so re-
12 designated;

13 (D) in subparagraph (C)—

14 (i) in clause (iii), by striking “or” at
15 the end;

16 (ii) in clause (iv), by striking the pe-
17 riod at the end and inserting “; or”; and

18 (iii) by adding at the end the fol-
19 lowing:

20 “(v) to be limited by any provision in
21 the United States Housing Act of 1937
22 (42 U.S.C. 1437 et seq.) that provides less
23 protection than subparagraph (A) for vic-
24 tims of domestic violence, dating violence,
25 sexual assault, or stalking.”; and

1 (E) by inserting after subparagraph (C)
2 the following:

3 “(D) EARLY TERMINATION.—

4 “(i) IN GENERAL.—A covered housing
5 provider shall permit a tenant or program
6 participant assisted under the covered
7 housing program to terminate the lease at
8 any time prior to the end date of the lease,
9 without penalty, if the tenant or program
10 participant has been a victim of domestic
11 violence, dating violence, sexual assault, or
12 stalking and the tenant or program partici-
13 pant—

14 “(I) sends notice of the early
15 lease termination to the landlord in
16 writing prior to or within 3 days of
17 vacating the premises unless a shorter
18 notice period is provided for under
19 State law;

20 “(II)(aa) reasonably believes that
21 the tenant or program participant is
22 threatened with imminent harm if the
23 tenant or program participant re-
24 mains within the same dwelling unit
25 subject to the lease; or

1 “(bb) has experienced a sexual
2 assault that occurred on the premises
3 during the 90-day period preceding
4 the request for lease termination; and

5 “(III) provides a form of docu-
6 mentation consistent with the require-
7 ments outlined in subsection (c)(3).

8 “(ii) RULE OF CONSTRUCTION.—
9 Nothing in this subparagraph shall be con-
10 strued to preclude any automatic termi-
11 nation of a lease by operation of law.
12 Nothing in this subparagraph shall be con-
13 strued to supersede any provision of any
14 Federal, State, or local law regarding the
15 early termination of leases that provides
16 greater protection than this subsection for
17 victims of domestic violence, dating vio-
18 lence, sexual assault, or stalking.”;

19 (4) in subsection (c)(4), in the matter preceding
20 subparagraph (A)—

21 (A) by striking “Any information sub-
22 mitted to a public housing agency or owner or
23 manager” and inserting “Covered housing pro-
24 viders shall ensure any information submitted”;
25 and

1 (B) by inserting after “owner or manager”
2 the following: “of housing assisted under a cov-
3 ered housing program”;
4 (5) in subsection (d)—
5 (A) in paragraph (2)—
6 (i) in the matter preceding subpara-
7 graph (A), by striking “an applicant for or
8 tenants of” and inserting “all individuals
9 and families seeking housing or services
10 from programs under title IV of the
11 McKinney-Vento Homeless Assistance Act
12 (42 U.S.C. 11360 et seq.), all program
13 participants of, all adult members of appli-
14 cant households for, and all adult tenants
15 of”; and
16 (ii) in subparagraph (D), by striking
17 “guidance issued by the Secretary of
18 Housing and Urban Development” and in-
19 serting “title VI of the Civil Rights Act of
20 1964 (42 U.S.C. 2000d et seq.) and any
21 guidance issued by the appropriate agen-
22 cies related to language access for persons
23 with limited English proficiency”; and
24 (B) by adding at the end the following:

1 “(3) TRANSLATION AND AVAILABILITY OF
2 STANDARDIZED DOCUMENTS.—Each appropriate
3 agency shall ensure that standardized documents re-
4 lating to the implementation of this title are—

5 “(A) translated into and made available in
6 multiple languages and are available in formats
7 accessible to persons with disabilities; and

8 “(B) made accessible to covered housing
9 providers within a reasonable time after adop-
10 tion of the documents by the appropriate agen-
11 cy.”;

12 (6) by amending subsection (e) to read as fol-
13 lows:

14 “(e) EMERGENCY TRANSFERS AND NATIONAL
15 VAWA VICTIMS RELOCATION POOL POLICIES.—

16 “(1) IN GENERAL.—A tenant, program partici-
17 pant, or resident of a unit who is an unreported
18 member of the household because of domestic vio-
19 lence, dating violence, sexual assault, dating vio-
20 lence, or stalking who is a victim of domestic vio-
21 lence, dating violence, sexual assault, or stalking
22 may apply for an emergency transfer or a National
23 VAWA Victims Relocation Pool voucher, or both.

24 “(2) RESPONSIBLE ENTITY.—

1 “(A) EMERGENCY TRANSFERS.—A covered
2 housing provider shall grant an emergency
3 transfer to a tenant or program participant de-
4 scribed in paragraph (1) if—

5 “(i) the covered housing provider and
6 the tenant or program participant deter-
7 mine that a safe dwelling unit is available;
8 and

9 “(ii) the tenant or program partici-
10 pant meets the eligibility criteria described
11 in paragraph (3).

12 “(B) VOUCHERS.—The Secretary of Hous-
13 ing and Urban Development and a covered
14 housing provider authorized to determine eligi-
15 bility for National VAWA Victims Relocation
16 Pool vouchers under policies and procedures es-
17 tablished under subsection (f)(1) shall approve
18 a National VAWA Victims Relocation Pool
19 voucher for a tenant, program participant, or
20 resident of a unit who is an unreported member
21 of the household because of domestic violence,
22 dating violence, sexual assault, dating violence,
23 or stalking described in paragraph (1) if the
24 tenant, program participant, or resident meets

1 the eligibility criteria described in paragraph
2 (3).

3 “(3) CRITERIA.—

4 “(A) IN GENERAL.—The applicable respon-
5 sible entity under paragraph (2) shall approve
6 an application submitted by a tenant, program
7 participant, or resident described in paragraph
8 (1) for an emergency transfer, a National
9 VAWA Victims Relocation Pool voucher, or
10 both, if—

11 “(i) the tenant, program participant,
12 or resident expressly requests the emer-
13 gency transfer or National VAWA Victims
14 Relocation Pool voucher, or both, from the
15 applicable responsible entity; and

16 “(ii)(I) the tenant, program partici-
17 pant, or resident reasonably believes that
18 the tenant or program participant is
19 threatened with imminent harm from fur-
20 ther violence if the tenant or program par-
21 ticipant remains within the same dwelling
22 unit assisted under a covered housing pro-
23 gram; or

24 “(II) the tenant, program participant,
25 or resident experienced a sexual assault

1 that occurred on the premises during the
2 90-day period preceding the request for the
3 emergency transfer or National VAWA
4 Victims Relocation Pool voucher.

5 “(B) GOOD STANDING.—Regardless of
6 whether a tenant, program participant, or resi-
7 dent is in good standing, the tenant, program
8 participant, or resident retains the right to an
9 emergency transfer or a National VAWA Vic-
10 tims Relocation Pool voucher if the tenant, pro-
11 gram participant, or resident otherwise meets
12 the eligibility requirements in this subsection.
13 The tenant, program participant, or resident
14 shall also meet the eligibility requirements of
15 the program to which the tenant, program par-
16 ticipant, or resident intends to transfer unless
17 the eligibility requirement is waived by the cov-
18 ered housing program.

19 “(4) POLICIES.—Each appropriate agency shall,
20 in the timeframe outlined in subsection (f)(2), adopt
21 emergency transfer, external referral, and National
22 VAWA Victim Relocation Pool voucher policies for
23 use by covered housing programs, which shall—

24 “(A) reflect the variations in program op-
25 eration and administration by covered housing

1 program type and are in accordance with the
2 Secretary of Housing and Urban Development’s
3 National VAWA Victims Relocation Pool vouch-
4 ers policies and procedures issued within the
5 timeframe outlined in subsection (f)(1);

6 “(B) at a minimum, describe a process
7 that—

8 “(i) permits tenants, program partici-
9 pants, or residents who are victims of do-
10 mestic violence, dating violence, sexual as-
11 sault, or stalking to move to another avail-
12 able and safe dwelling quickly through an
13 emergency transfer, a National VAWA Vic-
14 tims Relocation Pool voucher, or an exter-
15 nal referral; and

16 “(ii) provides that the tenant, pro-
17 gram participant, or resident can request
18 an emergency transfer or a National
19 VAWA Victims Relocation Pool voucher, or
20 both, whichever is safe and available for
21 the tenant, program participant, or resi-
22 dent; and

23 “(C) with respect to a request for an emer-
24 gency transfer, provide that—

1 “(i) not later than 5 days after the
2 date on which a covered housing provider
3 receives an emergency transfer request
4 from a tenant or program participant, the
5 covered housing provider shall determine
6 whether the tenant or program participant
7 can be transferred to a safe and available
8 unit;

9 “(ii) if a safe unit is available, an
10 emergency transfer shall occur not later
11 than 10 days after the date on which the
12 covered housing provider approves the re-
13 quest;

14 “(iii) if a safe unit is not available,
15 the covered housing provider shall provide
16 to the tenant or program participant—

17 “(I) a written status report re-
18 garding the status of the emergency
19 transfer request of the tenant or pro-
20 gram participant; and

21 “(II) information about National
22 VAWA Victims Relocation Pool
23 vouchers; and

24 “(iv) if the emergency transfer re-
25 quest has been denied due to reasons unre-

1 lated to the availability of a safe and suit-
2 able unit, the tenant or program partici-
3 pant may appeal the decision through the
4 applicable grievance or hearing process of
5 the covered housing provider;

6 “(D) with respect to a request for a Na-
7 tional VAWA Victims Relocation Pool vouch-
8 er—

9 “(i) the request may be made to the
10 Secretary of Housing and Urban Develop-
11 ment by a tenant; program participant;
12 resident of the unit who is an unreported
13 member of the household because of do-
14 mestic violence, dating violence, sexual as-
15 sault, dating violence, or stalking; a col-
16 laborative applicant of the local Continuum
17 of Care or designee of the collaborative ap-
18 plicant; Emergency Solutions Grant recipi-
19 ent or subrecipient; a public housing agen-
20 cy; or the covered housing provider; and

21 “(ii) not later than 10 days after the
22 date on which the Secretary of Housing
23 and Urban Development receives a request
24 for a National VAWA Victims Relocation
25 Pool voucher and the selected relocation

1 jurisdiction of the tenant or program par-
2 ticipant, the Secretary shall process the re-
3 quest and refer administration of the Na-
4 tional VAWA Victims Relocation Pool
5 voucher to the appropriate public housing
6 agency of the selected jurisdiction of the
7 tenant; program participant; or resident of
8 the unit who is an unreported member of
9 the household because of domestic violence,
10 dating violence, sexual assault, dating vio-
11 lence, or stalking;

12 “(E) allow a victim of domestic violence
13 dating violence, sexual assault, or stalking to
14 temporarily relocate, while maintaining eligi-
15 bility for the covered housing program without
16 the loss of their housing status, if there are no
17 alternative comparable housing program units
18 available, until an emergency transfer, a Na-
19 tional VAWA Victims Relocation Pool voucher,
20 or an external referral resulting in comparable
21 safe housing is obtained;

22 “(F) mandate that emergency transfers
23 take priority over non-emergency transfers;

24 “(G) mandate that emergency transfers
25 are not considered new applicants and take pri-

1 ority over existing external waiting lists for a
2 covered housing program;

3 “(H) incorporate confidentiality measures
4 to ensure that the appropriate agency and the
5 covered housing provider do not disclose any in-
6 formation regarding a tenant, program partici-
7 pant, or resident who is victim of domestic vio-
8 lence, dating violence, sexual assault, or stalk-
9 ing, including the location of a new dwelling
10 unit to any person or entity without the time-
11 limited written authorization of the tenant or
12 program participant, and communication by a
13 covered housing provider with a victim must be
14 in a form and manner that the victim deter-
15 mines to be safe; and

16 “(I) mandate that when a tenant or pro-
17 gram participant submits an emergency trans-
18 fer request to a covered housing provider, the
19 covered housing provider shall provide contact
20 information for—

21 “(i) local organizations offering assist-
22 ance to tenants and other housing pro-
23 viders who may have safe and available
24 housing; or

1 “(ii) contact information for the re-
2 gional HUD office or applicable public
3 housing agency.

4 “(5) DUTIES OF COLLABORATIVE APPLICANTS
5 OF A LOCAL CONTINUUM OF CARE.—In addition to
6 adopting the policies described in paragraph (4) in
7 an emergency transfer policy, the collaborative appli-
8 cant of each local Continuum of Care, or a designee
9 of the collaborative applicant, shall—

10 “(A) coordinate and facilitate emergency
11 transfers and external referrals across projects
12 funded under the Continuum of Care;

13 “(B) prioritize an external referral across
14 projects funded under the Continuum of Care
15 for the next available safe housing option for
16 which a tenant or program participant may be
17 eligible;

18 “(C) coordinate external referrals with the
19 collaborative applicant of the local Continuum
20 of Care, or designee of the collaborative appli-
21 cant, in other jurisdictions in cases where a ten-
22 ant or program participant requests an out-of-
23 jurisdiction transfer;

24 “(D) ensure that a tenant or program par-
25 ticipant is not required to be reassessed and re-

1 tains chronically homeless status, if applicable,
2 through the local Continuum of Care intake
3 process when seeking an emergency transfer or
4 external referral placement; and

5 “(E) ensure costs associated with tem-
6 porary relocations described in paragraph (4)
7 are considered eligible costs of supportive serv-
8 ices under the Continuum of Care program.

9 “(6) REGIONAL OFFICES.—Each HUD regional
10 office shall—

11 “(A) in collaboration with public housing
12 agencies and the entities described in paragraph
13 (2), develop and implement a regional emer-
14 gency transfer and external referral plan, which
15 shall—

16 “(i) set forth how covered housing
17 providers shall coordinate external referrals
18 with the HUD regional office;

19 “(ii) be submitted to the Violence
20 Against Women Director described in sec-
21 tion 41413 and made publicly available;
22 and

23 “(iii) include any additional policies,
24 priorities, and strategies set by the entities
25 described in paragraph (5); and

1 “(B) in consultation with the Violence
2 Against Women Director described in section
3 41413, facilitate external referral requests for
4 tenants or program participants who are vic-
5 tims of domestic violence, dating violence, sex-
6 ual assault, or stalking if the tenant or program
7 participant cannot obtain an emergency trans-
8 fer or a National VAWA Victims Relocation
9 Pool voucher.

10 “(7) COVERED HOUSING PROVIDERS.—Each
11 covered housing provider shall develop and imple-
12 ment an emergency transfer and external referral
13 plan consistent with the requirements in paragraph
14 (4) or (5).”;

15 (7) by amending subsection (f) to read as fol-
16 lows:

17 “(f) POLICIES AND PROCEDURES FOR EMERGENCY
18 TRANSFER AND NATIONAL VAWA VICTIMS RELOCATION
19 POOL VOUCHERS.—

20 “(1) IN GENERAL.—Not later than 60 days
21 after the date of enactment of the Violence Against
22 Women Act Reauthorization Act of 2021, the Sec-
23 retary of Housing and Urban Development shall es-
24 tablish policies and procedures under which a ten-
25 ant, program participant, or resident of a unit who

1 is an unreported member of the household because
2 of domestic violence, dating violence, sexual assault,
3 dating violence, or stalking may receive, under sub-
4 section (e), subject to the availability of funds, a Na-
5 tional VAWA Victims Relocation Pool voucher.

6 “(2) APPROPRIATE AGENCIES.—Not later than
7 180 days after the date of enactment of the Violence
8 Against Women Act Reauthorization Act of 2021,
9 the head of each appropriate agency shall establish
10 the policies required under subsection (e) with re-
11 spect to emergency transfers and external referrals.
12 Each appropriate agency shall also establish agency-
13 specific policies and procedures in accordance with
14 the Secretary of Housing and Urban Development’s
15 National VAWA Victims Relocation Pool vouchers
16 policies and procedures.”;

17 (8) by redesignating subsection (g) as sub-
18 section (h);

19 (9) by inserting after subsection (f) the fol-
20 lowing:

21 “(g) TRAINING AND REFERRALS.—

22 “(1) TRAINING FOR STAFF OF COVERED HOUS-
23 ING PROGRAMS.—

24 “(A) IN GENERAL.—The Secretary of
25 Housing and Urban Development, in partner-

1 ship with domestic and sexual violence experts,
2 shall develop mandatory in-person or electronic
3 training for staff of covered housing providers
4 to provide a basic understanding of domestic vi-
5 olence, dating violence, sexual assault, and
6 stalking, and to facilitate implementation of
7 this section.

8 “(B) APPROPRIATE STAFF.—Each covered
9 housing provider shall identify—

10 “(i) appropriate staff to attend the
11 basic understanding training described in
12 subparagraph (A) periodically; and

13 “(ii) appropriate staff engaged in ten-
14 ant, program participant, or resident serv-
15 ices to attend both the basic understanding
16 training and the implementation training
17 described in subparagraph (A) as nec-
18 essary.

19 “(2) REFERRALS.—The appropriate agency
20 with respect to each covered housing program and
21 the local Continuum of Care shall supply all appro-
22 priate staff of the covered housing providers with a
23 referral listing of public contact information for all
24 domestic violence, dating violence, sexual assault,

1 and stalking service providers offering services in its
2 coverage area.

3 “(3) AUTHORIZATION OF APPROPRIATIONS.—
4 There are authorized to be appropriated to carry out
5 this subsection such sums as may be necessary for
6 each of fiscal years 2022 through 2026.”; and

7 (10) by inserting after subsection (h), as so re-
8 designated, the following:

9 “(i) RULES OF CONSTRUCTION.—Nothing in this sec-
10 tion shall be construed—

11 “(1) to limit any right, remedy, or procedure
12 otherwise available to enforce the Violence Against
13 Women Act of 2005 (Public Law 109–162; 119
14 Stat. 2960) and subsequent amendments prior to
15 the date of enactment of the Violence Against
16 Women Act Reauthorization Act of 2021; or

17 “(2) to supersede any provision of any Federal,
18 State, or local law that provides greater protection
19 than this section for victims of domestic violence,
20 dating violence, sexual assault, or stalking.”.

21 (b) NATIONAL VAWA VICTIMS RELOCATION POOL
22 VOUCHERS.—Section 8(o) of the United States Housing
23 Act of 1937 (42 U.S.C. 1437f(o)) is amended by adding
24 at the end the following:

1 “(21) NATIONAL VAWA VICTIMS RELOCATION
2 POOL VOUCHERS.—

3 “(A) IN GENERAL.—The Secretary shall
4 set aside, from amounts made available for
5 rental assistance under this subsection,
6 amounts for use only for providing such assist-
7 ance for the creation of a National VAWA Vic-
8 tims Relocation Pool, which shall provide rental
9 assistance on behalf of tenants, program par-
10 ticipants, or residents who are victims of do-
11 mestic violence, dating violence, sexual assault,
12 and stalking eligible for assistance under sec-
13 tion 41411(e) of the Violence Against Women
14 Act of 1994 (34 U.S.C. 12491(e)).

15 “(B) TERMINATION OF VOUCHERS UPON
16 TURNOVER.—A public housing agency shall not
17 reissue assistance that is made available from
18 appropriated funds under this subsection for a
19 tenant, program participant, or resident when
20 the assistance for the tenant, program partici-
21 pant, or resident is lawfully terminated, unless
22 specifically authorized by the Secretary.

23 “(C) AUTHORIZATION OF APPROPRIA-
24 TIONS.—Beginning in fiscal year 2022 and each
25 fiscal year thereafter, there are authorized to be

1 appropriated \$20,000,000 to provide vouchers
2 for rental assistance under this paragraph.”.

3 **SEC. 602. ENSURING COMPLIANCE AND IMPLEMENTATION;**
4 **PROHIBITING RETALIATION AGAINST VIC-**
5 **TIMS.**

6 Chapter 2 of subtitle N of title IV of the Violence
7 Against Women Act of 1994 (34 U.S.C. 12491 et seq.)
8 is amended by inserting after section 41411 the following:

9 **“SEC. 41412. COMPLIANCE REVIEWS.**

10 “(a) **REGULAR COMPLIANCE REVIEWS.**—

11 “(1) **IN GENERAL.**—Each appropriate agency
12 shall establish a process by which to review compli-
13 ance with the requirements of this subtitle, which
14 shall—

15 “(A) in consultation with the Violence
16 Against Women Director described in section
17 41413 and any other relevant officials of the
18 appropriate agency, be incorporated into other
19 existing compliance review processes of the ap-
20 propriate agency; and

21 “(B) examine—

22 “(i) covered housing provider compli-
23 ance with requirements prohibiting the de-
24 nial of assistance, tenancy, or occupancy

1 rights on the basis of domestic violence,
2 dating violence, sexual assault, or stalking;

3 “(ii) covered housing provider compli-
4 ance with confidentiality provisions set
5 forth in section 41411(e)(4);

6 “(iii) covered housing provider compli-
7 ance with the notification requirements set
8 forth in section 41411(d)(2);

9 “(iv) covered housing provider compli-
10 ance with accepting documentation set
11 forth in section 41411(e);

12 “(v) covered housing provider compli-
13 ance with emergency transfer, external re-
14 ferral, and National VAWA Victims Relo-
15 cation Pool Voucher requirements set forth
16 in section 41411(e); and

17 “(vi) covered housing provider compli-
18 ance with the prohibition on retaliation set
19 forth in section 41414.

20 “(2) FREQUENCY.—Each appropriate agency
21 shall conduct the review described in paragraph (1)
22 on a regular basis, as determined by the appropriate
23 agency.

24 “(b) REGULATIONS.—Not later than 1 year after the
25 date of enactment of the Violence Against Women Act Re-

1 authorization Act of 2021, each appropriate agency shall
2 issue regulations to implement subsection (a), which
3 shall—

4 “(1) define standards of compliance for covered
5 housing providers;

6 “(2) include detailed reporting requirements, in-
7 cluding the number of emergency transfers, external
8 referrals, and National VAWA Victims Relocation
9 Pool vouchers requested and granted, as well as the
10 length of time needed to process emergency trans-
11 fers, National VAWA Victims Relocation Pool
12 vouchers, and external referrals; and

13 “(3) include standards for corrective action
14 plans where a covered housing provider has failed to
15 meet compliance standards.

16 “(c) PUBLIC DISCLOSURE.—Each appropriate agen-
17 cy shall ensure that an agency-level assessment of the in-
18 formation collected during the compliance review process
19 completed pursuant to this subsection—

20 “(1) includes an evaluation of each topic identi-
21 fied in subsection (a); and

22 “(2) is made publicly available.

1 **“SEC. 41413. DEPARTMENT OF HOUSING AND URBAN DE-**
2 **VELOPMENT VIOLENCE AGAINST WOMEN DI-**
3 **RECTOR.**

4 “(a) **ESTABLISHMENT.**—There shall be, within the
5 Office of the Secretary of the Department of Housing and
6 Urban Development, a Violence Against Women Director
7 (in this section referred to as the ‘Director’).

8 “(b) **DUTIES.**—The Director shall—

9 “(1) support implementation of the provisions
10 of this subtitle;

11 “(2) coordinate development of Federal regula-
12 tions, policy, protocols, and guidelines on matters re-
13 lating to the implementation of this subtitle, at each
14 agency administering a covered housing program;

15 “(3) advise and coordinate with designated offi-
16 cials within the United States Interagency Council
17 on Homelessness, the Department of Housing and
18 Urban Development, the Department of the Treas-
19 ury, the Department of Agriculture, the Department
20 of Health and Human Services, the Department of
21 Veterans Affairs, and the Department of Justice
22 concerning legislation, implementation, and other
23 issues relating to or affecting the housing provisions
24 under this subtitle;

25 “(4) provide technical assistance, coordination,
26 and support to each appropriate agency regarding

1 advancing housing protections and access to housing
2 for victims of domestic violence, dating violence, sex-
3 ual assault, and stalking, including compliance with
4 this subtitle;

5 “(5) ensure that adequate technical assistance
6 is made available to covered housing providers re-
7 garding implementation of this subtitle, as well as
8 other issues related to advancing housing protections
9 for victims of domestic violence, dating violence, sex-
10 ual assault, and stalking, including compliance with
11 this subtitle;

12 “(6) act as a liaison with the judicial branches
13 of Federal, State, and local governments on matters
14 relating to the housing needs of victims of domestic
15 violence, dating violence, sexual assault, and stalk-
16 ing;

17 “(7) implement a quality control system and a
18 corrective action plan system for those covered hous-
19 ing providers that fail to comply with this subtitle,
20 wherein—

21 “(A) covered housing providers completing
22 corrective action plans shall be required to con-
23 sult with national, State, or local programs fo-
24 cused on victims of domestic violence, dating vi-
25 olence, sexual assault, or stalking; and

1 “(B) the corrective action plans shall in-
2 clude provisions requiring covered housing pro-
3 viders to review and develop appropriate no-
4 tices, procedures, and staff training to improve
5 compliance with this subtitle, in consultation
6 with national, State, or local programs focused
7 on victims described in subparagraph (A);

8 “(8) establish a formal reporting process to re-
9 ceive individual complaints concerning noncompli-
10 ance with this subtitle;

11 “(9) coordinate the development of interagency
12 guidelines to improve the availability of centralized
13 information concerning available dwelling units for
14 use in facilitating the emergency transfer process;

15 “(10) coordinate the process for tracking of re-
16 quests, notice, and approval of National VAWA Vic-
17 tims Relocation Pool vouchers, and further imple-
18 ment, as necessary, any policies or procedures relat-
19 ing to the National VAWA Victims Relocation Pool
20 vouchers;

21 “(11) work with HUD regional offices to de-
22 velop a mechanism to implement regional external
23 referral plans and officials at each appropriate agen-
24 cy relating to the development of Federal regula-
25 tions, policy, protocols, and guidelines regarding uni-

1 form timeframes for the completion of emergency
2 transfers, National VAWA Victims Relocation Pool
3 vouchers, and external referrals;

4 “(12) coordinate with each appropriate agency
5 to ensure that standardized documents relating to
6 the implementation of this title are translated into
7 and made available in multiple languages, are acces-
8 sible to persons with disabilities, and made acces-
9 sible to covered housing providers within a reason-
10 able time upon adoption of the documents by the ap-
11 propriate agency;

12 “(13) ensure that the documents described in
13 paragraph (11), including guidance and notices to
14 victims, are distributed in commonly encountered
15 languages by covered housing providers consistent
16 with title VI of the Civil Rights Act of 1964 (42
17 U.S.C. 2000d et seq.) and any guidance issued by
18 the appropriate agencies in accordance with Execu-
19 tive Order 13166 (42 U.S.C. 2000d–1 note; relating
20 to access to services for persons with limited English
21 proficiency); and

22 “(14) in consultation with each appropriate
23 agency, identify existing compliance review processes
24 that could incorporate the compliance reviews re-
25 quired under section 41412(a).

1 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 such sums as may be necessary for each of fiscal years
4 2022 through 2026.

5 **“SEC. 41414. PROHIBITION ON RETALIATION.**

6 “(a) NONDISCRIMINATION REQUIREMENT.—No cov-
7 ered housing provider shall discriminate against any per-
8 son because that person has opposed any act or practice
9 made unlawful by this subtitle, or because that individual
10 testified, assisted, or participated in any matter related
11 to this subtitle.

12 “(b) PROHIBITION ON COERCION.—No covered hous-
13 ing provider shall coerce, intimidate, threaten, or interfere
14 with, or retaliate against, any person in the exercise or
15 enjoyment of, or on account of the person having exercised
16 or enjoyed, or on account of the person having aided or
17 encouraged any other individual in the exercise or enjoy-
18 ment of, any rights or protections under this subtitle, in-
19 cluding—

20 “(1) intimidating or threatening any person be-
21 cause that person is assisting or encouraging an in-
22 dividual entitled to claim the rights or protections
23 under this subtitle; and

1 “(2) retaliating against any person because that
2 person has participated in any investigation or ac-
3 tion to enforce this subtitle.

4 “(c) ENFORCEMENT AUTHORITY OF THE ATTORNEY
5 GENERAL AND THE SECRETARY.—The authority of the
6 Attorney General, the Secretary of Housing and Urban
7 Development, and the Office for Fair Housing and Equal
8 Opportunity to enforce this section shall be the same as
9 the Fair Housing Act (42 U.S.C. 3610 et seq.).”.

10 **SEC. 603. PROTECTING THE RIGHT TO REPORT CRIME**
11 **FROM ONE’S HOME.**

12 (a) IN GENERAL.—Chapter 2 of subtitle N of title
13 IV of the Violence Against Women Act of 1994 (34 U.S.C.
14 12491 et seq.), as amended by this Act, is further amend-
15 ed by inserting after section 41414 the following:

16 **“SEC. 41415. RIGHT TO REPORT CRIME AND EMERGENCIES**
17 **FROM ONE’S HOME.**

18 “(a) DEFINITION.—In this section, the term ‘covered
19 governmental entity’ means any municipal, county, or
20 State government that receives funding under section 106
21 of the Housing and Community Development Act of 1974
22 (42 U.S.C. 5306).

23 “(b) RIGHT TO REPORT.—

1 “(1) IN GENERAL.—Landlords, homeowners,
2 residents, occupants, and guests of, and applicants
3 for, housing—

4 “(A) shall have the right to seek law en-
5 forcement or emergency assistance on their own
6 behalf or on behalf of another person in need
7 of assistance; and

8 “(B) shall not be penalized based on their
9 requests for assistance or based on criminal ac-
10 tivity of which they are a victim or otherwise
11 not at fault under statutes, ordinances, regula-
12 tions, or policies adopted or enforced by covered
13 governmental entities.

14 “(2) PROHIBITED PENALTIES.—Penalties that
15 are prohibited under paragraph (1) include—

16 “(A) actual or threatened assessment of
17 penalties, fees, or fines;

18 “(B) actual or threatened eviction;

19 “(C) actual or threatened refusal to rent
20 or renew tenancy;

21 “(D) actual or threatened refusal to issue
22 an occupancy permit or landlord permit; and

23 “(E) actual or threatened closure of the
24 property, or designation of the property as a
25 nuisance or a similarly negative designation.

1 “(c) REPORTING.—Consistent with the process de-
2 scribed in section 104(b) of the Housing and Community
3 Development Act of 1974 (42 U.S.C. 5304(b)), covered
4 governmental entities shall—

5 “(1) report any of their laws or policies, or, as
6 applicable, the laws or policies adopted by sub-
7 grantees, that impose penalties on landlords, home-
8 owners, residents, occupants, guests, or housing ap-
9 plicants based on requests for law enforcement or
10 emergency assistance or based on criminal activity
11 that occurred at a property; and

12 “(2) certify that they are in compliance with
13 the protections under this subtitle or describe the
14 steps the covered governmental entities will take
15 within 180 days to come into compliance, or to en-
16 sure compliance among subgrantees.

17 “(d) OVERSIGHT.—Oversight and accountability
18 mechanisms provided for under title VIII of the Civil
19 Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall be avail-
20 able to address violations of this section.

21 “(e) SUBGRANTEES.—For those covered govern-
22 mental entities that distribute funds to subgrantees, com-
23 pliance with subsection (c)(1) includes inquiring about the
24 existence of laws and policies adopted by subgrantees that
25 impose penalties on landlords, homeowners, residents, oc-

1 cupants, guests, or housing applicants based on requests
2 for law enforcement or emergency assistance or based on
3 criminal activity that occurred at a property.”.

4 (b) SUPPORTING EFFECTIVE CRIME REDUCTION
5 METHODS.—

6 (1) ADDITIONAL AUTHORIZED USE OF BYRNE-
7 JAG FUNDS.—Section 501(a)(1) of subpart 1 of part
8 E of title I of the Omnibus Crime Control and Safe
9 Streets Act of 1968 (34 U.S.C. 10152(a)(1)) is
10 amended by adding after subparagraph (H) the fol-
11 lowing:

12 “(I) Programs for the development and im-
13 plementation of methods of reducing crime in
14 communities, to supplant punitive programs or
15 policies. For purposes of this subparagraph, a
16 punitive program or policy is a program or pol-
17 icy that—

18 “(i) imposes a penalty described in
19 section 41415(b)(2) of the Violence
20 Against Women Act of 1994 on the basis
21 of a request for law enforcement or emer-
22 gency assistance; or

23 “(ii) imposes a penalty described in
24 section 41415(b)(2) of the Violence
25 Against Women Act of 1994 on a landlord,

1 homeowner, tenant, program participant,
2 resident, occupant, or guest because of
3 criminal activity at the property, including
4 domestic violence dating violence, sexual
5 assault, and stalking, where the landlord,
6 homeowner, tenant, program participant,
7 resident, occupant, or guest was a victim
8 of such criminal activity.”.

9 (2) ADDITIONAL AUTHORIZED USE OF COPS
10 FUNDS.—Section 1701(b) of part Q of title I of the
11 Omnibus Crime Control and Safe Streets Act of
12 1968 (34 U.S.C. 10381(b)) is amended—

13 (A) in paragraph (22), by striking “and”
14 after the semicolon;

15 (B) in paragraph (23), by striking the pe-
16 riod at the end and inserting “; and”; and

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

18 “(24) to develop and implement methods of re-
19 ducing crime in communities, to supplant punitive
20 programs or policies (as such term is defined in sec-
21 tion 501(a)(1)(I)).

22 “(25) To develop of statewide databases with
23 information on where sexual assault nurse examiners
24 are located.”.

1 **SEC. 604. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
2 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
3 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**
4 **ING.**

5 Section 40299 of the Violence Against Women Act
6 of 1994 (34 U.S.C. 12351) is amended—

7 (1) in subsection (a), in the matter preceding
8 paragraph (1)—

9 (A) by striking “the Director of the Vio-
10 lence Against Women Office” and inserting
11 “the Director of the Office on Violence Against
12 Women”; and

13 (B) by inserting after “, other nonprofit,
14 nongovernmental organizations” the following:
15 “, population-specific organizations”; and

16 (2) in subsection (g)—

17 (A) in paragraph (1), by striking “2014
18 through 2018” and inserting “2022 through
19 2026”;

20 (B) in paragraph (2), by striking “5 per-
21 cent” and inserting “8 percent”; and

22 (C) in paragraph (3)(B), by striking “0.25
23 percent” and inserting “0.5 percent”.

1 **SEC. 605. ADDRESSING THE HOUSING NEEDS OF VICTIMS**
2 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**
3 **SEXUAL ASSAULT, AND STALKING.**

4 (a) **McKINNEY-VENTO HOMELESS ASSISTANCE**
5 **GRANTS.**—Section 423(a) of the McKinney-Vento Home-
6 less Assistance Act (42 U.S.C. 11383(a)) is amended by
7 adding at the end the following:

8 “(13) Facilitating and coordinating activities to
9 ensure compliance with subsection (e) of section
10 41411 of the Violence Against Women Act of 1994
11 (34 U.S.C. 12491) and monitoring compliance with
12 the confidentiality protections of subsection (c)(4) of
13 such section.”.

14 (b) **COLLABORATIVE GRANTS TO INCREASE THE**
15 **LONG-TERM STABILITY OF VICTIMS.**—Section 41404(i)
16 of the Violence Against Women Act of 1994 (34 U.S.C.
17 12474(i)) is amended by striking “2014 through 2018”
18 and inserting “2022 through 2026”.

19 (c) **GRANTS TO COMBAT VIOLENCE AGAINST WOMEN**
20 **IN PUBLIC AND ASSISTED HOUSING.**—Section 41405 of
21 the Violence Against Women Act of 1994 (34 U.S.C.
22 12475) is amended—

23 (1) in subsection (b), by striking “the Director
24 of the Violence Against Women Office” and insert-
25 ing “the Director of the Office on Violence Against
26 Women”;

1 (2) in subsection (c)(2)(D), by inserting after
2 “linguistically and culturally specific service pro-
3 viders,” the following: “population-specific organiza-
4 tions,”; and

5 (3) in subsection (g), by striking “2014 through
6 2018” and inserting the following: “2022 through
7 2026”.

8 **SEC. 606. UNITED STATES HOUSING ACT OF 1937 AMEND-**
9 **MENTS.**

10 Section 5A(d) of the United States Housing Act of
11 1937 (42 U.S.C. 1437e–1(d)) is amended—

12 (1) by amending paragraph (13) to read as fol-
13 lows:

14 “(13) DOMESTIC VIOLENCE, DATING VIOLENCE,
15 SEXUAL ASSAULT, OR STALKING PROGRAMS.—

16 “(A) COPIES.—A copy of—

17 “(i) all standardized notices issued
18 pursuant to the housing protections under
19 subtitle N of the Violence Against Women
20 Act of 1994, including the notice required
21 under section 41411(d) of the Violence
22 Against Women Act of 1994;

23 “(ii) the emergency transfer plan
24 issued pursuant to section 41411 of the
25 Violence Against Women Act of 1994; and

1 “(iii) any and all memoranda of un-
2 derstanding with other covered housing
3 providers developed to facilitate emergency
4 transfers under section 41411(e) of the Vi-
5 olence Against Women Act of 1994.

6 “(B) DESCRIPTIONS.—A description of—

7 “(i) any activities, services, or pro-
8 grams provided or offered by an agency, ei-
9 ther directly or in partnership with other
10 service providers, to child or adult victims
11 of domestic violence, dating violence, sex-
12 ual assault, or stalking;

13 “(ii) any activities, services, or pro-
14 grams provided or offered by a public
15 housing agency that helps child and adult
16 victims of domestic violence, dating vio-
17 lence, sexual assault, or stalking, to obtain
18 or maintain housing;

19 “(iii) any activities, services, or pro-
20 grams provided or offered by a public
21 housing agency to prevent domestic vio-
22 lence, dating violence, sexual assault, and
23 stalking, or to enhance victim safety in as-
24 sisted families; and

1 “(iv) all training and support services
2 offered to staff of the public housing agen-
3 cy to provide a basic understanding of do-
4 mestic violence, dating violence, sexual as-
5 sault, and stalking, and to facilitate imple-
6 mentation of the housing protections of
7 section 41411 of the Violence Against
8 Women Act of 1994.”; and

9 (2) in paragraph (16), by inserting “the Vio-
10 lence Against Women Act of 1994,” before “the
11 Fair Housing Act”.

12 **TITLE VII—ECONOMIC SECURITY** 13 **FOR VICTIMS**

14 **SEC. 701. FINDINGS.**

15 Congress finds the following:

16 (1) Over 1 in 3 women experience sexual vio-
17 lence, and 1 in 5 women have survived completed or
18 attempted rape. Such violence has a devastating im-
19 pact on women’s physical and emotional health, fi-
20 nancial security, and ability to maintain their jobs,
21 and thus impacts interstate commerce and economic
22 security.

23 (2) The Office on Violence Against Women of
24 the Department of Justice defines domestic violence
25 as a pattern of abusive behavior in any relationship

1 that is used by one intimate partner to gain or
2 maintain power and control over another intimate
3 partner. Domestic violence can include physical, sex-
4 ual, emotional, economic, or psychological actions or
5 threats of actions that influence another person. Do-
6 mestic violence includes any behaviors that intimi-
7 date, manipulate, humiliate, isolate, frighten, ter-
8 rorize, coerce, threaten, blame, hurt, injure, or
9 wound an individual.

10 (3) The Centers for Disease Control and Pre-
11 vention report that domestic violence or intimate
12 partner violence is a serious public health issue for
13 millions of individuals in the United States. Nearly
14 1 in 4 women and 1 in 9 men in the United States
15 have suffered sexual violence, physical violence, or
16 stalking by an intimate partner.

17 (4) Transgender and gender non-conforming
18 people face extraordinary levels of physical and sex-
19 ual violence.

20 (5) More than 1 in 4 transgender people have
21 faced bias-driven assault, and this rate is higher for
22 trans women and trans people of color.

23 (6) The American Foundation for Suicide Pre-
24 vention has found that transgender and gender non-
25 conforming people had an elevated prevalence of sui-

1 cide attempts, especially when they have suffered
2 physical or sexual violence.

3 (7) Studies have found that individuals living in
4 rural areas facing intimate partner violence often
5 face barriers to accessing resources, ranging from
6 health care to the criminal justice system.

7 (8) Homicide is one of the leading causes of
8 death for women on the job. Domestic partners or
9 relatives commit 43 percent of workplace homicides
10 against women. One study found that intimate part-
11 ner violence resulted in 142 homicides among women
12 at work in the United States from 2003 to 2008, a
13 figure which represents 22 percent of the 648 work-
14 place homicides among women during the period. In
15 fact, in 2010, homicides against women at work in-
16 creased by 13 percent despite continuous declines in
17 overall workplace homicides in recent years.

18 (9) Women in the United States are 11 times
19 more likely to be murdered with guns than women
20 in other high-income countries. Female intimate
21 partners are more likely to be murdered with a fire-
22 arm than all other means combined. The presence of
23 a gun in domestic violence situations increases the
24 risk of homicide for women by 500 percent.

1 (10) Violence can have a dramatic impact on
2 the survivor of such violence. Studies indicate that
3 44 percent of surveyed employed adults experienced
4 the effect of domestic violence in the workplace, and
5 64 percent indicated their workplace performance
6 was affected by such violence. Another recent survey
7 found that 78 percent of offenders used workplace
8 resources to express anger, check up on, pressure, or
9 threaten a survivor. Sexual assault, whether occur-
10 ring in or out of the workplace, can impair an em-
11 ployee's work performance, require time away from
12 work, and undermine the employee's ability to main-
13 tain a job. Nearly 50 percent of sexual assault sur-
14 vivors lose their jobs or are forced to quit in the
15 aftermath of the assaults.

16 (11) Studies find that 60 percent of single
17 women lack economic security and 81 percent of
18 households with single mothers live in economic inse-
19 curity. Significant barriers that survivors confront
20 include access to housing, transportation, and child
21 care. Ninety-two percent of homeless women have
22 experienced domestic violence, and more than 50
23 percent of such women cite domestic violence as the
24 direct cause for homelessness. Survivors are deprived

1 of their autonomy, liberty, and security, and face
2 tremendous threats to their health and safety.

3 (12) The Centers for Disease Control and Pre-
4 vention report that survivors of severe intimate part-
5 ner violence lose nearly 8 million days of paid work,
6 which is the equivalent of more than 32,000 full-
7 time jobs and almost 5,600,000 days of household
8 productivity each year. Therefore, women dispropor-
9 tionately need time off to care for their health or to
10 find safety solutions, such as obtaining a restraining
11 order or finding housing, to avoid or prevent further
12 violence.

13 (13) Annual costs of intimate partner violence
14 are estimated to be more than \$8,300,000,000. Ac-
15 cording to the Centers for Disease Control and Pre-
16 vention, the costs of intimate partner violence
17 against women in 1995 exceeded an estimated
18 \$5,800,000,000. These costs included nearly
19 \$4,100,000,000 in the direct costs of medical and
20 mental health care and nearly \$1,800,000,000 in the
21 indirect costs of lost productivity. These statistics
22 are generally considered to be underestimated be-
23 cause the costs associated with the criminal justice
24 system are not included.

1 (14) Fifty-five percent of senior executives re-
2 cently surveyed said domestic violence has a harmful
3 effect on their company's productivity, and more
4 than 70 percent said domestic violence negatively af-
5 fects attendance. Seventy-eight percent of human re-
6 sources professionals consider partner violence a
7 workplace issue. However, more than 70 percent of
8 United States workplaces have no formal program or
9 policy that addresses workplace violence, let alone
10 domestic violence. In fact, only four percent of em-
11 ployers provided training on domestic violence.

12 (15) Studies indicate that one of the best pre-
13 dictors of whether a survivor will be able to stay
14 away from his or her abuser is the degree of his or
15 her economic independence. However, domestic vio-
16 lence, dating violence, sexual assault, and stalking
17 often negatively impact a survivor's ability to main-
18 tain employment.

19 (16) Abusers frequently seek to exert financial
20 control over their partners by actively interfering
21 with their ability to work, including preventing their
22 partners from going to work, harassing their part-
23 ners at work, limiting their partners' access to cash
24 or transportation, and sabotaging their partners'
25 child care arrangements.

1 (17) Economic abuse refers to behaviors that
2 control an intimate partner’s ability to acquire, use,
3 and maintain access to, money, credit, ownership of
4 assets, or access to governmental or private financial
5 benefits, including defaulting on joint obligations
6 (such as school loans, credit card debt, mortgages,
7 or rent). Other forms of such abuse may include pre-
8 venting someone from attending school, threatening
9 to or actually terminating employment, controlling
10 or withholding access to cash, checking, or credit ac-
11 counts, and attempting to damage or sabotage the
12 creditworthiness of an intimate partner, including
13 forcing an intimate partner to write bad checks,
14 forcing an intimate partner to default on payments
15 related to household needs, such as housing, or forc-
16 ing an intimate partner into bankruptcy.

17 (18) The Patient Protection and Affordable
18 Care Act (Public Law 111–148), and the amend-
19 ments made by such Act, ensures that most health
20 plans must cover preventive services, including
21 screening and counseling for domestic violence, at no
22 additional cost. In addition, it prohibits insurance
23 companies from discriminating against patients for
24 preexisting conditions, like domestic violence.

1 (19) Yet, more can be done to help survivors.
2 Federal law in effect on the day before the date of
3 enactment of this Act does not explicitly—

4 (A) authorize survivors of domestic vio-
5 lence, dating violence, sexual assault, or stalk-
6 ing to take leave from work to seek legal assist-
7 ance and redress, counseling, or assistance with
8 safety planning activities;

9 (B) address the eligibility of survivors of
10 domestic violence, dating violence, sexual as-
11 sault, or stalking for unemployment compensa-
12 tion;

13 (C) provide job protection to survivors of
14 domestic violence, dating violence, sexual as-
15 sault, or stalking; or

16 (D) prohibit insurers from disclosing infor-
17 mation about abuse and the location of the sur-
18 vivors through insurance databases and other
19 means.

20 (20) This Act aims to empower survivors of do-
21 mestic violence, dating violence, sexual assault, or
22 stalking to be free from violence, hardship, and con-
23 trol, which restrains basic human rights to freedom
24 and safety in the United States.

1 **SEC. 702. NATIONAL RESOURCE CENTER ON WORKPLACE**
2 **RESPONSES TO ASSIST VICTIMS OF DOMES-**
3 **TIC AND SEXUAL VIOLENCE.**

4 Section 41501 of the Violent Crime Control and Law
5 Enforcement Act of 1994 (34 U.S.C. 12501) is amend-
6 ed—

7 (1) in subsection (a)—

8 (A) by inserting “and sexual harassment”
9 after “domestic and sexual violence”; and

10 (B) by striking “employers and labor orga-
11 nizations” and inserting “employers, labor or-
12 ganizations, and victim service providers”;

13 (2) in subsection (b)—

14 (A) in paragraph (2), by striking “; and”
15 and inserting a semicolon;

16 (B) in paragraph (3)—

17 (i) by striking “and stalking” and in-
18 serting “stalking, and sexual harassment”;
19 and

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

22 (C) by adding the following new para-
23 graph:

24 “(4) a plan to enhance the capacity of survivors
25 to obtain and maintain employment to include the
26 implementation of a demonstration pilot program

1 ‘Pathways to Opportunity’ which builds collabora-
2 tions between and among victim service providers,
3 workforce development programs, and educational
4 and vocational institutions to provide trauma in-
5 formed programming to support survivors seeking
6 employment and centered around culturally specific
7 organizations or organizations that primarily serve
8 populations traditionally marginalized in the work-
9 place.”;

10 (3) in subsection (c)(1), by inserting before the
11 period at the end “or sexual harassment”;

12 (4) in subsection (c)(2)(A), by inserting “or
13 sexual harassment” after “sexual violence”; and

14 (5) in subsection (e), by striking “\$1,000,000
15 for each of fiscal years 2014 through 2018” and in-
16 serting “\$2,000,000 for each of fiscal years 2022
17 through 2026”.

18 **SEC. 703. PROVISIONS RELATED TO UNEMPLOYMENT COM-**
19 **PENSATION AND THE TEMPORARY ASSIST-**
20 **ANCE FOR NEEDY FAMILIES PROGRAM.**

21 (a) UNEMPLOYMENT COMPENSATION.—

22 (1) SURVIVORS OF DOMESTIC VIOLENCE.—Sec-
23 tion 3304(a) of the Internal Revenue Code of 1986
24 is amended by striking “and” at the end of para-
25 graph (18), by redesignating paragraph (19) as

1 paragraph (21), and by inserting after paragraph
2 (18) the following new paragraph:

3 “(19) no person may be denied compensation
4 under such State law solely on the basis of the indi-
5 vidual having a voluntary separation from work if
6 such separation is attributable to such individual
7 being a survivor of domestic violence;”.

8 (2) VICTIMS OF SEXUAL HARASSMENT AND
9 SURVIVORS OF SEXUAL ASSAULT OR STALKING.—
10 Section 3304(a) of the Internal Revenue Code of
11 1986 is further amended by inserting after para-
12 graph (19), as added by paragraph (1) of this sub-
13 section, the following new paragraph:

14 “(20) no person may be denied compensation
15 under such State law solely on the basis of the indi-
16 vidual having a voluntary separation from work if
17 such separation is attributable to such individual
18 being a victim of sexual harassment or a survivor of
19 sexual assault or stalking; and”.

20 (3) DOCUMENTATION REQUIRED.—Section
21 3304 of the Internal Revenue Code of 1986 is
22 amended by adding at the end the following new
23 subsection:

1 “(g) VICTIMS OF SEXUAL HARASSMENT AND SUR-
2 VIVORS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR
3 STALKING.—

4 “(1) DOCUMENTATION.—For purposes of para-
5 graphs (19) and (20) of subsection (a), a voluntary
6 separation of an individual shall be considered to be
7 attributable to such individual being a victim of sex-
8 ual harassment or a survivor of domestic violence,
9 sexual assault, or stalking if such individual submits
10 such evidence as the State deems sufficient.

11 “(2) SUFFICIENT DOCUMENTATION.—For pur-
12 poses of paragraph (1), a State shall deem suffi-
13 cient—

14 “(A) evidence of such sexual harassment,
15 domestic violence, sexual assault, or stalking in
16 the form of—

17 “(i) a sworn statement and a form of
18 identification;

19 “(ii) a police or court record; or

20 “(iii) documentation from a profes-
21 sional from whom such individual has
22 sought assistance, including those associ-
23 ated with medical, legal, or religious pro-
24 fessions; and

1 “(B) an attestation that such voluntary
2 separation is attributable to such sexual harass-
3 ment, domestic violence, sexual assault, or
4 stalking.

5 “(3) DEFINITIONS.—For purposes of this sec-
6 tion, the terms ‘sexual harassment’, ‘domestic vio-
7 lence’, ‘sexual assault’, ‘stalking’, ‘victim of sexual
8 harassment’, and ‘survivor of domestic violence, sex-
9 ual assault, or stalking’ have the meanings given
10 such terms under State law, regulation, or policy.”.

11 (b) UNEMPLOYMENT COMPENSATION PERSONNEL
12 TRAINING.—Section 303(a) of the Social Security Act (42
13 U.S.C. 503(a)) is amended—

14 (1) by redesignating paragraphs (4) through
15 (12) as paragraphs (5) through (13), respectively;
16 and

17 (2) by inserting after paragraph (3) the fol-
18 lowing new paragraph:

19 “(4)(A) Such methods of administration as will
20 ensure that—

21 “(i) applicants and potential applicants for
22 unemployment compensation are notified of the
23 provisions of paragraphs (19) and (20) of sec-
24 tion 3304(a) of the Internal Revenue Code of
25 1986; and

1 “(ii) claims reviewers and hearing per-
2 sonnel are trained in—

3 “(I) the nature and dynamics of sex-
4 ual harassment, domestic violence, sexual
5 assault, and stalking; and

6 “(II) methods of ascertaining and en-
7 suring the confidentiality of personal infor-
8 mation and documentation related to an
9 individual’s claim about possible experi-
10 ences of sexual harassment, domestic vio-
11 lence, sexual assault, or stalking.

12 “(B) For purposes of this paragraph, the terms
13 ‘sexual harassment’, ‘domestic violence’, ‘sexual as-
14 sault’, and ‘stalking’ have the meanings given such
15 terms in section 3304(g) of the Internal Revenue
16 Code of 1986.”.

17 (c) TANF PERSONNEL TRAINING.—Section 402(a)
18 of the Social Security Act (42 U.S.C. 602(a)) is amended
19 by adding at the end the following new paragraph:

20 “(8) CERTIFICATION THAT THE STATE WILL
21 PROVIDE INFORMATION TO VICTIMS OF SEXUAL
22 HARASSMENT OR SURVIVORS OF DOMESTIC VIO-
23 LENCE.—

24 “(A) IN GENERAL.—A certification by the
25 chief executive officer of the State that the

1 State has established and is enforcing stand-
2 ards and procedures to—

3 “(i) ensure that applicants and poten-
4 tial applicants for assistance under the
5 State program funded under this part are
6 notified of assistance made available by the
7 State to victims of sexual harassment and
8 survivors of domestic violence;

9 “(ii) ensure that case workers and
10 other agency personnel responsible for ad-
11 ministering the State program funded
12 under this part are trained in—

13 “(I) the nature and dynamics of
14 sexual harassment and domestic vio-
15 lence;

16 “(II) State standards and proce-
17 dures relating to the prevention of,
18 and assistance for, individuals who
19 are victims of sexual harassment or
20 survivors of domestic violence; and

21 “(III) methods of ascertaining
22 and ensuring the confidentiality of
23 personal information and documenta-
24 tion related to an individual’s claim

1 about possible experiences of sexual
2 harassment or domestic violence; and
3 “(iii) ensure that, if a State has elect-
4 ed to establish and enforce standards and
5 procedures regarding the screening for,
6 and identification of, domestic violence
7 pursuant to paragraph (7)—

8 “(I) the State program funded
9 under this part provides information
10 about the options under this part to
11 current and potential beneficiaries;
12 and

13 “(II) case workers and other
14 agency personnel responsible for ad-
15 ministering the State program funded
16 under this part are provided with
17 training regarding State standards
18 and procedures pursuant to paragraph
19 (7).

20 “(B) DEFINITIONS.—For purposes of this
21 paragraph—

22 “(i) the term ‘sexual harassment’ has
23 the meaning given such term under State
24 law, regulation, or policy; and

1 “(ii) the term ‘domestic violence’ has
2 the meaning given such term in section
3 402(a)(7).”.

4 (d) NATIONAL GRANT PROGRAM FOR DEVELOPING
5 A MODEL TRAINING PROGRAM FOR UNEMPLOYMENT
6 COMPENSATION PERSONNEL TRAINING.—

7 (1) GRANTS AUTHORIZED.—The Secretary of
8 Labor (in this subsection referred to as the “Sec-
9 retary”) is authorized to award a grant to a national
10 victim service provider in order for such organization
11 to—

12 (A) develop and disseminate a model train-
13 ing program (and related materials) for the
14 training required under section 303(a)(4)(A)(ii)
15 of the Social Security Act, as added by sub-
16 section (b); and

17 (B) provide technical assistance with re-
18 spect to such model training program to unem-
19 ployment compensation personnel.

20 (2) APPLICATION.—An entity seeking a grant
21 under this subsection shall submit an application to
22 the Secretary at such time, in such form and man-
23 ner, and containing such information as the Sec-
24 retary specifies.

25 (3) REPORT.—

1 (A) REPORT TO CONGRESS.—Not later
2 than 5 years after the date of the enactment of
3 this Act, the Secretary shall submit to the Com-
4 mittee on Ways and Means of the House of
5 Representatives and the Committee on Finance
6 of the Senate a report on the program estab-
7 lished under this subsection.

8 (B) REPORT AVAILABLE TO PUBLIC.—The
9 Secretary shall establish procedures for the dis-
10 semination to the public of the report submitted
11 under subparagraph (A) not later than 10 days
12 after the submission of such report to Congress
13 under such subparagraph. Such procedures
14 shall include the use of the internet to dissemi-
15 nate such report.

16 (4) AUTHORIZATION OF APPROPRIATIONS.—

17 (A) IN GENERAL.—There are authorized to
18 be appropriated—

19 (i) \$1,000,000 for fiscal year 2022 to
20 carry out the provisions of paragraph
21 (1)(A); and

22 (ii) \$8,000,000 for each of fiscal years
23 2022 through 2026 to carry out the provi-
24 sions of paragraph (1)(B).

1 (B) THREE-YEAR AVAILABILITY OF GRANT
2 FUNDS.—Each recipient of a grant under this
3 subsection shall return to the Secretary any un-
4 used portion of such grant not later than 3
5 years after the date the grant was awarded, to-
6 gether with any earnings on such unused por-
7 tion.

8 (C) AMOUNTS RETURNED.—Any amounts
9 returned pursuant to subparagraph (B) shall be
10 available without further appropriation to the
11 Secretary for the purpose of carrying out the
12 provisions of paragraph (1)(B).

13 (e) NATIONAL GRANT PROGRAM FOR DEVELOPING A
14 MODEL TRAINING PROGRAM FOR TEMPORARY ASSIST-
15 ANCE FOR NEEDY FAMILIES PERSONNEL TRAINING.—

16 (1) GRANTS AUTHORIZED.—The Secretary of
17 Health and Human Services (in this subsection re-
18 ferred to as the “Secretary”) shall—

19 (A) develop and disseminate a model train-
20 ing program (and related materials) for the
21 training required under 402(a)(8) of the Social
22 Security Act, and if the State so elects, section
23 402(a)(7) of such Act; and

24 (B) provide technical assistance with re-
25 spect to such model training program to eligible

1 States (as defined in section 402 of the Social
2 Security Act).

3 In developing the model training program under
4 subparagraph (A), the Secretary may award grants
5 and contracts and may develop such program in co-
6 operation with an eligible partner.

7 (2) ELIGIBLE PARTNER DEFINED.—For pur-
8 poses of paragraph (1), the term “eligible partner”
9 means an entity that is—

10 (A) a State or tribal domestic violence coa-
11 lition or sexual assault coalition; or

12 (B) a State or local victim service provider
13 with recognized expertise in the dynamics of do-
14 mestic violence, sexual assault, or stalking
15 whose primary mission is to provide services to
16 survivors of domestic violence, sexual assault, or
17 stalking, including a rape crisis center or do-
18 mestic violence program.

19 (3) REPORT.—

20 (A) REPORT TO CONGRESS.—Not later
21 than 5 years after the date of the enactment of
22 this Act, the Secretary shall submit to the Com-
23 mittee on Ways and Means of the House of
24 Representatives and the Committee on Finance

1 of the Senate a report on the program estab-
2 lished under this subsection.

3 (B) REPORT AVAILABLE TO PUBLIC.—The
4 Secretary shall establish procedures for the dis-
5 semination to the public of the report submitted
6 under subparagraph (A) not later than 10 days
7 after the submission of such report to Congress
8 under such subparagraph. Such procedures
9 shall include the use of the internet to dissemi-
10 nate such report.

11 (4) AUTHORIZATION OF APPROPRIATIONS.—
12 There are authorized to be appropriated—

13 (A) \$1,000,000 for fiscal year 2022 to
14 carry out the provisions of paragraph (1)(A);
15 and

16 (B) \$5,000,000 for each of fiscal years
17 2022 through 2026 to carry out the provisions
18 of paragraph (1)(B).

19 (f) CONFORMITY REVIEW; EFFECTIVE DATES.—

20 (1) UNEMPLOYMENT AMENDMENTS.—

21 (A) CONFORMITY REVIEW.—

22 (i) INITIAL GUIDANCE.—Not later
23 than 90 days after the date of enactment
24 of this Act, the Secretary of Labor shall
25 issue guidance describing the requirements

1 States must satisfy to conform to the
2 amendments made by subsections (a) and
3 (b).

4 (ii) REQUEST FOR TRANSMITTAL OF
5 INFORMATION FROM STATES.—Not later
6 than 30 days after the issuance of guid-
7 ance under clause (i), the Secretary of
8 Labor shall issue a request for the trans-
9 mittal of information from States relating
10 to the laws, regulations, and policies each
11 State identifies to satisfy such require-
12 ments.

13 (iii) DEADLINE FOR SUBMISSION OF
14 LAWS, REGULATIONS, AND POLICIES FROM
15 STATES.—Not later than 120 days after
16 the issuance of the request under clause
17 (ii), each State which has an unemploy-
18 ment compensation law approved by the
19 Secretary of Labor under the Federal Un-
20 employment Tax Act shall submit to the
21 Secretary the laws, regulations, and poli-
22 cies identified pursuant to such clause.

23 (iv) NOTIFICATION OF THE RESULTS
24 OF REVIEW TO STATES.—Not later than
25 60 days after the expiration of the deadline

1 described in clause (iii), the Secretary of
2 Labor shall notify each State whether the
3 laws, regulations, and policies identified by
4 the State under such clause satisfy the re-
5 quirements described pursuant to clause (i)
6 and, to the extent such laws, regulations,
7 and policies fail to satisfy such require-
8 ments, the Secretary of Labor shall inform
9 the State of the steps the State may take
10 to remedy such failure and provide any
11 necessary technical assistance.

12 (B) EFFECTIVE DATES FOR UNEMPLOY-
13 MENT AMENDMENTS.—

14 (i) PROVISIONS RELATING TO SUR-
15 VIVORS OF DOMESTIC VIOLENCE.—The
16 amendment made by subsection (a)(1)
17 shall apply with respect to weeks of unem-
18 ployment beginning on or after the date
19 that is 60 days after the earlier of—

20 (I) the date on which a State is
21 notified by the Secretary of Labor
22 under subparagraph (A)(iv) that the
23 laws, regulations, and policies identi-
24 fied by the State satisfy the require-

1 ments described pursuant to subpara-
2 graph (A)(i); or

3 (II) in the case of a State that is
4 notified by the Secretary of Labor
5 under subparagraph (A)(iv) that the
6 laws, regulations, and policies identi-
7 fied by the State fail to satisfy such
8 requirements, 1 year after the date of
9 such notification.

10 (ii) PROVISIONS RELATING TO VIC-
11 TIMS OF SEXUAL HARASSMENT AND SUR-
12 VIVORS OF SEXUAL ASSAULT OR STALK-
13 ING.—The amendment made by subsection
14 (a)(2) shall apply with respect to weeks of
15 unemployment beginning on or after the
16 date that is 60 days after the earlier of—

17 (I) the date on which a State is
18 notified by the Secretary of Labor
19 under subparagraph (A)(iv) that the
20 laws, regulations, and policies identi-
21 fied by the State satisfy the require-
22 ments described pursuant to subpara-
23 graph (A)(i); or

24 (II) in the case of a State that is
25 notified by the Secretary of Labor

1 under subparagraph (A)(iv) that the
2 laws, regulations, and policies identi-
3 fied by the State fail to satisfy such
4 requirements, 2 years after the date
5 of such notification.

6 (iii) PROVISIONS RELATING TO DOCU-
7 MENTATION REQUIRED.—The amendment
8 made by subsection (a)(3) shall apply with
9 respect to weeks of unemployment begin-
10 ning on or after the date that is 2 years
11 after the date of enactment of this Act.

12 (2) TANF AMENDMENT.—

13 (A) IN GENERAL.—Except as provided in
14 subparagraph (B), the amendment made by
15 subsection (c) shall be applicable in the next
16 State plan submitted after the date of enact-
17 ment of this Act.

18 (B) EXTENSION OF EFFECTIVE DATE FOR
19 STATE LAW AMENDMENT.—In the case of a
20 State plan under part A of title IV of the Social
21 Security Act which the Secretary of Health and
22 Human Services determines requires State ac-
23 tion (including legislation, regulation, or other
24 administrative action) in order for the plan to
25 meet the additional requirements imposed by

1 the amendment made by subsection (c), the
2 State plan shall not be regarded as failing to
3 comply with the requirements of such amend-
4 ment on the basis of its failure to meet these
5 additional requirements before the first day of
6 the first calendar quarter beginning after the
7 close of the first regular session of the State
8 legislature that begins after the date of enact-
9 ment of this Act. For purposes of the previous
10 sentence, in the case of a State that has a 2-
11 year legislative session, each year of the session
12 is considered to be a separate regular session of
13 the State legislature.

14 **SEC. 704. STUDY AND REPORTS ON BARRIERS TO SUR-**
15 **VIVORS' ECONOMIC SECURITY ACCESS.**

16 (a) **STUDY.**—The Secretary of Health and Human
17 Services, in consultation with the Secretary of Labor, shall
18 conduct a study on the barriers that survivors of domestic
19 violence, dating violence, sexual assault, or stalking
20 throughout the United States experience in maintaining
21 economic security, including the impact of the COVID-
22 19 pandemic on such victims' ability to maintain economic
23 security, as a result of issues related to domestic violence,
24 dating violence, sexual assault, or stalking.

1 (b) REPORTS.—Not later than 1 year after the date
2 of enactment of this title, and every 5 years thereafter,
3 the Secretary of Health and Human Services, in consulta-
4 tion with the Secretary of Labor, shall submit a report
5 to Congress on the study conducted under subsection (a).

6 (c) CONTENTS.—The study and reports under this
7 section shall include—

8 (1) identification of geographic areas in which
9 State laws, regulations, and practices have a strong
10 impact on the ability of survivors of domestic vio-
11 lence, dating violence, sexual assault, or stalking to
12 exercise—

13 (A) any rights under this Act without com-
14 promising personal safety or the safety of oth-
15 ers, including family members and excluding
16 the abuser; and

17 (B) other components of economic security,
18 including financial empowerment, affordable
19 housing, transportation, healthcare access, cred-
20 it history, and quality education and training
21 opportunities;

22 (2) identification of geographic areas with
23 shortages in resources for such survivors, with an
24 accompanying analysis of the extent and impact of
25 such shortage;

1 (3) analysis of the unique barriers faced by sur-
2 vivors living in rural communities;

3 (4) analysis of factors related to industries,
4 workplace settings, employer practices, trends, and
5 other elements that impact the ability of such sur-
6 vivors to exercise any rights under this Act without
7 compromising personal safety or the safety of others,
8 including family members;

9 (5) the recommendations of the Secretary of
10 Health and Human Services and the Secretary of
11 Labor with respect to resources, oversight, and en-
12 forcement tools to ensure successful implementation
13 of the provisions of this Act in order to support the
14 economic security and safety of survivors of domestic
15 violence, dating violence, sexual assault, or stalking;

16 (6) best practices for States, employers, health
17 carriers, insurers, and other private entities in ad-
18 dressing issues related to domestic violence, dating
19 violence, sexual assault, or stalking; and

20 (7) barriers that impede victims' ability to pur-
21 sue legal action, including legal costs and filing fees,
22 and complexities of the jurisdiction of law enforce-
23 ment agencies.

1 **SEC. 705. GAO STUDY.**

2 Not later than 18 months after the date of enactment
3 of this Act, the Comptroller General of the United States
4 shall submit to the Committee on Education and Labor
5 of the House of Representatives and the Committee on
6 Health, Education, Labor, and Pensions of the Senate a
7 report that examines, with respect to survivors of domestic
8 violence, dating violence, sexual assault, or stalking who
9 are, or were, enrolled at institutions of higher education
10 and borrowed a loan made, insured, or guaranteed under
11 title IV of the Higher Education Act of 1965 (20 U.S.C.
12 1070 et seq.) for which the survivors have not repaid the
13 total interest and principal due, each of the following:

14 (1) The implications of domestic violence, dat-
15 ing violence, sexual assault, or stalking on a bor-
16 rower's ability to repay their Federal student loans.

17 (2) The adequacy of policies and procedures re-
18 garding Federal student loan deferment, forbear-
19 ance, and grace periods when a survivor has to sus-
20 pend or terminate the survivor's enrollment at an in-
21 stitution of higher education due to domestic vio-
22 lence, dating violence, sexual assault, or stalking.

23 (3) The adequacy of institutional policies and
24 practices regarding retention or transfer of credits
25 when a survivor has to suspend or terminate the
26 survivor's enrollment at an institution of higher edu-

1 cation due to domestic violence, dating violence, sex-
2 ual assault, or stalking.

3 (4) The availability or any options for a sur-
4 vivor of domestic violence, dating violence, sexual as-
5 sault, or stalking who attended an institution of
6 higher education that committed unfair, deceptive,
7 or abusive acts or practices, or otherwise substan-
8 tially misrepresented information to students, to be
9 able to seek a defense to repayment of the survivor's
10 Federal student loan.

11 (5) The limitations faced by a survivor of do-
12 mestic violence, dating violence, sexual assault, or
13 stalking to obtain any relief or restitution on the
14 survivor's Federal student loan debt due to the use
15 of forced arbitration, gag orders, or bans on class
16 actions.

17 **SEC. 706. EDUCATION AND INFORMATION PROGRAMS FOR**
18 **SURVIVORS.**

19 (a) PUBLIC EDUCATION CAMPAIGN.—

20 (1) IN GENERAL.—The Secretary of Labor, in
21 conjunction with the Secretary of Health and
22 Human Services (though the Director of the Centers
23 for Disease Control and Prevention), the Attorney
24 General (through the Director of the Office on Vio-
25 lence Against Women), and the grant recipient

1 under section 41501 of the Violence Against Women
2 Act of 1994 that establishes the national resource
3 center on workplace responses to assist victims of
4 domestic and sexual violence, shall coordinate and
5 provide for a national public outreach and education
6 campaign to raise public awareness of the workplace
7 impact of domestic violence, dating violence, sexual
8 assault, and stalking, including outreach and edu-
9 cation for employers, service providers, teachers, and
10 other key partners. This campaign shall pay special
11 attention to ensure that survivors are made aware of
12 the existence of the following types of workplace
13 laws (Federal and/or State): anti-discrimination laws
14 that bar treating survivors differently; leave laws,
15 both paid and unpaid that are available for use by
16 survivors; unemployment insurance laws and policies
17 that address survivor eligibility. The provision of
18 outreach and education under this paragraph shall
19 be conducted in a manner that is equally effective
20 for and accessible to people with disabilities and peo-
21 ple without disabilities.

22 (2) DISSEMINATION.—The Secretary of Labor,
23 in conjunction with the Secretary of Health and
24 Human Services and the Attorney General, as de-
25 scribed in paragraph (1), may disseminate informa-

1 tion through the public outreach and education cam-
2 paign on the resources and rights referred to in this
3 subsection directly or through arrangements with
4 health agencies, professional and nonprofit organiza-
5 tions, consumer groups, labor organizations, institu-
6 tions of higher education, clinics, the media, and
7 Federal, State, and local agencies.

8 (3) INFORMATION.—The information dissemi-
9 nated under paragraph (2) shall include, at a min-
10 imum, a description of—

11 (A) the resources and rights that are—

12 (i) available to survivors of domestic
13 violence, dating violence, sexual assault, or
14 stalking; and

15 (ii) established in this Act and the Vi-
16 olence Against Women Act of 1994 (34
17 U.S.C. 12291 et seq.);

18 (B) guidelines and best practices on pre-
19 vention of domestic violence, dating violence,
20 stalking, and sexual assault;

21 (C) resources that promote healthy rela-
22 tionships and communication skills;

23 (D) resources that encourage bystander
24 intervention in a situation involving domestic vi-

1 olence, dating violence, stalking, or sexual as-
2 sault;

3 (E) resources that promote workplace poli-
4 cies that support and help maintain the eco-
5 nomic security of survivors of domestic violence,
6 dating violence, sexual assault, or stalking, in-
7 cluding guidelines and best practices to promote
8 the creation of effective employee assistance
9 programs; and

10 (F) resources and rights that the heads of
11 Federal agencies described in paragraph (2) de-
12 termine are appropriate to include.

13 (4) COMMON LANGUAGES.—The Secretary of
14 Labor shall ensure that the information dissemi-
15 nated to survivors under paragraph (2) is made
16 available in commonly encountered languages.

17 (b) DEFINITIONS.—In this section:

18 (1) EMPLOYEE.—

19 (A) IN GENERAL.—The term “employee”
20 means any individual employed by an employer.
21 In the case of an individual employed by a pub-
22 lic agency, such term means an individual em-
23 ployed as described in section 3(e)(2) of the
24 Fair Labor Standards Act of 1938 (29 U.S.C.
25 203(e)(2)).

1 (B) BASIS.—The term includes a person
2 employed as described in subparagraph (A) on
3 a full- or part-time basis, for a fixed time pe-
4 riod, on a temporary basis, pursuant to a detail,
5 or as a participant in a work assignment as a
6 condition of receipt of Federal or State income-
7 based public assistance.

8 (2) EMPLOYER.—The term “employer”—

9 (A) means any person engaged in com-
10 merce or in any industry or activity affecting
11 commerce who employs 15 or more individuals;
12 and

13 (B) includes any person acting directly or
14 indirectly in the interest of an employer in rela-
15 tion to an employee, and includes a public agen-
16 cy that employs individuals as described in sec-
17 tion 3(e)(2) of the Fair Labor Standards Act of
18 1938, but does not include any labor organiza-
19 tion (other than when acting as an employer) or
20 anyone acting in the capacity of officer or agent
21 of such labor organization.

22 (3) FLSA TERMS.—The terms “employ” and
23 “State” have the meanings given the terms in sec-
24 tion 3 of the Fair Labor Standards Act of 1938 (29
25 U.S.C. 203).

1 (c) **STUDY ON WORKPLACE RESPONSES.**—The Sec-
2 retary of Labor, in conjunction with the Secretary of
3 Health and Human Services, shall conduct a study on the
4 status of workplace responses to employees who experience
5 domestic violence, dating violence, sexual assault, or stalk-
6 ing while employed, in each State and nationally, to im-
7 prove the access of survivors of domestic violence, dating
8 violence, sexual assault, or stalking to supportive resources
9 and economic security.

10 (d) **AUTHORIZATION OF APPROPRIATIONS.**—There
11 are authorized to be appropriated to carry out this section,
12 such sums as may be necessary for each of fiscal years
13 2022 through 2026.

14 (e) **CULTURAL RELEVANCE.**—Any outreach or edu-
15 cation campaign conducted pursuant to this section shall
16 be conducted in a culturally relevant manner.

17 **SEC. 707. SEVERABILITY.**

18 If any provision of this Act, any amendment made
19 by this Act, or the application of such provision or amend-
20 ment to any person or circumstance is held to be unconsti-
21 tutional, the remainder of the provisions of this Act, the
22 amendments made by this Act, and the application of such
23 provisions or amendments to any person or circumstance
24 shall not be affected.

1 **SEC. 708. STUDY ON COSTS OF DIVORCE IN DOMESTIC VIO-**
2 **LENCE CASES.**

3 The Attorney General, in coordination with the Sec-
4 retary of Health and Human Services, shall—

5 (1) conduct a study on the direct and collateral
6 economic costs and risks of divorce from an abusive
7 partner to a victim of domestic violence, including
8 the payment of alimony, legal fees, spousal support,
9 or the division of property, disaggregated on the
10 basis of whether the individual has higher earnings
11 than their partner; and

12 (2) include recommendations based on the
13 study conducted under paragraph (1).

14 **TITLE VIII—HOMICIDE**
15 **REDUCTION INITIATIVES**

16 **SEC. 801. PROHIBITING PERSONS CONVICTED OF MIS-**
17 **DEMEANOR CRIMES AGAINST DATING PART-**
18 **NERS AND PERSONS SUBJECT TO PROTEC-**
19 **TION ORDERS.**

20 Section 921(a) of title 18, United States Code, is
21 amended—

22 (1) in paragraph (32), by striking all that fol-
23 lows after “The term ‘intimate partner’” and insert-
24 ing the following: “—

25 “(A) means, with respect to a person, the
26 spouse of the person, a former spouse of the

1 person, an individual who is a parent of a child
2 of the person, and an individual who cohabi-
3 tates or has cohabited with the person; and

4 “(B) includes—

5 “(i) a dating partner or former dating
6 partner; and

7 “(ii) any other person similarly situ-
8 ated to a spouse.

9 Nothing in this paragraph may be construed to
10 require that sexual contact between two persons
11 have occurred to establish the existence of any
12 relationship for purposes of this paragraph. For
13 purposes of this paragraph, the term ‘dating
14 partner’ means, with respect to person, a per-
15 son who is or has been in a social relationship
16 of a romantic or intimate nature with the per-
17 son.”;

18 (2) in paragraph (33)(A)—

19 (A) in the matter preceding clause (i), by
20 striking “Except as provided in subparagraph
21 (C), the term” and inserting “The term”;

22 (B) in clause (i), by inserting after “Fed-
23 eral, State,” the following: “local,”; and

24 (C) in clause (ii), by inserting “intimate
25 partner,” after “spouse,” each place it appears;

1 (3) by redesignating paragraphs (34) and (35)
2 as paragraphs (35) and (36) respectively; and

3 (4) by inserting after paragraph (33) the fol-
4 lowing:

5 “(34)(A) The term ‘misdemeanor crime of stalking’
6 means an offense that—

7 “(i) is a misdemeanor crime of stalking under
8 Federal, State, Tribal, or municipal law; and

9 “(ii) is a course of harassment, intimidation, or
10 surveillance of another person that—

11 “(I) places that person in reasonable fear
12 of material harm to the health or safety of—

13 “(aa) that person;

14 “(bb) an immediate family member
15 (as defined in section 115) of that person;

16 “(cc) a household member of that per-
17 son; or

18 “(dd) a spouse or intimate partner of
19 that person; or

20 “(II) causes, attempts to cause, or would
21 reasonably be expected to cause emotional dis-
22 tress to a person described in item (aa), (bb),
23 (cc), or (dd) of subclause (I).

1 “(B) A person shall not be considered to have been
2 convicted of such an offense for purposes of this chapter,
3 unless—

4 “(i) the person was represented by counsel in
5 the case, or knowingly and intelligently waived the
6 right to counsel in the case; and

7 “(ii) in the case of a prosecution for an offense
8 described in this paragraph for which a person was
9 entitled to a jury trial in the jurisdiction in which
10 the case was tried, either—

11 “(I) the case was tried by a jury; or

12 “(II) the person knowingly and intel-
13 ligently waived the right to have the case tried
14 by a jury, by guilty plea or otherwise.

15 “(C) A person shall not be considered to have been
16 convicted of such an offense for purposes of this chapter
17 if the conviction has been expunged or set aside, or is an
18 offense for which the person has been pardoned or has
19 had civil rights restored (if the law of the applicable juris-
20 diction provides for the loss of civil rights under such an
21 offense) unless the pardon, expungement, or restoration
22 of civil rights expressly provides that the person may not
23 ship, transport, possess, or receive firearms.”.

1 **SEC. 802. PROHIBITING STALKERS AND INDIVIDUALS SUB-**
2 **JECT TO COURT ORDER FROM POSSESSING A**
3 **FIREARM.**

4 Section 922 of title 18, United States Code, is
5 amended—

6 (1) in subsection (d)—

7 (A) in paragraph (8), by striking “that re-
8 strains such person” and all that follows, and
9 inserting “described in subsection (g)(8);”;

10 (B) in paragraph (9), by striking the pe-
11 riod at the end and inserting “; or”; and

12 (C) by inserting after paragraph (9) the
13 following:

14 “(10) who has been convicted in any court of
15 a misdemeanor crime of stalking.”; and

16 (2) in subsection (g)—

17 (A) by amending paragraph (8) to read as
18 follows:

19 “(8) who is subject to a court order—

20 “(A) that was issued—

21 “(i) after a hearing of which such per-
22 son received actual notice, and at which
23 such person had an opportunity to partici-
24 pate; or

1 “(ii) in the case of an ex parte order,
2 relative to which notice and opportunity to
3 be heard are provided—

4 “(I) within the time required by
5 State, Tribal, or territorial law; and

6 “(II) in any event within a rea-
7 sonable time after the order is issued,
8 sufficient to protect the due process
9 rights of the person;

10 “(B) that restrains such person from—

11 “(i) harassing, stalking, or threat-
12 ening an intimate partner of such person
13 or child of such intimate partner or person,
14 or engaging in other conduct that would
15 place an intimate partner in reasonable
16 fear of bodily injury to the partner or
17 child; or

18 “(ii) intimidating or dissuading a wit-
19 ness from testifying in court; and

20 “(C) that—

21 “(i) includes a finding that such per-
22 son represents a credible threat to the
23 physical safety of such individual described
24 in subparagraph (B); or

1 “(ii) by its terms explicitly prohibits
2 the use, attempted use, or threatened use
3 of physical force against such individual
4 described in subparagraph (B) that would
5 reasonably be expected to cause bodily in-
6 jury;”;

7 (B) in paragraph (9), by striking the
8 comma at the end and inserting “; or”; and

9 (C) by inserting after paragraph (9) the
10 following:

11 “(10) who has been convicted in any court of
12 a misdemeanor crime of stalking,”.

13 **TITLE IX—SAFETY FOR INDIAN**
14 **WOMEN**

15 **SEC. 901. FINDINGS AND PURPOSES.**

16 (a) FINDINGS.—Congress finds the following:

17 (1) American Indians and Alaska Natives are
18 2.5 times as likely to experience violent crimes—and
19 at least 2 times more likely to experience rape or
20 sexual assault crimes—compared to all other races.

21 (2) More than 4 in 5 American Indian and
22 Alaska Native women, or 84.3 percent, have experi-
23 enced violence in their lifetime.

1 (3) The vast majority of Native victims—96
2 percent of women and 89 percent of male victims—
3 report being victimized by a non-Indian.

4 (4) Native victims of sexual violence are three
5 times as likely to have experienced sexual violence by
6 an interracial perpetrator as non-Hispanic White
7 victims and Native stalking victims are nearly 4
8 times as likely to be stalked by someone of a dif-
9 ferent race.

10 (5) While Tribes exercising jurisdiction over
11 non-Indians have reported significant successes, the
12 inability to prosecute crimes related to the Special
13 Domestic Violence Criminal Jurisdiction crimes con-
14 tinues to leave Tribes unable to fully hold domestic
15 violence offenders accountable.

16 (6) Tribal prosecutors report that the majority
17 of domestic violence cases involve children either as
18 witnesses or victims, and Department of Justice re-
19 ports that American Indian and Alaska Native chil-
20 dren suffer exposure to violence at rates higher than
21 any other race in the United States.

22 (7) Childhood exposure to violence has imme-
23 diate and long-term effects, including: increased
24 rates of altered neurological development, poor phys-
25 ical and mental health, poor school performance,

1 substance abuse, and overrepresentation in the juve-
2 nile justice system.

3 (8) According to the Centers for Disease Con-
4 trol and Prevention, homicide is the third leading
5 cause of death among American Indian and Alaska
6 Native women between 10 and 24 years of age and
7 the fifth leading cause of death for American Indian
8 and Alaska Native women between 25 and 34 years
9 of age.

10 (9) On some reservations, Indian women are
11 murdered at more than 10 times the national aver-
12 age.

13 (10) According to a 2010 Government Account-
14 ability Office report, United States Attorneys de-
15 clined to prosecute nearly 52 percent of violent
16 crimes that occur in Indian country.

17 (11) Investigation into cases of missing and
18 murdered Indian women is made difficult for Tribal
19 law enforcement agencies due to a lack of resources,
20 such as—

21 (A) necessary training, equipment, or
22 funding;

23 (B) a lack of interagency cooperation;

24 (C) a lack of appropriate laws in place;

25 and

1 (D) a lack of access to Federal, State, and
2 local law enforcement databases.

3 (12) Domestic violence calls are among the
4 most dangerous calls that law enforcement receives.

5 (13) The complicated jurisdictional scheme that
6 exists in Indian country—

7 (A) has a significant negative impact on
8 the ability to provide public safety to Indian
9 communities;

10 (B) has been increasingly exploited by
11 criminals; and

12 (C) requires a high degree of commitment
13 and cooperation among Tribal, Federal, and
14 State law enforcement officials.

15 (14) Restoring and enhancing local, Tribal ca-
16 pacity to address violence against women provides
17 for greater local control, safety, accountability, and
18 transparency.

19 (15) In States with restrictive land settlement
20 acts such as Alaska, “Indian country” is limited, re-
21 sources for local Tribal responses either nonexistent
22 or insufficient to meet the needs, jurisdiction unnec-
23 essarily complicated and increases the already high
24 levels of victimization of American Indian and Alas-
25 ka Native women. According to the Tribal Law and

1 Order Act Commission Report, Alaska Native
2 women are over-represented in the domestic violence
3 victim population by 250 percent; they comprise 19
4 percent of the State population, but are 47 percent
5 of reported rape victims. And among other Indian
6 Tribes, Alaska Native women suffer the highest
7 rates of domestic and sexual violence in the country.

8 (16) Native Hawaiians experience a dispropor-
9 tionately high rate of human trafficking with 64 per-
10 cent of human trafficking victims in the State of
11 Hawai'i identifying as at least part Native Hawai-
12 ian.

13 (b) PURPOSES.—The purposes of this title are—

14 (1) to clarify the responsibilities of Federal,
15 State, Tribal, and local governments with respect to
16 responding to cases of domestic violence, dating vio-
17 lence, stalking, trafficking, sexual violence, crimes
18 against children, and assault against Tribal law en-
19 forcement officers and murdered Indians;

20 (2) to increase coordination and communication
21 among Federal, State, Tribal, and local law enforce-
22 ment agencies;

23 (3) to empower Tribal governments with the re-
24 sources and information necessary to effectively re-
25 spond to cases of domestic violence, dating violence,

1 stalking, sex trafficking, sexual violence, and missing
2 and murdered Indians; and

3 (4) to increase the collection of data related to
4 missing and murdered Indians and the sharing of in-
5 formation among Federal, State, and Tribal officials
6 responsible for responding to and investigating cases
7 of missing and murdered Indians.

8 **SEC. 902. AUTHORIZING FUNDING FOR THE TRIBAL ACCESS**
9 **PROGRAM.**

10 (a) IN GENERAL.—Section 534 of title 28, United
11 States Code, is amended by adding at the end the fol-
12 lowing:

13 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
14 is authorized to be appropriated \$3,000,000 for each of
15 fiscal years 2022 through 2026, to remain available until
16 expended, for the purposes of enhancing the ability of
17 Tribal government entities to access, enter information
18 into, and obtain information from, Federal criminal infor-
19 mation databases, as authorized by this section.”.

20 (b) INDIAN TRIBE AND INDIAN LAW ENFORCEMENT
21 INFORMATION SHARING.—Section 534 of title 28, United
22 States Code, is further amended by amending subsection
23 (d) to read as follows:

24 “(d) INDIAN TRIBE AND INDIAN LAW ENFORCE-
25 MENT INFORMATION SHARING.—The Attorney General

1 shall permit Tribal law enforcement entities (including en-
2 tities designated by a Tribe as maintaining public safety
3 within a Tribe’s territorial jurisdiction that has no Federal
4 or State arrest authority) and Bureau of Indian Affairs
5 law enforcement agencies—

6 “(1) to access and enter information into Fed-
7 eral criminal information databases; and

8 “(2) to obtain information from the data-
9 bases.”.

10 **SEC. 903. TRIBAL JURISDICTION OVER COVERED CRIMES**
11 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**
12 **OBSTRUCTION OF JUSTICE, SEXUAL VIO-**
13 **LENCE, SEX TRAFFICKING, STALKING, AND**
14 **ASSAULT OF A LAW ENFORCEMENT OFFICER**
15 **OR CORRECTIONS OFFICER.**

16 Section 204 of Public Law 90–284 (25 U.S.C. 1304)
17 (commonly known as the “Indian Civil Rights Act of
18 1968”) is amended—

19 (1) in the heading, by striking “**CRIMES OF**
20 **DOMESTIC VIOLENCE**” and inserting “**CRIMES**
21 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**
22 **OBSTRUCTION OF JUSTICE, SEXUAL VIOLENCE,**
23 **SEX TRAFFICKING, STALKING, AND ASSAULT**
24 **OF A LAW ENFORCEMENT OR CORRECTIONS**
25 **OFFICER**”;

1 (2) in subsection (a)(6), in the heading, by
2 striking “SPECIAL DOMESTIC VIOLENCE CRIMINAL
3 JURISDICTION” and inserting “SPECIAL TRIBAL
4 CRIMINAL JURISDICTION”;

5 (3) by striking “special domestic violence crimi-
6 nal jurisdiction” each place such term appears and
7 inserting “special Tribal criminal jurisdiction”;

8 (4) in subsection (a)—

9 (A) by adding at the end the following:

10 “(12) STALKING.—The term ‘stalking’ means
11 engaging in a course of conduct directed at a spe-
12 cific person proscribed by the criminal law of the In-
13 dian Tribe that has jurisdiction over the Indian
14 country where the violation occurs that would cause
15 a reasonable person to—

16 “(A) fear for the person’s safety or the
17 safety of others; or

18 “(B) suffer substantial emotional dis-
19 tress.”;

20 (B) by redesignating paragraphs (6) and
21 (7) as paragraphs (10) and (11);

22 (C) by inserting before paragraph (10) (as
23 redesignated) the following:

24 “(8) SEX TRAFFICKING.—

1 “(A) IN GENERAL.—The term ‘sex traf-
2 ficking’ means conduct—

3 “(i) consisting of—

4 “(I) recruiting, enticing, har-
5 boring, transporting, providing, ob-
6 taining, advertising, maintaining, pa-
7 tronizing, or soliciting by any means a
8 person; or

9 “(II) benefitting, financially or
10 by receiving anything of value, from
11 participation in a venture that has en-
12 gaged in an act described in subclause
13 (I); and

14 “(ii) carried out with the knowledge,
15 or, except where the act constituting the
16 violation of clause (i) is advertising, in
17 reckless disregard of the fact, that—

18 “(I) means of force, threats of
19 force, fraud, coercion, or any combina-
20 tion of such means will be used to
21 cause the person to engage in a com-
22 mercial sex act; or

23 “(II) the person has not attained
24 the age of 18 years and will be caused
25 to engage in a commercial sex act.

1 “(B) DEFINITIONS.—In this paragraph,
2 the terms ‘coercion’ and ‘commercial sex act’
3 have the meanings given the terms in section
4 1591(e) of title 18, United States Code.

5 “(9) SEXUAL VIOLENCE.—The term ‘sexual vio-
6 lence’ means any nonconsensual sexual act or con-
7 tact proscribed by the criminal law of the Indian
8 Tribe that has jurisdiction over the Indian country
9 where the violation occurs, including in any case in
10 which the victim lacks the capacity to consent to the
11 act.”;

12 (D) by redesignating paragraphs (4) and
13 (5) as paragraphs (6) and (7);

14 (E) by redesignating paragraphs (1)
15 through (3) as paragraphs (2) through (4);

16 (F) in paragraph (3) (as redesignated), to
17 read as follows:

18 “(3) DOMESTIC VIOLENCE.—The term ‘domes-
19 tic violence’ means violence—

20 “(A) committed by a current or former
21 spouse or intimate partner of the victim, by a
22 person with whom the victim shares a child in
23 common, by a person who is cohabitating with
24 or has cohabitated with the victim as a spouse
25 or intimate partner, or by a person similarly

1 situated to a spouse of the victim under the
2 domestic- or family- violence laws of an Indian
3 Tribe that has jurisdiction over the Indian
4 country where the violence occurs; or

5 “(B)(i) committed against a victim who is
6 a child under the age of 18, or an elder (as
7 such term is defined by Tribal law), including
8 when an offender recklessly engages in conduct
9 that creates a substantial risk of death or seri-
10 ous bodily injury to the victim, or committed as
11 described in subparagraph (A) while the child
12 or elder is present; and

13 “(ii) the child or elder—

14 “(I) resides or has resided in the
15 same household as the offender;

16 “(II) is related to the offender by
17 blood or marriage;

18 “(III) is related to another victim of
19 the offender by blood or marriage;

20 “(IV) is under the care of a victim of
21 the offender who is an intimate partner or
22 former spouse; or

23 “(V) is under the care of a victim of
24 the offender who is similarly situated to a
25 spouse of the victim under the domestic- or

1 family- violence laws of an Indian Tribe
2 that has jurisdiction over the Indian coun-
3 try where the violence occurs.”;

4 (G) by inserting before paragraph (2) (as
5 redesignated), the following:

6 “(1) ASSAULT OF A LAW ENFORCEMENT OR
7 CORRECTIONAL OFFICER.—The term ‘assault of a
8 law enforcement or correctional officer’ means any
9 criminal violation of the law of the Indian Tribe that
10 has jurisdiction over the Indian country where the
11 violation occurs that involves the threatened, at-
12 tempted, or actual harmful or offensive touching of
13 a law enforcement or correctional officer.”; and

14 (H) by inserting after paragraph (4) (as
15 redesignated), the following:

16 “(5) OBSTRUCTION OF JUSTICE.—The term
17 ‘obstruction of justice’ means any violation of the
18 criminal law of the Indian Tribe that has jurisdic-
19 tion over the Indian country where the violation oc-
20 curs, and the violation involves interfering with the
21 administration or due process of the Tribe’s laws in-
22 cluding any Tribal criminal proceeding or investiga-
23 tion of a crime.”;

24 (5) in subsection (b)(1), by inserting after “the
25 powers of self-government of a participating Tribe”

1 the following: “, including any participating Tribes
2 in the State of Maine,”;

3 (6) in subsection (b)(4)—

4 (A) in subparagraph (A)(i), by inserting
5 after “over an alleged offense” the following: “,
6 other than obstruction of justice or an act of
7 assault of a law enforcement or corrections offi-
8 cer,”; and

9 (B) in subparagraph (B)—

10 (i) in clause (ii), by striking “or” at
11 the end;

12 (ii) in clause (iii)(II), by striking the
13 period at the end and inserting the fol-
14 lowing: “; or”; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(iv) is being prosecuted for a crime
18 of sexual violence, stalking, sex trafficking,
19 obstructing justice, or assaulting a police
20 or corrections officer under the laws of the
21 prosecuting Tribe.”;

22 (7) in subsection (c)—

23 (A) in the matter preceding paragraph (1),
24 by striking “domestic violence” and inserting
25 “Tribal”; and

1 (B) in paragraph (1)—

2 (i) in the paragraph heading, by strik-
3 ing “AND DATING VIOLENCE” and insert-
4 ing “, DATING VIOLENCE, OBSTRUCTION
5 OF JUSTICE, SEXUAL VIOLENCE, STALK-
6 ING, SEX TRAFFICKING, OR ASSAULT OF A
7 LAW ENFORCEMENT OR CORRECTIONS OF-
8 FICER”; and

9 (ii) by striking “or dating violence”
10 and inserting “, dating violence, obstruc-
11 tion of justice, sexual violence, stalking,
12 sex trafficking, or assault of a law enforce-
13 ment or corrections officer”;

14 (8) in subsection (d), by striking “domestic vio-
15 lence” each place it appears and inserting “Tribal”;

16 (9) by striking subsections (f), (g), and (h) and
17 inserting the following:

18 “(f) GRANTS AND REIMBURSEMENT TO TRIBAL GOV-
19 ERNMENTS.—

20 “(1) REIMBURSEMENT.—

21 “(A) IN GENERAL.—The Attorney General
22 is authorized to reimburse Tribal government
23 authorities for expenses incurred in exercising
24 special Tribal criminal jurisdiction.

1 “(B) ELIGIBLE EXPENSES.—Eligible ex-
2 penses for reimbursement shall include—

3 “(i) expenses incurred to arrest or
4 prosecute offenders and to detain inmates
5 (including costs associated with providing
6 health care);

7 “(ii) expenses related to indigent de-
8 fense services; and

9 “(iii) costs associated with probation
10 and rehabilitation services.

11 “(C) PROCEDURE.—Reimbursements au-
12 thorized pursuant to this section shall be in ac-
13 cordance with rules promulgated by the Attor-
14 ney General after consultation with Indian
15 Tribes and within 1 year after the date of en-
16 actment of this Act. The rules promulgated by
17 the Department shall set a maximum allowable
18 reimbursement to any Tribal government in a
19 1-year period.

20 “(2) GRANTS.—The Attorney General may
21 award grants to the governments of Indian Tribes
22 (or to authorized designees of those governments)—

23 “(A) to strengthen Tribal criminal justice
24 systems to assist Indian Tribes in exercising
25 special Tribal criminal jurisdiction, including—

1 “(i) law enforcement (including the
2 capacity of law enforcement, court per-
3 sonnel, or other non-law enforcement enti-
4 ties that have no Federal or State arrest
5 authority agencies but have been des-
6 ignated by a Tribe as responsible for main-
7 taining public safety within its territorial
8 jurisdiction, to enter information into and
9 obtain information from national crime in-
10 formation databases);

11 “(ii) prosecution;

12 “(iii) trial and appellate courts (in-
13 cluding facilities construction);

14 “(iv) probation systems;

15 “(v) detention and correctional facili-
16 ties (including facilities construction);

17 “(vi) alternative rehabilitation centers;

18 “(vii) culturally appropriate services
19 and assistance for victims and their fami-
20 lies; and

21 “(viii) criminal codes and rules of
22 criminal procedure, appellate procedure,
23 and evidence;

24 “(B) to provide indigent criminal defend-
25 ants with the effective assistance of licensed de-

1 fense counsel, at no cost to the defendant, in
2 criminal proceedings in which a participating
3 Tribe prosecutes—

4 “(i) a crime of domestic violence;

5 “(ii) a crime of dating violence;

6 “(iii) a criminal violation of a protec-
7 tion order;

8 “(iv) a crime of sexual violence;

9 “(v) a crime of stalking;

10 “(vi) a crime of sex trafficking;

11 “(vii) a crime of obstruction of justice;

12 or

13 “(viii) a crime of assault of a law en-
14 forcement or correctional officer;

15 “(C) to ensure that, in criminal pro-
16 ceedings in which a participating Tribe exer-
17 cises special Tribal criminal jurisdiction, jurors
18 are summoned, selected, and instructed in a
19 manner consistent with all applicable require-
20 ments;

21 “(D) to accord victims of domestic vio-
22 lence, dating violence, sexual violence, stalking,
23 sex trafficking, obstruction of justice, assault of
24 a law enforcement or correctional officer, and
25 violations of protection orders rights that are

1 similar to the rights of a crime victim described
2 in section 3771(a) of title 18, consistent with
3 Tribal law and custom; and

4 “(E) to create a pilot project to allow up
5 to five Indian Tribes in Alaska to implement
6 special Tribal criminal jurisdiction.

7 “(g) SUPPLEMENT, NOT SUPPLANT.—Amounts
8 made available under this section shall supplement and
9 not supplant any other Federal, State, Tribal, or local gov-
10 ernment amounts made available to carry out activities de-
11 scribed in this section.

12 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated \$7,000,000 for each of
14 fiscal years 2022 through 2026 to carry out subsection
15 (f) and to provide training, technical assistance, data col-
16 lection, and evaluation of the criminal justice systems of
17 participating Tribes.

18 “(i) USE OF FUNDS.—Not less than 25 percent of
19 the total amount of funds appropriated under this section
20 in a given year shall be used for each of the purposes de-
21 scribed in paragraphs (1) and (2) of subsection (f), with
22 remaining funds available to be distributed for either of
23 the purposes described in paragraph (1) or (2) of sub-
24 section (f), or any combination of such purposes, depend-
25 ing on need and in consultation with Indian Tribes.”;

1 (10) by inserting after subsection (i) the fol-
2 lowing:

3 “(j) INDIAN COUNTRY DEFINED.—For purposes of
4 the pilot project described in subsection (f)(5), the defini-
5 tion of ‘Indian country’ shall include—

6 “(1) Alaska Native-owned Townsites, Allot-
7 ments, and former reservation lands acquired in fee
8 by Alaska Native Village Corporations pursuant to
9 the Alaska Native Claims Settlement Act (43 U.S.C.
10 33) and other lands transferred in fee to Native vil-
11 lages; and

12 “(2) all lands within any Alaska Native village
13 with a population that is at least 75 percent Alaska
14 Native.”.

15 **TITLE X—OFFICE ON VIOLENCE**
16 **AGAINST WOMEN**

17 **SEC. 1001. ESTABLISHMENT OF OFFICE ON VIOLENCE**
18 **AGAINST WOMEN.**

19 (a) ESTABLISHMENT OF OFFICE ON VIOLENCE
20 AGAINST WOMEN.—Section 2002 of title I of the Omnibus
21 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
22 10442) is amended—

23 (1) in subsection (a), by striking “a Violence
24 Against Women Office” and inserting “an Office on
25 Violence Against Women”;

1 referred to as the ‘Director’) to be responsible, under the
2 general authority of the Attorney General, for the admin-
3 istration, coordination, and implementation of the pro-
4 grams and activities of the Office.

5 “(b) OTHER EMPLOYMENT.—The Director shall
6 not—

7 “(1) engage in any employment other than that
8 of serving as Director; or

9 “(2) hold any office in, or act in any capacity
10 for, any organization, agency, or institution with
11 which the Office makes any contract or other agree-
12 ment under the Violence Against Women Act of
13 1994 (title IV of Public Law 103–322), the Violence
14 Against Women Act of 2000 (division B of Public
15 Law 106–386), the Violence Against Women and
16 Department of Justice Reauthorization Act of 2005
17 (Public Law 109–162; 119 Stat. 3080), the Violence
18 Against Women Reauthorization Act of 2013 (Public
19 Law 113–4; 127 Stat. 54), or the Violence Against
20 Women Act Reauthorization Act of 2021.

21 “(c) VACANCY.—In the case of a vacancy, the Presi-
22 dent may designate an officer or employee who shall act
23 as Director during the vacancy.

24 “(d) COMPENSATION.—The Director shall be com-
25 pensated at a rate of pay not to exceed the rate payable

1 for level V of the Executive Schedule under section 5316
2 of title 5, United States Code.”.

3 (c) DUTIES AND FUNCTIONS OF DIRECTOR OF THE
4 OFFICE ON VIOLENCE AGAINST WOMEN.—Section 2004
5 of the Omnibus Crime Control and Safe Streets Act of
6 1968 (34 U.S.C. 10444) is amended to read as follows:

7 **“SEC. 2004. DUTIES AND FUNCTIONS OF DIRECTOR OF THE**
8 **OFFICE ON VIOLENCE AGAINST WOMEN.**

9 “The Director shall have the following duties:

10 “(1) Maintaining liaison with the judicial
11 branches of the Federal and State Governments on
12 matters relating to violence against women.

13 “(2) Providing information to the President,
14 the Congress, the judiciary, State, local, and Tribal
15 governments, and the general public on matters re-
16 lating to violence against women.

17 “(3) Serving, at the request of the Attorney
18 General, as the representative of the Department of
19 Justice on domestic task forces, committees, or com-
20 missions addressing policy or issues relating to vio-
21 lence against women.

22 “(4) Serving, at the request of the President,
23 acting through the Attorney General, as the rep-
24 resentative of the United States Government on
25 human rights and economic justice matters related

1 to violence against women in international fora, in-
2 cluding, but not limited to, the United Nations.

3 “(5) Carrying out the functions of the Depart-
4 ment of Justice under the Violence Against Women
5 Act of 1994 (title IV of Public Law 103–322), the
6 Violence Against Women Act of 2000 (division B of
7 Public Law 106–386), the Violence Against Women
8 and Department of Justice Reauthorization Act of
9 2005 (Public Law 109–162; 119 Stat. 3080), the
10 Violence Against Women Reauthorization Act of
11 2013 (Public Law 113–4; 127 Stat. 54), and the Vi-
12 olence Against Women Act Reauthorization Act of
13 2021, including with respect to those functions—

14 “(A) the development of policy, protocols,
15 and guidelines;

16 “(B) the development and management of
17 grant programs and other programs, and the
18 provision of technical assistance under such
19 programs; and

20 “(C) the awarding and termination of
21 grants, cooperative agreements, and contracts.

22 “(6) Providing technical assistance, coordina-
23 tion, and support to—

24 “(A) other components of the Department
25 of Justice, in efforts to develop policy and to

1 enforce Federal laws relating to violence against
2 women, including the litigation of civil and
3 criminal actions relating to enforcing such laws;

4 “(B) other Federal, State, local, and Trib-
5 al agencies, in efforts to develop policy, provide
6 technical assistance, synchronize Federal defini-
7 tions and protocols, and improve coordination
8 among agencies carrying out efforts to elimi-
9 nate violence against women, including Indian
10 or indigenous women; and

11 “(C) grantees, in efforts to combat violence
12 against women and to provide support and as-
13 sistance to victims of such violence.

14 “(7) Exercising such other powers and func-
15 tions as may be vested in the Director pursuant to
16 this subchapter or by delegation of the Attorney
17 General.

18 “(8) Establishing such rules, regulations, guide-
19 lines, and procedures as are necessary to carry out
20 any function of the Office.”.

21 (d) STAFF OF OFFICE ON VIOLENCE AGAINST
22 WOMEN.—Section 2005 of the Omnibus Crime Control
23 and Safe Streets Act of 1968 (34 U.S.C. 10445) is amend-
24 ed in the heading, by striking “**VIOLENCE AGAINST**

1 **WOMEN OFFICE**” and inserting “**OFFICE ON VIO-**
2 **LENCE AGAINST WOMEN**”.

3 (e) CLERICAL AMENDMENT.—Section 121(a)(1) of
4 the Violence Against Women and Department of Justice
5 Reauthorization Act of 2005 (34 U.S.C. 20124(a)(1)) is
6 amended by striking “the Violence Against Women Of-
7 fice” and inserting “the Office on Violence Against
8 Women”.

9 (f) REPORT.—Not later than 180 days after the date
10 of enactment of this Act, the Director of the Office on
11 Violence Against Women shall—

12 (1) in consultation with the Substance Abuse
13 and Mental Health Services Administration, report
14 to Congress on actions taken to prevent suicide
15 amongst survivors of sexual assault, domestic vio-
16 lence, dating violence, and stalking; and

17 (2) in consultation with the Substance Abuse
18 and Mental Health Services Administration, estab-
19 lish best practices to prevent suicide amongst sur-
20 vivors of sexual assault, domestic violence, dating vi-
21 olence, and stalking.

1 **SEC. 1002. OFFICE ON VIOLENCE AGAINST WOMEN A DEP-**
2 **UTY DIRECTOR FOR CULTURALLY SPECIFIC**
3 **COMMUNITIES.**

4 Part T of the Omnibus Crime Control and Safe
5 Streets Act (34 U.S.C. 10441 et seq.) is amended by in-
6 serting after section 2004 the following:

7 **“SEC. 2004A. DEPUTY DIRECTOR FOR CULTURALLY SPE-**
8 **CIFIC COMMUNITIES.**

9 “(a) ESTABLISHMENT.—There is established in the
10 Office on Violence Against Women a Deputy Director for
11 Culturally Specific Communities.

12 “(b) DUTIES.—The Deputy Director shall, under the
13 guidance and authority of the Director of the Office on
14 Violence Against Women—

15 “(1) oversee the administration of grants re-
16 lated to culturally specific services and contracts
17 with culturally specific organizations;

18 “(2) coordinate development of Federal policy,
19 protocols, and guidelines on matters relating to do-
20 mestic violence, dating violence, sexual assault, and
21 stalking, in culturally specific communities;

22 “(3) advise the Director of the Office on Vio-
23 lence Against Women concerning policies, legislation,
24 implementation of laws, and other issues relating to
25 domestic violence, dating violence, sexual assault,
26 and stalking in culturally specific communities;

1 “(4) provide technical assistance, coordination,
2 and support to other offices and bureaus in the De-
3 partment of Justice to develop policy and to enforce
4 Federal laws relating to domestic violence, dating vi-
5 olence, sexual assault, and stalking in culturally spe-
6 cific communities;

7 “(5) ensure that appropriate technical assist-
8 ance, developed and provided by entities having ex-
9 pertise in culturally specific communities is made
10 available to grantees and potential grantees pro-
11 posing to serve culturally specific communities; and

12 “(6) ensure access to grants and technical as-
13 sistance for culturally specific organizations and
14 analyze the distribution of funding in order to iden-
15 tify barriers for culturally specific organizations.”.

16 **TITLE XI—IMPROVING CONDI-**
17 **TIONS FOR WOMEN IN FED-**
18 **ERAL CUSTODY**

19 **SEC. 1101. IMPROVING THE TREATMENT OF PRIMARY**
20 **CARETAKER PARENTS AND OTHER INDIVID-**
21 **UALS IN FEDERAL PRISONS.**

22 (a) **SHORT TITLE.**—This section may be cited as the
23 “Ramona Brant Improvement of Conditions for Women
24 in Federal Custody Act”.

1 (b) IN GENERAL.—Chapter 303 of title 18, United
2 States Code, is amended by adding at the end the fol-
3 lowing:

4 **“§ 4051. Treatment of primary caretaker parents and**
5 **other individuals**

6 “(a) DEFINITIONS.—In this section—

7 “(1) the term ‘correctional officer’ means a cor-
8 rectional officer of the Bureau of Prisons;

9 “(2) the term ‘covered institution’ means a
10 Federal penal or correctional institution;

11 “(3) the term ‘Director’ means the Director of
12 the Bureau of Prisons;

13 “(4) the term ‘post-partum recovery’ means the
14 first 8-week period of post-partum recovery after
15 giving birth;

16 “(5) the term ‘primary caretaker parent’ has
17 the meaning given the term in section 31903 of the
18 Family Unity Demonstration Project Act (34 U.S.C.
19 12242);

20 “(6) the term ‘prisoner’ means an individual
21 who is incarcerated in a Federal penal or correc-
22 tional institution, including a vulnerable person; and

23 “(7) the term ‘vulnerable person’ means an in-
24 dividual who—

1 “(A) is under 21 years of age or over 60
2 years of age;

3 “(B) is pregnant;

4 “(C) identifies as lesbian, gay, bisexual,
5 transgender, or intersex;

6 “(D) is victim or witness of a crime;

7 “(E) has filed a nonfrivolous civil rights
8 claim in Federal or State court;

9 “(F) has a serious mental or physical ill-
10 ness or disability; or

11 “(G) during the period of incarceration,
12 has been determined to have experienced or to
13 be experiencing severe trauma or to be the vic-
14 tim of gender-based violence—

15 “(i) by any court or administrative ju-
16 dicial proceeding;

17 “(ii) by any corrections official;

18 “(iii) by the individual’s attorney or
19 legal service provider; or

20 “(iv) by the individual.

21 “(b) GEOGRAPHIC PLACEMENT.—

22 “(1) ESTABLISHMENT OF OFFICE.—The Direc-
23 tor shall establish within the Bureau of Prisons an
24 office that determines the placement of prisoners.

1 “(2) PLACEMENT OF PRISONERS.—In deter-
2 mining the placement of a prisoner, the office estab-
3 lished under paragraph (1) shall—

4 “(A) if the prisoner has children, place the
5 prisoner as close to the children as possible;

6 “(B) in deciding whether to assign a
7 transgender or intersex prisoner to a facility for
8 male or female prisoners, and in making other
9 housing and programming assignments, con-
10 sider on a case-by-case basis whether a place-
11 ment would ensure the prisoner’s health and
12 safety, including serious consideration of the
13 prisoner’s own views with respect to their safe-
14 ty, and whether the placement would present
15 management or security problems; and

16 “(C) consider any other factor that the of-
17 fice determines to be appropriate.

18 “(c) PROHIBITION ON PLACEMENT OF PREGNANT
19 PRISONERS OR PRISONERS IN POST-PARTUM RECOVERY
20 IN SEGREGATED HOUSING UNITS.—

21 “(1) PLACEMENT IN SEGREGATED HOUSING
22 UNITS.—A covered institution may not place a pris-
23 oner who is pregnant or in post-partum recovery in
24 a segregated housing unit unless the prisoner pre-

1 sents an immediate risk of harm to the prisoner or
2 others.

3 “(2) RESTRICTIONS.—Any placement of a pris-
4 oner described in subparagraph (A) in a segregated
5 housing unit shall be limited and temporary.

6 “(d) INTAKE AND ASSESSMENTS.—The Director
7 shall administer family-focused programming at intake,
8 such as questions about children, gauge interest in par-
9 enting resources, and concerns about their child or
10 caregiving; and administer ongoing assessment to better
11 inform, identify, and make recommendations about the
12 mother’s parental role and familial needs.

13 “(e) PARENTING CLASSES.—The Director shall pro-
14 vide parenting classes to each prisoner who is a primary
15 caretaker parent, and such classes shall be made available
16 to prisoners with limited English proficiency in compliance
17 with title VI of the Civil Rights Act of 1964.

18 “(f) TRAUMA SCREENING.—The Director shall pro-
19 vide training, including cultural competency training, to
20 each correctional officer and each employee of the Bureau
21 of Prisons who regularly interacts with prisoners, includ-
22 ing each instructor and health care professional, to enable
23 those correctional officers and employees to—

1 “(1) identify a prisoner who has a mental or
2 physical health need relating to trauma the prisoner
3 has experienced; and

4 “(2) refer a prisoner described in paragraph (1)
5 to the proper healthcare professional for treatment.

6 “(g) FAMILY NEEDS TRAINING.—The Director shall
7 provide training to correctional officers and employees of
8 the Bureau of Prisons who engage with prisoners’ families
9 on—

10 “(1) how to interact with children in an age-ap-
11 propriate manner, and the children’s caregivers;

12 “(2) basic childhood and adolescent develop-
13 ment information; and

14 “(3) basic customer service skills.

15 “(h) INMATE HEALTH.—

16 “(1) HEALTH CARE ACCESS.—The Director
17 shall ensure that all prisoners receive adequate
18 health care.

19 “(2) HYGIENIC PRODUCTS.—The Director shall
20 make essential hygienic products, including sham-
21 poo, toothpaste, toothbrushes, and any other hygien-
22 ic product that the Director determines appropriate,
23 available without charge to prisoners. The Director
24 shall make rules—

1 “(A) on the distribution and accessibility
2 of sanitary products to prisoners, to ensure
3 each prisoner who requires these products re-
4 ceives a quantity the prisoner deems sufficient;
5 and

6 “(B) providing that no visitor is prohibited
7 from visiting a prisoner due to the visitor’s use
8 of sanitary products.

9 “(3) GYNECOLOGIST ACCESS.—The Director
10 shall ensure that all prisoners have access to a gyne-
11 cologist as appropriate.

12 “(i) USE OF SEX-APPROPRIATE CORRECTIONAL OF-
13 FICERS.—

14 “(1) REGULATIONS.—The Director shall make
15 rules under which—

16 “(A) a correctional officer may not conduct
17 a strip search of a prisoner of the opposite sex
18 unless—

19 “(i) the prisoner presents a risk of
20 immediate harm to the prisoner or others,
21 and no other correctional officer of the
22 same sex as the prisoner, or medical staff
23 is available to assist; or

1 “(ii) the prisoner has previously re-
2 requested that an officer of a different sex
3 conduct searches;

4 “(B) a correctional officer may not enter a
5 restroom reserved for prisoners of the opposite
6 sex unless—

7 “(i) a prisoner in the restroom pre-
8 sents a risk of immediate harm to them-
9 selves or others; or

10 “(ii) there is a medical emergency in
11 the restroom and no other correctional offi-
12 cer of the appropriate sex is available to
13 assist;

14 “(C) a transgender prisoner’s sex is deter-
15 mined according to the sex with which they
16 identify; and

17 “(D) a correctional officer may not search
18 or physically examine a prisoner for the sole
19 purpose of determining the prisoner’s genital
20 status or sex.

21 “(2) RELATION TO OTHER LAWS.—Nothing in
22 paragraph (1) shall be construed to affect the re-
23 quirements under the Prison Rape Elimination Act
24 of 2003 (42 U.S.C. 15601 et seq.).”.

1 (c) SUBSTANCE ABUSE TREATMENT.—Section
2 3621(e) of title 18, United States Code, is amended by
3 adding at the end the following:

4 “(7) ELIGIBILITY OF PRIMARY CARETAKER
5 PARENTS AND PREGNANT WOMEN.—The Director of
6 the Bureau of Prisons may not prohibit an eligible
7 prisoner who is a primary caretaker parent (as de-
8 fined in section 4051) or pregnant from partici-
9 pating in a program of residential substance abuse
10 treatment provided under paragraph (1) on the basis
11 of a failure by the eligible prisoner, before being
12 committed to the custody of the Bureau of Prisons,
13 to disclose to any official of the Bureau of Prisons
14 that the prisoner had a substance abuse problem on
15 or before the date on which the eligible prisoner was
16 committed to the custody of the Bureau of Pris-
17 ons.”.

18 (d) IMPLEMENTATION DATE.—

19 (1) IN GENERAL.—Not later than 2 years after
20 the date of enactment of this Act, the Director of
21 the Bureau of Prisons shall implement this section
22 and the amendments made by this section.

23 (2) REPORT.—Not later than 1 year after the
24 date of enactment of this Act, the Director of the
25 Bureau of Prisons shall submit to the Committee on

1 the Judiciary of the Senate and the Committee on
2 the Judiciary of the House of Representatives a re-
3 port on the implementation of this section and the
4 amendments made by this section.

5 (e) TECHNICAL AND CONFORMING AMENDMENT.—
6 The table of sections for chapter 303 of title 18, United
7 States Code, is amended by adding at the end the fol-
8 lowing:

“4051. Treatment of primary caretaker parents and other individuals.”.

9 **SEC. 1102. PUBLIC HEALTH AND SAFETY OF WOMEN.**

10 (a) SHORT TITLE.—This section may be cited as the
11 “Stop Infant Mortality And Recidivism Reduction Act” or
12 the “SIMARRA Act”.

13 (b) ESTABLISHMENT.—Not later than 270 days after
14 the date of the enactment of this section, the Director of
15 the Federal Bureau of Prisons (in this section referred
16 to as the “Director”) shall establish a pilot program (in
17 this section referred to as the “Program”) in accordance
18 with this section to permit women incarcerated in Federal
19 prisons and the children born to such women during incar-
20 ceration to reside together while the inmate serves a term
21 of imprisonment in a separate housing wing of the prison.

22 (c) PURPOSES.—The purposes of this section are
23 to—

24 (1) prevent infant mortality among infants born
25 to incarcerated mothers and greatly reduce the trau-

1 ma and stress experienced by the unborn fetuses of
2 pregnant inmates;

3 (2) reduce the recidivism rates of federally in-
4 carcerated women and mothers, and enhance public
5 safety by improving the effectiveness of the Federal
6 prison system for women as a population with spe-
7 cial needs;

8 (3) establish female offender risk and needs as-
9 sessment as the cornerstones of a more effective and
10 efficient Federal prison system;

11 (4) implement a validated post-sentencing risk
12 and needs assessment system that relies on dynamic
13 risk factors to provide Federal prison officials with
14 a roadmap to address the pre- and post-natal needs
15 of Federal pregnant offenders, manage limited re-
16 sources, and enhance public safety;

17 (5) perform regular outcome evaluations of the
18 effectiveness of programs and interventions for fed-
19 erally incarcerated pregnant women and mothers to
20 assure that such programs and interventions are evi-
21 dence-based and to suggest changes, deletions, and
22 expansions based on the results of such evaluations;
23 and

24 (6) assist the Department of Justice to address
25 the underlying cost structure of the Federal prison

1 system and ensure that the Department can con-
2 tinue to run prison nurseries safely and securely
3 without compromising the scope or quality of the
4 Department's critical health, safety and law enforce-
5 ment missions.

6 (d) DUTIES OF THE DIRECTOR OF BUREAU OF PRIS-
7 ONS.—

8 (1) IN GENERAL.—The Director shall carry out
9 this section in consultation with—

10 (A) a licensed and board-certified gyne-
11 cologist or obstetrician;

12 (B) the Director of the Administrative Of-
13 fice of the United States Courts;

14 (C) the Director of the Office of Probation
15 and Pretrial Services;

16 (D) the Director of the National Institute
17 of Justice; and

18 (E) the Secretary of Health and Human
19 Services.

20 (2) DUTIES.—The Director shall, in accordance
21 with paragraph (3)—

22 (A) develop an offender risk and needs as-
23 sessment system particular to the health and
24 sensitivities of federally incarcerated pregnant

1 women and mothers in accordance with this
2 subsection;

3 (B) develop recommendations regarding re-
4 cidivism reduction programs and productive ac-
5 tivities in accordance with subsection (c);

6 (C) conduct ongoing research and data
7 analysis on—

8 (i) the best practices relating to the
9 use of offender risk and needs assessment
10 tools particular to the health and sensitivi-
11 ties of federally incarcerated pregnant
12 women and mothers;

13 (ii) the best available risk and needs
14 assessment tools particular to the health
15 and sensitivities of federally incarcerated
16 pregnant women and mothers and the level
17 to which they rely on dynamic risk factors
18 that could be addressed and changed over
19 time, and on measures of risk of recidi-
20 vism, individual needs, and responsiveness
21 to recidivism reduction programs;

22 (iii) the most effective and efficient
23 uses of such tools in conjunction with re-
24 cidivism reduction programs, productive
25 activities, incentives, and rewards; and

1 (iv) which recidivism reduction pro-
2 grams are the most effective—

3 (I) for federally incarcerated
4 pregnant women and mothers classi-
5 fied at different recidivism risk levels;
6 and

7 (II) for addressing the specific
8 needs of federally incarcerated preg-
9 nant women and mothers;

10 (D) on a biennial basis, review the system
11 developed under subparagraph (A) and the rec-
12 ommendations developed under subparagraph
13 (B), using the research conducted under sub-
14 paragraph (C), to determine whether any revi-
15 sions or updates should be made, and if so,
16 make such revisions or updates;

17 (E) hold periodic meetings with the indi-
18 viduals listed in paragraph (1) at intervals to be
19 determined by the Director;

20 (F) develop tools to communicate par-
21 enting program availability and eligibility cri-
22 teria to each employee of the Bureau of Prisons
23 and each pregnant inmate to ensure that each
24 pregnant inmate in the custody of a Bureau of

1 Prisons facility understands the resources avail-
2 able to such inmate; and

3 (G) report to Congress in accordance with
4 subsection (i).

5 (3) METHODS.—In carrying out the duties
6 under paragraph (2), the Director shall—

7 (A) consult relevant stakeholders; and

8 (B) make decisions using data that is
9 based on the best available statistical and em-
10 pirical evidence.

11 (e) ELIGIBILITY.—An inmate may apply to partici-
12 pate in the Program if the inmate—

13 (1) is pregnant at the beginning of or during
14 the term of imprisonment; and

15 (2) is in the custody or control of the Federal
16 Bureau of Prisons.

17 (f) PROGRAM TERMS.—

18 (1) TERM OF PARTICIPATION.—To correspond
19 with the purposes and goals of the Program to pro-
20 mote bonding during the critical stages of child de-
21 velopment, an eligible inmate selected for the Pro-
22 gram may participate in the Program, subject to
23 subsection (g), until the earliest of—

24 (A) the date that the inmate’s term of im-
25 prisonment terminates;

1 (B) the date the infant fails to meet any
2 medical criteria established by the Director or
3 the Director's designee along with a collective
4 determination of the persons listed in sub-
5 section (d)(1); or

6 (C) 30 months.

7 (2) INMATE REQUIREMENTS.—For the duration
8 of an inmate's participation in the Program, the in-
9 mate shall agree to—

10 (A) take substantive steps towards acting
11 in the role of a parent or guardian to any child
12 of that inmate;

13 (B) participate in any educational or coun-
14 seling opportunities established by the Director,
15 including topics such as child development, par-
16 enting skills, domestic violence, vocational train-
17 ing, or substance abuse, as appropriate;

18 (C) abide by any court decision regarding
19 the legal or physical custody of the child;

20 (D) transfer to the Federal Bureau of
21 Prisons any child support payments for the in-
22 fant of the participating inmate from any per-
23 son or governmental entity; and

24 (E) specify a person who has agreed to
25 take at least temporary custody of the child if

1 the inmate’s participation in the Program ter-
2 minates before the inmate’s release.

3 (g) CONTINUITY OF CARE.—The Director shall take
4 appropriate actions to prevent detachment or disruption
5 of either an inmate’s or infant’s health and bonding-based
6 well-being due to termination of the Program.

7 (h) REPORTING.—

8 (1) IN GENERAL.—Not later than 6 months
9 after the date of the enactment of this section and
10 once each year thereafter for 5 years, the Director
11 shall submit a report to the Congress with regards
12 to progress in implementing the Program.

13 (2) FINAL REPORT.—Not later than 6 months
14 after the termination of the Program, the Director
15 shall issue a final report to the Congress that con-
16 tains a detailed statement of the Director’s findings
17 and conclusions, including recommendations for leg-
18 islation, administrative actions, and regulations the
19 Director considers appropriate.

20 (i) AUTHORIZATION OF APPROPRIATIONS.—To carry
21 out this section, there is authorized to be appropriated
22 \$10,000,000 for each of fiscal years 2022 through 2026.

1 **SEC. 1103. RESEARCH AND REPORT ON WOMEN IN FED-**
2 **ERAL INCARCERATION.**

3 Not later than 18 months after the date of enactment
4 of this Act, and thereafter, every other year, the National
5 Institutes of Justice, in consultation with the Bureau of
6 Justice Statistics and the Bureau of Prisons (including
7 the Women and Special Population Branch) shall prepare
8 a report on the status of women in Federal incarceration.
9 Depending on the topic to be addressed, and the facility,
10 data shall be collected from Bureau of Prisons personnel
11 and a sample that is representative of the population of
12 incarcerated women. The report shall include:

13 (1) With regard to Federal facilities wherein
14 women are incarcerated—

15 (A) responses by such women to questions
16 from the Adverse Childhood Experience
17 (ACES) questionnaire;

18 (B) demographic data of such women, in-
19 cluding sexual orientation, gender identity, and
20 status as an American Indian, Alaska Native,
21 or Native Hawaiian;

22 (C) data on the number of women who are
23 incarcerated and placed in Federal and private
24 facilities more than 200 miles from their place
25 of residence;

1 (D) responses by such women to questions
2 about the extent of exposure to sexual victim-
3 ization, sexual violence and domestic violence
4 (both inside and outside of incarceration);

5 (E) the number of such women were preg-
6 nant at the time that they entered incarcer-
7 ation;

8 (F) the number of such women who have
9 children age 18 or under, and if so, how many;
10 and

11 (G) the crimes for which such women are
12 incarcerated and the length of their sentence
13 and to the extent practicable, any information
14 on the connection between the crime of which
15 they were convicted & their experience of do-
16 mestic violence, dating violence, sexual assault,
17 or stalking.

18 (2) With regard to all Federal facilities where
19 persons are incarcerated—

20 (A) a list of best practices with respect to
21 women's incarceration and transition, including
22 staff led programs, services and management
23 practices (including making sanitary products
24 readily available and easily accessible, and ac-
25 cess to and provision of healthcare);

1 (B) the availability of trauma treatment at
2 each facility (including number of beds, and
3 number of trained staff);

4 (C) rates of serious mental illness broken
5 down by gender and security level and a list of
6 residential programs available by site; and

7 (D) the availability of vocational education
8 and a list of vocational programs provided by
9 each facility.

10 **SEC. 1104. REENTRY PLANNING AND SERVICES FOR INCAR-**
11 **CERATED WOMEN.**

12 The Attorney General, in coordination with the Chief
13 of U.S. Probation and Pretrial Services and the Director
14 of the Bureau of Prisons (including Women and Special
15 Population Branch), shall collaborate on a model of gen-
16 der responsive transition for incarcerated women, includ-
17 ing the development of a national standard on prevention
18 with respect to domestic and sexual violence. In developing
19 the model, the Chief and the Director shall consult with
20 such experts within the Federal government (including the
21 Office on Violence Against Women of the Department of
22 Justice, Indian Tribes (as defined in section 4 of the In-
23 dian Self-Determination and Education Assistance Act),
24 and Native Hawaiian organizations (as defined in section
25 6207 of the Elementary and Secondary Education Act of

1 1965)) and in the victim service provider community (in-
2 cluding sexual and domestic violence and homelessness,
3 job training and job placement service providers) as are
4 necessary to the completion of a comprehensive plan.
5 Issues addressed should include—

6 (1) the development by the Bureau of Prisons
7 of a contract for gender collaborative services; and

8 (2) identification by re-entry affairs coordina-
9 tors and responsive planning for the needs of re-en-
10 tering women with respect to—

11 (A) housing, including risk of homeless-
12 ness;

13 (B) previous exposure to and risk for do-
14 mestic and sexual violence;

15 (C) the need for parenting classes, assist-
16 ance securing childcare, or assistance in seeking
17 or securing jobs that afford flexibility (as might
18 be necessary in the re-entry, parenting or other
19 contexts);

20 (D) other support tailored to the needs of
21 Indigenous women, including American Indian,
22 Alaska Native, and Native Hawaiian women;
23 and

24 (E) the need to ensure a family-focused re-
25 entry, by including incarcerated mothers, their

1 children, and their caregivers to create family
2 reentry planning and programming; and in-
3 forming reentry information to visiting families.

4 **TITLE XII—LAW ENFORCEMENT**
5 **TOOLS TO ENHANCE PUBLIC**
6 **SAFETY**

7 **SEC. 1201. NOTIFICATION TO LAW ENFORCEMENT AGEN-**
8 **CIES OF PROHIBITED PURCHASE OR AT-**
9 **TEMPTED PURCHASE OF A FIREARM.**

10 (a) IN GENERAL.—Title I of the NICS Improvement
11 Amendments Act of 2007 (18 U.S.C. 922 note) is amend-
12 ed by adding at the end the following:

13 **“SEC. 108. NOTIFICATION TO LAW ENFORCEMENT AGEN-**
14 **CIES OF PROHIBITED PURCHASE OF A FIRE-**
15 **ARM.**

16 “(a) IN GENERAL.—In the case of a background
17 check conducted by the National Instant Criminal Back-
18 ground Check System pursuant to the request of a li-
19 censed importer, licensed manufacturer, or licensed dealer
20 of firearms (as such terms are defined in section 921 of
21 title 18, United States Code), which background check de-
22 termines that the receipt of a firearm by a person would
23 violate subsection (g)(8), (g)(9), or (g)(10) of section 922
24 of title 18, United States Code, and such determination
25 is made after 3 business days have elapsed since the li-

1 licensee contacted the System and a firearm has been trans-
2 ferred to that person, the System shall notify the law en-
3 forcement agencies described in subsection (b).

4 “(b) LAW ENFORCEMENT AGENCIES DESCRIBED.—
5 The law enforcement agencies described in this subsection
6 are the law enforcement agencies that have jurisdiction
7 over the location from which the licensee contacted the
8 system and the law enforcement agencies that have juris-
9 diction over the location of the residence of the person for
10 which the background check was conducted, as follows:

11 “(1) The field office of the Federal Bureau of
12 Investigation.

13 “(2) The local law enforcement agency.

14 “(3) The State law enforcement agency.

15 “(4) The Tribal law enforcement agency.”.

16 (b) CLERICAL AMENDMENT.—The table of contents
17 of the NICS Improvement Amendments Act of 2007 (18
18 10 U.S.C. 922 note) is amended by inserting after the
19 item relating to section 107 the following:

“Sec. 108. Notification to law enforcement agencies of prohibited purchase of
a firearm.”.

1 **SEC. 1202. REPORTING OF BACKGROUND CHECK DENIALS**
2 **TO STATE, LOCAL, AND TRIBAL AUTHORI-**
3 **TIES.**

4 (a) IN GENERAL.—Chapter 44 of title 18, United
5 States Code, is amended by inserting after section 925A
6 the following:

7 **“§ 925B. Reporting of background check denials to**
8 **State, local, and Tribal authorities**

9 “(a) IN GENERAL.—If the national instant criminal
10 background check system established under section 103
11 of the Brady Handgun Violence Prevention Act (18 U.S.C.
12 922 note) provides a notice pursuant to section 922(t) of
13 this title that the receipt of a firearm by a person would
14 violate subsection (g)(8), (g)(9), or (g)(10) of section 922
15 of this title or State law, the Attorney General shall, in
16 accordance with subsection (b) of this section—

17 “(1) report to the law enforcement authorities
18 of the State where the person sought to acquire the
19 firearm and, if different, the law enforcement au-
20 thorities of the State of residence of the person—

21 “(A) that the notice was provided;

22 “(B) of the specific provision of law that
23 would have been violated;

24 “(C) of the date and time the notice was
25 provided;

1 “(D) of the location where the firearm was
2 sought to be acquired; and

3 “(E) of the identity of the person; and

4 “(2) report the incident to local or Tribal law
5 enforcement authorities and, where practicable,
6 State, Tribal, or local prosecutors, in the jurisdiction
7 where the firearm was sought and in the jurisdiction
8 where the person resides.

9 “(b) REQUIREMENTS FOR REPORT.—A report is
10 made in accordance with this subsection if the report is
11 made within 24 hours after the provision of the notice de-
12 scribed in subsection (a), except that the making of the
13 report may be delayed for so long as is necessary to avoid
14 compromising an ongoing investigation.

15 “(c) RULE OF CONSTRUCTION.—Nothing in sub-
16 section (a) shall be construed to require a report with re-
17 spect to a person to be made to the same State authorities
18 that originally issued the notice with respect to the per-
19 son.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 for such chapter is amended by inserting after the item
22 relating to section 925A the following:

 “925B. Reporting of background check denials to State, local, and Tribal au-
 thorities.”.

1 **SEC. 1203. SPECIAL ASSISTANT U.S. ATTORNEYS AND**
2 **CROSS-DEPUTIZED ATTORNEYS.**

3 (a) IN GENERAL.—Chapter 44 of title 18, United
4 States Code, as amended by this Act, is further amended
5 by inserting after section 925B the following:

6 **“§ 925C. Special assistant U.S. attorneys and cross-**
7 **deputized attorneys**

8 “(a) IN GENERAL.—In order to improve the enforce-
9 ment of paragraphs (8), (9), and (10) of section 922(g),
10 the Attorney General may—

11 “(1) appoint, in accordance with section 543 of
12 title 28, qualified State, Tribal, territorial and local
13 prosecutors and qualified attorneys working for the
14 United States government to serve as special assist-
15 ant United States attorneys for the purpose of pros-
16 ecuting violations of such paragraphs;

17 “(2) deputize State, Tribal, territorial and local
18 law enforcement officers for the purpose of enhanc-
19 ing the capacity of the agents of the Bureau of Alco-
20 hol, Tobacco, Firearms, and Explosives in respond-
21 ing to and investigating violations of such para-
22 graphs; and

23 “(3) establish, in order to receive and expedite
24 requests for assistance from State, Tribal, territorial
25 and local law enforcement agencies responding to in-
26 timate partner violence cases where such agencies

1 have probable cause to believe that the offenders
2 may be in violation of such paragraphs, points of
3 contact within—

4 “(A) each Field Division of the Bureau of
5 Alcohol, Tobacco, Firearms, and Explosives;
6 and

7 “(B) each District Office of the United
8 States Attorneys.

9 “(b) IMPROVE INTIMATE PARTNER AND PUBLIC
10 SAFETY.—The Attorney General shall—

11 “(1) identify no less than 75 jurisdictions
12 among States, territories and Tribes where there are
13 high rates of firearms violence and threats of fire-
14 arms violence against intimate partners and other
15 persons protected under paragraphs (8), (9), and
16 (10) of section 922(g) and where local authorities
17 lack the resources to address such violence; and

18 “(2) make such appointments as described in
19 subsection (a) in jurisdictions where enhanced en-
20 forcement of such paragraphs is necessary to reduce
21 firearms homicide and injury rates.

22 “(c) QUALIFIED DEFINED.—For purposes of this
23 section, the term ‘qualified’ means, with respect to an at-
24 torney, that the attorney is a licensed attorney in good
25 standing with any relevant licensing authority.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for such chapter is amended by inserting after the item
3 relating to section 925B the following:

“925C. Special assistant U.S. attorneys and cross-deputized attorneys.”.

4 **SEC. 1204. REVIEW ON NATIVE AMERICAN INTERACTIONS**
5 **WITH LAW ENFORCEMENT.**

6 (a) REVIEW ON LAW ENFORCEMENT AFFECTING NA-
7 TIVE HAWAIIANS.—Not later than 180 days after the date
8 of enactment of this Act, the Attorney General shall con-
9 duct a comprehensive review of law enforcement and other
10 crime prevention programs targeting criminal offenses
11 that affect Native Hawaiians, including child sexual ex-
12 ploitation, child abuse, intimate partner violence, human
13 trafficking, missing or murdered individuals, and sub-
14 stance abuse and submit to Congress a report thereon.
15 The review shall include for each such program the
16 amount of Federal funding for the program that is re-
17 ceived by Native Hawaiian-serving organizations as a per-
18 centage of the total amount disbursed by the program.
19 The review shall also include recommendations relating
20 to—

21 (1) social, educational, economic, and any other
22 factor that may contribute to a Native Hawaiian be-
23 coming a missing or murdered Native Hawaiian; and

1 (2) legislation to reduce the likelihood that a
2 Native Hawaiian may become a missing or murdered
3 Native Hawaiian.

4 (b) REVIEW OF NATIVE HAWAIIAN VICTIMS OF VAR-
5 IOUS CRIMES.—Not later than 180 days after the date
6 of enactment of this Act, the Attorney General shall con-
7 duct a comprehensive review of programs that provide
8 services to victims of criminal offenses affecting Native
9 Hawaiians, including child sexual exploitation, child abuse,
10 intimate partner violence, human trafficking, and sub-
11 stance abuse. The report shall include for each such pro-
12 gram the amount of Federal funding that is received by
13 Native Hawaiian-serving organizations as a percentage
14 of—

15 (1) the total amount disbursed by the program;

16 and

17 (2) the total amount of Federal funds disbursed
18 by the program.

19 (c) REPORT ON NATIVE HAWAIIANS IN THE CRIMI-
20 NAL JUSTICE SYSTEM.—

21 (1) CRIMINAL JUSTICE SYSTEM.—Not later
22 than 180 days after the date of enactment of this
23 Act, the Attorney General, acting through the Na-
24 tional Institute of Justice, in coordination with the
25 Bureau of Justice Statistics, shall report on the

1 interaction of Native Hawaiians with the criminal
2 justice system, including the percentage of persons
3 who are Native Hawaiians out of the total of—

4 (A) all persons arrested;

5 (B) all persons detained in Federal, State,
6 and local jails;

7 (C) all persons subject to pretrial super-
8 vision;

9 (D) all persons subject to post-conviction
10 supervision;

11 (E) all persons incarcerated in Federal and
12 State prisons; and

13 (F) all persons subject to post-release su-
14 pervision.

15 (2) PROGRAMS AND SERVICES.—The report
16 shall also include the programs and services avail-
17 able to and used by Native Hawaiians in various ju-
18 risdictions, including diversion programs, in-prison
19 education programs, and reentry services. The re-
20 port shall also include the number of culturally rel-
21 evant programs available to Native Hawaiians who
22 interact with the criminal justice system. The report
23 shall also include data on the number of Native Ha-
24 waiians who are incarcerated and placed in Federal

1 and private facilities more than 200 miles from their
2 place of residence.

3 (3) RECOMMENDATIONS.—The report shall also
4 include recommendations relating to—

5 (A) social, educational, economic, and any
6 other factor that may contribute to a Native
7 Hawaiian becoming involved in the criminal jus-
8 tice system; and

9 (B) legislation to reduce the likelihood that
10 a Native Hawaiian may become involved in the
11 criminal justice system.

12 **TITLE XIII—CLOSING THE LAW**
13 **ENFORCEMENT CONSENT**
14 **LOOPHOLE**

15 **SEC. 1301. SHORT TITLE.**

16 This title may be cited as the “Closing the Law En-
17 forcement Consent Loophole Act of 2021”.

18 **SEC. 1302. PROHIBITION ON ENGAGING IN SEXUAL ACTS**

19 **WHILE ACTING UNDER COLOR OF LAW.**

20 (a) IN GENERAL.—Section 2243 of title 18, United
21 States Code, is amended—

22 (1) in the section heading, by adding at the end
23 the following: “**or by any person acting**
24 **under color of law**”;

1 (2) by redesignating subsections (c) and (d) as
2 subsections (d) and (e), respectively;

3 (3) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) OF AN INDIVIDUAL BY ANY PERSON ACTING
6 UNDER COLOR OF LAW.—

7 “(1) IN GENERAL.—Whoever, acting under
8 color of law, knowingly engages in a sexual act with
9 an individual, including an individual who is under
10 arrest, in detention, or otherwise in the actual cus-
11 tody of any Federal law enforcement officer, shall be
12 fined under this title, imprisoned not more than 15
13 years, or both.

14 “(2) DEFINITION.—In this subsection, the term
15 ‘sexual act’ has the meaning given the term in sec-
16 tion 2246.”; and

17 (4) in subsection (d), as so redesignated, by
18 adding at the end the following:

19 “(3) In a prosecution under subsection (c), it is not
20 a defense that the other individual consented to the sexual
21 act.”.

22 (b) DEFINITION.—Section 2246 of title 18, United
23 States Code, is amended—

24 (1) in paragraph (5), by striking “and” at the
25 end;

1 (2) in paragraph (6), by striking the period at
2 the end and inserting “; and”; and

3 (3) by inserting after paragraph (6) the fol-
4 lowing:

5 “(7) the term ‘Federal law enforcement officer’
6 has the meaning given the term in section 115.”.

7 (c) CLERICAL AMENDMENT.—The table of sections
8 for chapter 109A of title 18, United States Code, is
9 amended by amending the item related to section 2243
10 to read as follows:

 “2243. Sexual abuse of a minor or ward or by any person acting under color
 of law.”.

11 **SEC. 1303. INCENTIVES FOR STATES.**

12 (a) AUTHORITY TO MAKE GRANTS.—The Attorney
13 General is authorized to make grants to States that have
14 in effect a law that—

15 (1) makes it a criminal offense for any person
16 acting under color of law of the State to engage in
17 a sexual act with an individual, including an indi-
18 vidual who is under arrest, in detention, or otherwise
19 in the actual custody of any law enforcement officer;
20 and

21 (2) prohibits a person charged with an offense
22 described in paragraph (1) from asserting the con-
23 sent of the other individual as a defense.

1 (b) REPORTING REQUIREMENT.—A State that re-
2 ceives a grant under this section shall submit to the Attor-
3 ney General, on an annual basis, information on—

4 (1) the number of reports made to law enforce-
5 ment agencies in that State regarding persons en-
6 gaging in a sexual act while acting under color of
7 law during the previous year; and

8 (2) the disposition of each case in which sexual
9 misconduct by a person acting under color of law
10 was reported during the previous year.

11 (c) APPLICATION.—A State seeking a grant under
12 this section shall submit an application to the Attorney
13 General at such time, in such manner, and containing
14 such information as the Attorney General may reasonably
15 require, including information about the law described in
16 subsection (a).

17 (d) GRANT AMOUNT.—The amount of a grant to a
18 State under this section shall be in an amount that is not
19 greater than 10 percent of the average of the total amount
20 of funding of the 3 most recent awards that the State re-
21 ceived under the following grant programs:

22 (1) Part T of title I of the Omnibus Crime Con-
23 trol and Safe Streets Act of 1968 (34 U.S.C. 10441
24 et seq.) (commonly referred to as the “STOP Vio-
25 lence Against Women Formula Grant Program”).

1 (2) Section 41601 of the Violence Against
2 Women Act of 1994 (34 U.S.C. 12511) (commonly
3 referred to as the “Sexual Assault Services Pro-
4 gram”).

5 (e) GRANT TERM.—

6 (1) IN GENERAL.—The Attorney General shall
7 provide an increase in the amount provided to a
8 State under the grant programs described in sub-
9 section (d) for a 2-year period.

10 (2) RENEWAL.—A State that receives a grant
11 under this section may submit an application for a
12 renewal of such grant at such time, in such manner,
13 and containing such information as the Attorney
14 General may reasonably require.

15 (3) LIMIT.—A State may not receive a grant
16 under this section for more than 4 years.

17 (f) USES OF FUNDS.—A State that receives a grant
18 under this section shall use—

19 (1) 25 percent of such funds for any of the per-
20 missible uses of funds under the grant program de-
21 scribed in paragraph (1) of subsection (d); and

22 (2) 75 percent of such funds for any of the per-
23 missible uses of funds under the grant program de-
24 scribed in paragraph (2) of subsection (d).

1 (g) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this chapter
3 \$5,000,000 for each of fiscal years 2022 through 2026.

4 (h) DEFINITION.—For purposes of this section, the
5 term “State” means each of the several States and the
6 District of Columbia, Indian Tribes, and the Common-
7 wealth of Puerto Rico, Guam, American Samoa, the Vir-
8 gin Islands, and the Northern Mariana Islands.

9 **SEC. 1304. REPORTS TO CONGRESS.**

10 (a) REPORT BY ATTORNEY GENERAL.—Not later
11 than 1 year after the date of enactment of this Act, and
12 each year thereafter, the Attorney General shall submit
13 to Congress and make publicly available on the Depart-
14 ment of Justice website a report containing—

15 (1) the information required to be reported to
16 the Attorney General under section 3(b); and

17 (2) information on—

18 (A) the number of reports made, during
19 the previous year, to Federal law enforcement
20 agencies regarding persons engaging in a sexual
21 act while acting under color of law; and

22 (B) the disposition of each case in which
23 sexual misconduct by a person acting under
24 color of law was reported.

1 (b) REPORT BY GAO.—Not later than 1 year after
2 the date of enactment of this Act, and each year there-
3 after, the Comptroller General of the United States shall
4 submit to Congress a report on any violations of section
5 2243(c) of title 18, United States Code, as amended by
6 section 2, committed during the 1-year period covered by
7 the report.

8 **SEC. 1305. DEFINITION.**

9 In this title, the term “sexual act” has the meaning
10 given the term in section 2246 of title 18, United States
11 Code.

12 **TITLE XIV—OTHER MATTERS**

13 **SEC. 1401. NATIONAL STALKER AND DOMESTIC VIOLENCE**
14 **REDUCTION.**

15 Section 40603 of the Violent Crime Control and Law
16 Enforcement Act of 1994 (34 U.S.C. 12402) is amended
17 by striking “2014 through 2018” and inserting “2022
18 through 2026”.

19 **SEC. 1402. FEDERAL VICTIM ASSISTANTS REAUTHORIZA-**
20 **TION.**

21 Section 40114 of the Violence Against Women Act
22 of 1994 (Public Law 103–322) is amended to read as fol-
23 lows:

1 **“SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM’S CO-**
2 **ORDINATORS.**

3 “There are authorized to be appropriated for the
4 United States Attorneys for the purpose of appointing vic-
5 tim/witness coordinators for the prosecution of sex crimes
6 and domestic violence crimes where applicable (such as the
7 District of Columbia), \$1,000,000 for each of fiscal years
8 2022 through 2026.”.

9 **SEC. 1403. CHILD ABUSE TRAINING PROGRAMS FOR JUDI-**
10 **CIAL PERSONNEL AND PRACTITIONERS RE-**
11 **AUTHORIZATION.**

12 Section 224(a) of the Crime Control Act of 1990 (34
13 U.S.C. 20334(a)) is amended by striking “2014 through
14 2018” and inserting “2022 through 2026”.

15 **SEC. 1404. SEX OFFENDER MANAGEMENT.**

16 Section 40152(c) of the Violent Crime Control and
17 Law Enforcement Act of 1994 (34 U.S.C. 12311(c)) is
18 amended by striking “2014 through 2018” and inserting
19 “2022 through 2026”.

20 **SEC. 1405. COURT-APPOINTED SPECIAL ADVOCATE PRO-**
21 **GRAM.**

22 Section 219(a) of the Crime Control Act of 1990 (34
23 U.S.C. 20324(a)) is amended by striking “2014 through
24 2018” and inserting “2022 through 2026”.

1 **SEC. 1406. SEXUAL ASSAULT FORENSIC EXAM PROGRAM**
2 **GRANTS.**

3 Section 304(d) of the DNA Sexual Assault Justice
4 Act of 2004 (34 U.S.C. 40723(d)) is amended by striking
5 “2019 through 2024” and inserting “2022 through
6 2026”.

7 **SEC. 1406A. STRATEGIES TO IMPROVE COORDINATION OF**
8 **SEXUAL ASSAULT FORENSIC NURSE EXAM**
9 **TRAINING AND PROGRAM SUSTAINABILITY.**

10 Not later than 1 year after the date of the enactment
11 of this Act, the Attorney General and Secretary of the De-
12 partment of Health and Human Services shall issue and
13 disseminate guidance and best practices to improve sexual
14 assault forensic nurse exam training and program sustain-
15 ability. Such guidance shall include technical assistance
16 and best practices with respect to—

17 (1) aspects of performing the medical forensic
18 exam, including anogenital photography, other pho-
19 tographic documentation, photographic documenta-
20 tion record management, and quality assurance peer
21 review;

22 (2) training and certification;

23 (3) leadership development;

24 (4) examiner program sustainability and exam-
25 iner retention;

1 (5) education of community stakeholders, in-
2 cluding law enforcement officials, victim advocates,
3 and prosecutors; and

4 (6) use of telehealth for both training exam-
5 iners and conducting the exams, including the
6 Project ECHO model and other models.

7 **SEC. 1407. REVIEW ON LINK BETWEEN SUBSTANCE USE**
8 **AND VICTIMS OF DOMESTIC VIOLENCE DAT-**
9 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**
10 **ING.**

11 Not later than 24 months after the date of enactment
12 of this Act, the Secretary of the Department of Health
13 and Human Services shall complete a review and submit
14 a report to Congress on whether being a victim of domestic
15 violence, dating violence, sexual assault, or stalking in-
16 creases the likelihood of having a substance use disorder.

17 **SEC. 1408. INTERAGENCY WORKING GROUP TO STUDY FED-**
18 **ERAL EFFORTS TO COLLECT DATA ON SEX-**
19 **UAL VIOLENCE.**

20 (a) ESTABLISHMENT.—Not later than 180 days after
21 the date of the enactment of this Act, the Attorney Gen-
22 eral shall establish an interagency working group (in this
23 section referred to as the “Working Group”) to study Fed-
24 eral efforts to collect data on sexual violence and to make
25 recommendations on the harmonization of such efforts.

1 (b) COMPOSITION.—The Working Group shall be
2 comprised of at least one representative from the following
3 agencies, who shall be selected by the head of that agency:

4 (1) The Centers for Disease Control and Pre-
5 vention.

6 (2) The Department of Education.

7 (3) The Department of Health and Human
8 Services.

9 (4) The Department of Justice.

10 (5) The Equal Employment Opportunity Com-
11 mission.

12 (c) DUTIES.—The Working Group shall consider the
13 following:

14 (1) What activity constitutes different acts of
15 sexual violence.

16 (2) Whether reports that use the same terms
17 for acts of sexual violence are collecting the same
18 data on these acts.

19 (3) Whether the context which led to an act of
20 sexual violence should impact how that act is ac-
21 counted for in reports.

22 (4) Whether the data collected is presented in
23 a way that allows the general public to understand
24 what acts of sexual violence are included in each
25 measurement.

1 (5) Steps that agencies that compile reports re-
2 relating to sexual violence can take to avoid double
3 counting incidents of sexual violence.

4 (d) REPORT REQUIRED.—Not later than 2 years
5 after the date of the enactment of this Act, the Working
6 Group shall publish and submit to Congress a report on
7 the following:

8 (1) The activities of the Working Group.

9 (2) Recommendations to harmonize Federal ef-
10 forts to collect data on sexual violence.

11 (3) Actions Federal agencies can take to imple-
12 ment the recommendations described in paragraph
13 (2).

14 (4) Recommendations, if any, for congressional
15 action to implement the recommendations described
16 in paragraph (2).

17 (e) TERMINATION.—The Working Group shall termi-
18 nate 30 days after the date on which the report is sub-
19 mitted pursuant to subsection (d).

20 (f) DEFINITIONS.—In this section:

21 (1) HARMONIZE.—The term “harmonize” in-
22 cludes efforts to coordinate sexual violence data col-
23 lection to produce complementary information, as
24 appropriate, without compromising programmatic
25 needs.

1 (2) SEXUAL VIOLENCE.—The term “sexual vio-
2 lence” includes an unwanted sexual act (including
3 both contact and non-contact) about which the Fed-
4 eral Government collects information.

5 **SEC. 1409. NATIONAL DOMESTIC VIOLENCE HOTLINE.**

6 Not later than 3 months after the date of enactment
7 of this Act, a national domestic violence hotline for which
8 a grant is provided under section 313 of the Family Vio-
9 lence Prevention and Services Act shall include the vol-
10 untary feature of texting via telephone to ensure all meth-
11 ods of communication are available for victims and those
12 seeking assistance.

13 **SEC. 1410. DEPUTY ASSISTANT ATTORNEY GENERAL ON**
14 **CULTURALLY SPECIFIC COMMUNITIES WITH-**
15 **IN THE OFFICE OF JUSTICE PROGRAMS.**

16 There shall be a Deputy Assistant Attorney General
17 on Culturally Specific Communities within the Office of
18 Justice Programs who shall, under the guidance and au-
19 thority of the Assistant Attorney General Office of Justice
20 Programs—

21 (1) oversee the administration of grants related
22 to culturally specific services and contracts with cul-
23 turally specific organizations;

24 (2) coordinate development of Federal policy,
25 protocols, and guidelines on matters relating to do-

1 mestic violence, dating violence, sexual assault and
2 stalking, in culturally specific communities;

3 (3) advise the Assistant Attorney General of the
4 Office of Justice Programs concerning policies, legis-
5 lation, implementation of laws, and other issues re-
6 lating to domestic violence, dating violence, sexual
7 assault and stalking in culturally specific commu-
8 nities;

9 (4) provide technical assistance, coordination,
10 and support to other offices and bureaus in the De-
11 partment of Justice to develop policy and to enforce
12 Federal laws relating to domestic violence, dating vi-
13 olence, sexual assault, and stalking in culturally spe-
14 cific communities;

15 (5) ensure that appropriate technical assistance,
16 developed and provided by entities having expertise
17 in culturally specific is made available to grantees
18 and potential grantees proposing to serve culturally
19 specific communities; and

20 (6) ensure access to grants and technical assist-
21 ance for culturally specific organizations and analyze
22 the distribution of funding in order to identify bar-
23 riers for culturally specific organizations.

1 **SEC. 1411. NATIONAL RESOURCE CENTER ON WORKPLACE**
2 **RESPONSES TO ASSIST VICTIMS OF DOMES-**
3 **TIC AND SEXUAL VIOLENCE ASSISTANCE FOR**
4 **MICROBUSINESSES.**

5 Section 41501(b) of the Violent Crime Control and
6 Law Enforcement Act of 1994 (34 U.S.C. 12501(b)) is
7 amended—

8 (1) in paragraph (2), by inserting after “State
9 and local governments” the following: “, and em-
10 ployers with fewer than 20 employees”; and

11 (2) in paragraph (3), by inserting before the pe-
12 riod at the end the following: “, which materials
13 shall include a website with resources for employers
14 with fewer than 20 employees, including live training
15 materials”.

16 **SEC. 1412. CIVIL ACTION RELATING TO DISCLOSURE OF IN-**
17 **TIMATE IMAGES.**

18 (a) DEFINITIONS.—In this section:

19 (1) CONSENT.—The term “consent” means,
20 with respect to an individual, an affirmative, con-
21 scious, and voluntary authorization made by the in-
22 dividual free from force, fraud, misrepresentation, or
23 coercion of the depicted individual.

24 (2) COMMERCIAL PORNOGRAPHIC CONTENT.—
25 The term “commercial pornographic content” means
26 any material that is subject to the record keeping re-

1 requirements under section 2257 of title 18, United
2 States Code.

3 (3) DEPICTED INDIVIDUAL.—The term “de-
4 picted individual” means an individual whose body is
5 disclosed in whole or in part in an intimate image.

6 (4) DISCLOSE.—The term “disclose” means to
7 transfer, publish, distribute, or make accessible an
8 intimate image.

9 (5) IDENTIFIABLE.—The term “identifiable”
10 means recognizable by an individual other than the
11 depicted individual from—

12 (A) the intimate image itself; or

13 (B) information or text displayed in con-
14 nection with the intimate image.

15 (6) INTIMATE IMAGE.—The term “intimate
16 image”—

17 (A) means a photograph, film, video re-
18 cording, or digital recording that shows—

19 (i) the uncovered genitals, pubic area,
20 anus, or female nipple of an individual;

21 (ii) the display or transfer of bodily
22 sexual fluids on to any part of the body of
23 an individual;

24 (iii) an individual engaging in sexually
25 explicit conduct; or

1 (iv) an individual being subjected to
2 sexually explicit conduct; and

3 (B) includes any image described in sub-
4 paragraph (A) captured or recorded while the
5 depicted individual was in a public place if—

6 (i) the depicted individual did not vol-
7 untarily display the content depicted in the
8 image; or

9 (ii) the depicted individual did not
10 consent to the sexual conduct depicted in
11 the image.

12 (7) SEXUALLY EXPLICIT CONDUCT.—The term
13 “sexually explicit conduct” has the meaning given
14 the term in subparagraphs (A) and (B) of section
15 2256(2) of title 18, United States Code.

16 (b) CIVIL ACTION.—

17 (1) RIGHT OF ACTION.—Except as provided in
18 paragraph (4), a depicted individual, or in the case
19 of a depicted individual who is a minor, the parent
20 of the depicted individual, whose intimate image is
21 disclosed, in or through interstate or foreign com-
22 merce or using a means of interstate or foreign com-
23 merce (including the internet), without the consent
24 of the depicted individual, and such disclosure was
25 made by a person who acted knowingly without, or

1 with reckless disregard for, the consent of the de-
2 picted individual to such disclosure, may bring a civil
3 action against that person in an appropriate district
4 court of the United States for appropriate relief.

5 (2) CONSENT.—For purposes of an action
6 under paragraph (1)—

7 (A) evidence that the depicted individual
8 provided consent to the capture or recording of
9 the intimate image shall not, by itself, con-
10 stitute evidence that the depicted individual
11 provided consent to the disclosure of the inti-
12 mate image; and

13 (B) evidence that the depicted individual
14 disclosed the image to the person alleged to
15 have violated paragraph (1) shall not, by itself,
16 constitute evidence that the depicted individual
17 provided consent to the further disclosure of the
18 intimate image.

19 (3) RELIEF.—

20 (A) IN GENERAL.—In a civil action filed
21 under this section—

22 (i) an individual may recover the ac-
23 tual damages sustained by the individual
24 or liquidated damages in the amount of
25 \$150,000, and the cost of the action, in-

1 cluding reasonable attorney's fees and
2 other litigation costs reasonably incurred;
3 and

4 (ii) the court may, in addition to any
5 other relief available at law, order equi-
6 table relief, including a temporary restrain-
7 ing order, a preliminary injunction, or a
8 permanent injunction ordering the defend-
9 ant to cease display or disclosure of the
10 image.

11 (B) PRESERVATION OF ANONYMITY.—In
12 ordering relief under subparagraph (A), the
13 court may grant injunctive relief maintaining
14 the confidentiality of a plaintiff using a pseu-
15 donym.

16 (4) EXCEPTIONS.—A depicted individual may
17 not bring an action for relief under this section re-
18 lating to—

19 (A) an intimate image that is commercial
20 pornographic content unless—

21 (i) the content was produced by force,
22 fraud, misrepresentation, or coercion of the
23 depicted individual; and

24 (ii) the claim of force, fraud, mis-
25 representation, or coercion under clause (i)

1 is demonstrated through a preponderance
2 of evidence;

3 (B) a disclosure made in good faith—

4 (i) to a law enforcement officer or
5 agency;

6 (ii) as part of a legal proceeding;

7 (iii) as part of medical education, di-
8 agnosis, or treatment; or

9 (iv) in the reporting or investigation
10 of—

11 (I) unlawful content; or

12 (II) unsolicited or unwelcome
13 conduct;

14 (C) a matter of public concern or public in-
15 terest; or

16 (D) a disclosure reasonably intended to as-
17 sist the depicted individual.

18 **SEC. 1413. CERTAIN ACTIVITIES RELATING TO INTIMATE**
19 **VISUAL DEPICTIONS.**

20 (a) **SHORT TITLE.**—This section may be cited as the
21 “Stopping Harmful Image Exploitation and Limiting Dis-
22 tribution Act of 2021” or the “SHIELD Act of 2021”.

23 (b) **IN GENERAL.**—Chapter 88 of title 18, United
24 States Code, is amended by adding at the end the fol-
25 lowing:

1 **“§ 1802. Certain activities relating to intimate visual**
2 **depictions**

3 “(a) DEFINITIONS.—In this section:

4 “(1) COMMUNICATIONS SERVICE.—The term
5 ‘communications service’ means—

6 “(A) a service provided by a person that is
7 a common carrier, as that term is defined in
8 section 3 of the Communications Act of 1934
9 (47 U.S.C. 153), insofar as the person is acting
10 as a common carrier;

11 “(B) an electronic communication service,
12 as that term is defined in section 2510;

13 “(C) an information service, as that term
14 is defined in section 3 of the Communications
15 Act of 1934 (47 U.S.C. 153); and

16 “(D) an interactive computer service, as
17 that term is defined in section 230(f) of the
18 Communications Act of 1934 (47 U.S.C.
19 230(f)).

20 “(2) INFORMATION CONTENT PROVIDER.—The
21 term ‘information content provider’ has the meaning
22 given that term in section 230(f) of the Communica-
23 tions Act of 1934 (47 U.S.C. 230(f)).

24 “(3) INTIMATE VISUAL DEPICTION.—The term
25 ‘intimate visual depiction’ means any visual depic-
26 tion (as that term is defined in section 2256(5))—

1 “(A) of an individual who is reasonably
2 identifiable from the visual depiction itself or
3 information displayed in connection with the
4 visual depiction;

5 “(B) in which—

6 “(i) the individual has obtained 18
7 years of age and is engaging in sexually
8 explicit conduct; or

9 “(ii) the naked genitals, anus, pubic
10 area or post-pubescent female nipple of the
11 individual are visible;

12 “(C) in which the content described in sub-
13 paragraph (B) is not simulated; and

14 “(D) in original or modified format.

15 “(4) SEXUALLY EXPLICIT CONDUCT.—The term
16 ‘sexually explicit conduct’ has the meaning given
17 that term in section 2256(2)(A).

18 “(b) OFFENSE.—Except as provided in subsection
19 (d), it shall be unlawful to knowingly use any means or
20 facility of interstate or foreign commerce to distribute an
21 intimate visual depiction of an individual—

22 “(1) with knowledge of or reckless disregard
23 for—

24 “(A) the lack of consent of the individual
25 to the distribution; and

1 “(B) the reasonable expectation of the in-
2 dividual that the depiction would remain pri-
3 vate; and

4 “(2) without an objectively reasonable belief
5 that such distribution touches upon a matter of pub-
6 lic concern.

7 “(c) PENALTY.—Any person who violates subsection
8 (b) shall be fined under this title, imprisoned not more
9 than 2 years, for each individual victim depicted, or both.

10 “(d) EXCEPTIONS.—

11 “(1) LAW ENFORCEMENT, LAWFUL REPORTING,
12 AND OTHER LEGAL PROCEEDINGS.—This section—

13 “(A) does not prohibit any lawful law en-
14 forcement, correctional, or intelligence activity;

15 “(B) shall not apply in the case of an indi-
16 vidual acting in good faith to report unlawful
17 activity or in pursuance of a legal or profes-
18 sional or other lawful obligation; and

19 “(C) shall not apply in the case of a docu-
20 ment production or filing associated with a legal
21 proceeding.

22 “(2) SERVICE PROVIDERS.—This section shall
23 not apply to any provider of a communications serv-
24 ice with regard to content provided by another infor-
25 mation content provider unless the provider of the

1 communications service intentionally solicits, or
2 knowingly and predominantly distributes, content
3 that the provider of the communications service ac-
4 tually knows is in violation of this section.

5 “(e) THREATS.—Any person who intentionally
6 threatens to commit an offense under subsection (b) shall
7 be punished as provided in subsection (c).

8 “(f) VENUE AND EXTRATERRITORIALITY.—A pros-
9 ecution under this section may be brought in a district
10 where the defendant or the depicted individual resides or
11 in a district where the intimate visual depictions are dis-
12 tributed. There is extraterritorial Federal jurisdiction over
13 an offense under this section if the defendant or the de-
14 picted individual is a citizen or permanent resident of the
15 United States.”.

16 (c) CLERICAL AMENDMENT.—The table of sections
17 of chapter 88 of title 18, United States Code, is amended
18 by inserting after the item relating to section 1801 the
19 following:

“1802. Certain activities relating to intimate visual depictions.”.

20 **SEC. 1414. TASK FORCE ON SEXUAL VIOLENCE IN EDU-**
21 **CATION.**

22 (a) TASK FORCE ON SEXUAL VIOLENCE IN EDU-
23 CATION.—Not later than September 1, 2022, the Sec-
24 retary of Education, the Secretary of Health and Human
25 Services, and the Attorney General shall establish a joint

1 interagency task force to be known as the “Task Force
2 on Sexual Violence in Education” that shall—

3 (1) provide pertinent information to the Sec-
4 retary of Education, Attorney General, Congress,
5 and the public with respect to campus sexual vio-
6 lence prevention, investigations, and responses, in-
7 cluding the creation of consistent, public complaint
8 processes for violations of title IX of the Education
9 Amendments of 1972 (20 U.S.C. 1681 et seq.) and
10 section 485(f) of the Higher Education Act of 1965
11 (20 U.S.C. 1092(f));

12 (2) provide recommendations to educational in-
13 stitutions for establishing sexual assault prevention
14 and response teams;

15 (3) develop recommendations for educational in-
16 stitutions on providing survivor resources, including
17 healthcare, sexual assault kits, sexual assault nurse
18 examiners, culturally responsive and inclusive stand-
19 ards of care, trauma-informed services, and access to
20 confidential advocacy and support services;

21 (4) develop recommendations in conjunction
22 with student groups at greater statistical risk of per-
23 petuating rape culture such as fraternities and ath-
24 letic departments for best practices for responses
25 and prevention with respect to sexual violence and

1 dating violence for educational institutions, taking
2 into consideration an institution's size and resources;

3 (5) develop recommendations for educational in-
4 stitutions on sex education, as appropriate, training
5 for school staff, and various equitable discipline
6 models;

7 (6) develop recommendations on culturally re-
8 sponsive and inclusive approaches to supporting sur-
9 vivors, which include consideration of race, ethnicity,
10 national origin, immigrant status, gender identity,
11 sexual orientation, ability, disability, socio-economic
12 status, exposure to trauma, and other compounding
13 factors;

14 (7) solicit periodic input from a diverse group
15 of survivors, trauma specialists, advocates from na-
16 tional, State, and local anti-sexual violence advocacy
17 organizations, institutions of higher education, and
18 other public stakeholders;

19 (8) assess the Department of Education's abil-
20 ity under section 902 of the Education Amendments
21 of 1972 (20 U.S.C. 1682) to levy intermediate fines
22 for noncompliance with title IX of the Education
23 Amendments of 1972 (20 U.S.C. 1681 et seq.) and
24 the advisability of additional remedies for such non-

1 compliance, in addition to the remedies already
2 available under Federal law; and

3 (9) create a plan described in subsection (c).

4 (b) PERSONNEL DETAILS.—

5 (1) AUTHORITY TO DETAIL.—Notwithstanding
6 any other provision of law, the head of a component
7 of any Federal agency that is funded under the Vio-
8 lence Against Women Act of 1994 (42 U.S.C. 13925
9 et seq.) may detail an officer or employee of such
10 component to the Task Force on Sexual Violence in
11 Education or to the Secretary of Education to assist
12 the Task Force with the duties described in sub-
13 section (a), as jointly agreed to by the head of such
14 component and the Task Force.

15 (2) BASIS FOR DETAIL.—A personnel detail
16 made under paragraph (1) may be made—

17 (A) for a period of not more than 3 years;

18 and

19 (B) on a reimbursable or nonreimbursable
20 basis.

21 (c) ADDITIONAL PLAN.—Not later than 90 days after
22 the date on which the Task Force on Sexual Violence in
23 Education is established under subsection (a), the Task
24 Force shall submit to Congress recommendations for re-
25 cruiting, retaining, and training a highly-qualified work-

1 force employed by the Department of Education to carry
2 out investigation of complaints alleging a violation of title
3 IX of the Education Amendments of 1972 (20 U.S.C.
4 1681 et seq.) or section 485(f) of the Higher Education
5 Act of 1965 (20 U.S.C. 1092(f)), and enforcement of such
6 title IX (20 U.S.C. 1681 et seq.) or such section 485(f)
7 (20 U.S.C. 1092(f)), with respect to sexual violence in
8 education. Such plan shall include—

9 (1) an assessment to identify current gaps or
10 challenges carrying out such investigation and en-
11 forcement, which may include surveying current in-
12 vestigative workforce to solicit feedback on areas in
13 need of improvement;

14 (2) an examination of issues of recruiting, re-
15 tention, and the professional development of such
16 workforce, including the possibility of providing re-
17 tention bonuses or other forms of compensation for
18 the purpose of ensuring the Department of Edu-
19 cation has the capacity, in both personnel and skills,
20 needed to properly perform its mission and provide
21 adequate oversight of educational institutions;

22 (3) an assessment of the benefits of outreach
23 and training with both law enforcement agencies and
24 educational institutions with respect to such work-
25 force;

1 (4) an examination of best practices for making
2 educational institutions aware of the most effective
3 campus sexual violence prevention, investigation, and
4 response practices and identifying areas where more
5 research should be conducted; and

6 (5) strategies for addressing such other matters
7 as the Secretary of Education considers necessary to
8 sexual violence prevention, investigation, and re-
9 sponses.

10 (d) ANNUAL REPORT.—The Task Force on Sexual
11 Violence in Education shall report to Congress on an an-
12 nual basis, and make publicly available, a report of its ac-
13 tivities and any update of the plan required under sub-
14 section (c), including the number of complaints received
15 regarding sexual violence (including violence on the basis
16 of sexual orientation and gender identity), the number of
17 open investigations, the number of complaints that contin-
18 ued to resolution, the number of complaints resolved using
19 informal resolution, the average time to complete an inves-
20 tigation, the number of investigations initiated based on
21 complaints, and the number of investigations initiated by
22 the Department of Education.

23 (e) DEFINITIONS.—In this section:

1 (1) The term “educational institution” includes
2 an institution of higher education, an elementary
3 school, or a secondary school.

4 (2) The terms “elementary school” and “sec-
5 ondary school” have the meanings given the terms
6 in section 9101 of the Elementary and Secondary
7 Education Act of 1965 (20 U.S.C. 7801).

8 (3) The term “institution of higher education”
9 has the meaning given the term in section 102 of the
10 Higher Education Act of 1965 (20 U.S.C. 1002).

11 **SEC. 1415. SURVIVORS’ BILL OF RIGHTS.**

12 (a) IN GENERAL.—The Attorney General shall make
13 grants to States that have in place a law that provides
14 to sexual assault survivors the rights, at a minimum,
15 under section 3772 of title 18, United States Code.

16 (b) GRANT AMOUNT.—Subject to the availability of
17 appropriations, a grant to a State under this section shall
18 be equal to 10 percent of the average of the amount of
19 funding of the 3 most recent awards that the State re-
20 ceived under part T of title I of the Omnibus Crime Con-
21 trol and Safe Streets Act of 1968 (34 U.S.C. 10441 et
22 seq.) (commonly referred to as the “STOP Violence
23 Against Women Formula Grant Program”).

24 (c) APPLICATION.—A State seeking a grant under
25 this section shall submit an application to the Attorney

1 General at such time, in such manner, and containing
2 such information as the Attorney General may reasonably
3 require, including information about the law described in
4 subsection (a).

5 **SEC. 1416. REPORT ON SEXUAL ASSAULT RESPONSE TEAMS**
6 **AT HOSPITALS.**

7 In order to be eligible for funds made available by
8 the Department of Justice under this Act or an amend-
9 ment made by this Act, a State or unit of local government
10 shall submit to the Attorney General a report, on an an-
11 nual basis, which contains the following:

12 (1) The number of hospitals in the jurisdiction
13 that have sexual assault response teams (or their
14 equivalent).

15 (2) The average response time of each such
16 team in responding to the needs, including the emo-
17 tional needs, of rape and sexual assault victims in
18 the emergency room.

19 **TITLE XV—CYBERCRIME**
20 **ENFORCEMENT**

21 **SEC. 1501. LOCAL LAW ENFORCEMENT GRANTS FOR EN-**
22 **FORCEMENT OF CYBERCRIMES.**

23 (a) IN GENERAL.—Subject to the availability of ap-
24 propriations, the Attorney General shall award grants
25 under this section to States and units of local government

1 for the prevention, enforcement, and prosecution of
2 cybercrimes against individuals.

3 (b) APPLICATION.—

4 (1) IN GENERAL.—To request a grant under
5 this section, the chief executive officer of a State or
6 unit of local government shall submit an application
7 to the Attorney General within 90 days after the
8 date on which funds to carry out this section are ap-
9 propriated for a fiscal year, in such form as the At-
10 torney General may require. Such application shall
11 include the following:

12 (A) A certification that Federal funds
13 made available under this section will not be
14 used to supplant State or local funds, but will
15 be used to increase the amounts of such funds
16 that would, in the absence of Federal funds, be
17 made available for law enforcement activities.

18 (B) An assurance that, not fewer than 30
19 days before the application (or any amendment
20 to the application) was submitted to the Attor-
21 ney General, the application (or amendment)
22 was submitted for review to the governing body
23 of the State or unit of local government (or to
24 an organization designated by that governing
25 body).

1 (C) An assurance that, before the applica-
2 tion (or any amendment to the application) was
3 submitted to the Attorney General—

4 (i) the application (or amendment)
5 was made public; and

6 (ii) an opportunity to comment on the
7 application (or amendment) was provided
8 to citizens and to neighborhood or commu-
9 nity-based organizations, to the extent ap-
10 plicable law or established procedure
11 makes such an opportunity available.

12 (D) An assurance that, for each fiscal year
13 covered by an application, the applicant shall
14 maintain and report such data, records, and in-
15 formation (programmatic and financial) as the
16 Attorney General may reasonably require.

17 (E) A certification, made in a form accept-
18 able to the Attorney General and executed by
19 the chief executive officer of the applicant (or
20 by another officer of the applicant, if qualified
21 under regulations promulgated by the Attorney
22 General), that—

23 (i) the programs to be funded by the
24 grant meet all the requirements of this sec-
25 tion;

1 (ii) all the information contained in
2 the application is correct;

3 (iii) there has been appropriate co-
4 ordination with affected agencies; and

5 (iv) the applicant will comply with all
6 provisions of this section and all other ap-
7 plicable Federal laws.

8 (F) A certification that the State or in the
9 case of a unit of local government, the State in
10 which the unit of local government is located,
11 has in effect criminal laws which prohibit
12 cybercrimes against individuals.

13 (G) A certification that any equipment de-
14 scribed in subsection (e)(7) purchased using
15 grant funds awarded under this section will be
16 used primarily for investigations and forensic
17 analysis of evidence in matters involving
18 cybercrimes against individuals.

19 (c) USE OF FUNDS.—Grants awarded under this sec-
20 tion may only be used for programs that provide—

21 (1) training for State or local law enforcement
22 personnel relating to cybercrimes against individuals,
23 including—

1 (A) training such personnel to identify and
2 protect victims of cybercrimes against individ-
3 uals;

4 (B) training such personnel to utilize Fed-
5 eral, State, local, and other resources to assist
6 victims of cybercrimes against individuals;

7 (C) training such personnel to identify and
8 investigate cybercrimes against individuals;

9 (D) training such personnel to enforce and
10 utilize the laws that prohibit cybercrimes
11 against individuals;

12 (E) training such personnel to utilize tech-
13 nology to assist in the investigation of
14 cybercrimes against individuals and enforce-
15 ment of laws that prohibit such crimes; and

16 (F) the payment of overtime incurred as a
17 result of such training;

18 (2) training for State or local prosecutors,
19 judges, and judicial personnel, relating to
20 cybercrimes against individuals, including—

21 (A) training such personnel to identify, in-
22 vestigate, prosecute, or adjudicate cybercrimes
23 against individuals;

24 (B) training such personnel to utilize laws
25 that prohibit cybercrimes against individuals;

1 (C) training such personnel to utilize Fed-
2 eral, State, local, and other resources to assist
3 victims of cybercrimes against individuals; and

4 (D) training such personnel to utilize tech-
5 nology to assist in the prosecution or adjudica-
6 tion of acts of cybercrimes against individuals,
7 including the use of technology to protect vic-
8 tims of such crimes;

9 (3) training for State or local emergency dis-
10 patch personnel relating to cybercrimes against indi-
11 viduals, including—

12 (A) training such personnel to identify and
13 protect victims of cybercrimes against individ-
14 uals;

15 (B) training such personnel to utilize Fed-
16 eral, State, local, and other resources to assist
17 victims of cybercrimes against individuals;

18 (C) training such personnel to utilize tech-
19 nology to assist in the identification of and re-
20 sponse to cybercrimes against individuals; and

21 (D) the payment of overtime incurred as a
22 result of such training;

23 (4) assistance to State or local law enforcement
24 agencies in enforcing laws that prohibit cybercrimes
25 against individuals, including expenses incurred in

1 performing enforcement operations, such as overtime
2 payments;

3 (5) assistance to State or local law enforcement
4 agencies in educating the public in order to prevent,
5 deter, and identify violations of laws that prohibit
6 cybercrimes against individuals;

7 (6) assistance to State or local law enforcement
8 agencies to establish task forces that operate solely
9 to conduct investigations, forensic analyses of evi-
10 dence, and prosecutions in matters involving
11 cybercrimes against individuals;

12 (7) assistance to State or local law enforcement
13 and prosecutors in acquiring computers, computer
14 equipment, and other equipment necessary to con-
15 duct investigations and forensic analysis of evidence
16 in matters involving cybercrimes against individuals,
17 including expenses incurred in the training, mainte-
18 nance, or acquisition of technical updates necessary
19 for the use of such equipment for the duration of a
20 reasonable period of use of such equipment;

21 (8) assistance in the facilitation and promotion
22 of sharing, with State and local law enforcement of-
23 ficers and prosecutors, of the expertise and informa-
24 tion of Federal law enforcement agencies about the
25 investigation, analysis, and prosecution of matters

1 involving laws that prohibit cybercrimes against indi-
2 viduals, including the use of multijurisdictional task
3 forces; or

4 (9) assistance to State and local law enforce-
5 ment and prosecutors in processing interstate extra-
6 dition requests for violations of laws involving
7 cybercrimes against individuals, including expenses
8 incurred in the extradition of an offender from one
9 State to another.

10 (d) REPORT TO THE SECRETARY.—On the date that
11 is 1 year after the date on which a State or unit of local
12 government receives a grant under this section, and annu-
13 ally thereafter, the chief executive of such State or unit
14 of local government shall submit to the Attorney General
15 a report which contains—

16 (1) a summary of the activities carried out dur-
17 ing the previous year with any grant received by
18 such State or unit of local government;

19 (2) an evaluation of the results of such activi-
20 ties; and

21 (3) such other information as the Attorney
22 General may reasonably require.

23 (e) REPORT TO CONGRESS.—Not later than Novem-
24 ber 1 of each even-numbered fiscal year, the Attorney
25 General shall submit to the Committee on the Judiciary

1 of the House of Representatives and the Committee on
2 the Judiciary of the Senate a report that contains a com-
3 pilation of the information contained in the report sub-
4 mitted under subsection (d).

5 (f) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—There are authorized to be
7 appropriated to carry out this section \$20,000,000
8 for each of fiscal years 2022 through 2026.

9 (2) LIMITATION.—Of the amount made avail-
10 able under paragraph (1) in any fiscal year, not
11 more than 5 percent may be used for evaluation,
12 monitoring, technical assistance, salaries, and ad-
13 ministrative expenses.

14 (g) DEFINITIONS.—In this section:

15 (1) The term “cybercrimes against individuals”
16 means the criminal offenses applicable in the rel-
17 evant State or unit of local government that involve
18 the use of a computer to cause personal harm to an
19 individual, such as the use of a computer to harass,
20 threaten, stalk, extort, coerce, cause fear, intimidate,
21 without consent distribute intimate images of, or vio-
22 late the privacy of, an individual, except that—

23 (A) use of a computer need not be an ele-
24 ment of such an offense; and

1 (B) such term does not include the use of
2 a computer to cause harm to a commercial enti-
3 ty, government agency, or any non-natural per-
4 sons.

5 (2) The term “computer” includes a computer
6 network and an interactive electronic device.

7 **SEC. 1502. NATIONAL RESOURCE CENTER GRANT.**

8 (a) IN GENERAL.—Subject to the availability of ap-
9 propriations, the Attorney General shall award a grant
10 under this section to an eligible entity for the purpose of
11 the establishment and maintenance of a National Re-
12 source Center on Cybercrimes Against Individuals to pro-
13 vide resource information, training, and technical assist-
14 ance to improve the capacity of individuals, organizations,
15 governmental entities, and communities to prevent, en-
16 force, and prosecute cybercrimes against individuals.

17 (b) APPLICATION.—To request a grant under this
18 section, an eligible entity shall submit an application to
19 the Attorney General not later than 90 days after the date
20 on which funds to carry out this section are appropriated
21 for fiscal year 2022 in such form as the Attorney General
22 may require. Such application shall include the following:

23 (1) An assurance that, for each fiscal year cov-
24 ered by an application, the applicant shall maintain
25 and report such data, records, and information (pro-

1 grammatic and financial) as the Attorney General
2 may reasonably require.

3 (2) A certification, made in a form acceptable
4 to the Attorney General, that—

5 (A) the programs funded by the grant
6 meet all the requirements of this section;

7 (B) all the information contained in the
8 application is correct; and

9 (C) the applicant will comply with all pro-
10 visions of this section and all other applicable
11 Federal laws.

12 (c) USE OF FUNDS.—The eligible entity awarded a
13 grant under this section shall use such amounts for the
14 establishment and maintenance of a National Resource
15 Center on Cybercrimes Against Individuals, which shall—

16 (1) offer a comprehensive array of technical as-
17 sistance and training resources to Federal, State,
18 and local governmental agencies, community-based
19 organizations, and other professionals and interested
20 parties, related to cybercrimes against individuals,
21 including programs and research related to victims;

22 (2) maintain a resource library which shall col-
23 lect, prepare, analyze, and disseminate information
24 and statistics related to—

1 (A) the incidence of cybercrimes against
2 individuals;

3 (B) the enforcement, and prosecution of
4 laws relating to cybercrimes against individuals;
5 and

6 (C) the provision of supportive services and
7 resources for victims of cybercrimes against in-
8 dividuals; and

9 (3) conduct research related to—

10 (A) the causes of cybercrimes against indi-
11 viduals;

12 (B) the effect of cybercrimes against indi-
13 viduals on victims of such crimes; and

14 (C) model solutions to prevent or deter
15 cybercrimes against individuals or to enforce
16 the laws relating to cybercrimes against individ-
17 uals.

18 (d) DURATION OF GRANT.—

19 (1) IN GENERAL.—The grant awarded under
20 this section shall be awarded for a period of 5 years.

21 (2) RENEWAL.—A grant under this section may
22 be renewed for additional 5-year periods if the At-
23 torney General determines that the funds made
24 available to the recipient were used in a manner de-
25 scribed in subsection (c), and if the recipient resub-

1 mits an application described in subsection (b) in
2 such form, and at such time as the Attorney General
3 may reasonably require.

4 (e) SUBGRANTS.—The eligible entity awarded a grant
5 under this section may make subgrants to other nonprofit
6 private organizations with relevant subject matter exper-
7 tise in order to establish and maintain the National Re-
8 source Center on Cybercrimes Against Individuals in ac-
9 cordance with subsection (c).

10 (f) REPORT TO THE SECRETARY.—On the date that
11 is 1 year after the date on which an eligible entity receives
12 a grant under this section, and annually thereafter for the
13 duration of the grant period, the entity shall submit to
14 the Attorney General a report which contains—

15 (1) a summary of the activities carried out
16 under the grant program during the previous year;

17 (2) an evaluation of the results of such activi-
18 ties; and

19 (3) such other information as the Attorney
20 General may reasonably require.

21 (g) REPORT TO CONGRESS.—Not later than Novem-
22 ber 1 of each even-numbered fiscal year, the Attorney
23 General shall submit to the Committee on the Judiciary
24 of the House of Representatives and the Committee on
25 the Judiciary of the Senate a report that contains a com-

1 pilation of the information contained in the report sub-
2 mitted under subsection (d).

3 (h) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 \$4,000,000 for each of fiscal years 2022 through 2026.

6 (i) DEFINITIONS.—In this section:

7 (1) CYBERCRIMES AGAINST INDIVIDUALS.—The
8 term “cybercrimes against individuals” has the
9 meaning given such term in section 1501(g).

10 (2) ELIGIBLE ENTITY.—The term “eligible enti-
11 ty” means a nonprofit private organization that fo-
12 cuses on cybercrimes against individuals and that—

13 (A) provides documentation to the Attor-
14 ney General demonstrating experience working
15 directly on issues of cybercrimes against indi-
16 viduals; and

17 (B) includes on the entity’s advisory board
18 representatives who have a documented history
19 of working directly on issues of cybercrimes
20 against individuals and who are geographically
21 and culturally diverse.

22 **SEC. 1503. NATIONAL STRATEGY, CLASSIFICATION, AND RE-**
23 **PORTING ON CYBERCRIME.**

24 (a) DEFINITIONS.—In this section:

1 (1) COMPUTER.—The term “computer” in-
2 cludes a computer network and any interactive elec-
3 tronic device.

4 (2) CYBERCRIME AGAINST INDIVIDUALS.—The
5 term “cybercrime against individuals” means a Fed-
6 eral, State, or local criminal offense that involves the
7 use of a computer to cause personal harm to an in-
8 dividual, such as the use of a computer to harass,
9 threaten, stalk, extort, coerce, cause fear, intimidate,
10 without consent distribute intimate images of, or vio-
11 late the privacy of, an individual, except that—

12 (A) use of a computer need not be an ele-
13 ment of the offense; and

14 (B) the term does not include the use of a
15 computer to cause harm to a commercial entity,
16 government agency, or non-natural person.

17 (b) NATIONAL STRATEGY.—The Attorney General
18 shall develop a national strategy to—

19 (1) reduce the incidence of cybercrimes against
20 individuals;

21 (2) coordinate investigations of cybercrimes
22 against individuals by Federal law enforcement
23 agencies; and

24 (3) increase the number of Federal prosecutions
25 of cybercrimes against individuals.

1 (c) CLASSIFICATION OF CYBERCRIMES AGAINST IN-
2 INDIVIDUALS FOR PURPOSES OF CRIME REPORTS.—In ac-
3 cordance with the authority of the Attorney General under
4 section 534 of title 28, United States Code, the Director
5 of the Federal Bureau of Investigation shall—

6 (1) design and create within the Uniform Crime
7 Reports a category for offenses that constitute
8 cybercrimes against individuals;

9 (2) to the extent feasible, within the category
10 established under paragraph (1), establish subcat-
11 egories for each type of cybercrime against individ-
12 uals that is an offense under Federal or State law;

13 (3) classify the category established under para-
14 graph (1) as a Part I crime in the Uniform Crime
15 Reports; and

16 (4) classify each type of cybercrime against in-
17 dividuals that is an offense under Federal or State
18 law as a Group A offense for the purpose of the Na-
19 tional Incident-Based Reporting System.

20 (d) ANNUAL SUMMARY.—The Attorney General shall
21 publish an annual summary of the information reported
22 in the Uniform Crime Reports and the National Incident-
23 Based Reporting System relating to cybercrimes against
24 individuals.

1 **TITLE XVI—KEEPING CHILDREN**
2 **SAFE FROM FAMILY VIOLENCE**

3 **SEC. 1601. SHORT TITLE.**

4 This title may be cited as the “Keeping Children Safe
5 From Family Violence Act” or “Kayden’s Law”.

6 **SEC. 1602. FINDINGS.**

7 Congress finds the following:

8 (1) Approximately one in 15 children are ex-
9 posed each year to domestic violence.

10 (2) Most child abuse is perpetrated in the fam-
11 ily and by a parent. Intimate partner violence and
12 child abuse overlap in the same families at rates of
13 30 to 60 percent. A child’s risk of abuse increases
14 after a perpetrator of intimate partner violence sepa-
15 rates from their domestic partner, even when the
16 perpetrator had not previously directly abused the
17 child. Children who have witnessed intimate partner
18 violence are approximately four times more likely to
19 experience direct child maltreatment than children
20 who have not witnessed intimate partner violence.

21 (3) More than 75 percent of child sexual abuse
22 is perpetrated by a family member or a person
23 known to the child. U.S. Department of Justice data
24 shows that family members are almost half (49 per-

1 cent) of the perpetrators of child sex assault victims
2 under age 6.

3 (4) Research suggests a child's exposure to a
4 batterer is among the strongest indicators of risk of
5 incest victimization. One study found female children
6 whose fathers were batterers of the mother were six-
7 and-a-half times more likely to experience father-
8 daughter incest than female children who do not
9 have an abusive father.

10 (5) Child abuse is a major public health issue
11 in the United States. Total lifetime financial costs
12 associated with just 1 year of confirmed cases of
13 child maltreatment (including child physical abuse,
14 sexual abuse, psychological abuse and neglect) re-
15 sults in \$124 billion in annual costs to the U.S.
16 economy, or approximately one percent of the gross
17 domestic product.

18 (6) Empirical research indicates that allegations
19 of child physical and sexual abuse are regularly dis-
20 counted by courts when raised in child custody
21 cases, with fewer than one-fourth of claims that a
22 father has committed child physical or sexual abuse
23 believed; and where the allegedly abusive parent
24 claimed the mother was "alienating" the child, only
25 1 out of 51 claims of sexual molestation by a father

1 were believed. Independent research indicates that
2 child sexual abuse allegations are credible 50 to 70
3 percent of the time.

4 (7) Empirical research shows that alleged or
5 known abusive parents are often granted custody or
6 unprotected parenting time by courts. Approximately
7 one-third of parents alleged to have committed child
8 abuse took primary custody from the protective par-
9 ent reporting the abuse, placing children at ongoing
10 risk.

11 (8) Researchers have documented nearly 800
12 children murdered in the United States since 2008
13 by a divorcing or separating parent. More than 100
14 of these child murders are known to have occurred
15 after a court ordered the child into contact with the
16 dangerous parent over the objection of a safe parent
17 or caregiver.

18 (9) Scientifically unsound theories that treat
19 mothers' abuse allegations as likely false attempts to
20 undermine the father are frequently applied in fam-
21 ily court to minimize or deny parents' and children's
22 reports of abuse. Many experts who testify against
23 abuse allegations lack expertise in the relevant type
24 of alleged abuse, relying instead on unsound and
25 unproven theories.

1 (10) Judges presiding over custody cases with
2 allegations of child abuse, child sexual abuse, and
3 domestic violence are rarely required to receive
4 training on these subjects, nor have most States es-
5 tablished standards for such trainings.

6 **SEC. 1603. PURPOSES.**

7 The purposes of this title are to:

8 (1) increase the priority given to child safety in
9 any private State court proceeding affecting chil-
10 dren’s care and custody, excluding child protective
11 and social service proceedings;

12 (2) strengthen courts’ abilities to recognize and
13 adjudicate domestic violence and child abuse allega-
14 tions based on valid, admissible evidence, and to
15 enter orders which protect and minimize the risk of
16 harm to children as the first priority; and

17 (3) ensure that professional personnel involved
18 in cases containing abuse allegations receive trauma-
19 informed and culturally appropriate training on the
20 dynamics, signs and impact of domestic violence and
21 child abuse, including child sexual abuse.

22 **SEC. 1604. DEFINITION OF COVERED FORMULA GRANT.**

23 The term “covered formula grant” means a grant
24 under part T of title I of the Omnibus Crime Control and
25 Safe Streets Act of 1968 (34 U.S.C. 10441 et seq.) (com-

1 monly referred to as the “STOP Violence Against Women
2 Formula Grant Program”).

3 **SEC. 1605. INCREASED FUNDING FOR FORMULA GRANTS**
4 **AUTHORIZED.**

5 (a) IN GENERAL.—The Attorney General shall in-
6 crease the amount provided to a State under the covered
7 formula grants in accordance with this title if—

8 (1) EVIDENCE.—

9 (A) EXPERTS.—The State has in place a
10 law ensuring that, in a custody proceeding
11 where a parent has been alleged to have com-
12 mitted domestic violence or child abuse, includ-
13 ing child sexual abuse, evidence from court-ap-
14 pointed or outside professionals regarding the
15 alleged abuse may be admitted only when the
16 professional possesses demonstrated expertise
17 and clinical, not solely forensic, experience in
18 working with victims of domestic violence or
19 child abuse, including child sexual abuse.

20 (B) NON-EXPERTS.—The State has in
21 place a law ensuring that, in a custody pro-
22 ceeding where a parent has been alleged to have
23 committed domestic violence or child abuse, in-
24 cluding child sexual abuse, evidence of past sex-
25 ual or physical abuse committed by a party, in-

1 cluding but not limited to any past or current
2 protection from abuse orders, sexual violence
3 abuse protection orders, arrests, or convictions,
4 must be considered in determining the truth of
5 any allegations of family violence.

6 (2) EXPERTS.—The State has in place uniform
7 required standards of domestic violence and child
8 abuse expertise and experience for all court-ap-
9 pointed neutral professional opinions related to
10 abuse, trauma, and the behaviors of victims and per-
11 petrators, which meet the criteria in paragraph
12 (1)(A).

13 (3) REMEDIES FOR A CHILD’S RESISTANCE TO
14 CONTACT WITH A PARENT.—The State has in place
15 a law ensuring that—

16 (A) NO REMOVAL OF CARE FROM SAFE
17 PARENT.—No child shall be removed from the
18 care of a competent protective, non-physically
19 or sexually abusive parent or litigating party to
20 whom the child is bonded or attached, nor shall
21 the child’s contact with such parent be re-
22 stricted, solely in order to improve a deficient
23 relationship with the other parent.

24 (B) REUNIFICATION TREATMENT.—No
25 “reunification treatment” may be ordered by

1 the court without scientifically valid and gen-
2 erally accepted proof of the safety, effectiveness
3 and therapeutic value of the particular treat-
4 ment, nor may any treatment predicated on
5 cutting off a child from the parent to whom
6 they are bonded or attached be ordered.

7 (C) CAUSES OF CHILD RESISTANCE.—Any
8 order to remediate a child’s contact resistance
9 must address the resisted parent’s behaviors or
10 contributions to the child’s resistance first, be-
11 fore ordering the preferred parent to take steps
12 to potentially improve the child’s relationship
13 with the parent they resist.

14 (4) TRAINING AND EDUCATION PROGRAM.—

15 (A) IN GENERAL.—The State has in place
16 an ongoing education and training program for
17 judges and magistrates who hear custody mat-
18 ters, and relevant court personnel, including
19 guardians ad litem, best interest attorneys,
20 counsel for children, custody evaluators, mas-
21 ters, and mediators, focusing solely on domestic
22 violence and child abuse, including—

23 (i) child sexual abuse;

24 (ii) physical abuse;

25 (iii) emotional abuse;

- 1 (iv) coercive control;
2 (v) implicit and explicit bias;
3 (vi) trauma;
4 (vii) long and short-term impacts of
5 domestic violence and child abuse on chil-
6 dren; and
7 (viii) victim and perpetrator behav-
8 iors.

9 (B) PROVIDERS.—Training must be pro-
10 vided by—

- 11 (i) professionals with substantial expe-
12 rience in assisting survivors of domestic vi-
13 olence or child abuse, such as a victim
14 service provider; and
15 (ii) where possible, survivors of do-
16 mestic violence, or child physical or sexual
17 abuse.

18 (C) EVIDENCE-BASED RESEARCH.—

- 19 (i) IN GENERAL.—The education and
20 training program in subparagraph (A)
21 shall rely on evidence-based and peer-re-
22 viewed research by recognized experts in
23 the types of abuse designated under this
24 section.

1 (ii) EXCLUSION.—The education and
2 training program shall not include theories,
3 concepts, and belief systems unsupported
4 by valid, credible scientific research.

5 (D) OBJECTIVE OF EDUCATION AND
6 TRAINING PROGRAM.—The education and train-
7 ing program shall be designed to improve the
8 ability of courts to recognize and respond to
9 child physical abuse, child sexual abuse, domes-
10 tic violence, and trauma on all family victims,
11 particularly children, and make appropriate
12 custody decisions that prioritize child safety and
13 well-being, and shall be culturally sensitive and
14 appropriate for diverse communities.

15 (E) TRAINING REQUIREMENTS.—Judges
16 and all other personnel identified in subpara-
17 graph (A) must receive at least 60 hours of ini-
18 tial training on these identified topics, and at
19 least 20 hours of this ongoing training every 2
20 years.

21 (F) CUSTODY EVALUATOR REQUIRE-
22 MENTS.—Prior to being appointed in a case, a
23 custody evaluator shall, at a minimum, hold a
24 Master's degree in a relevant field and must

1 have completed the training requirements of
2 subparagraph (E).

3 (4) **LEGAL REPRESENTATION.**—The State shall
4 notify parties of the importance of legal representa-
5 tion and shall direct the parties to appropriate re-
6 sources.

7 (b) **GRANT INCREASE.**—The amount of the increase
8 provided to a State under the covered formula grant under
9 this title shall be equal to not more than 10 percent of
10 the average of the total amount of funding provided to
11 the State under the covered formula grant under the 3
12 most recent awards to the State.

13 **SEC. 1606. APPLICATION.**

14 A State seeking a grant under this title shall submit
15 an application to the Attorney General at such time, in
16 such manner, and containing such information as the At-
17 torney General may reasonably require, including informa-
18 tion regarding the law described in section 1605.

19 **SEC. 1607. RULE OF CONSTRUCTION.**

20 Nothing in this title shall be interpreted to discourage
21 States from adopting additional provisions to increase safe
22 outcomes for children; additional protective provisions are
23 encouraged.

1 SEC. 1608. GRANT TERM.

2 (a) IN GENERAL.—The term of a covered grant shall
3 be for 1 year.

4 (b) RENEWAL.—A State that receives a covered grant
5 may submit an application for a renewal of such grant
6 at such time, in such manner, and containing such infor-
7 mation as the Attorney General may reasonably require.

8 (c) LIMIT.—A State shall not receive a covered grant
9 for more than 4 years.

10 SEC. 1609. USES OF FUNDS.

11 A State that receives an increase under the covered
12 formula grants under this title shall use the amount of
13 the increase for subgrants pursuant to section
14 2007(c)(4)(C) or (D) of title I of the Omnibus Crime Con-
15 trol and Safe Streets Act of 1968 (34 U.S.C.
16 10446(c)(4)).

17 SEC. 1610. AUTHORIZATION OF APPROPRIATIONS.

18 There is authorized to be appropriated to carry out
19 this title \$5,000,000 for each of fiscal years 2022 through
20 2026.

21 SEC. 1611. SEXUAL ASSAULT SURVIVORS' RIGHTS.

22 Section 3772(a)(2) of title 18, United States Code,
23 is amended—

24 (1) in subparagraph (B), by striking “; and”
25 and inserting a semicolon;

1 (2) in subparagraph (C), by striking the period
2 at the end and inserting “; and”; and

3 (3) by inserting the following new subpara-
4 graph:

5 “(D) be informed of the status and loca-
6 tion of a sexual assault evidence collection kit.”.

7 **SEC. 1612. GRANTS TO STATE AND TRIBAL COURTS TO IM-**
8 **PLEMENT PROTECTION ORDER PILOT PRO-**
9 **GRAMS.**

10 Part U of title I of the Omnibus Crime Control and
11 Safe Streets Act of 1968 (34 U.S.C. 10461 et seq.) is
12 amended—

13 (1) by redesignating sections 2103, 2104, and
14 2105 as sections 2104, 2105, and 2106, respectively;
15 and

16 (2) by inserting after section 2102 the fol-
17 lowing:

18 **“SEC. 2103. GRANTS TO STATE AND TRIBAL COURTS TO IM-**
19 **PLEMENT PROTECTION ORDER PILOT PRO-**
20 **GRAMS.**

21 “(a) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
22 tion, the term ‘eligible entity’ means a State or Tribal
23 court that is part of a multidisciplinary partnership that
24 includes, to the extent practicable—

1 “(1) State, Tribal, or local law enforcement
2 agency;

3 “(2) a State, Tribal, or local prosecutor advo-
4 cate group;

5 “(3) a victim service provider or State or Tribal
6 domestic violence coalition;

7 “(4) a nonprofit program or government agency
8 with demonstrated experience in providing legal as-
9 sistance or legal advice to victims of domestic vio-
10 lence and sexual assault;

11 “(5) the bar association of the applicable State
12 or Indian Tribe;

13 “(6) the State or Tribal association of court
14 clerks;

15 “(7) a State, Tribal, or local association of
16 criminal defense attorneys;

17 “(8) not fewer than 2 individuals with expertise
18 in the design and management of court case man-
19 agement systems and systems of integration;

20 “(9) not fewer than 2 State or Tribal court
21 judges with experience in—

22 “(A) the field of domestic violence; and

23 “(B) issuing protective orders; and

24 “(10) a judge assigned to the criminal docket of
25 the State or Tribal court.

1 “(b) GRANTS AUTHORIZED.—

2 “(1) IN GENERAL.—In addition to grants au-
3 thORIZED under section 2101, the Attorney General
4 shall make grants to eligible entities to carry out the
5 activities described in subsection (c) of this section.

6 “(2) NUMBER.—The Attorney General may
7 award not more than 10 grants under paragraph
8 (1).

9 “(3) AMOUNT.—The amount of a grant award-
10 ed under paragraph (1) may be not more than
11 \$1,500,000.

12 “(c) MANDATORY ACTIVITIES.—

13 “(1) IN GENERAL.—An eligible entity that re-
14 ceives a grant under this section shall use the grant
15 funds, in consultation with the partners required
16 under subsection (a), to—

17 “(A) develop and implement a program for
18 properly and legally serving protection orders
19 through electronic communication methods to—

20 “(i) modernize the service process and
21 make the process more effective and effi-
22 cient;

23 “(ii) provide for improved safety of
24 victims; and

1 “(iii) make protection orders enforce-
2 able as quickly as possible;

3 “(B) develop best practices relating to the
4 service of protection orders through electronic
5 communication methods;

6 “(C) ensure that the program developed
7 under subparagraph (A) complies with due
8 process requirements and any other procedures
9 required by law or by a court; and

10 “(D) implement any technology necessary
11 to carry out the program developed under sub-
12 paragraph (A), such as technology to verify and
13 track the receipt of a protection order by the
14 intended party.

15 “(2) TIMELINE.—An eligible entity that re-
16 ceives a grant under this section shall—

17 “(A) implement the program required
18 under paragraph (1)(A) not later than 2 years
19 after receiving the grant; and

20 “(B) carry out the program for not fewer
21 than 3 years.

22 “(d) DIVERSITY OF RECIPIENTS.—The Attorney
23 General shall award grants under this section to eligible
24 entities in a variety of areas and situations, including—

1 “(1) a State court that serves a population of
2 not fewer than 1,000,000 individuals;

3 “(2) a State court that—

4 “(A) serves a State that is among the 7
5 States with the lowest population density in the
6 United States; and

7 “(B) has a relatively low rate of successful
8 service with respect to protection orders, as de-
9 termined by the Attorney General;

10 “(3) a State court that—

11 “(A) serves a State that is among the 7
12 States with the highest population density in
13 the United States; and

14 “(B) has a relatively low rate of successful
15 service with respect to protection orders, as de-
16 termined by the Attorney General;

17 “(4) a court that uses an integrated, statewide
18 case management system;

19 “(5) a court that uses a standalone case man-
20 agement system;

21 “(6) a Tribal court; and

22 “(7) a court that serves a culturally specific
23 and underserved population.

24 “(e) APPLICATION.—

1 “(1) IN GENERAL.—An eligible entity shall sub-
2 mit an application to the Attorney General that in-
3 cludes—

4 “(A) a description of the process that the
5 eligible entity uses for service of protection or-
6 ders at the time of submission of the applica-
7 tion;

8 “(B) to the extent practicable, statistics re-
9 lating to protection orders during the 3 cal-
10 endar years preceding the date of submission of
11 the application, including rates of—

12 “(i) successful service; and

13 “(ii) enforcement;

14 “(C) an initial list of the entities serving as
15 the partners required under subsection (a); and

16 “(D) any other information the Attorney
17 General may reasonably require.

18 “(2) NO OTHER APPLICATION REQUIRED.—An
19 eligible entity shall not be required to submit an ap-
20 plication under section 2102 to receive a grant
21 under this section.

22 “(f) TECHNICAL ASSISTANCE.—Notwithstanding sec-
23 tion 40002(b)(11) of the Violence Against Women Act of
24 1994 (34 U.S.C. 12291(b)(11)), as applied under section
25 2106 of this part, not less than 5 percent and not more

1 than 8 percent of the total amounts appropriated to carry
2 out this section shall be available to the Attorney General
3 for technical assistance relating to the purposes of this
4 section.

5 “(g) REPORT TO ATTORNEY GENERAL.—

6 “(1) INITIAL REPORT.—Not later than 2 years
7 after receiving a grant under this section, an eligible
8 entity shall submit to the Attorney General a report
9 that details the plan of the entity for implementation
10 of the program under subsection (c).

11 “(2) SUBSEQUENT REPORTS.—

12 “(A) IN GENERAL.—Not later than 1 year
13 after implementing the program under sub-
14 section (c), and not later than 2 years there-
15 after, an eligible entity shall submit to the At-
16 torney General a report that describes the pro-
17 gram implemented under subsection (c), includ-
18 ing with respect to—

19 “(i) viability;

20 “(ii) cost;

21 “(iii) service statistics;

22 “(iv) challenges;

23 “(v) analysis of the technology used to
24 fulfill the goals of the program;

1 “(vi) analysis of any legal or due proc-
2 ess issues resulting from the electronic
3 service method described in subsection
4 (c)(1)(A); and

5 “(vii) best practices for implementing
6 such a program in other similarly situated
7 locations.

8 “(B) CONTENTS OF FINAL REPORT.—An
9 eligible entity shall include in the second report
10 submitted under subparagraph (A) rec-
11 ommendations for—

12 “(i) future nationwide implementation
13 of the program implemented by the eligible
14 entity; and

15 “(ii) usage of electronic service, simi-
16 lar to the service used by the eligible enti-
17 ty, for other commonly used court orders,
18 including with respect to viability and cost.

19 “(h) NO REGULATIONS OR GUIDELINES RE-
20 QUIRED.—Notwithstanding section 2105, the Attorney
21 General shall not be required to publish regulations or
22 guidelines implementing this section.

23 “(i) AUTHORIZATION OF APPROPRIATIONS.—In addi-
24 tion to amounts otherwise made available to carry out this
25 part, there is authorized to be appropriated to carry out

1 this section \$10,000,000 for fiscal years 2019 through
2 2024.”.

3 **SEC. 1613. ONLINE SURVEY TOOL FOR CAMPUS SAFETY.**

4 (a) IN GENERAL.—The Secretary of Education shall,
5 in consultation with the Attorney General, Director of the
6 Centers for Disease Control, and the Secretary of the De-
7 partment of Health and Human Services and experts in
8 domestic violence, dating violence, sexual assault, sexual
9 harassment, and stalking, develop, design, and make avail-
10 able through a secure and accessible online portal, a
11 standardized online survey tool regarding student experi-
12 ences with domestic violence, dating violence, sexual as-
13 sault, sexual harassment, and stalking.

14 (b) DEVELOPMENT OF SURVEY TOOL.—In devel-
15 oping the survey tool required under subsection (a), the
16 Secretary of Education shall—

17 (1) use best practices from peer-reviewed re-
18 search measuring domestic violence, dating violence,
19 sexual assault, sexual harassment, and stalking;

20 (2) consult with the higher education commu-
21 nity, experts in survey research related to domestic
22 violence, dating violence, sexual assault, sexual har-
23 assment, and stalking, and organizations engaged in
24 the prevention of and response to, and advocacy on
25 behalf of victims of, domestic violence, dating vio-

1 lence, sexual assault, sexual harassment, and stalk-
2 ing regarding the development and design of such
3 survey tool and the methodology for administration
4 of such survey tool; and

5 (3) ensure that the survey tool is readily acces-
6 sible to and usable by individuals with disabilities.

7 (c) ELEMENTS.—

8 (1) IN GENERAL.—The survey tool developed
9 pursuant to this paragraph shall be fair and unbi-
10 ased, scientifically valid and reliable, and meet the
11 highest standards of survey research.

12 (2) SURVEY QUESTIONS.—Survey questions in-
13 cluded in the survey tool developed pursuant to this
14 section shall—

15 (A) be designed to gather information on
16 student experiences with domestic violence, dat-
17 ing violence, sexual assault, sexual harassment,
18 and stalking, including the experiences of vic-
19 tims of such incidents;

20 (B) use trauma-informed language to pre-
21 vent retraumatization; and

22 (C) include the following:

23 (i) Questions that give students the
24 option to report their demographic infor-
25 mation.

1 (ii) Questions designed to determine
2 the incidence and prevalence of domestic
3 violence, dating violence, sexual assault,
4 sexual harassment, and stalking.

5 (iii) Questions regarding whether stu-
6 dents know about institutional policies and
7 procedures related to domestic violence,
8 dating violence, sexual assault, sexual har-
9 assment, and stalking.

10 (iv) Questions designed to determine,
11 if victims reported domestic violence, dat-
12 ing violence, sexual assault, sexual harass-
13 ment, or stalking—

14 (I) to whom the incident was re-
15 ported and what response the victim
16 may have received;

17 (II) whether the victim was in-
18 formed of, or referred to, national,
19 State, local, or on-campus resources;
20 and

21 (III) whether the entity to whom
22 the victim reported the incident con-
23 ducted an investigation and the dura-
24 tion and final resolution of such an
25 investigation.

1 (v) Questions regarding contextual
2 factors, such as whether force, incapacita-
3 tion, or coercion was involved.

4 (vi) Questions to determine whether
5 an accused individual was a student at the
6 institution.

7 (vii) Questions to determine whether a
8 victim reported an incident to State, local,
9 or campus law enforcement.

10 (viii) Questions to determine why the
11 victim chose to report or not report an in-
12 cident to the institution or State, local, or
13 campus law enforcement.

14 (ix) Questions to determine the im-
15 pact of domestic violence, dating violence,
16 sexual assault, sexual harassment, and
17 stalking on the victim's education, includ-
18 ing diminished grades, dropped classes,
19 leaves of absence, and negative financial
20 consequences (such as costs associated
21 with loss in paid tuition due to leaves of
22 absence, loss in scholarship awards due to
23 diminished grades, and cost associated
24 with counseling, medical services, or hous-
25 ing changes).

1 (x) Questions to determine the impact
2 and effectiveness of prevention and aware-
3 ness programs and complaints processes.

4 (xi) Questions to determine attitudes
5 toward sexual violence and harassment, in-
6 cluding the willingness of individuals to in-
7 tervene as a bystander of sex-based (in-
8 cluding sexual orientation-based and gen-
9 der identity-based), race-based, national
10 origin-based, and disability-based discrimi-
11 nation, harassment, assault, domestic vio-
12 lence, dating violence, sexual assault, sex-
13 ual harassment, and stalking.

14 (xii) Other questions, as determined
15 by the Secretary of Education.

16 (3) ADDITIONAL ELEMENTS.—In addition to
17 the standardized questions developed by the Sec-
18 retary of Education under paragraph (2), an institu-
19 tion may request additional information from stu-
20 dents that would increase the understanding of the
21 institution of school climate factors unique to their
22 campuses.

23 (4) RESPONSES.—The responses to the survey
24 questions described in paragraph (2) shall—

25 (A) be submitted confidentially;

1 (B) not be included in crime statistics; and

2 (C) in the case of such responses being in-
3 cluded in a report, shall not include personally
4 identifiable information.

5 (d) ADMINISTRATION OF SURVEY.—

6 (1) FEDERAL ADMINISTRATION.—The Sec-
7 retary of Education, in consultation with the Attor-
8 ney General, Director of the Centers for Disease
9 Control, and Secretary of the Department of Health
10 and Human Services, shall develop a mechanism by
11 which institutions of higher education may, with re-
12 spect to the survey tool developed pursuant to this
13 section—

14 (A) administer such survey tool; and

15 (B) modify such survey tool to include ad-
16 ditional elements or requirements, as deter-
17 mined by the institution.

18 (2) COSTS.—The Secretary of Education may
19 not require an institution of higher education to pay
20 to modify the survey tool in accordance with para-
21 graph (1)(B).

22 (3) ACCESSIBILITY.—The Secretary of Edu-
23 cation shall ensure that the survey tool is adminis-
24 tered in such a way as to be readily accessible to
25 and usable by individuals with disabilities.

1 (4) INSTITUTIONAL ADMINISTRATION.—Begin-
2 ning not later than 1 year after the date on which
3 the Secretary of Education makes available to insti-
4 tutions the mechanism described in paragraph (1),
5 and every 2 years thereafter, each institution shall
6 administer the survey tool developed pursuant to
7 this section.

8 (e) COMPLETED SURVEYS.—The Secretary of Edu-
9 cation shall require each institution participating in any
10 program under this title to ensure, to the maximum extent
11 practicable, that an adequate, random, and representative
12 sample size of students (as determined by the Secretary)
13 enrolled at the institution complete the survey tool devel-
14 oped pursuant to this section.

15 (f) REPORT.—Beginning not later than 2 years after
16 the date of enactment of this Act, the Secretary of Edu-
17 cation shall prepare a biennial report on the information
18 gained from the standardized elements of the survey under
19 this section and publish such report in an accessible for-
20 mat on the website of the Department and submit such
21 report to Congress. The report shall include campus-level
22 data for each school and attributed by name of each cam-
23 pus in a manner that permits comparisons across schools
24 and campuses.

1 (g) PUBLICATION.—Each institution shall publish, in
2 a manner that is readily accessible and usable by individ-
3 uals, including individuals with disabilities—

4 (1) the campus-level results of the standardized
5 elements of the survey under this section on the
6 website of the institution and in the annual security
7 report required under subsection (f) for the cam-
8 puses affiliated with the institution; and

9 (2) the campus-level results of the additional
10 elements modifying the survey by the institution, if
11 any, on the website of the institution.

12 (h) VIOLATION.—Upon a determination pursuant to
13 section 487(c)(3)(B) of the Higher Education Act of 1965
14 (20 U.S.C. 1094(c)(3)(B)) that an institution of higher
15 education has violated or failed to carry out any provision
16 under this section, the Secretary of Education shall im-
17 pose a civil penalty upon the institution in the same
18 amount and pursuant to the same procedures as a civil
19 penalty is imposed under section 487(c)(3)(B) of the
20 Higher Education Act of 1965 (20 U.S.C. 1094(c)(3)(B)).

21 **SEC. 1614. STUDY ON CHILD CUSTODY IN DOMESTIC VIO-**
22 **LENCE CASES.**

23 The Attorney General, in consultation with the Sec-
24 retary of Health and Human Services, shall conduct a
25 study investigating whether victims who raise evidence of

1 domestic violence are more likely to lose primary custody
2 of children to an abusive partner or to the State, includ-
3 ing—

4 (1) a review of State laws, regulations, and
5 practices on how child neglect and custody situations
6 are handled in domestic violence situations; and

7 (2) a list of recommendations on how to re-
8 structure State laws, regulations, and practices to
9 better protect victims of domestic violence and their
10 children.

11 **TITLE XVII—PROTECTIONS FOR** 12 **CERTAIN IMMIGRANT WOMEN**

13 **SEC. 1701. PILOT PROGRAM TO PROVIDE ADDITIONAL PRO-** 14 **TECTIONS.**

15 Notwithstanding any other provision of law, the Sec-
16 retary of Homeland Security shall publish an interim final
17 rule establishing a 6-year pilot program allowing non-
18 immigrants authorized for employment under section 106
19 of the Immigration and Nationality Act (8 U.S.C. 1105a),
20 and their children, to apply for lawful temporary status
21 and travel authorization independent of the principal non-
22 immigrants to which their current status is or was tied.
23 Such interim final rule shall be published and take effect

