

**AMENDMENT TO H.R. 4970, AS REPORTED
OFFERED BY MRS. BIGGERT OF ILLINOIS**

Page 5, line 1, through page 21, line 17, strike section 3 and insert the following:

1 SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

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

5 (1) by redesignating—

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

7 (B) paragraph (2) as paragraph (3);

8 (C) paragraphs (3) and (4) as paragraphs
9 (4) and (5), respectively;

10 (D) paragraphs (6) through (9) as para-
11 graphs (8) through (11), respectively;

12 (E) paragraphs (10) through (16) as para-
13 graphs (13) through (19), respectively;

14 (F) paragraph (18) as paragraph (20);

15 (G) paragraphs (19) and (20) as para-
16 graphs (23) and (24), respectively;

17 (H) paragraphs (21) through (23) as para-
18 graphs (26) through (28), respectively;

1 (I) paragraphs (24) through (33) as para-
2 graphs (30) through (39), respectively;

3 (J) paragraphs (34) and (35) as para-
4 graphs (43) and (44); and

5 (K) paragraph (37) as paragraph (45);

6 (2) by inserting before paragraph (2), as redes-
7 ignated, the following:

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

12 (3) in paragraph (3), as redesignated, by strik-
13 ing “serious harm.” and inserting “serious harm to
14 an unemancipated minor.”;

15 (4) in paragraph (4), as redesignated, by strik-
16 ing “The term” through “that—” and inserting
17 “The term ‘community-based organization’ means a
18 nonprofit, nongovernmental, or tribal organization
19 that serves a specific geographic community that—
20 ”;

21 (5) by striking paragraph (5), as in effect be-
22 fore the amendments made by this subsection;

23 (6) by inserting after paragraph (7), as redesign-
24 ated, the following:

1 “(6) CULTURALLY SPECIFIC SERVICES.—The
2 term ‘culturally specific services’ means community-
3 based services that include culturally relevant and
4 linguistically specific services and resources to cul-
5 turally specific communities.

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

11 (7) in paragraph (8), as redesignated, by insert-
12 ing “or intimate partner” after “former spouse” and
13 “as a spouse”;

14 (8) by inserting after paragraph (11), as redesi-
15 gnated, the following:

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

18 (9) in paragraph (18), as redesignated, by in-
19 serting “or Village Public Safety Officers” after
20 “government victim service programs;

21 (10) in paragraph (21), as redesignated, by in-
22 serting at the end the following:

23 “Intake or referral, by itself, does not constitute
24 legal assistance.”;

1 (11) by striking paragraph (17), as in effect be-
2 fore the amendments made by this subsection;

3 (12) by amending paragraph (20), as redesign-
4 nated, to read as follows:

5 “(20) PERSONALLY IDENTIFYING INFORMATION
6 OR PERSONAL INFORMATION.—The term ‘personally
7 identifying information’ or ‘personal information’
8 means individually identifying information for or
9 about an individual including information likely to
10 disclose the location of a victim of domestic violence,
11 dating violence, sexual assault, or stalking, regard-
12 less of whether the information is encoded,
13 encrypted, hashed, or otherwise protected, includ-
14 ing—

15 “(A) a first and last name;

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

17 “(C) contact information (including a post-
18 al, e-mail or Internet protocol address, or tele-
19 phone or facsimile number);

20 “(D) a social security number, driver li-
21 cense number, passport number, or student
22 identification number; and

23 “(E) any other information, including date
24 of birth, racial or ethnic background, or reli-

1 gious affiliation, that would serve to identify
2 any individual.”;

3 (13) by inserting after paragraph (20), as re-
4 designated, the following:

5 “(21) POPULATION SPECIFIC ORGANIZATION.—
6 The term ‘population specific organization’ means a
7 nonprofit, nongovernmental organization that pri-
8 marily serves members of a specific underserved
9 population and has demonstrated experience and ex-
10 pertise providing targeted services to members of
11 that specific underserved population.

12 “(22) POPULATION SPECIFIC SERVICES.—The
13 term ‘population specific services’ means victim-cen-
14 tered services that address the safety, health, eco-
15 nomic, legal, housing, workplace, immigration, con-
16 fidentiality, or other needs of victims of domestic vi-
17 olence, dating violence, sexual assault, or stalking,
18 and that are designed primarily for and are targeted
19 to a specific underserved population.”;

20 (14) in paragraph (23), as redesignated, by
21 striking “services” and inserting “assistance”;

22 (15) by inserting after paragraph (24), as re-
23 designated, the following:

24 “(25) RAPE CRISIS CENTER.—The term ‘rape
25 crisis center’ means a nonprofit, nongovernmental,

1 or tribal organization, or governmental entity in a
2 State other than a Territory that provides interven-
3 tion and related assistance, as specified in 42 U.S.C.
4 14043g(b)(2)(C), to victims of sexual assault with-
5 out regard to their age. In the case of a govern-
6 mental entity, the entity may not be part of the
7 criminal justice system (such as a law enforcement
8 agency) and must be able to offer a comparable level
9 of confidentiality as a nonprofit entity that provides
10 similar victim services.”;

11 (16) in paragraph (26), as redesignated—

12 (A) in subparagraph (A), by striking “or”
13 after the semicolon;

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

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

17 “(C) any federally recognized Indian
18 tribe.”;

19 (17) in paragraph (27), as redesignated—

20 (A) by striking “52” and inserting “57”;
21 and

22 (B) by striking “150,000” and inserting
23 “250,000”;

24 (18) by striking paragraph (28), as redesign-
25 ated, and inserting the following:

1 “(28) SEXUAL ASSAULT.—The term ‘sexual as-
2 sault’ means any nonconsensual sexual act pro-
3 scribed by Federal, tribal, or State law, including
4 when the victim lacks capacity to consent.”;

5 (19) by inserting after paragraph (28), as re-
6 designated, the following:

7 “(29) SEX TRAFFICKING.—The term ‘sex traf-
8 ficking’ means any conduct proscribed by 18 U.S.C.
9 1591, whether or not the conduct occurs in inter-
10 state or foreign commerce or within the special mar-
11 itime and territorial jurisdiction of the United
12 States.”;

13 (20) by striking paragraph (35), as redesign-
14 ated, and inserting the following:

15 “(35) TRIBAL COALITION.—The term ‘tribal co-
16 alition’ means an established nonprofit, nongovern-
17 mental Indian organization or a Native Hawaiian or-
18 ganization that—

19 “(A) provides education, support, and tech-
20 nical assistance to member Indian service pro-
21 viders in a manner that enables those member
22 providers to establish and maintain culturally
23 appropriate services, including shelter and rape
24 crisis services, designed to assist Indian women
25 and the dependents of those women who are

1 victims of domestic violence, dating violence,
2 sexual assault, and stalking; and

3 “(B) is comprised of board and general
4 members that are representative of—

5 “(i) the member service providers de-
6 scribed in subparagraph (A); and

7 “(ii) the tribal communities in which
8 the services are being provided;”;

9 (21) by amending paragraph (39), as redesi-
10 gnated, to read as follows:

11 “(39) UNDERSERVED POPULATIONS.—The
12 term ‘underserved populations’ means populations
13 who face barriers in accessing and using victim serv-
14 ices, and includes populations underserved because
15 of geographic location, religion, sexual orientation,
16 gender identity, underserved racial and ethnic popu-
17 lations, populations underserved because of special
18 needs (such as language barriers, disabilities,
19 alienage status, or age), and any other population
20 determined to be underserved by the Attorney Gen-
21 eral or by the Secretary of Health and Human Serv-
22 ices, as appropriate.”;

23 (22) by inserting after paragraph (39), as re-
24 designated, the following:

1 “(40) UNIT OF LOCAL GOVERNMENT.—The
2 term ‘unit of local government’ means any city,
3 county, township, town, borough, parish, village, or
4 other general purpose political subdivision of a
5 State.”;

6 (23) by striking paragraph (36), as in effect be-
7 fore the amendments made by this subsection, and
8 inserting the following:

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

21 “(42) VICTIM SERVICE PROVIDER.—The term
22 ‘victim service provider’ means a nonprofit, non-
23 governmental or tribal organization or rape crisis
24 center, including a State or tribal coalition, that as-
25 sists or advocates for domestic violence, dating vio-

1 lence, sexual assault, or stalking victims, including
2 domestic violence shelters, faith-based organizations,
3 and other organizations, with a documented history
4 of effective work concerning domestic violence, dat-
5 ing violence, sexual assault, or stalking.”; and

6 (24) by striking paragraph (43), as redesign-
7 nated, and inserting the following:

8 “(43) YOUTH.—The term ‘youth’ means a per-
9 son who is 11 to 24 years old.”.

10 (b) GRANTS CONDITIONS.—Subsection (b) of section
11 40002 of the Violence Against Women Act of 1994 (42
12 U.S.C. 13925(b)) is amended—

13 (1) in paragraph (2)—

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

16 “(i) disclose, reveal, or release any
17 personally identifying information or indi-
18 vidual information collected in connection
19 with services requested, utilized, or denied
20 through grantees’ and subgrantees’ pro-
21 grams, regardless of whether the informa-
22 tion has been encoded, encrypted, hashed,
23 or otherwise protected; or

24 “(ii) disclose, reveal, or release indi-
25 vidual client information without the in-

1 formed, written, reasonably time-limited
2 consent of the person (or in the case of an
3 unemancipated minor, the minor and the
4 parent or guardian or in the case of legal
5 incapacity, a court-appointed guardian)
6 about whom information is sought, wheth-
7 er for this program or any other Federal,
8 State, tribal, or territorial grant program,
9 except that consent for release may not be
10 given by the abuser of the minor, incapaci-
11 tated person, or the abuser of the other
12 parent of the minor.

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

18 (B) by amending subparagraph (D), to
19 read as follows:

20 “(D) INFORMATION SHARING.—

21 “(i) Grantees and subgrantees may
22 share—

23 “(I) nonpersonally identifying
24 data in the aggregate regarding serv-
25 ices to their clients and nonpersonally

1 identifying demographic information
2 in order to comply with Federal,
3 State, tribal, or territorial reporting,
4 evaluation, or data collection require-
5 ments;

6 “(II) court-generated information
7 and law enforcement-generated infor-
8 mation contained in secure, govern-
9 mental registries for protection order
10 enforcement purposes; and

11 “(III) law enforcement-generated
12 and prosecution-generated information
13 necessary for law enforcement and
14 prosecution purposes.

15 “(ii) In no circumstances may—

16 “(I) an adult, youth, or child vic-
17 tim of domestic violence, dating vio-
18 lence, sexual assault, or stalking be
19 required to provide a consent to re-
20 lease his or her personally identifying
21 information as a condition of eligi-
22 bility for the services provided by the
23 grantee or subgrantee; and

24 “(II) any personally identifying
25 information be shared in order to

1 comply with Federal, tribal, or State
2 reporting, evaluation, or data collec-
3 tion requirements, whether for this
4 program or any other Federal, tribal,
5 or State grant program.”;

6 (C) by redesignating subparagraph (E) as
7 subparagraph (F);

8 (D) by inserting after subparagraph (D)
9 the following:

10 “(E) STATUTORILY MANDATED REPORTS
11 OF ABUSE OR NEGLECT.—Nothing in this sec-
12 tion prohibits a grantee or subgrantee from re-
13 porting suspected abuse or neglect, as those
14 terms are defined and specifically mandated by
15 the State or tribe involved.”; and

16 (E) by inserting after subparagraph (F),
17 as redesignated, the following:

18 “(G) CONFIDENTIALITY ASSESSMENT AND
19 ASSURANCES.—Grantees and subgrantees must
20 document their compliance with the confiden-
21 tiality and privacy provisions required under
22 this section.”;

23 (2) by striking paragraph (3) and inserting the
24 following:

1 “(3) APPROVED ACTIVITIES.—In carrying out
2 the activities under this title, grantees and sub-
3 grantees may collaborate with or provide information
4 to Federal, State, local, tribal, and territorial public
5 officials and agencies to develop and implement poli-
6 cies and develop and promote State, local, or tribal
7 legislation or model codes designed to reduce or
8 eliminate domestic violence, dating violence, sexual
9 assault, and stalking.”;

10 (3) in paragraph (7), by inserting at the end
11 the following:

12 “Final reports of such evaluations shall be made
13 available to the public via the agency’s Website.”;
14 and

15 (4) by inserting after paragraph (11) the fol-
16 lowing:

17 “(12) DELIVERY OF LEGAL ASSISTANCE.—Any
18 grantee or subgrantee providing legal assistance with
19 funds awarded under this title shall comply with the
20 eligibility requirements in section 1201(d) of the Vi-
21 olence Against Women Act of 2000 (42 U.S.C.
22 3796gg–6(d)).

23 “(13) CIVIL RIGHTS.—

24 “(A) NONDISCRIMINATION.—No person in
25 the United States shall, on the basis of actual

1 or perceived race, color, religion, national ori-
2 gin, sex, gender identity (as defined in para-
3 graph 249(c)(4) of title 18, United States
4 Code), sexual orientation, or disability, be ex-
5 cluded from participation in, be denied the ben-
6 efits of, or be subjected to discrimination under
7 any program or activity funded in whole or in
8 part with funds made available under the Vio-
9 lence Against Women Act of 1994 (title IV of
10 Public Law 103–322; 108 Stat. 1902), the Vio-
11 lence Against Women Act of 2000 (division B
12 of Public Law 106–386; 114 Stat. 1491), the
13 Violence Against Women and Department of
14 Justice Reauthorization Act of 2005 (title IX of
15 Public Law 109–162; 119 Stat. 3080), the Vio-
16 lence Against Women Reauthorization Act of
17 2012, and any other program or activity funded
18 in whole or in part with funds appropriated for
19 grants, cooperative agreements, and other as-
20 sistance administered by the Office on Violence
21 Against Women.

22 “(B) EXCEPTION.—If sex segregation or
23 sex-specific programming is necessary to the es-
24 sential operation of a program, nothing in this
25 paragraph shall prevent any such program or

1 activity from consideration of an individual's
2 sex. In such circumstances, grantees may meet
3 the requirements of this paragraph by providing
4 comparable services to individuals who cannot
5 be provided with the sex-segregated or sex-spe-
6 cific programming.

7 “(C) DISCRIMINATION.—The authority of
8 the Attorney General and the Office of Justice
9 Programs to enforce this paragraph shall be the
10 same as it is under section 3789d of title 42,
11 United States Code.

12 “(D) CONSTRUCTION.—Nothing contained
13 in this paragraph shall be construed, inter-
14 preted, or applied to supplant, displace, pre-
15 empt, or otherwise diminish the responsibilities
16 and liabilities under other State or Federal civil
17 rights law, whether statutory or common.

18 “(14) CLARIFICATION OF VICTIM SERVICES AND
19 LEGAL ASSISTANCE.—Victim services and legal as-
20 sistance under this title also include services and as-
21 sistance to victims of domestic violence, dating vio-
22 lence, sexual assault, or stalking who are also vic-
23 tims of severe forms of trafficking in persons as de-
24 fined by section 103 of the Trafficking Victims Pro-
25 tection Act of 2000 (22 U.S.C. 7102).

1 “(15) CONFERRAL.—

2 “(A) IN GENERAL.—The Office on Vio-
3 lence Against Women shall establish a biennial
4 conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by
5 the Office on Violence Against Women and authorized by this Act, and other key stakeholders.
6
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9

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

11 “(i) the administration of grants;

12 “(ii) unmet needs;

13 “(iii) promising practices in the field;

14 and

15 “(iv) emerging trends.

16
17 “(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months
18 after the date of enactment of the Violence
19 Against Women Reauthorization Act of 2012.
20

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

1 “(i) summarizes the issues presented
2 during conferral and what, if any, policies
3 it intends to implement to address those
4 issues; and

5 “(ii) is made available to the public on
6 the Office on Violence Against Women’s
7 Website and submitted to the Committee
8 on the Judiciary of the Senate and the
9 Committee on the Judiciary of the House
10 of Representatives.

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

14 “(A) AUDIT REQUIREMENT.—

15 “(i) IN GENERAL.—Beginning in the
16 first fiscal year beginning after the date of
17 the enactment of this Act, and in each fis-
18 cal year thereafter, the Inspector General
19 of the Department of Justice shall conduct
20 audits of recipients of grants under this
21 Act to prevent waste, fraud, and abuse of
22 funds by grantees. The Inspector General
23 shall determine the appropriate number of
24 grantees to be audited each year.

1 “(ii) DEFINITION.—In this paragraph,
2 the term ‘unresolved audit finding’ means
3 a finding in the final audit report of the
4 Inspector General of the Department of
5 Justice that the audited grantee has uti-
6 lized grant funds for an unauthorized ex-
7 penditure or otherwise unallowable cost
8 that is not closed or resolved within 12
9 months from the date when the final audit
10 report is issued.

11 “(iii) MANDATORY EXCLUSION.—A re-
12 cipient of grant funds under this Act that
13 is found to have an unresolved audit find-
14 ing shall not be eligible to receive grant
15 funds under this Act during the following
16 2 fiscal years.

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

23 “(v) REIMBURSEMENT.—If an entity
24 is awarded grant funds under this Act dur-
25 ing the 2-fiscal-year period in which the

1 entity is barred from receiving grants
2 under paragraph (2), the Attorney General
3 shall—

4 “(I) deposit an amount equal to
5 the grant funds that were improperly
6 awarded to the grantee into the Gen-
7 eral Fund of the Treasury; and

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

12 “(B) NONPROFIT ORGANIZATION REQUIRE-
13 MENTS.—

14 “(i) DEFINITION.—For purposes of
15 this paragraph and the grant programs de-
16 scribed in this Act, the term ‘nonprofit or-
17 ganization’ means an organization that is
18 described in section 501(c)(3) of the Inter-
19 nal Revenue Code of 1986 and is exempt
20 from taxation under section 501(a) of such
21 Code.

22 “(ii) PROHIBITION.—The Attorney
23 General may not award a grant under any
24 grant program described in this Act to a
25 nonprofit organization that holds money in

1 offshore accounts for the purpose of avoid-
2 ing paying the tax described in section
3 511(a) of the Internal Revenue Code of
4 1986.

5 “(iii) DISCLOSURE.—Each nonprofit
6 organization that is awarded a grant under
7 a grant program described in this Act and
8 uses the procedures prescribed in regula-
9 tions to create a rebuttable presumption of
10 reasonableness for the compensation of its
11 officers, directors, trustees and key em-
12 ployees, shall disclose to the Attorney Gen-
13 eral, in the application for the grant, the
14 process for determining such compensa-
15 tion, including the independent persons in-
16 volved in reviewing and approving such
17 compensation, the comparability data used,
18 and contemporaneous substantiation of the
19 deliberation and decision. Upon request,
20 the Attorney General shall make the infor-
21 mation disclosed under this subsection
22 available for public inspection.

23 “(C) CONFERENCE EXPENDITURES.—

24 “(i) LIMITATION.—No amounts au-
25 thorized to be appropriated to the Depart-

1 ment of Justice under this Act may be
2 used by the Attorney General, or by any
3 individual or organization awarded discre-
4 tionary funds through a cooperative agree-
5 ment under this Act, to host or support
6 any expenditure for conferences that uses
7 more than \$20,000 in Department funds,
8 unless the Deputy Attorney General or
9 such Assistant Attorney Generals, Direc-
10 tors, or principal deputies as the Deputy
11 Attorney General may designate, provides
12 prior written authorization that the funds
13 may be expended to host a conference.

14 “(ii) WRITTEN APPROVAL.—Written
15 approval under clause (i) shall include a
16 written estimate of all costs associated
17 with the conference, including the cost of
18 all food and beverages, audiovisual equip-
19 ment, honoraria for speakers, and any en-
20 tertainment.

21 “(iii) REPORT.—The Deputy Attorney
22 General shall submit an annual report to
23 the Committee on the Judiciary of the
24 Senate and the Committee on the Judici-
25 ary of the House of Representatives on all

1 approved conference expenditures ref-
2 erenced in this paragraph.

3 “(D) ANNUAL CERTIFICATION.—Beginning
4 in the first fiscal year beginning after the date
5 of the enactment of this Act, the Attorney Gen-
6 eral shall submit, to the Committee on the Ju-
7 diciary and the Committee on Appropriations of
8 the Senate and the Committee on the Judiciary
9 and the Committee on Appropriations of the
10 House of Representatives, an annual certifi-
11 cation that—

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

17 “(ii) all mandatory exclusions required
18 under subparagraph (A)(iii) have been
19 issued;

20 “(iii) all reimbursements required
21 under subparagraph (A)(v) have been
22 made; and

23 “(iv) includes a list of any grant re-
24 cipients excluded under subparagraph (A)
25 from the previous year.”.

Page 8, lines 7 through 19, strike paragraph (10)
and insert the following:

1 (10) by amending paragraph (33) to read as
2 follows:

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

Page 19, line 21, through page 20, line 15, strike
subparagraph (A) and insert the following:

15 “(A) NONDISCRIMINATION.—No person in
16 the United States shall, on the basis of actual
17 or perceived race, color, religion, national ori-
18 gin, sex, gender identity (as defined in para-
19 graph 249(c)(4) of title 18, United States
20 Code), sexual orientation, or disability, be ex-

1 cluded from participation in, be denied the ben-
2 efits of, or be subjected to discrimination under
3 any program or activity funded in whole or in
4 part with funds made available under the Vio-
5 lence Against Women Act of 1994 (title IV of
6 Public Law 103–322; 108 Stat. 1902), the Vio-
7 lence Against Women Act of 2000 (division B
8 of Public Law 106–386; 114 Stat. 1491), the
9 Violence Against Women and Department of
10 Justice Reauthorization Act of 2005 (title IX of
11 Public Law 109–162; 119 Stat. 3080), the Vio-
12 lence Against Women Reauthorization Act of
13 2012, and any other program or activity funded
14 in whole or in part with funds appropriated for
15 grants, cooperative agreements, and other as-
16 sistance administered by the Office on Violence
17 Against Women.”.

Page 34, after line 18, insert the following:

18 “(18) developing, enlarging, or strengthening
19 programs and projects to provide services and re-
20 sponses targeting male and female victims of domes-
21 tic violence, dating violence, sexual assault, or stalk-
22 ing, whose ability to access traditional services and
23 responses is affected by their sexual orientation or

1 gender identity, as defined in section 249(c) of title
2 18, United States Code;”.

Page 34, line 19, strike “(18)” and insert “(19)”.

Page 34, line 24, strike “(19)” and insert “(20)”.

Page 94, after line 19, insert the following:

3 **SEC. 305. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIO-**
4 **LENCE, DATING VIOLENCE, AND STALKING**
5 **EDUCATION AND PREVENTION.**

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

8 (1) in paragraph (1)(F)—

9 (A) in clause (i)—

10 (i) in subclause (VIII), by striking
11 “and” after the semicolon;

12 (ii) by redesignating subclause (IX) as
13 subclause (XII); and

14 (iii) by inserting after subclause
15 (VIII) the following:

16 “(IX) domestic violence;

17 “(X) dating violence;

18 “(XI) stalking; and”; and

19 (B) in clause (ii), by striking “sexual ori-
20 entation” and inserting “ national origin, sexual
21 orientation, gender identity,”;

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

4 (3) in paragraph (6)(A), by inserting after
5 clause (iii) the following:

6 “(v) The term ‘sexual assault’ means
7 an offense classified as a forcible or non-
8 forcible sex offense under the uniform
9 crime reporting system of the Department
10 of Justice, Federal Bureau of Investiga-
11 tion.”;

12 (4) in the first sentence of paragraph (7), by
13 inserting “, except that for the offenses of domestic
14 violence, dating violence, and stalking, such statistics
15 shall be compiled in accordance with the definitions
16 used in section 40002(a) of the Violence Against
17 Women Act of 1994 (42 U.S.C. 13925(a))” before
18 the period;

19 (5) by amending paragraph (8) to read as fol-
20 lows:

21 “(8)(A) Each institution of higher education
22 participating in any program under this title or title
23 IV of the Economic Opportunity Act of 1964, other
24 than a foreign institution of higher education, shall
25 develop and distribute as part of the report de-

1 scribed in paragraph (1) a statement of policy re-
2 garding—

3 “(i) such institution’s programs to prevent
4 domestic violence, dating violence, sexual as-
5 sault, and stalking; and

6 “(ii) the procedures that such institution
7 will follow once an incident of domestic violence,
8 dating violence, sexual assault, or stalking has
9 been reported.

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

12 “(i) Possible sanctions or protective meas-
13 ures that such institution may impose following
14 a final determination of an institutional discipli-
15 nary procedure regarding rape, acquaintance
16 rape, domestic violence, dating violence, sexual
17 assault, or stalking.

18 “(ii) Procedures victims should follow if a
19 domestic violence, dating violence, sexual as-
20 sault, or stalking offense has occurred, includ-
21 ing information, provided to students in writ-
22 ing, about—

23 “(I) the importance of preserving evi-
24 dence that may be necessary to the proof

1 of criminal domestic violence, dating vio-
2 lence, sexual assault, or stalking;

3 “(II) the importance of obtaining a
4 protection order;

5 “(III) to whom the alleged offense
6 should be reported;

7 “(IV) options regarding the notifica-
8 tion of law enforcement and campus au-
9 thorities of such an occurrence, including
10 the victim’s options to—

11 “(aa) notify proper law enforce-
12 ment authorities, including on-campus
13 and local police;

14 “(bb) be assisted by campus au-
15 thorities in notifying law enforcement
16 authorities if the victim so chooses;
17 and

18 “(cc) decline to notify such au-
19 thorities; and

20 “(V) where applicable, the rights of
21 victims and the responsibilities of the insti-
22 tution regarding orders of protection, no
23 contact orders, restraining orders, and
24 similar lawful orders issued by a criminal,
25 civil, or tribal court.

1 “(iii) Information about how the institu-
2 tion will protect the confidentiality of victims,
3 including how publicly available recordkeeping
4 will be accomplished without the inclusion of
5 identifying information about the victim, to the
6 extent permissible by law.

7 “(iv) Notification of students about exist-
8 ing counseling, health, mental health, victim ad-
9 vocacy, legal assistance, and other services
10 available for victims both on-campus and in the
11 community.

12 “(v) Notification of victims about options
13 for, and available assistance in, changing aca-
14 demic, living, transportation, and working situ-
15 ations, if so requested by the victim and if such
16 accommodations are reasonably available, re-
17 gardless of whether the victim chooses to report
18 the crime to campus police or local law enforce-
19 ment.

20 “(C) A student or employee who reports to an
21 institution of higher education that the student or
22 employee has been a victim of domestic violence, dat-
23 ing violence, sexual assault, or stalking, whether the
24 offense occurred on or off campus, shall be provided
25 with a written explanation of the rights and options

1 of the student or employee, as described in clauses
2 (ii) through (v) of subparagraph (B).”;

3 (6) in paragraph (9), by striking “The Sec-
4 retary” and inserting “The Secretary, in consulta-
5 tion with the Attorney General,”;

6 (7) by moving the margins of paragraph (15)
7 two ems to the left;

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

10 “(16)(A) The Secretary shall seek the advice
11 and counsel of the Attorney General concerning the
12 development, and dissemination to institutions of
13 higher education, of best practices information about
14 campus safety and emergencies.

15 “(B) The Secretary shall seek the advice and
16 counsel of the Attorney General and the Secretary of
17 Health and Human Services concerning the develop-
18 ment, and dissemination to institutions of higher
19 education, of best practices information about pre-
20 venting and responding to incidents of domestic vio-
21 lence, dating violence, sexual assault, and stalking,
22 including elements of institutional policies that have
23 proven successful based on evidence-based outcome
24 measurements.”; and

1 (9) by striking paragraph (17) and inserting
2 the following:

3 “(17) No officer, employee, or agent of an insti-
4 tution participating in any program under this title
5 shall retaliate, intimidate, threaten, coerce, or other-
6 wise discriminate against any individual for the indi-
7 vidual exercising any right or responsibility under
8 any provision of this subsection.”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 this section shall take effect with respect to each annual
11 security report under section 485(f)(1) of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by
13 an institution of higher education on or after the date that
14 is one year after the date of enactment of this Act.

