

**AMENDMENT TO H.R. 4970, AS REPORTED  
OFFERED BY MRS. ADAMS OF FLORIDA**

Page 19, strike line 21 and all that follows through page 20, line 3, and insert the following:

1                   “(A) NONDISCRIMINATION.—No person in  
2                   any State shall on the basis of actual or per-  
3                   ceived race, color, religion, national origin, sex,  
4                   or disability be denied the assistance of, or ex-  
5                   cluded from receiving services from, a grantee  
6                   under any program or activity funded in whole  
7                   or in part with funds made available under the  
8                   Violence Against Women Act

Page 28, line 15, insert “or the Secretary of Health and Human Services, as applicable,” after “Attorney General”.

Page 28, line 18, insert “or the Secretary of Health and Human Services, as applicable,” after “Attorney General”.

Page 29, after line 22, insert the following:

1 (e) TRAINING AND RESOURCES FOR VAWA GRANT-  
2 EES.—Section 40002 of the Violence Against Women Act  
3 of 1994 (42 U.S.C. 13925) is further amended—

4 (1) in the heading, by striking “AND GRANT  
5 PROVISIONS” and inserting “, GRANT PROVI-  
6 SIONS, AND TRAINING AND RESOURCES FOR  
7 VAWA GRANTEES”; and

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

10 “(d) TRAINING AND RESOURCES FOR VAWA GRANT-  
11 EES.—

12 “(1) IN GENERAL.—The Attorney General and  
13 Secretary of Health and Human Services, as appli-  
14 cable, shall—

15 “(A) develop standards, protocols, and  
16 sample tools and forms to provide guidance to  
17 grantees and subgrantees under any program or  
18 activity described in paragraph (2) regarding fi-  
19 nancial record-keeping and accounting practices  
20 required of such grantees and subgrantees as  
21 recipients of funds from the disbursing agency;

22 “(B) provide training to such grantees and  
23 subgrantees regarding such standards, proto-  
24 cols, and sample tools and forms; and

1           “(C) publish on the public Internet website  
2           of the Office of Violence Against Women infor-  
3           mation to assist such grantees and subgrantees  
4           with compliance with such standards, protocols,  
5           and sample tools and forms.

6           “(2) VAWA PROGRAMS AND ACTIVITIES.—For  
7           purposes of paragraph (1), a program or activity de-  
8           scribed in this paragraph is any program or activity  
9           funded in whole or in part with funds made available  
10          under this title, the Violence Against Women Act of  
11          2000 (division B of Public Law 106–386; 114 Stat.  
12          1491), the Violence Against Women and Depart-  
13          ment of Justice Reauthorization Act of 2005 (title  
14          IX of Public Law 109–162; 119 Stat. 3080), the Vi-  
15          olence Against Women Reauthorization Act of 2012,  
16          or any other program or activity funded in whole or  
17          in part with funds appropriated for grants, coopera-  
18          tive agreements, and other assistance administered  
19          by the Office on Violence Against Women.”.

Page 36, strike lines 11 through 13 and insert the  
following:

20                           (ii) by redesignating paragraphs (3)  
21                           and (4) as paragraphs (4) and (5), respec-  
22                           tively;

Page 36, line 14, strike “(iv)” and insert “(iii)”.

Page 36, line 24, strike “(v)” and insert “(iv)”.

Page 36, line 25, strike “clause (iii)” and insert “clause (ii)”.

Page 37, line 19, insert “and” after the second semi-colon.

Page 37, strike lines 20 through 24.

Page 38, line 1, strike “(V)” and insert “(IV)”.

Page 39, strike lines 6 through 8, and insert the following:

1                                   (II) in subparagraph (D), by  
2                                   striking “linguistically and”; and

Page 49, line 2, strike “the second occurrence of”.

Page 49, line 24, insert “, and adjusting the margin accordingly” after “respectively”.

Page 69, line 22, move the margin for the subparagraph (C) two ems to the right.

Page 89, line 12, insert “the first occurrence of” after “through”.

Page 141, line 24, insert before the period at the end the following: “so long as this evidence is not gath-

ered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.”.

Page 142, line 7, move the margin of the subclause (III) eight ems to the left.

Page 142, beginning on line 8, strike “under this clause” and all that follows through “investigative officer”, and insert the following: “under this clause shall be assigned to an investigative officer”.

Page 142, beginning on line 21, strike “may also gather” and all that follows through “to be interviewed.” and insert the following: “may also gather other evidence so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The investigative officer who conducted the in-person interview shall provide to the investigative officer who is responsible for the adjudication and final determination of eligibility a summary of the interview and any other evidence gathered and a determination of the credibility of the interviewee and other evidence gathered.”.

Page 143, insert after line 4 the following, and redesignate provisions accordingly:

- 1           “(dd) The investigative officer who is respon-
- 2           sible for the adjudication and final determination of

1 eligibility shall determine whether the petitioner had  
2 filed previous applications or petitions for immigra-  
3 tion benefits that had been denied and whether the  
4 petitioner had been the beneficiary of a previous pe-  
5 tition filed pursuant to this section that had been  
6 denied. If either was the case, the investigative offi-  
7 cer shall consider the denials and the reasons for the  
8 denials as part of the adjudication of the petition.

9 “(ee) The investigative officer who is respon-  
10 sible for the adjudication and final determination of  
11 eligibility shall as part of the adjudication of the pe-  
12 tition consult with the investigative officer at the  
13 local office of United States Citizenship and Immi-  
14 gration Services who had conducted the in-person  
15 interview of the alien who filed the petition.

Page 143, line 7, insert after “the investigative offi-  
cer” the following: “who is responsible for the adjudica-  
tion and final determination of eligibility”.

Page 143, beginning on line 17, strike “clear and  
convincing evidence” and insert “a preponderance of the  
evidence”.

Page 143, beginning on line 23, strike “clear and  
convincing evidence” and insert “a preponderance of the  
evidence”.

Page 144, line 5, insert “so long as this evidence was not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996” before the period at the end.

Page 144, beginning on line 8, strike “at the local office of United States Citizenship and Immigration Services” and insert “who is responsible for the adjudication and final determination of eligibility”.

Page 145, strike line 12 and all that follows through page 147, line 4 and redesignate provisions accordingly.

Page 147, strike lines 16 through 19 and insert the following:

1           (3) in subparagraph (A)(vii), by adding at the  
2           end the following continuation text:  
3           “The petition shall be adjudicated according to the proce-  
4           dures that apply to self-petitioners under clause (iii).”.

Page 147, line 22, move the margin of the subclause (III) eight ems to the left.

Page 147, line 23, strike “under this clause” and all that follows through “an investigative officer” on page 148, line 1, and insert the following: “under this clause shall be assigned to an investigative officer”.

Page 148, line 11, strike “may also gather” and all that follows through “interviewed” on line 15, and insert the following: “may also gather other evidence so long as this evidence is not gathered in violation of section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The investigative officer who conducted the in-person interview shall provide to the investigative officer who is responsible for the adjudication and final determination of eligibility a summary of the interview and any other evidence gathered and a determination of the credibility of the interviewee and other evidence gathered.”.

Page 148, insert after line 20 the following, and redesignate provisions accordingly:

1           “(dd) The investigative officer who is respon-  
2           sible for the adjudication and final determination of  
3           eligibility shall determine whether the petitioner had  
4           filed previous applications or petitions for immigra-  
5           tion benefits that had been denied and whether the  
6           petitioner had been the beneficiary of a previous pe-  
7           tition filed pursuant to this section that had been  
8           denied. If either was the case, the investigative offi-  
9           cer shall consider the denials and the reasons for the  
10          denials as part of the adjudication of the petition.

1           “(ee) The investigative officer who is respon-  
2           sible for the adjudication and final determination of  
3           eligibility shall as part of the adjudication of the pe-  
4           tition consult with the investigative officer at the  
5           local office of United States Citizenship and Immi-  
6           gration Services who had conducted the in-person  
7           interview of the alien who filed the petition.

Page 148, line 22, insert after “the investigative of-  
ficer” the following: “who is responsible for the adjudica-  
tion and final determination of eligibility”.

Page 149, beginning on line 7, strike “clear and  
convincing evidence” and insert “a preponderance of the  
evidence”.

Page 149, beginning on line 13, strike “clear and  
convincing evidence” and insert “a preponderance of the  
evidence”.

Page 149, line 19, add at the end “so long as this  
evidence was not gathered in violation of section 384 of  
the Illegal Immigration Reform and Immigrant Responsi-  
bility Act of 1996.”

Page 149, beginning on line 22, strike “at the local  
office of United States Citizenship and Immigration Serv-  
ices” and insert “who is responsible for the adjudication  
and final determination of eligibility”.

Strike page 151, line 1, and all that follows through page 152, line 18, and redesignate provisions accordingly.

On page 158, strike lines 2 through 18, and insert the following (and redesignate provisions accordingly):

1       (a) IN GENERAL.—Section 245(m) of the Immigra-  
2 tion and Nationality Act (8 U.S.C. 1255(m)) is amended  
3 by striking “the alien is not described” and inserting “the  
4 individual who was convicted of the criminal activity re-  
5 ferred to in section 101(a)(15)(U)(i)(I) that was the basis  
6 for the alien being admitted into the United States (or  
7 otherwise provided nonimmigrant status) under section  
8 101(a)(15)(U) was himself or herself an alien and has  
9 been physically removed to the foreign state of which the  
10 alien with nonimmigrant status under section  
11 101(a)(15)(U) is a national, and if the alien with non-  
12 immigrant status under section 101(a)(15)(U) is not de-  
13 scribed”.

14       (b) DURATION OF NONIMMIGRANT STATUS.—Section  
15 214(p)(6) of such Act (8 U.S.C. 1184(p)(6)) is amended  
16 by striking “if the alien is eligible for relief under section  
17 245(m) and is unable to obtain such relief because regula-  
18 tions have not been issued to implement such section and  
19 shall be extended”.

Page 162, line 23, strike “(a) IN GENERAL.—” and adjust the margin accordingly.

Page 163, strike line 16 and all that follows through page 164, line 9.

Page 180, strike line 17 and insert the following:

1 **“§ 2261A. Stalking.**

Page 181, line 25, insert a period after “section 2261”.

Page 185, insert after line 8 the following:

2 **SEC. 1006. FEDERAL PROTECTION ORDERS.**

3 (a) FEDERAL PROTECTION ORDERS.—Chapter 110A  
4 of title 18, United States Code, is amended by inserting  
5 after section 2262 the following:

6 **“§ 2262A. Federal domestic violence protection orders**  
7 **involving Indians and Indian country**

8 “(a) PETITION FOR PROTECTION ORDER.—

9 “(1) IN GENERAL.—A victim of an act of do-  
10 mestic violence, or an Indian tribe as *parens patriae*  
11 on behalf of the victim of an act of domestic vio-  
12 lence, may petition a district court of the United  
13 States to issue a protection order against the person  
14 (whether an Indian or a non-Indian) who is alleged  
15 to have committed the act of domestic violence if—

1           “(A) the victim is an Indian or a minor  
2           who resides with or is in the care and custody  
3           of an Indian;

4           “(B) the victim resides or is employed at  
5           a place located in the Indian country of the In-  
6           dian tribe that files the petition; and

7           “(C) the person against whom the order is  
8           sought is alleged to have committed an act of  
9           domestic violence in the Indian country.

10          “(2) CONTENTS OF PETITION.—A petition filed  
11          under this section shall contain—

12           “(A) the facts that meet the requirements  
13           under paragraph (1);

14           “(B) the name of each victim on whose be-  
15           half the protection order is sought;

16           “(C) the name and, if known, the residen-  
17           tial address of the person against whom the  
18           order is sought;

19           “(D) a detailed description of the alleged  
20           act of domestic violence, including the date or  
21           approximate date and the location of the act of  
22           domestic violence; and

23           “(E) the relief sought.

24          “(3) ISSUANCE OF PROTECTION ORDER.—The  
25          court may issue a protection order in accordance

1 with this section and subsections (b) and (c) of sec-  
2 tion 2265 and Rule 65(d)(1) of the Federal Rules  
3 of Civil Procedure if the court finds that such order  
4 is reasonably necessary to provide protection against  
5 violence, threats, or harassment against, contact or  
6 communication with, or physical proximity to—

7 “(A) a spouse or intimate partner who re-  
8 sides or is employed at a location in the Indian  
9 country of the Indian tribe involved in the pro-  
10 ceeding; or

11 “(B) a minor who resides with or is in the  
12 care or custody of a spouse or intimate partner  
13 who resides or is employed at a location in the  
14 Indian country.

15 “(4) SCOPE OF PROTECTION ORDERS.—Any  
16 protection order under this section may—

17 “(A) prohibit the person against whom the  
18 order is sought from—

19 “(i) threatening to commit or commit-  
20 ting an act of domestic violence against or  
21 otherwise harassing the spouse or intimate  
22 partner or minor who resides with or is in  
23 the care or custody of the spouse or inti-  
24 mate partner;

1           “(ii) communicating, directly or indi-  
2           rectly, with the spouse or intimate partner  
3           or minor who resides with or is in the care  
4           or custody of the spouse or intimate part-  
5           ner; and

6           “(iii) knowingly coming within a spec-  
7           ified distance from the spouse or intimate  
8           partner or minor who resides with or is in  
9           the care or custody of the spouse or inti-  
10          mate partner;

11          “(B) direct the person against whom the  
12          order is sought to stay away from the residence,  
13          school, or place of employment of the spouse or  
14          intimate partner, or any other specified place  
15          frequented by the spouse or intimate partner,  
16          regardless of whether the residence, school,  
17          place of employment, or other specified place is  
18          located in Indian country; and

19          “(C) exclude or bar the person against  
20          whom the order is sought from the Indian coun-  
21          try of the Indian tribe involved in the pro-  
22          ceeding or any portion or area of that Indian  
23          country.

24          “(5) EMERGENCY EX PARTE ORDERS.—If a pe-  
25          tition requests an emergency ex-parte protection

1 order and from the facts alleged in the petition there  
2 appears to be a danger of a further, imminent act  
3 of domestic violence against a victim, the court may  
4 grant an emergency ex-parte protection order  
5 against the person against whom the order is sought  
6 in accordance with the requirements of section  
7 2265(b)(2).

8 “(6) DURATION OF PROTECTION ORDER.—A  
9 protection order under this section may be perma-  
10 nent or of such other shorter duration as the court  
11 determines necessary to protect a victim from a fur-  
12 ther act of domestic violence by the person against  
13 whom the order is sought.

14 “(b) VIOLATION OF PROTECTION ORDER.—A person  
15 who intentionally violates a protection order under this  
16 section shall be punished as provided in section 2262(b).”.

17 (b) VIOLATION OF FEDERAL PROTECTION ORDER.—  
18 Section 2262(b) of title 18, United States Code, is amend-  
19 ed in the matter preceding paragraph (1), by striking  
20 “this section” and inserting “this section or a protection  
21 order issued under section 2262A”.

22 (c) DEFINITIONS.—Section 2266 of title 18, United  
23 States Code, is amended by inserting after paragraph (10)  
24 the following:

1           “(11) ACT OF DOMESTIC VIOLENCE.—The term  
2           ‘act of domestic violence’ means an act or attempted  
3           act of violence or stalking, or a threatened act of vi-  
4           olence, by a person against a spouse or intimate  
5           partner, or a minor residing with or in the care or  
6           custody of the spouse or intimate partner.

7           “(12) INDIAN.—The term ‘Indian’ means a per-  
8           son who is a member of any Indian tribe, regardless  
9           of whether that Indian tribe is the plaintiff Indian  
10          tribe under section 2262A.

11          “(13) INDIAN TRIBE.—The term ‘Indian tribe’  
12          has the meaning given the term in section 102 of the  
13          Federally Recognized Indian Tribe List Act of 1994  
14          (25 U.S.C. 479a).

15          “(14) MINOR.—The term ‘minor’ means a per-  
16          son under the age of 18 years.”.

17          (d) TECHNICAL AND CONFORMING AMENDMENT.—  
18          The table of sections for chapter 110A of title 18, United  
19          States Code, is amended by inserting after the item relat-  
20          ing to section 2262 the following:

          “2262A. Federal domestic violence protection orders involving Indians and In-  
          dian country.”.

