

January 24, 2013

Violence Against Women Act Bills Re-introduced in Congress

On January 22, U.S. Senate Judiciary Committee Chairman Patrick Leahy (D-VT) and Sen. Michael Crapo (R-ID) introduced S. 47, a bipartisan bill that would reauthorize the landmark Violence Against Women Act (VAWA) in the new 113th Congress. On the same day, Rep. Gwen Moore (D-WI) and Rep. John Conyers (D-MI) introduced H.R. 11, a House companion bill identical to the bipartisan Senate bill S. 47.

S. 47 strengthens and improves existing programs that assist victims and survivors of domestic violence, dating violence, sexual assault, and stalking. The VAWA bill seeks to protect all victims who are students, racial minorities, Tribal members, immigrants, and members of the LGBT community. Federal statistics indicate that the violence rate experienced by American Indian and Alaska Native (AI/AN) women and families is the highest among any racial group in the United States. A large part of the problem is the ability of non-Indian perpetrators to harm Native American women on Tribal reservations without fear of facing a Tribal court or even arrest. S. 47 recognizes Tribal jurisdiction over non-Indians who commit domestic and sexual violence against Native women on Tribal reservations.

The bill closely mirrors the bipartisan legislation approved by the Senate last year, including campus safety provisions and important all-state minimum funding formulas for key grant programs to ensure access to the victim services grants authorized under VAWA. Added to this year's measure is the SAFER Act, a bill approved by the Senate last year that provides for audits of untested rape kits. The bill provides law enforcement the tools they need to help reduce the backlog of rape kits throughout the country. To better ensure passage of the Senate VAWA bill, S. 47 does not include the increase in the number of U visas available to immigrant victims. House Republicans objected to taking up the Senate-passed measure last year based on technical grounds of the U visa provision and voiced opposition to Tribal provisions that would allow Tribal courts to have jurisdiction over non-Indians who commit crimes of violence on Indian lands—an ability that Tribal courts currently do not have.

VAWA was reauthorized in 2000 and again in 2005, each time with bipartisan support. The law expired in September 2011. S. 47 provides a five year authorization for VAWA programs, and reduces authorized funding levels by more than \$135 million, or 17 percent, from the law's 2005 authorization. NIHB is monitoring the situation and will provide updates as they develop.