

**Violence Against Women Act**  
**Original intent and legislative history**

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**Original Passage: 1994**

The Violence Against Women Act (VAWA) legislation failed in Congress in 1993, but passed as part of the Violent Crime Control and Law Enforcement Act of 1994, the "1994 Crime Bill."

This bill was signed by President Clinton on September 13, 1994 and became Public Law No: 103-322.

Driven by the research of Drs. Murray Straus and Richard Gelles, support for comprehensive family violence legislation had been building and was highlighted by a major event, the *National Conference on Family Violence: Health and Justice* held in Washington, DC in March of 1994.

Men's Health Network was invited to participate as a cosponsor at the invitation of the conference organizer, the American Medical Association. Funding for the conference was provided by the Centers for Disease Control and Prevention, the National Institute of Justice, and the Robert Wood Johnson Foundation.

The program for the conference can be found at:

[www.menshealthnetwork.org/library/dvamadoj1994.pdf](http://www.menshealthnetwork.org/library/dvamadoj1994.pdf)

It was expected that the resulting "Family Violence" legislation would be inclusive and address all domestic and family violence regardless of the gender, age, or sexual orientation of the victim or the perpetrator. However, the legislation which passed in 1994 only addressed violence against women, resulting in a long fight for assistance for the other victims of domestic or family violence.

Key elements in the legislative history of the effort to restore inclusiveness, as was the original intent, are found below, in reverse order, with the most recent changes provided first. These are short, selected excerpts of very lengthy and complex bills. Search Congress.gov for the complete bills.

VAWA Reauthorization: 2013 – page 1

VAWA Reauthorization: 2005 – page 2

Legislative Intent: 2001 – page 3

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**PUBLIC LAW 113–4—Signed by the President on March 7, 2013**

**Violence Against Women Reauthorization Act OF 2013**

Public Law 113–4  
113th Congress

An Act

To reauthorize the Violence Against Women Act of 1994.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Violence Against Women Reauthorization Act of 2013”

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

“(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

“(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

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**PUBLIC LAW 109–162 — Signed by the President on January 5, 2006**

**Violence Against Women and Department of Justice Reauthorization Act of 2005**

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT PROVISIONS.

(a) IN GENERAL.—The Violence Against Women Act of 1994 (108 Stat. 1902 et seq.) is amended by adding after section 40001 the following:

“SEC. 40002. DEFINITIONS AND GRANT PROVISIONS.

“(4) CHILD MALTREATMENT.—The term ‘child maltreatment’ means the physical or psychological abuse or neglect of a child or youth, including sexual assault and abuse.

“(6) DOMESTIC VIOLENCE.—The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

“(7) DATING PARTNER.—The term ‘dating partner’ refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, and where the existence of such a relationship shall be determined based on a consideration of—

“(A) the length of the relationship;

“(B) the type of relationship; and “(C) the frequency of interaction between the persons involved in the relationship.

“(8) DATING VIOLENCE.—The term ‘dating violence’ means violence committed by a person—

“(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

“(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

“(i) The length of the relationship.

“(ii) The type of relationship.

“(iii) The frequency of interaction between the persons involved in the relationship.

“(9) ELDER ABUSE.—The term ‘elder abuse’ means any action against a person who is 50 years of age or older that constitutes the willful—

“(A) infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or

“(B) deprivation by a person, including a caregiver, of goods or services with intent to cause physical harm, mental anguish, or mental illness.

“(10) INDIAN.—The term ‘Indian’ means a member of an Indian tribe.

“(32) UNDERSERVED POPULATIONS.—The term ‘underserved populations’ includes populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

**“(8) NONEXCLUSIVITY.—Nothing in this title shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under this title.**

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**Legislative Intent**

**Statement by Senator Hatch**

**Pages S10191-92 in the October 11, 2000 Congressional Record**

**"There is one final issue that has been raised, recently, which we would like to take this opportunity to address, and that is the eligibility of men to receive benefits and services under the original Violence Against Women Act and under this reauthorizing legislation. ...**

...The original Act was enacted in 1994 to respond to the serious and escalating problem of violence against women. A voluminous legislative record compiled after four years of congressional hearings demonstrated convincingly that certain violent crimes, such as domestic violence and sexual assault, disproportionately affect women, both in terms of the sheer number of assaults and the seriousness of the injuries inflicted. Accordingly, the Act,

through several complementary grant programs, made it a priority to address domestic violence and sexual assault targeted at women, even though women, of course, are not alone in experiencing this type of violence.

"Recent statistics justify a continued focus on violence targeted against women. For example, a report by the U.S. Department of Justice, Bureau of Justice Statistics issued in May 2000 on Intimate Partner Violence confirms that crimes committed against persons by current or former spouses, boyfriends or girlfriends--termed intimate partner violence--is 'committed primarily against women.' Of the approximately 1 million violent crimes committed by intimate partners in 1998, 876,340, or about 85 percent, were committed against women. Women were victims of intimate partner violence at a rate about 5 times that of men. That same year, women represented nearly 3 out of 4 victims of the 1,830 murders attributed to intimate partners. Indeed, while there has been a sharp decrease over the years in the rate of murder of men by intimates, the percentage of female murder victims killed by intimates has remained stubbornly at about 30 percent since 1976.

**"Despite the need to direct federal funds toward the most pressing problem, it was not, and is not, the intent of Congress categorically to exclude men who have suffered domestic abuse or sexual assaults from receiving benefits and services under the Violence Against Women Act. The Act defines such key terms as 'domestic violence' and 'sexual assault,' which are used to determine eligibility under several of the grant programs, including the largest, the STOP grant program, in gender-neutral language. Men who have suffered these types of violent attacks are eligible under current law to apply for services and benefits that are funded under the original Act--and they will remain eligible under the Violence Against Women Act of 2000--whether it be for shelter space under the Family Violence Protection and Services Act, or counseling by the National Domestic Violence Hotline, or legal assistance in obtaining a protection order under the Legal Assistance for Victims program.**

**"We anticipate that the executive branch agencies responsible for making grants under the Act, as amended, will continue to administer these programs so as to ensure that men who have been victimized by domestic violence and sexual assault will receive benefits and services under the Act, as appropriate.**

"We append to this joint statement a section by section analysis of the bill and a more detailed section by section analysis of the provisions contained in Title V.

"Thank you."

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