



SSTARs FACTSHEET- VAWA 2022 Housing Provisions

This factsheet, prepared by SSTARs staff, is a basic overview of the changes to the VAWA housing provisions that were enacted as part of VAWA's reauthorization in March of 2022.

Where can I find the full text of the Act?

<https://www.congress.gov/bill/117th-congress/senate-bill/3623/text>

Where can I find analysis on the Violence Against Women Act (VAWA) 2013/2005 related to housing security/access to safe shelter for American Indian, Alaska Native, and Indigenous peoples within the U.S.?

This factsheet is intended to be a quick overview of the VAWA 2022 housing provisions. But it is important to have a general understanding of VAWA's evolution: that is, the many ways the Act has changed to meet the unique needs of survivors. This factsheet does not parse through those changes, but the National Indigenous Women's Resource Center published an article in the June 2018 *Restoration Magazine* regarding VAWA housing provisions over the course of previous reauthorizations, which can be accessed here: <https://n8ve.net/kuNaw>

We also encourage you to read the housing workgroup report, National Workgroup on Safe Housing for American Indian and Alaska Native Survivors of Gender-Based Violence: Lessons Learned, which can be accessed here: <https://n8ve.net/RpedO>

Were any new housing or shelter related provisions added into VAWA 2022?

Yes. The SSTARs Indigenous Safe Housing Center (SSTARs) has included our initial review below:

Provisions of note so far are the following:

- Compliance reviews which should improve overall implementation and compliance
- Funding for training and technical assistance
- Amending the McKinney-Vento Homeless Assistance Act's Definition of "homelessness"
- The right to report crime without risking one's housing/anti-retaliation provisions

- Reauthorizing and improving the VAWA transitional housing program
- A study on victims of trafficking
- Time limits on when HUD and other federal agencies must promulgate VAWA regulations
- Codifying the VAWA Housing Director Position

STTARS wants to highlight that amending the McKinney-Vento Homeless Assistance Act definition of “homelessness” was included in the 2020 report recommendations by the National Workgroup on Safe Housing for AI/AN Survivors of Gender-Based Violence.

Where can I find the new safe housing provisions from VAWA 2022?

Section	Section Title
Section 601	Housing Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault and Stalking
Section 602	Ensuring Compliance and Implementation; Prohibiting Retaliation Against Victims
Section 603	Protecting the Right to Report Crime from One’s Home
Section 604	Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
Section 605	Addressing the Housing Needs of Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking
Section 606	Study and Report on Housing and Service Needs of Survivors of Trafficking and Individuals at Risk for Trafficking

Section 602

Section 602 now defines standards of compliance under covered housing programs; includes detailed reporting requirements, including the number of emergency transfers requested and granted, as well as the length of time needed to process them; includes standards for corrective action plans where compliance standards have not been met; requires some form of consultation (not Tribal specific); establishes a gender-based violence office with a violence against women director (and establishes their duties); and requires each appropriate agencies to issue regulations in accordance with section 553 of Title 5 in of the U.S.C. no later than two years after VAWA 2022 is enacted.

Rather importantly, Section 602 states that no public housing agency or owner or manager of housing assisted under a covered housing program shall discriminate against any person because that person has opposed any act or practice made unlawful by the act. It also prohibits coercion, intimidation, threats, interference or retaliation against any person in the exercise/enjoyment of, on account of the person having exercised/enjoyed, or on account of the person having aided or encouraged any other person in the exercise/enjoyment of any rights or protections under the Act.

Section 605

Section 605 amends the HEARTH Act so that the definition of “homeless” means: any individual or family who is experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking or other dangerous traumatic or life-threatening conditions related to the violence against the individual or a family member in the individual’s or family’s current housing situation, including where the health and safety of children are jeopardized. However, the definition also includes the following limiting language: has no other safe residence and lacks resources to obtain other safe permanent housing.

The STTARS team alongside its National Workgroup on Safe Housing for AI/AN Survivors of Gender-Based Violence is working to address the limiting language and hopes to advise policymakers regarding ways to implement that new language while centering the intersectional needs of survivors.

Section 606

This section outlines the scope of a new study on trafficking and housing insecurity/homelessness. Section 606 defines “severe form of trafficking” to be the same as that found in section 103 of the TVPA (2000). This section applies to survivors of trafficking, including severe forms of trafficking, and those at risk of being trafficked. This section requires the government to coordinate with the “Interagency Task Force to Monitor and Combat Trafficking established under Section 105 of the TVPA (2000), the US Advisory Council on Human Trafficking, and the Secretary of HHS.

What additional provisions should I know about?

Section	Section Title
Section 206	LGBTQ Specific Services Program (see Section B(2)(A))
Section 701	Findings for Title VII (Economic Security for Victims)
Section 704	Study and Reports on Barriers to Survivors' Economic Security Access (See Section C(1)(B))
Title X- Improving Conditions for Women in Federal Custody	Prohibition on Placement of Pregnant Prisoners or Prisoners in Post-Partum Recovery in Segregated Housing Units (See Section 1001(C))
Title XI- Law Enforcement Tools to Enhance Public Safety	Some provisions throughout, including for Native Hawaiians.

STTARS wants to call attention specifically to §701. Just as the findings in Title IX are critically important to the Safety for Indian Women chapter in the VAWA, these findings are significant and useful in terms of addressing the financial impact of violence on survivors generally (not Tribal specific). In particular, these findings called attention to the following:

- 60% of single women lack economic security and 81 percent of households with single mothers live in economic insecurity. Significant barriers that survivors confront include access to housing, transportation, and childcare. (§701(4))
- 92% of homeless women have experienced domestic violence, and more than 50% of such women cite domestic violence as the direct cause for homelessness. Survivors are deprived of their autonomy, liberty, and security, and face tremendous threats to their health and safety. *Id.*
- The CDC reports that survivors of severe intimate partner violence lose nearly 8,000,000 days of paid work. Women disproportionately need time off to care for their health or to find safety solutions, such as obtaining a restraining order or finding housing, to avoid or prevent further violence. (§701(5)).

The findings also define economic abuse as “behaviors that control an intimate partner’s ability to acquire, use, and maintain access to money, credit, ownership of assets, or governmental or private financial benefits, including defaulting on joint obligations (such as school loans, credit card debt, mortgages, or rent). Other forms of such abuse may include preventing someone from attending school, threatening to or actually terminating employment, controlling or withholding access to cash, checking, or credit accounts, and attempting to damage or sabotage the creditworthiness of an intimate partner, including forcing an intimate partner to write bad checks, forcing an intimate partner to default on payments related to household needs, such as housing, or forcing an intimate partner into bankruptcy.” (§701(15)).

Additional Resources:

STTARS 2022 HUD Consultation Guidance ([link](#))

View National Workgroup on Safe Housing for American Indian and Alaska Native Survivors of Gender-Based Violence: Lessons Learned: <https://n8ve.net/RpedO>

Fact Sheet: Reauthorization of the Violence Against Women Act (VAWA):

<https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/16/fact-sheet-reauthorization-of-the-violence-against-women-act-vawa/>

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