

118TH CONGRESS
1ST SESSION

H. R. 5288

To make further improvements relating to women’s rights and protections,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 25, 2023

Mr. SANTOS introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Education and the Workforce, the Judiciary, Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To make further improvements relating to women’s rights
and protections, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Securing Women’s
5 Independence For Today Act of 2023” or the “SWIFT
6 Act of 2023”.

1 **SEC. 2. IMPROVEMENTS TO HEALTH EDUCATION CUR-**
2 **RICULUM.**

3 (a) HEALTH EDUCATION IN HIGH SCHOOLS.—The
4 Secretary of Education shall encourage each public high
5 school in each State to implement health education cur-
6 riculum that includes information on the prevention of
7 rape, sexual assault, and sexual harassment.

8 (b) HEALTH EDUCATION IN INSTITUTIONS OF HIGH-
9 ER EDUCATION.—Section 487(a) of the Higher Education
10 Act of 1965 (20 U.S.C. 1094(a)) is amended by adding
11 at the end the following:

12 “(30) The institution will—

13 “(A) implement health education cur-
14 riculum that includes information on the pre-
15 vention of rape, sexual assault, and sexual har-
16 assment; and

17 “(B) require each student enrolled at such
18 institution to complete such curriculum.”.

19 (c) DEFINITIONS.—In this section:

20 (1) HIGH SCHOOL.—The term “high school”
21 has the meaning given such term in section 8101 of
22 the Elementary and Secondary Education Act of
23 1965 (20 U.S.C. 7801).

24 (2) STATE.—The term “State” means each of
25 the 50 States.

1 **SEC. 3. COMPREHENSIVE EDUCATION PROGRAM TO IM-**
2 **PROVE HEALTHCARE SYSTEM WITH RESPECT**
3 **TO DOMESTIC VIOLENCE AND SEXUAL AS-**
4 **SAULT.**

5 (a) SENSE OF CONGRESS.—It is the sense of the Con-
6 gress that there should be a national effort to educate first
7 responders and healthcare workers on how to engage with
8 victims of sexual assault and violence.

9 (b) ESTABLISHMENT OF COMPREHENSIVE EDU-
10 CATION PROGRAM DESCRIBED.—Not later than the 13th
11 of December after the date of the enactment of this Act,
12 the Attorney General, in coordination and consultation
13 with the Secretary of Health and Human Services, shall
14 implement a comprehensive education program to improve
15 the healthcare system in the United States and ensure
16 that responses to domestic violence and sexual assault con-
17 tinually improve.

18 (c) COMPREHENSIVE EDUCATION PROGRAM DE-
19 SCRIBED.—

20 (1) IN GENERAL.—The comprehensive edu-
21 cation program shall include—

22 (A) enhanced training for covered employ-
23 ees, including—

24 (i) training that considers mental
25 health and encourages empathy;

1 (ii) training on taking and maintain-
2 ing diligent records;

3 (iii) training on the proper handling
4 of evidence; and

5 (iv) any other type of training relating
6 to mental health that is recommended by
7 the Secretary of Health and Human Serv-
8 ices;

9 (B) real world situational modules de-
10 scribed in subsection (d).

11 (2) REQUIREMENT TO PARTICIPATE.—The com-
12 prehensive education program shall be available to
13 any covered employee. A covered employee shall
14 complete the comprehensive education program with-
15 in the first three months of hire and again at least
16 every two years. Such participation shall be man-
17 aged and required by the executive of each covered
18 entity.

19 (3) E-CERTIFICATION.—Covered employees who
20 have completed the comprehensive education pro-
21 gram shall be issued an e-certificate which qualifies
22 such an employee to interact with victims of sexual
23 assault, sexual violence, or domestic violence.

24 (d) REAL WORLD SITUATIONAL MODULES DE-
25 SCRIBED.—The comprehensive education program de-

1 scribed under subsection (c)(1) shall include at minimum
2 the following 13 modules:

3 (1) A module detailing intake procedures for an
4 individual documenting sexual assault.

5 (2) A module detailing intake procedures for an
6 individual documenting domestic violence.

7 (3) A module detailing how to respond to a
8 scene of domestic violence.

9 (4) A module detailing how to respond to a
10 scene of sexual assault.

11 (5) A module on emotional support and empa-
12 thy training.

13 (6) A module on conflict de-escalation.

14 (7) A module on reporting and associated pro-
15 cedures necessary for law enforcement efforts to in-
16 vestigate and prosecute perpetrators of sexual as-
17 sault, sexual violence, or domestic violence.

18 (8) A module on suicide prevention, de-esca-
19 lation, and emergency response procedures, including
20 how to interact with an individual dealing with suici-
21 dal thoughts or history.

22 (9) A module on how to provide services to and
23 handle the needs of victims who are minors.

1 (10) A module on Federal, State, and local laws
2 and policies related to sexual assault and domestic
3 violence.

4 (11) A module on physical evidence collection
5 and record taking procedures for law enforcement,
6 including mandatory reporting requirements for in-
7 formation reported by a victim.

8 (12) A module on social services references and
9 resources for helping victims in an individualized
10 context.

11 (13) A module on costs a victim may expect to
12 be associated with care and costs associated with
13 mental health resources and care.

14 (e) LOSS OF FEDERAL FUNDS.—Any covered entity
15 that does not comply with the requirements of this section
16 shall not be eligible for any Federal funding for the fol-
17 lowing year.

18 (f) FINE.—A covered entity found to have covered
19 employees in violation of this section shall be fined
20 \$50,000 a month per employee who has not completed the
21 requirements of this section.

22 (g) REDUCING NATIONAL DEBT.—Any fines col-
23 lected pursuant to subsection (f) shall on December 13th
24 of each year be deposited into the general fund of the

1 Treasury for the sole purpose of reducing the national
2 debt.

3 (h) APPROPRIATIONS.—There is appropriated
4 \$13,000,000 per State for the Attorney General to carry
5 out this section, to be derived from the unobligated bal-
6 ances of amounts previously appropriated as follows:

7 (1) The unobligated balance of all amounts
8 made available to the Attorney General to prevent,
9 prepare for, or respond to the coronavirus as of the
10 date of the enactment of the “Swift Act of 2023”.

11 (2) To the extent the unobligated balances de-
12 scribed in paragraph (1) do not exceed
13 \$650,000,000, an additional amount representing
14 the difference between the amount described in para-
15 graph (1) and \$650,000,000, derived from the unob-
16 ligated balances of amounts appropriated by Public
17 Law 117–169 (commonly referred to as the Inflation
18 Reduction Act of 2022) for the Internal Revenue
19 Service.

20 (3) To the extent the unobligated balances de-
21 scribed in paragraphs (1) and (2) do not exceed
22 \$650,000,000, an additional amount representing
23 the difference between the amount described in para-
24 graphs (1) and (2) and \$650,000,000, derived from
25 the unobligated balances of amounts appropriated to

1 pay any interest or debt owed by the United States
2 to the People’s Republic of China, or from any
3 amounts made available to provide United States as-
4 sistance to the People’s Republic of China.

5 (i) DEFINITIONS.—In this section:

6 (1) COVERED EMPLOYEE.—The term “covered
7 employee” includes any employee of any covered en-
8 tity who directly, or has the potential to directly,
9 interact with an individual who has been a victim of
10 sexual assault, sexual violence, or domestic violence,
11 including nurses, doctors, physician assistants, law
12 enforcement officers, and first responders.

13 (2) COVERED ENTITY.—The term “covered en-
14 tity” includes any entity that employs a covered em-
15 ployee.

16 **SEC. 4. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
17 **FOREIGN COUNTRIES THAT CRIMINALIZE OR**
18 **DISCRIMINATE BASED ON GENDER.**

19 (a) PROHIBITION.—Except as provided in subsection
20 (b), no Federal funds may be obligated or expended to
21 provide assistance, directly or indirectly, to a country de-
22 scribed in subsection (c) for five calendar years.

23 (b) EXCEPTION.—

24 (1) IN GENERAL.—The President may author-
25 ize an obligation or expenditure of Federal funds to

1 assist a country described in subsection (c) only if
2 the President determines, on a case-by-case basis,
3 that such proposed obligation or expenditure is vital
4 to the national security interests of the United
5 States.

6 (2) BRIEFING.—Upon making a determination
7 under paragraph (1), the President, acting through
8 the Secretary of State, shall provide to the appro-
9 priate congressional committees and congressional
10 leadership a briefing on such determination.

11 (c) COUNTRIES DESCRIBED.—A country described in
12 this subsection is a foreign country the government of
13 which the President determines has enacted or established
14 and is implementing any provision of law, or provision
15 which has the force and effect of law, that criminalizes
16 or discriminates on the basis of gender, including through
17 such provisions that, on the basis of gender—

18 (1) limit or prohibit women from—

19 (A) enrolling in or attending any edu-
20 cational institution, school, or other program of
21 instruction, or otherwise seeking or receiving
22 education activities;

23 (B) operating a vehicle;

24 (C) freely exercising any religion; or

1 (D) walking or otherwise traveling without
2 a male escort; or

3 (2) authorize (including as a form of punish-
4 ment) female genital mutilation, sexual abuse, be-
5 heading, or any other practice that targets the lives
6 of women.

7 (d) PAY OFF THE NATIONAL DEBT.—Any Federal
8 funds not obligated or expended to provide assistance, di-
9 rectly or indirectly, to a country described in subsection
10 (c) pursuant to subsection (a) or any Federal funds re-
11 maining for that fiscal year or previous years for such pur-
12 pose shall be used to pay off the national debt.

13 (e) DEFINITIONS.—In this section:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means the following:

17 (A) The Committee on Foreign Affairs and
18 the Permanent Select Committee on Intelligence
19 of the House of Representatives.

20 (B) The Committee on Foreign Relations
21 and the Select Committee on Intelligence of the
22 Senate.

23 (2) CONGRESSIONAL LEADERSHIP.—The term
24 “congressional leadership” means the following:

1 (A) The Speaker of the House of Rep-
2 resentatives.

3 (B) The minority leader of the House of
4 Representatives.

5 (C) The majority leader of the Senate.

6 (D) The minority leader of the Senate.

7 (f) EFFECTIVE DATE.—This Act shall take effect on
8 the date that is 180 days after the date of the enactment
9 of this Act.

10 **SEC. 5. FUNDING FOR PREVENTION AND RESPONSE TO**
11 **SEXUAL VIOLENCE.**

12 There is appropriated \$13,000,000 for the Director
13 of the Centers for Disease Control and Prevention to carry
14 out the Rape Prevention and Education Program, to be
15 derived from the unobligated balances of amounts pre-
16 viously appropriated as follows:

17 (1) The unobligated balance of all amounts
18 made available Director of the Centers for Disease
19 Control and Prevention to prevent, prepare for, or
20 respond to the coronavirus as of the date of the en-
21 actment of the “Swift Act of 2023”.

22 (2) To the extent the unobligated balances de-
23 scribed in paragraph (1) do not exceed \$13,000,000,
24 an additional amount representing the difference be-
25 tween the amount described in paragraph (1) and

1 \$13,000,000, derived from the unobligated balances
2 of amounts appropriated by Public Law 117–169
3 (commonly referred to as the Inflation Reduction
4 Act of 2022) for the Internal Revenue Service.

5 (3) To the extent the unobligated balances de-
6 scribed in paragraphs (1) and (2) do not exceed
7 \$13,000,000, an additional amount representing the
8 difference between the amount described in para-
9 graphs (1) and (2) and \$13,000,000, derived from
10 the unobligated balances of amounts appropriated to
11 pay any interest or debt owed by the United States
12 to the People’s Republic of China, or from any
13 amounts made available to provide United States as-
14 sistance to the People’s Republic of China.

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