

Calendar No. 308

116TH CONGRESS
1ST SESSION

S. 2920

To reauthorize the Violence Against Women Act of 1994, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2019

Ms. ERNST (for herself, Mr. GRAHAM, Mr. CORNYN, Mrs. CAPITO, Mrs. BLACKBURN, Mr. CRAMER, Mr. RUBIO, Mrs. FISCHER, Mr. SULLIVAN, Mr. HOEVEN, and Mr. PERDUE) introduced the following bill; which was read the first time

NOVEMBER 21, 2019

Read the second time and placed on the calendar

A BILL

To reauthorize the Violence Against Women Act of 1994,
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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Violence Against Women Reauthorization Act of 2019”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Universal definitions and grant conditions.

TITLE I—ENHANCING LEGAL TOOLS TO COMBAT DOMESTIC
 VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- Sec. 101. Stop grants.
 Sec. 102. Grants to improve the criminal justice response.
 Sec. 103. Grants to support families in the justice system.
 Sec. 104. Outreach and services to underserved populations grants.
 Sec. 105. Criminal provisions.
 Sec. 106. Rape survivor child custody.
 Sec. 107. Enhancing culturally specific services for victims of domestic violence,
 dating violence, sexual assault, and stalking.
 Sec. 108. Grants for lethality assessment programs.

TITLE II—IMPROVING SERVICES FOR VICTIMS

- Sec. 201. Sexual assault services program.
 Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and
 child abuse enforcement assistance program.
 Sec. 203. Training and services to end violence against women with disabilities.
 Sec. 204. Training and services to end abuse in later life.
 Sec. 205. Abby Honold Act.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG
 VICTIMS

- Sec. 301. Rape prevention and education grant.
 Sec. 302. Creating hope through outreach, options, services, and education for
 children and youth (“Choose Children & Youth”).
 Sec. 303. Grants to combat violent crimes on campuses.

TITLE IV—VIOLENCE REDUCTION PRACTICES

- Sec. 401. Study conducted by the centers for disease control and prevention.
 Sec. 402. Saving money and reducing tragedies (SMART) through prevention
 grants.

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEMS
 RESPONSE

- Sec. 501. Strengthening the healthcare systems response.

TITLE VI—SAFE HOMES FOR VICTIMS

Subtitle A—HEALS Act

- Sec. 601. Short title.
 Sec. 602. Definitions.
 Sec. 603. Strengthening housing resources protections for survivors of domestic
 violence, dating violence, sexual assault, or stalking.
 Sec. 604. Increasing access to safe shelter for survivors of domestic violence,
 dating violence, sexual assault, or stalking.

Sec. 605. Report to Congress.

Subtitle B—Housing Protections for Victims

- Sec. 611. Housing rights.
- Sec. 612. Monitoring; Director of Domestic Violence Prevention.
- Sec. 613. VAWA Emergency Transfer Demonstration Program.
- Sec. 614. Housing programs.

TITLE VII—ASSISTING VICTIMS OF DOMESTIC AND SEXUAL
VIOLENCE IN THE WORKPLACE

- Sec. 701. National resource center on workplace responses to assist victims of domestic and sexual violence.
- Sec. 702. Study on workplace best practices.
- Sec. 703. GAO study.

TITLE VIII—SAFETY FOR INDIAN WOMEN

Subtitle A—Safety for Indian Women

- Sec. 801. Grants to Indian Tribal governments.
- Sec. 802. Grants to Indian Tribal coalitions.
- Sec. 803. Consultation.
- Sec. 804. Tribal jurisdiction over crimes committed in Indian country.
- Sec. 805. Reporting requirements.

Subtitle B—SURVIVE Act

- Sec. 811. Short title.
- Sec. 812. Indian victims of crime.
- Sec. 813. Regulations regarding Indian Tribes.

Subtitle C—Savanna’s Act

- Sec. 821. Short title.
- Sec. 822. Purposes.
- Sec. 823. Definitions.
- Sec. 824. Improving Tribal access to databases.
- Sec. 825. Guidelines for responding to cases of missing or murdered Indians.
- Sec. 826. Annual reporting requirements.
- Sec. 827. Implementation and incentive.

Subtitle D—Tribal Law and Order Reauthorization and Amendments Act

- Sec. 831. Short title.

PART I—TRIBAL LAW AND ORDER

- Sec. 841. Office of Justice Services law enforcement.
- Sec. 842. Authority to execute emergency orders.
- Sec. 843. Detention services.
- Sec. 844. Tribal law enforcement Officers.
- Sec. 845. Oversight, coordination, and accountability.
- Sec. 846. Integration and coordination of programs.
- Sec. 847. Data sharing with Indian tribes.
- Sec. 848. Judicial administration in Indian country.
- Sec. 849. Federal notice.
- Sec. 850. Detention facilities.

- Sec. 851. Reauthorization for tribal courts training.
- Sec. 852. Public defenders.
- Sec. 853. Offenses in Indian country: trespass on Indian land.
- Sec. 854. Resources for public safety in Indian communities; drug trafficking prevention.
- Sec. 855. Substance abuse prevention tribal action plans.
- Sec. 856. Office of Justice Services spending report.
- Sec. 857. Trafficking Victims Protection.
- Sec. 858. Reporting on Indian victims of trafficking.

PART II—IMPROVING JUSTICE FOR INDIAN YOUTH

- Sec. 861. Federal jurisdiction over Indian juveniles.
- Sec. 862. Reauthorization of tribal youth programs.
- Sec. 863. Assistance for Indian tribes relating to juvenile crime.
- Sec. 864. Coordinating Council on Juvenile Justice and Delinquency Prevention.
- Sec. 865. Grants for delinquency prevention programs.

Subtitle E—BADGES for Native Communities Act

- Sec. 871. Short title.
- Sec. 872. Definitions.

PART I—BRIDGING AGENCY DATA GAPS

- Sec. 873. Federal law enforcement database reporting requirements.
- Sec. 874. National Missing and Unidentified Persons System Tribal liaison.

PART II—ENSURING SAFETY FOR NATIVE COMMUNITIES

- Sec. 875. Missing and murdered response coordination grant program.
- Sec. 876. GAO study on Federal law enforcement agency evidence collection, handling, and processing.
- Sec. 877. Bureau of Indian Affairs and Tribal law enforcement officer counseling resources interdepartmental coordination.

Subtitle F—Tribal Labor Sovereignty Act

- Sec. 881. Short title.
- Sec. 882. Definition of employer.

TITLE IX—OFFICE ON VIOLENCE AGAINST WOMEN TECHNICAL CLARIFICATIONS

- Sec. 901. Office on Violence Against Women technical clarifications.

TITLE X—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

- Sec. 1001. Short title.
- Sec. 1002. Prohibition on engaging in sexual acts while acting under color of law.
- Sec. 1003. Incentive for states.
- Sec. 1004. Reports to Congress.

TITLE XI—HOLDING VIOLENT CRIMINALS AND CHILD PREDATORS ACCOUNTABLE

- Sec. 1101. Enhanced penalties.
- Sec. 1102. Combat online predators.
- Sec. 1103. Maximizing access to forensic exams.
- Sec. 1104. Study on State coverage of forensic examinations and related medical costs following a sexual assault.

TITLE XII—CHOOSE RESPECT

Subtitle A—Choose Respect Act

- Sec. 1201. Short title.
- Sec. 1202. Designation.
- Sec. 1203. Media Campaign.

Subtitle B—Legal Assistance for Victims

- Sec. 1211. Legal assistance for victims.
- Sec. 1212. Report on protection order service processes.

TITLE XIII—COMBATTING FEMALE GENITAL MUTILATION OR CUTTING

- Sec. 1301. Short title.
- Sec. 1302. Findings.
- Sec. 1303. Amendments to current law prohibiting female genital mutilation.
- Sec. 1304. Increased penalty for female genital mutilation.
- Sec. 1305. Pilot program to prevent and respond to female genital mutilation or cutting.
- Sec. 1306. Reporting on female genital mutilation or cutting.

TITLE XIV—EMPOWERING VICTIMS OF REVENGE PORNOGRAPHY

- Sec. 1401. Empowering victims of revenge pornography.

TITLE XV—CREEPS ACT

- Sec. 1501. Short title.
- Sec. 1502. Sexual assault by Federal employees and contractors.

TITLE XVI—ADDITIONAL GRANT PROGRAMS

- Sec. 1601. National stalker and domestic violence reduction.
- Sec. 1602. Federal victim assistants reauthorization.
- Sec. 1603. Child abuse training programs for judicial personnel and practitioners reauthorization.
- Sec. 1604. Sex offender management.
- Sec. 1605. Court-appointed special advocate program.

1 **SEC. 2. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.**

2 (a) IN GENERAL.—Section 40002 of the Violence
 3 Against Women Act of 1994 (34 U.S.C. 12291) is amend-
 4 ed—

5 (1) in subsection (a)—

1 (A) by striking “In this title” and insert-
2 ing “In this title, for the purpose of grants au-
3 thorized under this title”;

4 (B) by redesignating paragraphs (12)
5 through (45) as paragraphs (15) through (48),
6 respectively;

7 (C) by redesignating paragraph (11) as
8 paragraph (12);

9 (D) by redesignating paragraph (8) as
10 paragraph (11) and moving it to appear before
11 paragraph (12), as so redesignated;

12 (E) by redesignating paragraphs (6) and
13 (7) as paragraphs (7) and (8), respectively;

14 (F) by redesignating paragraph (2) as
15 paragraph (6) and moving it to appear before
16 paragraph (7), as so redesignated;

17 (G) by redesignating paragraph (3) as
18 paragraph (2);

19 (H) by redesignating paragraph (5) as
20 paragraph (3) and moving it to appear after
21 paragraph (2), as so redesignated;

22 (I) by inserting after paragraph (4) the
23 following:

24 “(5) COURT-BASED PERSONNEL; COURT-RE-
25 LATED PERSONNEL.—The terms ‘court-based per-

1 sonnel’ and ‘court-related personnel’ mean individ-
2 uals working in the court, whether paid or volunteer,
3 including—

4 “(A) clerks, special masters, domestic rela-
5 tions officers, administrators, mediators, cus-
6 tody evaluators, guardians ad litem, lawyers,
7 negotiators, probation, parole, interpreters, vic-
8 tim assistants, victim advocates, and judicial,
9 administrative, or any other professionals or
10 personnel similarly involved in the legal process;

11 “(B) court security personnel;

12 “(C) personnel working in related, supple-
13 mentary offices or programs (such as child sup-
14 port enforcement); and

15 “(D) any other court-based or community
16 based personnel having responsibilities or au-
17 thority to address domestic violence, dating vio-
18 lence, sexual assault, or stalking in the court
19 system.”;

20 (J) in paragraph (11), as so redesignated,
21 by striking “includes felony” and all that fol-
22 lows through “jurisdiction.” and inserting the
23 following: “includes felony or misdemeanor
24 crimes under the family or domestic violence
25 laws of the jurisdiction receiving grant funding,

1 and, in the case of victim services, includes the
2 use or attempted use of physical abuse or sex-
3 ual abuse, or a pattern of any other coercive be-
4 havior committed, enabled, or solicited to gain
5 or maintain power and control over a victim, in-
6 cluding verbal, psychological, economic, or tech-
7 nological abuse, by a person who—

8 “(A) is a current or former spouse or inti-
9 mate partner of the victim, or person similarly
10 situated to a spouse of the victim;

11 “(B) is cohabitating, or has cohabitated,
12 with the victim as a spouse or intimate partner;

13 “(C) shares a child in common with the
14 victim;

15 “(D) is an adult family member of, or paid
16 or nonpaid caregiver, in an ongoing relationship
17 of trust, with a victim 50 years of age or older
18 or an adult victim with disabilities; or

19 “(E) commits acts against a youth or adult
20 victim who is protected from those acts under
21 the family or domestic violence laws of the ju-
22 risdiction.”;

23 (K) by inserting after paragraph (12), as
24 so redesignated, the following:

1 “(13) FEMALE GENITAL MUTILATION OR CUT-
 2 TING.—The term ‘female genital mutilation or cut-
 3 ting’ means intentionally circumcising, excising,
 4 infibulating the whole or any part of the labia
 5 majora or labia minora or clitoris, or in any way
 6 causing bodily injury (as defined in section 1365 of
 7 title 18, United States Code) to the female genitalia
 8 for non-medical reasons.

9 “(14) FORCED MARRIAGE.—The term ‘forced
 10 marriage’ means a marriage to which 1 or both par-
 11 ties do not or cannot consent, and in which 1 or
 12 more elements of force, fraud, or coercion is present.
 13 Forced marriage can be both a cause and a con-
 14 sequence of domestic violence, dating violence, sexual
 15 assault or stalking.”; and

16 (L) by striking paragraph (32), as so re-
 17 designated, and inserting the following:

18 “(32) SEXUAL ASSAULT.—The term ‘sexual as-
 19 sault’—

20 “(A) means any non-consensual sexual act
 21 proscribed by Federal, Tribal or State law, in-
 22 cluding when the victim lacks capacity to con-
 23 sent; and

1 “(B) includes sex trafficking described in
2 section 103(11)(A) of the Victims of Traf-
3 ficking and Violence Protection Act of 2000.”;
4 (2) in subsection (b)—

5 (A) in paragraph (2), by adding at the end
6 the following:

7 “(H) DEATH OF THE PARTY WHOSE PRI-
8 VACY HAD BEEN PROTECTED.—In the event of
9 the death of any victim whose confidentiality
10 and privacy is required to be protected under
11 this subsection, grantees and subgrantees may
12 share personally identifying information or indi-
13 vidual information that is collected about de-
14 ceased victims being sought for a fatality review
15 to the extent permitted by their jurisdiction’s
16 law and only if the following conditions are met:

17 “(i) The underlying objectives of the
18 fatality review are to prevent future
19 deaths, enhance victim safety, and increase
20 offender accountability.

21 “(ii) The fatality review includes poli-
22 cies and protocols to protect identifying in-
23 formation, including identifying informa-
24 tion about the victim’s children, from fur-

1 ther release outside the fatality review
2 team.

3 “(iii) The grantee or subgrantee
4 makes a reasonable effort to get a release
5 from the victim’s personal representative
6 (if one has been appointed) and from any
7 surviving minor children or the guardian of
8 such children (but not if the guardian is
9 the abuser of the deceased parent), if the
10 children are not capable of knowingly con-
11 senting.

12 “(iv) The information released is lim-
13 ited to that which is necessary for the pur-
14 poses of the fatality review.”;

15 (B) in paragraph (11), by adding at the
16 end the following: “The Office on Violence
17 Against Women shall make all technical assist-
18 ance available as broadly as possible to any ap-
19 propriate grantees, subgrantees, potential
20 grantees, or other entities without regard to
21 whether the entity has received funding from
22 the Office on Violence Against Women for a
23 particular program or project, with priority
24 given to current and former grantees and sub-
25 grantees.”;

1 (C) in paragraph (13), by striking sub-
2 paragraph (D) and inserting the following:

3 “(D) CONSTRUCTION.—Nothing contained
4 in this paragraph shall be construed, inter-
5 preted, or applied—

6 “(i) to supplant, displace, preempt, or
7 otherwise diminish the responsibilities and
8 liabilities under other State or Federal civil
9 rights law, whether statutory or common;
10 or

11 “(ii) to affect the otherwise lawful em-
12 ployment practices of any organization
13 under Federal law.”;

14 (D) in paragraph (14), by inserting before
15 the period at the end the following: “ or other
16 forms of gender-based violence, including female
17 genital mutilation or cutting, forced marriage,
18 and honor violence. For individuals who are 0
19 to 18 years of age and are victims of sexual as-
20 sault, victim-centered services shall, to the ex-
21 tent practicable, be coordinated with services
22 specified in section 212 of the Victims of Child
23 Abuse Act of 1990 (34 U.S.C. 20302). If such
24 an organization is not available, services shall,

1 to the extent practicable, be delivered in part-
 2 nership with multidisciplinary teams.”; and

3 (E) by adding at the end the following:

4 “(17) INNOVATION FUND.—Of the amounts ap-
 5 propriated to carry out this title, not more than 1
 6 percent shall be made available for pilot projects,
 7 demonstration projects, and special initiatives de-
 8 signed to improve Federal, State, local, Tribal, and
 9 other community responses to violence against
 10 women and girls.”.

11 (b) GRANT ACCOUNTABILITY.—Section 40002(b)(16)
 12 of the Violence Against Women Act of 1994 (34 U.S.C.
 13 12291(b)(16)) shall apply to this Act and any grant pro-
 14 gram authorized under this Act.

15 **TITLE I—ENHANCING LEGAL**
 16 **TOOLS TO COMBAT DOMES-**
 17 **TIC VIOLENCE, DATING VIO-**
 18 **LENCE, SEXUAL ASSAULT,**
 19 **AND STALKING**

20 **SEC. 101. STOP GRANTS.**

21 (a) IN GENERAL.—Part T of title I of the Omnibus
 22 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
 23 10441 et seq.) is amended—

24 (1) in section 2001(b) (34 U.S.C. 10441(b))—

1 (A) by striking paragraph (6) and insert-
2 ing the following:

3 “(6) developing, enlarging, or strengthening
4 programs addressing the needs and circumstances of
5 Indian tribes and urban Indian victims in dealing
6 with violent crimes against women, including the
7 crimes of domestic violence, dating violence, sexual
8 assault and stalking;”;

9 (B) in paragraph (19), by striking “and”
10 at the end;

11 (C) by striking paragraph (20) and insert-
12 ing the following:

13 “(20) developing, enhancing, or strengthening
14 prevention and educational programming to address
15 domestic violence, dating violence, sexual assault,
16 stalking, or female genital mutilation or cutting,
17 with not more than 5 percent of the amount allo-
18 cated to a State to be used for this purpose;” and

19 (D) by inserting after paragraph (20), the
20 following:

21 “(21) developing, enlarging, or strengthening
22 culturally specific victim services for and responses
23 to female genital mutilation or cutting; and

24 “(22) developing, implementing, and training
25 on best practices regarding victim-centered ap-

1 proaches in domestic violence, sexual assault, dating
 2 violence, and stalking cases, including policies ad-
 3 dressing the use of bench warrants, body attach-
 4 ments, and material witness warrants for victims
 5 who fail to appear.”;

6 (2) in section 2007(d) (34 U.S.C. 10446(d))—

7 (A) by redesignating paragraphs(5) and

8 (6) as paragraphs (6) and (7), respectively; and

9 (B) by inserting after paragraph (4) the

10 following:

11 “(5) not later than 3 years after the date of en-

12 actment of this paragraph, proof of compliance with

13 the requirements regarding development, implemen-

14 tation, and training on best practices for victim-cen-

15 tered prosecution described in section 2017;”;

16 (3) by adding at the end the following:

17 **“SEC. 2017. GRANT ELIGIBILITY REGARDING COMPELLING**

18 **VICTIM TESTIMONY.**

19 “(a) IN GENERAL.—To be eligible for a grant or

20 subgrant under this part, a prosecution office shall certify,

21 not later than 3 years after the date of enactment of this

22 section, that the office developed, implemented, and

23 trained on best practices, based on national guidelines de-

24 scribed in subsection (b), regarding victim-centered ap-

25 proaches in domestic violence, sexual assault, dating vio-

1 lence, and stalking cases, including policies addressing the
 2 use of bench warrants, body attachments, and material
 3 witness warrants for victims who fail to appear.

4 “(b) ESTABLISHMENT OF NATIONAL GUIDELINES.—
 5 Not later than 120 days after the date of enactment of
 6 this section, the Director shall publish national guidelines
 7 regarding victim-centered approaches in domestic violence,
 8 sexual assault, dating violence, and stalking cases, includ-
 9 ing policies addressing the use of bench warrants, body
 10 attachments, and material witness warrants for victims
 11 who fail to appear, developed by experts in the fields of
 12 gender-based violence and national prosecution stand-
 13 ards.”.

14 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
 15 1001(a)(18) of title I of the Omnibus Crime Control and
 16 Safe Streets Act of 1968 (34 U.S.C. 10261(a)(18)) is
 17 amended by striking “222,000,00 for each of fiscal years
 18 2014 through 2018” and inserting “244,200,000 for each
 19 of fiscal years 2020 through 2029”.

20 (c) EFFECTIVE DATE.—The amendments made by
 21 subsection (a) shall not take effect until October 1, 2020.

22 **SEC. 102. GRANTS TO IMPROVE THE CRIMINAL JUSTICE RE-**
 23 **SPONSE.**

24 (a) HEADING.—Part U of title I of the Omnibus
 25 Crime Control and Safe Streets Act of 1968 (34 U.S.C.

1 10461 et seq.) is amended in the heading, by striking
2 **“GRANTS TO ENCOURAGE ARREST POLICIES”** and in-
3 serting **“GRANTS TO IMPROVE THE CRIMINAL JUSTICE**
4 **RESPONSE”**.

5 (b) GRANTS.—Section 2101 of title I of the Omnibus
6 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
7 10461) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (1), by striking
10 “proarrest” and inserting “offender account-
11 ability and homicide reduction”;

12 (B) in paragraph (8), by striking “section
13 3(2) of the Americans with Disabilities Act of
14 1990 (42 U.S.C. 12102(2))” and inserting
15 “section 3 of the Americans with Disabilities
16 Act of 1990 (42 U.S.C. 12102)”;

17 (C) in paragraph (19), by inserting before
18 the period at the end the following: “, including
19 victims among underserved populations”; and

20 (D) by adding at the end the following:

21 “(23) To develop, implement and train on best
22 practices regarding victim-centered approaches in
23 domestic violence, sexual assault, dating violence,
24 and stalking cases, including policies addressing the

1 use of bench warrants, body attachments, and mate-
2 rial witness warrants for victims who fail to appear.

3 “(24) To train and maintain a designated
4 VAWA Officer in State and local law enforcement
5 agencies to coordinate and support the response to
6 domestic violence, dating violence, sexual assault,
7 and stalking.”; and

8 (2) in subsection (c)(1)—

9 (A) by moving the margins of subpara-
10 graphs (A) through (E) two ems to the right;

11 (B) in subparagraph (A)—

12 (i) by moving the margins for clauses

13 (i) and (ii) to ems to the right; and

14 (ii) in clause (i), by striking “encour-
15 age or mandate arrests of domestic vio-
16 lence offenders” and inserting “encourage
17 arrests of domestic violence offenders”;

18 (C) in subparagraph (E), by moving the
19 margins for clauses (i) and (ii) to ems to the
20 right; and

21 (D) by adding at the end the following:

22 “(F) in the case of a prosecution office,
23 certify that, not later than 3 years after the
24 date of enactment of this subparagraph, the of-
25 fice has developed, implemented and trained on

1 best practices regarding victim-centered ap-
2 proaches in domestic violence, sexual assault,
3 dating violence, and stalking cases, including
4 policies addressing the use of bench warrants,
5 body attachments, and material witness war-
6 rants for victims who fail to appear described in
7 section 2017; and”.

8 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
9 1001(a)(19) of the Omnibus Crime Control and Safe
10 Streets Act of 1968 (34 U.S.C. 10261(a)(19)) is amended
11 by striking “\$73,000,000 for each of fiscal years 2014
12 through 2018” and inserting “80,300,000 for each of fis-
13 cal years 2020 through 2029”.

14 (d) EFFECTIVE DATE.—The amendments made by
15 subsections (a) and (b) shall not take effect until October
16 1, 2020.

17 **SEC. 103. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE**
18 **SYSTEM.**

19 (a) IN GENERAL.—Section 1301 of division B of the
20 Victims of Trafficking and Violence Protection Act of
21 2000 (34 U.S.C. 12464) is amended—

22 (1) in subsection (b), by striking “to improve”
23 and inserting “improve”; and

24 (2) in subsection (e), by striking “\$22,000,000
25 for each of fiscal years 2014 through 2018” and in-

1 serting “\$24,200,000 for each of fiscal years 2020
2 through 2029”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a)(1) shall not take effect until October 1,
5 2020.

6 **SEC. 104. OUTREACH AND SERVICES TO UNDERSERVED**
7 **POPULATIONS GRANTS.**

8 (a) IN GENERAL.—Section 120 of the Violence
9 Against Women and Department of Justice Reauthoriza-
10 tion Act of 2005 (34 U.S.C. 20123) is amended—

11 (1) in subsection (d)—

12 (A) in paragraph (4), by striking “or” at
13 the end;

14 (B) in paragraph (5), by striking the pe-
15 riod at the end and inserting “; or”; and

16 (C) by adding at the end the following:

17 “(6) developing, enlarging, or strengthening
18 culturally specific victim services and responses re-
19 lated to, and prevention of female genital mutilation
20 or cutting.”; and

21 (2) in subsection (g), by striking “\$2,000,000
22 for each of fiscal years 2014 through 2018” and in-
23 serting “\$2,200,000 for each of fiscal years 2020
24 through 2029”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a)(1) shall not take effect until October 1,
3 2020.

4 **SEC. 105. CRIMINAL PROVISIONS.**

5 Section 2265(d)(3) of title 18, United States Code,
6 is amended—

7 (1) by striking “restraining order or injunc-
8 tion,”; and

9 (2) by adding at the end the following: “This
10 publication limitation applies to all protection orders
11 issued by a State, territorial, or Tribal court, as well
12 as protection orders issued by another State, terri-
13 tory, or Tribe.”.

14 **SEC. 106. RAPE SURVIVOR CHILD CUSTODY.**

15 Section 409 of the Justice for Victims of Trafficking
16 Act of 2015 (34 U.S.C. 21308) is amended by striking
17 “\$5,000,000 for each of fiscal years 2015 through 2019”
18 and inserting “\$5,500,000 for each of fiscal years 2020
19 through 2029.”.

1 **SEC. 107. ENHANCING CULTURALLY SPECIFIC SERVICES**
2 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
3 **ING VIOLENCE, SEXUAL ASSAULT, AND**
4 **STALKING.**

5 (a) AMENDMENT.—Section 121 of the Violence
6 Against Women and Department of Justice Reauthoriza-
7 tion Act of 2005 (34 U.S.C. 20124) is amended—

8 (1) in subsection (a), by adding at the end the
9 following:

10 “(3) ADDITIONAL AUTHORIZATION OF APPRO-
11 PRIATIONS.—In addition to the amounts made avail-
12 able under paragraph (1), there are authorized to be
13 appropriated to carry out this section \$2,200,000 for
14 each of fiscal years 2020 through 2029.”; and

15 (2) in subsection (b)(2)—

16 (A) in subparagraph (G), by striking “or”
17 at the end;

18 (B) in subparagraph (H), by striking the
19 period at the end and inserting “; or”; and

20 (C) by adding at the end the following:

21 “(I) developing, enlarging, or strength-
22 ening culturally specific victim services for and
23 responses to female genital mutilation or cut-
24 ting, honor violence, forced marriage, and child
25 marriage.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a)(2) shall not take effect until October 1,
3 2020.

4 **SEC. 108. GRANTS FOR LETHALITY ASSESSMENT PRO-**
5 **GRAMS.**

6 (a) IN GENERAL.—The Attorney General may make
7 grants to States, units of local government, Indian tribes,
8 domestic violence victim service providers, and State or
9 Tribal Domestic Violence Coalitions for technical assist-
10 ance and training in the operation or establishment of a
11 lethality assessment program.

12 (b) LETHALITY ASSESSMENT PROGRAM DEFINED.—
13 In this section, the term “lethality assessment program”
14 means a program that—

15 (1) rapidly connects a victim of domestic vio-
16 lence to local community-based victim service pro-
17 viders;

18 (2) helps first responders and other entities in
19 the criminal justice system, including courts, law en-
20 forcement agencies, and prosecutors of tribal govern-
21 ment and units of local government, identify and re-
22 spond to possibly lethal circumstances; and

23 (3) identifies victims of domestic violence who
24 are at high risk of being seriously injured or killed
25 by an intimate partner.

1 (c) ELIGIBILITY.—To be eligible for a grant under
2 this section, an applicant shall demonstrate experience in
3 developing, implementing, evaluating, and disseminating a
4 lethality assessment program.

5 (d) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated \$5,500,000 to carry out
7 this section for each of fiscal years 2020 through 2029.

8 **TITLE II—IMPROVING SERVICES**
9 **FOR VICTIMS**

10 **SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.**

11 Section 41601(f)(1) of the Violence Against Women
12 Act of 1994 (34 U.S.C. 12511(f)(1)) is amended by strik-
13 ing “\$40,000,00 to remain available until expended for
14 each of fiscal years 2014 through 2018” and inserting
15 “\$120,000,000 to remain available until expended for
16 each of fiscal years 2020 through 2029”.

17 **SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE,**
18 **SEXUAL ASSAULT, STALKING, AND CHILD**
19 **ABUSE ENFORCEMENT ASSISTANCE PRO-**
20 **GRAM.**

21 Section 40295(e)(1) of the Violence Against Women
22 Act of 1994 (34 U.S.C. 12341(e)(1)) is amended by strik-
23 ing “\$50,000,000 for each of fiscal years 2014 through
24 2018” and inserting “\$150,000,000 for each of fiscal
25 years 2020 through 2029”.

1 **SEC. 203. TRAINING AND SERVICES TO END VIOLENCE**
2 **AGAINST WOMEN WITH DISABILITIES.**

3 Section 1402 of division B of the Victims of Traf-
4 ficking and Violence Protection Act of 2000 (34 U.S.C.
5 20122) is amended—

6 (1) in subsection (b)—

7 (A) by striking “disabled individuals” each
8 place it appears and inserting “individuals with
9 disabilities”;

10 (B) in paragraph (3), by inserting after
11 “law enforcement” the following: “and other
12 first responders”; and

13 (C) in paragraph (8), by striking “pro-
14 viding advocacy and intervention services with-
15 in” and inserting “to enhance the capacity of”;

16 (2) in subsection (c)(1)(D), by striking “dis-
17 abled individuals” and inserting “individuals with
18 disabilities”; and

19 (3) in subsection (e), by striking “\$9,000,000
20 for each of fiscal years 2014 through 2018” and in-
21 serting “\$9,900,000 for each of fiscal years 2020
22 through 2029”.

1 **SEC. 204. TRAINING AND SERVICES TO END ABUSE IN**
2 **LATER LIFE.**

3 (a) AMENDMENTS.—Section 40801(b) of the Violence
4 Against Women Act of 1994 (34 U.S.C. 12421(b)) is
5 amended—

6 (1) in paragraph (2)(A), by striking clause (iv)
7 and inserting the following:

8 “(iv) conduct cross-training for law
9 enforcement agencies and other first re-
10 sponders, prosecutors, agencies of States
11 or units of local government, attorneys,
12 health care providers, population specific
13 organizations, faith-based leaders, victim
14 advocates, victim service providers, and
15 courts to better serve victims of abuse in
16 later life, including domestic violence, dat-
17 ing violence, sexual assault, stalking, ex-
18 ploitation or neglect.”;

19 (2) in paragraph (3)—

20 (A) in subparagraph (A)(iv), by striking
21 “over 50 years of age” and inserting “50 years
22 of age or over”; and

23 (B) in subparagraph (B)(iv), by striking
24 “in later life” and inserting “50 years of age or
25 over”; and

1 (3) in paragraph (5), by striking “\$9,000,000
2 for each of fiscal years 2014 through 2018” and in-
3 serting “\$9,900,000 for each of fiscal years 2020
4 through 2029”.

5 (b) EFFECTIVE DATE.—The amendments made by
6 paragraphs (1) and (2) of subsection (a) shall not take
7 effect until October 1, 2020.

8 **SEC. 205. ABBY HONOLD ACT.**

9 (a) SHORT TITLE.—This section may be cited as the
10 “Abby Honold Act”.

11 (b) AMENDMENT.—Title IV of the Violent Crime
12 Control and Law Enforcement Act of 1994 (34 U.S.C.
13 12291 et seq.) is amended by adding at the end the fol-
14 lowing:

15 **“Subtitle Q—Trauma-informed**
16 **Training for Law Enforcement**

17 **“SEC. 41701. DEMONSTRATION PROGRAM ON TRAUMA-IN-**
18 **FORMED TRAINING FOR LAW ENFORCEMENT.**

19 “(a) DEFINITIONS.—In this section—

20 “(1) the term ‘Attorney General’ means the At-
21 torney General, acting through the Director of the
22 Office on Violence Against Women;

23 “(2) the term ‘covered individual’ means an in-
24 dividual who interfaces with victims of domestic vio-

1 lence, dating violence, sexual assault, and stalking,
2 including—

3 “(A) an individual working for or on behalf
4 of an eligible entity;

5 “(B) an administrator of an institution of
6 higher education; and

7 “(C) an emergency services or medical em-
8 ployee;

9 “(3) the term ‘demonstration site’, with respect
10 to an eligible entity that receives a grant under this
11 section, means—

12 “(A) if the eligible entity is a law enforce-
13 ment agency described in paragraph (4)(A), the
14 area over which the eligible entity has jurisdic-
15 tion; and

16 “(B) if the eligible entity is an organiza-
17 tion or agency described in paragraph (4)(B),
18 the area over which a law enforcement agency
19 described in paragraph (4)(A) that is working
20 in collaboration with the eligible entity has ju-
21 risdiction; and

22 “(4) the term ‘eligible entity’ means—

23 “(A) a State, local, territorial, or Tribal
24 law enforcement agency; or

1 “(B) a national, regional, or local victim
2 services organization or agency working in col-
3 laboration with a law enforcement agency de-
4 scribed in subparagraph (A).

5 “(b) GRANTS AUTHORIZED.—

6 “(1) IN GENERAL.—The Attorney General shall
7 award grants on a competitive basis to eligible enti-
8 ties to carry out the demonstration program under
9 this section by implementing evidence-based or
10 promising policies and practices to incorporate trau-
11 ma-informed techniques designed to—

12 “(A) prevent re-traumatization of the vic-
13 tim;

14 “(B) ensure that covered individuals use
15 evidence-based practices to respond to and in-
16 vestigate cases of domestic violence, dating vio-
17 lence, sexual assault, and stalking;

18 “(C) improve communication between vic-
19 tims and law enforcement officers in an effort
20 to increase the likelihood of the successful in-
21 vestigation and prosecution of the reported
22 crime in a manner that protects the victim to
23 the greatest extent possible;

24 “(D) increase collaboration among stake
25 holders who are part of the coordinated commu-

1 nity response to domestic violence, dating vio-
2 lence, sexual assault, and stalking; and

3 “(E) evaluate the effectiveness of the
4 training process and content by measuring—

5 “(i) investigative and prosecutorial
6 practices and outcomes; and

7 “(ii) the well-being of victims and
8 their satisfaction with the criminal justice
9 process.

10 “(2) TERM.—The Attorney General shall make
11 grants under this section for each of the first 2 fis-
12 cal years beginning after the date of enactment of
13 the Violence Against Women Reauthorization Act of
14 2019.

15 “(3) AWARD BASIS.—The Attorney General
16 shall award grants under this section to multiple eli-
17 gible entities for use in a variety of settings and
18 communities, including—

19 “(A) urban, suburban, Tribal, remote, and
20 rural areas;

21 “(B) college campuses; or

22 “(C) traditionally underserved commu-
23 nities.

24 “(c) USE OF FUNDS.—An eligible entity that receives
25 a grant under this section shall use the grant to—

1 “(1) train covered individuals within the dem-
2 onstration site of the eligible entity to use evidence-
3 based, trauma-informed techniques and knowledge of
4 crime victims’ rights throughout an investigation
5 into domestic violence, dating violence, sexual as-
6 sault, or stalking, including by—

7 “(A) conducting victim interviews in a
8 manner that—

9 “(i) elicits valuable information about
10 the domestic violence, dating violence, sex-
11 ual assault, or stalking; and

12 “(ii) avoids re-traumatization of the
13 victim;

14 “(B) conducting field investigations that
15 mirror best and promising practices available at
16 the time of the investigation;

17 “(C) customizing investigative approaches
18 to ensure a culturally and linguistically appro-
19 priate approach to the community being served;

20 “(D) becoming proficient in understanding
21 and responding to complex cases, including
22 cases of domestic violence, dating violence, sex-
23 ual assault, or stalking—

24 “(i) facilitated by alcohol or drugs;

25 “(ii) involving strangulation;

1 “(iii) committed by a non-stranger;

2 “(iv) committed by an individual of
3 the same sex as the victim;

4 “(v) involving a victim with a dis-
5 ability; or

6 “(vi) involving a male victim;

7 “(E) developing collaborative relationships
8 between—

9 “(i) law enforcement officers and
10 other members of the response team; and

11 “(ii) the community being served; and

12 “(F) developing an understanding of how
13 to define, identify, and correctly classify a re-
14 port of domestic violence, dating violence, sex-
15 ual assault, or stalking; and

16 “(2) promote the efforts of the eligible entity to
17 improve the response of covered individuals to do-
18 mestic violence, dating violence, sexual assault, and
19 stalking through various communication channels,
20 such as the website of the eligible entity, social
21 media, print materials, and community meetings, in
22 order to ensure that all covered individuals within
23 the demonstration site of the eligible entity are
24 aware of those efforts and included in trainings, to
25 the extent practicable.

1 “(d) DEMONSTRATION PROGRAM TRAININGS ON
2 TRAUMA-INFORMED APPROACHES.—

3 “(1) IDENTIFICATION OF EXISTING
4 TRAININGS.—

5 “(A) IN GENERAL.—The Attorney General
6 shall identify trainings for law enforcement offi-
7 cers, in existence as of the date on which the
8 Attorney General begins to solicit applications
9 for grants under this section, that—

10 “(i) employ a trauma-informed ap-
11 proach to domestic violence, dating vio-
12 lence, sexual assault, and stalking; and

13 “(ii) focus on the fundamentals of—

14 “(I) trauma responses; and

15 “(II) the impact of trauma on
16 victims of domestic violence, dating vi-
17 olence, sexual assault, and stalking.

18 “(B) SELECTION.—An eligible entity that
19 receives a grant under this section shall select
20 one or more of the approaches employed by a
21 training identified under subparagraph (A) to
22 test within the demonstration site of the eligible
23 entity.

24 “(2) CONSULTATION.—In carrying out para-
25 graph (1), the Attorney General shall consult with

1 the Director of the Office for Victims of Crime in
2 order to seek input from and cultivate consensus
3 among outside practitioners and other stakeholders
4 through facilitated discussions and focus groups on
5 best practices in the field of trauma-informed care
6 for victims of domestic violence, dating violence, sex-
7 ual assault, and stalking.

8 “(e) EVALUATION.—The Attorney General, in con-
9 sultation with the Director of the National Institute of
10 Justice, shall require each eligible entity that receives a
11 grant under this section to identify a research partner,
12 preferably a local research partner, to—

13 “(1) design a system for generating and col-
14 lecting the appropriate data to facilitate an inde-
15 pendent process or impact evaluation of the use of
16 the grant funds;

17 “(2) periodically conduct an evaluation de-
18 scribed in paragraph (1); and

19 “(3) periodically make publicly available, during
20 the grant period—

21 “(A) preliminary results of the evaluations
22 conducted under paragraph (2); and

23 “(B) recommendations for improving the
24 use of the grant funds.

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—The At-
 2 torney General shall carry out this section using amounts
 3 otherwise available to the Attorney General.

4 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
 5 tion shall be construed to interfere with the due process
 6 rights of any individual.”.

7 **TITLE III—SERVICES, PROTEC-**
 8 **TION, AND JUSTICE FOR**
 9 **YOUNG VICTIMS**

10 **SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.**

11 (a) IN GENERAL.—Section 393A of the Public
 12 Health Service Act (42 U.S.C. 280b–1b) is amended—

13 (1) in subsection (a)—

14 (A) in the matter preceding paragraph (1),
 15 by inserting “, including primary prevention ac-
 16 tivities,” after “programs”; and

17 (B) in paragraph (2), by inserting before
 18 the semicolon at the end the following: “or utili-
 19 zation of other communication technologies for
 20 the purposes related to such a hotline”;

21 (2) in subsection (b), by striking “Indian trib-
 22 al” and inserting “Indian Tribal”;

23 (3) in subsection (c)—

24 (A) in paragraph (1), by striking
 25 “\$50,000,000 for each of fiscal years 2014

1 through 2018” and inserting “\$165,000,000
2 for each of fiscal years 2020 through 2029”;
3 and

4 (B) in paragraph (3), by adding at the end
5 the following: “Not less than 75 percent of the
6 total amount made available under this sub-
7 section in each fiscal year shall be awarded in
8 accordance with this paragraph.”; and

9 (4) by adding at the end the following:

10 “(e) REPORT.—Not later than 1 year after the date
11 of the enactment of this Act, the Secretary, acting through
12 the Director of the Centers for Disease Control and Pre-
13 vention, shall submit to Congress, the Committee on Ap-
14 propriations and the Committee on Energy and Commerce
15 of the House of Representatives, and the Committee on
16 Appropriations and the Committee on Health, Education,
17 Labor, and Pensions of the Senate a report describing the
18 activities carried out under this section.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 paragraphs (1), (2), and (4) of subsection (a) shall not
21 take effect until October 1, 2020.

1 **SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS,**
2 **SERVICES, AND EDUCATION FOR CHILDREN**
3 **AND YOUTH (“CHOOSE CHILDREN & YOUTH”).**

4 (a) IN GENERAL.—Section 41201 of the Violence
5 Against Women Act of 1994 (34 U.S.C. 12451) is amend-
6 ed—

7 (1) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (B), by striking
10 “or” at the end;

11 (ii) in subparagraph (C), by striking
12 the period at the end and inserting “; or”;
13 and

14 (iii) by inserting after subparagraph
15 (C) the following:

16 “(D) clarify State or local mandatory re-
17 porting policies and practices regarding peer-
18 on-peer dating violence, sexual assault, stalking,
19 and sex trafficking.”; and

20 (B) in paragraph (2)—

21 (i) in subparagraph (A) by striking
22 “or sex trafficking” and inserting “sex
23 trafficking, or female genital mutilation or
24 cutting”; and

25 (ii) in subparagraph (B) by striking
26 “or sex trafficking” and inserting “sex

1 trafficking, or female genital mutilation or
2 cutting,”;

3 (2) in subsection (d)(3), by inserting “, and,
4 where intervention or programming will include a
5 focus on female genital mutilation or cutting, suffi-
6 cient training on that topic” after “sex trafficking”;
7 and

8 (3) in subsection (f), by striking “\$15,000,000
9 for each of fiscal years 2014 through 2018” and in-
10 sserting “\$27,000,000 for each of fiscal years 2020
11 through 2029”.

12 (b) EFFECTIVE DATE.—The amendments made by
13 paragraphs (1) and (2) of subsection (a) shall not take
14 effect until October 1, 2020.

15 **SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAM-**
16 **PUSES.**

17 (a) IN GENERAL.—Section 304 of the Violence
18 Against Women and Department of Justice Reauthoriza-
19 tion Act of 2005 (34 U.S.C. 20125) is amended—

20 (1) in subsection (b)—

21 (A) by amending paragraph (2) to read as
22 follows:

23 “(2) To develop, strengthen, and implement
24 campus policies, protocols, and services that more ef-
25 fectively identify and respond to the crimes of do-

1 mestic violence, dating violence, sexual assault and
2 stalking, including the use of technology to commit
3 these crimes, and to train campus administrators,
4 campus security personnel, and all participants in
5 the resolution process, including personnel from the
6 title IX coordinator’s office and student conduct of-
7 fice serving on campus disciplinary or judicial
8 boards, on such policies, protocols, and services that
9 promote a prompt, fair, and impartial investigation
10 and resolution.”;

11 (B) by amending paragraph (3) to read as
12 follows:

13 “(3) To provide prevention and education pro-
14 gramming, including primary prevention activities,
15 about domestic violence, dating violence, sexual as-
16 sault, and stalking, including technological abuse
17 and reproductive and sexual coercion, that is age-ap-
18 propriate, culturally relevant, ongoing, delivered in
19 multiple venues on campus, accessible, promotes re-
20 spectful nonviolent behavior as a social norm, and
21 engages men and boys. Such programming should be
22 developed in partnership or collaboratively with ex-
23 perts in domestic violence, dating violence, sexual as-
24 sault, and stalking prevention and intervention.”;

1 (C) in paragraph (9), by striking “and pro-
2 vide” and inserting “, provide, and dissemi-
3 nate”;

4 (D) in paragraph (10), by inserting “and
5 disseminate” after “or adapt”; and

6 (E) by inserting after paragraph (10) the
7 following:

8 “(11) To train campus health centers and ap-
9 propriate campus faculty, such as academic advisors
10 or professionals who deal with students on a daily
11 basis, on how to recognize and respond to domestic
12 violence, dating violence, sexual assault, and stalk-
13 ing, including training campus health providers on
14 how to educate all members of the campus commu-
15 nity on the impacts of violence on health, unhealthy
16 relationships, and how to support ongoing outreach
17 efforts.”;

18 (2) in subsection (c)(3), by striking “fiscal
19 years 2014 through 2018” and inserting “fiscal
20 years 2020 through 2029”;

21 (3) in subsection (d)(3)—

22 (A) in subparagraph (B), by striking “for
23 all incoming students” and inserting “for all
24 students”;

1 (B) by amending subparagraph (D) to
2 read as follows:

3 “(D) The grantee shall train all partici-
4 pants in the resolution process, including the
5 title IX coordinator’s office and student conduct
6 office, to respond effectively to situations involv-
7 ing domestic violence, dating violence, sexual
8 assault, or stalking.”; and

9 (4) in subsection (e), by striking “\$12,000,000
10 for each of fiscal years 2014 through 2018” and in-
11 serting “\$17,600,000 for each of fiscal years 2020
12 through 2029”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 paragraphs (1) and (3) of subsection (a) shall not take
15 effect until October 1, 2020.

16 **TITLE IV—VIOLENCE**
17 **REDUCTION PRACTICES**

18 **SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DIS-**
19 **EASE CONTROL AND PREVENTION.**

20 Section 402(c) of the Violence Against Women and
21 Department of Justice Reauthorization Act of 2005 (42
22 U.S.C. 280b–4(c)) is amended by striking “\$1,000,000 for
23 each of the fiscal years 2014 through 2018” and inserting
24 “\$1,000,000 for each of fiscal years 2020 through 2029”.

1 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES**
2 **(SMART) THROUGH PREVENTION GRANTS.**

3 (a) IN GENERAL.—Section 41303 of the Violence
4 Against Women Act of 1994 (34 U.S.C. 12463) is amend-
5 ed—

6 (1) in subsection (f), by striking “\$15,000,000
7 for each of fiscal years 2014 through 2018” and in-
8 serting “\$49,500,000 for each of fiscal years 2020
9 through 2029”; and

10 (2) in subsection (g), by adding at the end the
11 following:

12 “(3) REMAINING AMOUNTS.—Any amounts not
13 made available under paragraphs (1) and (2) may be
14 used for any set of purposes described in paragraphs
15 (1), (2), or (3) of subsection (b), or for a project
16 that fulfills 2 or more of such sets of purposes.”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 subsection (a)(2) shall not take effect until October 1,
19 2020.

20 **TITLE V—STRENGTHENING THE**
21 **HEALTHCARE SYSTEMS RE-**
22 **SPONSE**

23 **SEC. 501. STRENGTHENING THE HEALTHCARE SYSTEMS**
24 **RESPONSE.**

25 (a) IN GENERAL.—Section 399P of the Public
26 Health Service Act (42 U.S.C. 280g–4) is amended—

1 (1) in subsection (a)(3), by striking “behavioral
2 and mental health programs” and inserting “mental
3 health and substance use disorder programs”; and

4 (2) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (A)—

7 (I) in clause (i), by striking
8 “mental or behavioral care” and in-
9 serting “mental health and substance
10 use disorders”; and

11 (II) in clause (ii), by inserting “,
12 including human trafficking” after
13 “other forms of violence and abuse”;
14 and

15 (ii) in subparagraph (B)—

16 (I) in clause (ii)—

17 (aa) by striking “on-site ac-
18 cess to”; and

19 (bb) by striking “patients by
20 increasing” and all that follows
21 through the semicolon and insert-
22 ing the following: “patients by—

23 “(I) increasing the capacity of
24 existing health care professionals, in-
25 cluding specialists in trauma and in

1 mental health and substance use dis-
2 orders, and public health staff to ad-
3 dress domestic violence, dating vio-
4 lence, sexual assault, and stalking, in-
5 cluding for children exposed to such
6 violence; or

7 “(II) improving the capacity of
8 State domestic and sexual violence
9 coalitions to coordinate with and sup-
10 port health care professionals and oth-
11 ers in addressing domestic violence,
12 dating violence, sexual assault, and
13 stalking;”; and

14 (II) in clause (iv) by striking the
15 period at the end and inserting the
16 following: “, with priority given to rel-
17 evant programs administered through
18 the Health Resources and Services
19 Administration, Office of Women’s
20 Health;”; and

21 (B) in paragraph (2)(C)—

22 (i) in clause (iii)—

23 (I) by striking “mental and be-
24 havioral health” and inserting “men-

1 tal health and substance use dis-
2 order”; and

3 (II) by striking “or” at the end;

4 (ii) in clause (iv), by striking the pe-
5 riod at the end and inserting “; or”; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(v) improving the capacity of sub-
9 stance use disorder treatment programs to
10 respond to domestic violence, dating vio-
11 lence, sexual assault, and stalking, includ-
12 ing through the provision of technical as-
13 sistance and training to such programs.”;

14 (3) in subsection (d)(2)—

15 (A) by striking “mental health” in each
16 place such term appears and inserting “mental
17 health and substance use disorders”; and

18 (B) in subparagraph (B), by inserting “,
19 including related to mental health or substance
20 use disorder services,” after “health system”;

21 (4) by redesignating subsections (g) and (h) as
22 subsections (h) and (i), respectively;

23 (5) by inserting after subsection (f), the fol-
24 lowing:

1 “(g) TECHNICAL ASSISTANCE AND BEST PRACTICES
2 FOR EARLY CHILDHOOD PROGRAMS.—The Secretary
3 shall, as appropriate, provide technical assistance and
4 identify best practices to improve the capacity of early
5 childhood programs funded by the Health Resources and
6 Services Administration and the Administration for Chil-
7 dren and Families to address domestic violence, dating vi-
8 olence, sexual assault, and stalking among families served
9 by such programs.”;

10 (6) in subsection (h), as so redesignated, by
11 striking “\$10,000,000 for each of fiscal years 2014
12 through 2018” and inserting “\$11,000,000 for each
13 of fiscal years 2020 through 2029”; and

14 (7) in subsection (h), by striking “herein” and
15 “provided for”.

16 (b) REPORT.—Not later than 3 years after the date
17 of enactment of this Act, the Secretary of Health and
18 Human Services shall prepare and submit to the Com-
19 mittee on Health, Education, Labor, and Pensions of the
20 Senate and the Committee on Energy and Commerce of
21 the House of Representatives a report describing the ac-
22 tivities carried out under section 399P of the Public
23 Health Service Act (42 U.S.C. 280g–4), as amended by
24 subsection (a).

1 **TITLE VI—SAFE HOMES FOR**
2 **VICTIMS**

3 **Subtitle A—HEALS Act**

4 **SEC. 601. SHORT TITLE.**

5 This subtitle may be cited as the “Help End Abusive
6 Living Situations Act” or the “HEALS Act”.

7 **SEC. 602. DEFINITIONS.**

8 In this subtitle—

9 (1) the terms “dating violence”, “domestic vio-
10 lence”, “sexual assault”, and “stalking” have the
11 meanings given those terms in section 40002(a) of
12 the Violence Against Women Act of 1994 (34 U.S.C.
13 12291(a));

14 (2) the term “Secretary” means the Secretary
15 of Housing and Urban Development;

16 (3) the term “victim service provider” has the
17 meaning given the term in section 401 of the
18 McKinney-Vento Homeless Assistance Act (42
19 U.S.C. 11360); and

20 (4) the term “victim service provider project”
21 means a project administered by a victim service
22 provider designed to meet the needs of survivors of
23 domestic violence, dating violence, sexual assault, or
24 stalking and their families.

1 **SEC. 603. STRENGTHENING HOUSING RESOURCES PROTEC-**
2 **TIONS FOR SURVIVORS OF DOMESTIC VIO-**
3 **LENCE, DATING VIOLENCE, SEXUAL ASSAULT,**
4 **OR STALKING.**

5 (a) NOTICE OF FUNDING AVAILABILITY.—Subtitle C
6 of title IV of the McKinney-Vento Homeless Assistance
7 Act (42 U.S.C. 11360 et seq.) is amended—

8 (1) in section 422 (42 U.S.C. 11382)—

9 (A) in subsection (a)—

10 (i) by striking “The Secretary” and
11 inserting the following:

12 “(1) IN GENERAL.—The Secretary”; and

13 (ii) by adding at the end the fol-
14 lowing:

15 “(2) SCORING.—For purposes of scoring appli-
16 cants in the notice of funding availability, the Sec-
17 retary shall neither prioritize nor deprioritize the fol-
18 lowing categories of projects solely on the basis of
19 the category:

20 “(A) Rapid re-housing.

21 “(B) Permanent supportive housing.

22 “(C) Transitional housing.

23 “(D) Short-term emergency shelter.”; and

24 (2) in section 428(d)(2) (42 U.S.C.
25 11386b(d)(2))—

1 (A) in subparagraph (B), by striking
2 “and” at the end;

3 (B) by redesignating subparagraph (C) as
4 subparagraph (D); and

5 (C) by inserting after subparagraph (B)
6 the following:

7 “(C) transitional housing for various popu-
8 lations, including, for survivors of domestic vio-
9 lence, dating violence, sexual assault, or stalk-
10 ing and their families, projects providing transi-
11 tional or permanent housing that provide trau-
12 ma-informed services, maximize client choice,
13 and address the special needs of those sur-
14 vivors; and”.

15 (b) STRATEGIC PLAN.—In the next strategic plan re-
16 quired after the date of enactment of this Act under sec-
17 tion 306 of title 5, United States Code, the Secretary shall
18 include as a goal or objective—

19 (1) responding, including allocating appropriate
20 resources, to the housing needs of survivors of do-
21 mestic violence, dating violence, sexual assault, or
22 stalking and their families; and

23 (2) collaborating with the Office of Violence
24 Against Women of the Department of Justice to en-
25 sure that there is no conflict between the rapid re-

1 housing requirements of that Office and of the De-
2 partment of Housing and Urban Development.

3 (c) EVALUATION.—Not later than 180 days after the
4 date of enactment of this Act, the Secretary shall de-
5 velop—

6 (1) in accordance with the selection criteria
7 under section 427(b)(1) of the McKinney-Vento
8 Homeless Assistance Act (42 U.S.C. 11386a(b)(1)),
9 as amended by section 604, measurable criteria upon
10 which applicants for a grant under section subtitle
11 C of title IV of that Act (42 U.S.C. 11381 et seq.)
12 are evaluated to demonstrate their local policy prior-
13 ities focused on survivors of domestic violence, dat-
14 ing violence, sexual assault, or stalking and their
15 families, including survivor-centered coordinated
16 entry processes that appropriately assess and
17 prioritize those survivors and take into account the
18 safety and confidentiality needs of those survivors
19 and their families; and

20 (2) mechanisms that promote the provision of
21 technical assistance and support for programs to im-
22 prove outcomes and maintain grant funding.

23 (d) RESEARCH AGENDA.—Not later than 180 days
24 after the date of enactment of this Act, the Secretary shall
25 develop a research agenda that—

1 (1) works and collaborates with the Family Vio-
 2 lence Prevention and Services Program of the De-
 3 partment of Health and Human Services and the
 4 Office of Violence Against Women of the Depart-
 5 ment of Justice; and

6 (2) focuses on survivors of domestic violence,
 7 dating violence, sexual assault, or stalking and their
 8 families, concentrating on the housing modalities
 9 that best support them and the mechanisms that
 10 best facilitate their efforts to secure housing, while
 11 also paying attention to the critical safety concerns
 12 and the link between trauma and residential sta-
 13 bility.

14 **SEC. 604. INCREASING ACCESS TO SAFE SHELTER FOR SUR-**
 15 **VIVORS OF DOMESTIC VIOLENCE, DATING VI-**
 16 **OLENCE, SEXUAL ASSAULT, OR STALKING.**

17 Section 427 of the McKinney-Vento Homeless Assist-
 18 ance Act (42 U.S.C. 11386a) is amended—

19 (1) in subsection (b)(1)—

20 (A) in subparagraph (B)(iv)(I), by insert-
 21 ing “, including survivors of domestic violence,
 22 dating violence, sexual assault, or stalking and
 23 their families” after “subpopulations”;

24 (B) in subparagraph (C)—

1 (i) in clause (iii), by striking “and” at
2 the end;

3 (ii) in clause (iv), by adding “and” at
4 the end; and

5 (iii) by adding at the end the fol-
6 lowing:

7 “(v) meets the safety and trauma
8 needs of survivors of domestic violence,
9 dating violence, sexual assault, or stalking
10 and their families, including access to safe
11 shelter;”;

12 (C) in subparagraph (F)(ii), by striking
13 “and” at the end;

14 (D) by redesignating subparagraph (G) as
15 subparagraph (H); and

16 (E) by inserting after subparagraph (F)
17 the following:

18 “(G) the extent to which the assistance to
19 be provided within the geographic area will
20 meet the safety and trauma needs of survivors
21 of domestic violence, dating violence, sexual as-
22 sult, or stalking and their families, including
23 access to safe shelter; and”;

24 (2) by adding at the end the following:

1 “(d) EQUAL CONSIDERATION OF TRANSITIONAL
2 HOUSING PROJECTS.—In awarding funds to recipients
3 under this subtitle, the Secretary shall consider transi-
4 tional housing projects on an even basis with any other
5 project of a qualified applicant.”.

6 **SEC. 605. REPORT TO CONGRESS.**

7 Not later than 1 year after the date of enactment
8 of this Act, the Secretary shall submit to Congress a re-
9 port on—

10 (1) the trends in allocating resources beginning
11 after the date of enactment of the Homeless Emer-
12 gency Assistance and Rapid Transition to Housing
13 Act of 2009 (Public Law 111–22; 123 Stat. 1663)
14 to address the housing needs of survivors of domes-
15 tic violence, dating violence, sexual assault, or stalk-
16 ing and their families; and

17 (2) the increase in the effectiveness of those re-
18 sources for promoting self-sufficiency and assisting
19 survivors in finding employment beginning after the
20 date of enactment of this Act.

21 **Subtitle B—Housing Protections**
22 **for Victims**

23 **SEC. 611. HOUSING RIGHTS.**

24 Section 41411 of the Violence Against Women Act
25 of 1994 (34 U.S.C. 12491) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1)(A), by striking
3 “brother, sister,” and inserting “sibling,”;

4 (B) in paragraph (3)—

5 (i) in subparagraph (D), by striking
6 “the program under subtitle A” and in-
7 sserting “the programs under subtitles B
8 through D”;

9 (ii) by redesignating subparagraphs
10 (I) and (J) as subparagraphs (J) and (K),
11 respectively;

12 (iii) by inserting after subparagraph
13 (H) the following:

14 “(I) the program under section 1338 of
15 the Federal Housing Enterprises Financial
16 Safety and Soundness Act of 1992 (12 U.S.C.
17 4568);”;

18 (iv) in subparagraph (J), as so reded-
19 icated, by striking “and” at the end;

20 (v) in subparagraph (K), as so reded-
21 icated, by striking the period at the end
22 and inserting a semicolon; and

23 (vi) by adding at the end the fol-
24 lowing:

1 “(L) housing assisted under the Com-
2 prehensive Service Programs for Homeless Vet-
3 erans program under subchapter II of chapter
4 20 of title 38, United States Code (38 U.S.C.
5 2011 et seq.);

6 “(M) housing and facilities assisted under
7 the grant program for homeless veterans with
8 special needs under section 2061 of title 38,
9 United States Code;

10 “(N) permanent housing for which assist-
11 ance is provided under the program for finan-
12 cial assistance for supportive services for very
13 low-income veteran families in permanent hous-
14 ing under section 2044 of title 38, United
15 States Code;

16 “(O) to the extent practicable, such other
17 Federal housing programs or Federally sub-
18 sidized units providing affordable housing to
19 low-income persons by means of restricted rents
20 or rental assistance as identified by the appro-
21 priate agency; and”;

22 (2) by amending subsection (e) to read as fol-
23 lows:

24 “(e) EMERGENCY TRANSFERS.—

1 “(1) IN GENERAL.—Each appropriate agency
2 shall adopt a model emergency transfer plan for use
3 by public housing agencies and owners or managers
4 of housing assisted under covered housing programs
5 that—

6 “(A) allows tenants who are victims of do-
7 mestic violence, dating violence, sexual assault,
8 or stalking to transfer to another available and
9 safe dwelling unit assisted under a covered
10 housing program if—

11 “(i) the tenant expressly requests the
12 transfer; and

13 “(ii)(I) the tenant reasonably believes
14 that the tenant is threatened with immi-
15 nent harm from further violence if the ten-
16 ant remains within the same dwelling unit
17 assisted under a covered housing program;
18 or

19 “(II) in the case of a tenant who is a
20 victim of sexual assault, the sexual assault
21 occurred on the premises during the 90
22 day period preceding the request for trans-
23 fer; and

24 “(B) incorporates reasonable confiden-
25 tiality measures, subject to other Federal and

1 State law, to ensure that the public housing
2 agency or owner or manager does not disclose
3 the location of the dwelling unit of a tenant to
4 a person that commits an act of domestic vio-
5 lence, dating violence, sexual assault, or stalk-
6 ing against the tenant.

7 “(2) ADDITIONAL TRANSFERS.—

8 “(A) IN GENERAL.—A public housing
9 agency or owner or manager of housing assisted
10 under a covered housing program may permit
11 the tenant of any covered housing program to
12 transfer to an available unit without regard to
13 any waiting list or preference required or per-
14 mitted under Federal law if the tenant meets
15 the Federal eligibility requirements for the pro-
16 gram and qualifies for an emergency transfer
17 under this subsection.

18 “(B) REQUIREMENT.—The public housing
19 agency or owner or manager choosing to imple-
20 ment this provision must do so pursuant to a
21 written policy that is set forth in the public
22 housing agency plan or under a written policy
23 adopted by the owner or manager.

24 “(C) HOUSING ASSISTED UNDER A COV-
25 ERED HOUSING PROGRAM DEFINITION.—For

1 purposes of this paragraph, the term ‘housing
2 assisted under a covered housing program’ in-
3 cludes housing for which the assistance under
4 the covered housing program was provided be-
5 fore the effective date of this provision.”; and

6 (3) by amending subsection (g) to read as fol-
7 lows:

8 “(g) IMPLEMENTATION.—

9 “(1) TRAINING FOR STAFF OF COVERED HOUS-
10 ING PROGRAMS.—The appropriate agency shall de-
11 velop, in consultation with national service providers,
12 training for public housing agencies or owners or
13 managers of housing assisted under a covered hous-
14 ing program to provide a basic understanding of do-
15 mestic violence, dating violence, sexual assault, and
16 stalking, and to facilitate implementation of this sec-
17 tion. Such training will be provided by the public
18 housing agencies or owners or managers to the ex-
19 tent practicable.

20 “(2) INFORMATION.—Public housing agencies
21 or owners or managers of housing assisted under a
22 covered housing program shall supply all their ap-
23 propriate staff with public contact information for
24 all domestic violence, dating violence, sexual assault,
25 and stalking service providers offering services in its

1 local area, including interagency providers and pri-
 2 vate providers, including faith-based organizations.

3 “(3) AGENCY IMPLEMENTATION.—The appro-
 4 priate agency with respect to each covered program
 5 shall implement this section, as this section applies
 6 to the covered housing program.

7 “(4) REGULATIONS.—The Secretary of each ap-
 8 propriate agency shall issue proposed regulations to
 9 carry out this section not later than 545 days after
 10 the date of enactment of the Violence Against
 11 Women Reauthorization Act of 2019.”.

12 **SEC. 612. MONITORING; DIRECTOR OF DOMESTIC VIO-**
 13 **LENCE PREVENTION.**

14 Chapter 2 of subtitle N of Violence Against Women
 15 Act of 1994 (34 U.S.C. 12491 et seq.) is amended by add-
 16 ing at the end the following:

17 **“SEC. 41412. MONITORING.**

18 “The appropriate agency shall, with respect to each
 19 covered housing program, establish a process, which may
 20 be complaint-based, to monitor, on a periodic basis, com-
 21 pliance with the requirements of section 41411.

22 **“SEC. 41413. DIRECTOR OF DOMESTIC VIOLENCE PREVEN-**
 23 **TION.**

24 “(a) ESTABLISHMENT.—There is established within
 25 the Department of Housing and Urban Development a Di-

1 rector of Domestic Violence Prevention, who may hold
2 other job titles in addition to the Director of Domestic
3 Violence Prevention.

4 “(b) DUTIES.—The Director of Domestic Violence
5 Prevention shall—

6 “(1) coordinate the development of regulations,
7 policies, protocols, and guidelines relating to the im-
8 plementation of this subtitle within the Department
9 of Housing and Urban Development;

10 “(2) coordinate development of Federal regula-
11 tions, policies, protocols, and guidelines on matters
12 relating to the implementation of this subtitle at
13 each appropriate agency administering a covered
14 housing program; and

15 “(3) advise and coordinate with designated offi-
16 cials within the United States Interagency Council
17 on Homelessness, the Department of the Treasury,
18 the Department of Agriculture, the Department of
19 Health and Human Services, the Department of
20 Veterans Affairs, and the Department of Justice
21 concerning legislation, implementation, and other
22 issues relating to or affecting the housing provisions
23 under this subtitle.”.

1 **SEC. 613. VAWA EMERGENCY TRANSFER DEMONSTRATION**
2 **PROGRAM.**

3 (a) **AUTHORITY.**—The Secretary shall conduct a
4 demonstration program to test locally or regionally based
5 models of an emergency transfer program to determine
6 how best to design a comprehensive approach to allow vic-
7 tims of domestic violence, dating violence, sexual assault,
8 and stalking to quickly, safely, and confidentially access
9 other covered housing through emergency transfers, in-
10 cluding how to collect and maintain information on units
11 available for emergency transfers.

12 (b) **WAIVERS AND ALTERNATIVE REQUIREMENTS.**—

13 (1) **IN GENERAL.**—The Secretary may, as need-
14 ed to test the effectiveness of local or regional plans
15 for emergency transfers, waive or provide alternative
16 requirements for any statute administered by the
17 Secretary (except for requirements related to fair
18 housing, nondiscrimination, labor standards, and the
19 environment) for communities selected for participa-
20 tion in the demonstration program authorized under
21 this section.

22 (2) **NOTICE REQUIRED.**—The Secretary shall
23 publish any waivers or alternative requirements pro-
24 vided under paragraph (1) in the Federal Register
25 not later than 10 calendar days before they become
26 effective.

1 (3) EXPIRATION OF WAIVERS OR ALTERNATIVE
2 REQUIREMENTS.—Any waivers or alternative re-
3 quirements provided under this section shall expire
4 on the date that is 5 years after the publication of
5 the notice under subsection (c).

6 (c) IMPLEMENTATION.—The Secretary may imple-
7 ment the demonstration program under this section
8 through a notice published in the Federal Register.

9 (d) SELECTION OF PARTICIPANTS.—The Secretary
10 shall select participating communities through a single
11 competitive process, as detailed in the notice published
12 under subsection (c).

13 (e) EVALUATION.—Not later than 8 years after the
14 date of publication of the implementing notice under sub-
15 section (c), the Secretary shall assess and publish findings
16 regarding the effectiveness, efficiency, and cost effective-
17 ness of the emergency transfer programs under the dem-
18 onstration program.

19 (f) FUNDING.—There are authorized to be appro-
20 priated to the Secretary to carry out this section
21 \$22,000,000. Such funds shall remain available until the
22 date that is 8 years after the date on which the notice
23 is published under subsection (c).

1 **SEC. 614. HOUSING PROGRAMS.**

2 (a) IN GENERAL.—Section 41411(a)(3) of the Vio-
3 lence Against Women Act of 1994 (34 U.S.C.
4 12491(a)(3)), as amended by section 606 of this Act, is
5 amended by adding at the end the following:

6 “(P) rural development housing voucher
7 assistance provided by the Secretary of Agri-
8 culture pursuant to section 542 of the Housing
9 Act of 1949 (42 U.S.C. 1490r), without regard
10 to subsection (b) of such section, and applicable
11 appropriation Acts.”.

12 (b) TRANSITIONAL HOUSING ASSISTANCE GRANTS
13 FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIO-
14 LENCE, SEXUAL ASSAULT, OR STALKING.—Section 40299
15 of the Violence Against Women Act of 1994 (34 U.S.C.
16 12351) is amended—

17 (1) in subsection (a), in the matter preceding
18 paragraph (1), by striking “the Director of the Vio-
19 lence Against Women Office” and inserting “the Di-
20 rector of the Office on Violence Against Women”;
21 and

22 (2) in subsection (g)(1), by striking
23 “\$35,000,000 for each of fiscal years 2014 through
24 2018” and inserting “\$38,500,000 for each of fiscal
25 years 2020 through 2029”.

1 (c) COLLABORATIVE GRANTS TO INCREASE THE
2 LONG-TERM STABILITY OF VICTIMS.—Section 41404(i)
3 of the Violence Against Women Act of 1994 (34 U.S.C.
4 12474(i)) is amended by striking “\$4,000,000 for each of
5 fiscal years 2014 through 2018” and inserting
6 “\$4,400,000 for each of fiscal years 2020 through 2029”.

7 (d) GRANTS TO COMBAT VIOLENCE AGAINST
8 WOMEN IN PUBLIC AND ASSISTED HOUSING.—Section
9 41405 of the Violence Against Women Act of 1994 (34
10 U.S.C. 12475) is amended—

11 (1) in subsection (b), by striking “the Director
12 of the Violence Against Women Office” and insert-
13 ing “the Director of the Office on Violence Against
14 Women”; and

15 (2) in subsection (g), by striking “\$4,000,000
16 for each of fiscal years 2014 through 2018” and in-
17 serting “\$4,400,000 for each fiscal years 2020
18 through 2029”.

1 **TITLE VII—ASSISTING VICTIMS**
2 **OF DOMESTIC AND SEXUAL**
3 **VIOLENCE IN THE WORK-**
4 **PLACE**

5 **SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE**
6 **RESPONSES TO ASSIST VICTIMS OF DOMES-**
7 **TIC AND SEXUAL VIOLENCE.**

8 (a) IN GENERAL.—Section 41501 of the Violence
9 Against Women Act of 1994 (34 U.S.C. 12501) is amend-
10 ed—

11 (1) in subsection (a), by striking “employers
12 and labor organizations” and inserting “employers,
13 labor organizations, and victim service providers”;
14 and

15 (2) in subsection (e), by striking “\$1,000,000
16 for each of fiscal years 2014 through 2018” and in-
17 serting “\$2,500,000 for each of fiscal years 2020
18 through 2029”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a)(1) shall not take effect until October 1,
21 2020.

22 **SEC. 702. STUDY ON WORKPLACE BEST PRACTICES.**

23 (a) STUDY ON WORKPLACE BEST PRACTICES.—The
24 Attorney General, in consultation with the Secretary of
25 Health and Human Services, the Secretary of Labor, and

1 the Chair of the Equal Employment Opportunity Commis-
2 sion, shall conduct a study on workplace best practices for
3 providing support to victims of domestic violence, dating
4 violence, sexual assault, or stalking.

5 (b) PUBLIC RELEASE AND EDUCATION PROGRAM.—
6 Not later than November 1, 2021, the Attorney General,
7 in consultation with the Secretary of Health and Human
8 Services, the Secretary of Labor, and the Chair of the
9 Equal Employment Opportunity Commission shall—

10 (1) submit to Congress the study conducted
11 pursuant to subsection (a);

12 (2) publish the study conducted pursuant to
13 subsection (a) on the Department of Justice’s
14 website; and

15 (3) provide the public with educational re-
16 sources to—

17 (A) promote communication skills in the
18 workplace; and

19 (B) highlight Federal and State resources
20 for victims of domestic violence, dating violence,
21 sexual assault, or stalking.

22 **SEC. 703. GAO STUDY.**

23 Not later than 24 months after the date of enactment
24 of this Act, the Comptroller General of the United States
25 shall submit to the Committee on Health, Education,

1 Labor, and Pensions of the Senate a report that examines,
2 with respect to victims of domestic violence, dating vio-
3 lence, sexual assault, or stalking who are, or were, enrolled
4 at institutions of higher education and borrowed a loan
5 made, insured, or guaranteed under title IV of the Higher
6 Education Act of 1965 (20 U.S.C. 1070 et seq.) for which
7 the victims have not repaid the total interest and principal
8 due, each of the following:

9 (1) The implications of domestic violence, dat-
10 ing violence, sexual assault, or stalking on a bor-
11 rower's ability to repay their Federal student loans.

12 (2) The existence of policies and procedures re-
13 garding Federal student loan deferment, forbear-
14 ance, and grace periods when a victim has to sus-
15 pend or terminate the victim's enrollment at an in-
16 stitution of higher education due to domestic vio-
17 lence, dating violence, sexual assault, or stalking.

18 (3) The existence of institutional policies and
19 practices regarding retention or transfer of credits
20 when a victim has to suspend or terminate the vic-
21 tim's enrollment at an institution of higher edu-
22 cation due to domestic violence, dating violence, sex-
23 ual assault, or stalking.

24 (4) The availability or any options for a victim
25 of domestic violence, dating violence, sexual assault,

1 or stalking who attended an institution of higher
 2 education that committed unfair, deceptive, or abu-
 3 sive acts or practices, or otherwise substantially mis-
 4 represented information to students, to be able to
 5 seek a defense to repayment of the victim’s Federal
 6 student loan.

7 (5) The limitations faced by a victim of domes-
 8 tic violence, dating violence, sexual assault, or stalk-
 9 ing to obtain any relief or restitution of the victim’s
 10 Federal student loan debt.

11 **TITLE VIII—SAFETY FOR INDIAN**
 12 **WOMEN**

13 **Subtitle A—Safety for Indian**
 14 **Women**

15 **SEC. 801. GRANTS TO INDIAN TRIBAL GOVERNMENTS.**

16 Section 2015(a) of title I of the Omnibus Crime Con-
 17 trol and Safe Streets Act of 1968 (34 U.S.C. 10452(a))
 18 is amended, in paragraphs (2), (4), (5), (7), (8), and (9),
 19 by inserting “crimes, including” before “domestic” each
 20 place the term appears.

21 **SEC. 802. GRANTS TO INDIAN TRIBAL COALITIONS.**

22 Section 2001(d)(3) of title I of the Omnibus Crime
 23 Control and Safe Streets Act of 1968 (34 U.S.C. 10441)
 24 is amended, in the matter preceding subparagraph (A),

1 by striking “2014 through 2018” and inserting “2020
2 through 2029”.

3 **SEC. 803. CONSULTATION.**

4 Section 903 of the Violence Against Women and De-
5 partment of Justice Reauthorization Act of 2005 (42
6 U.S.C. 14045d) is amended—

7 (1) in subsection (a), by striking “and the Vio-
8 lence Against Women Reauthorization Act of 2013”
9 and inserting “the Violence Against Women Reau-
10 thorization Act of 2013, and the Violence Against
11 Women Reauthorization Act of 2019”; and

12 (2) in subsection (b)(2), by inserting “crimes,
13 including” before “domestic”.

14 **SEC. 804. TRIBAL JURISDICTION OVER CRIMES COM-**
15 **MITTED IN INDIAN COUNTRY.**

16 Title II of Public Law 90–284 (25 U.S.C. 1301 et
17 seq.) (commonly known as the “Indian Civil Rights Act
18 of 1968”) is amended by striking section 204 (25 U.S.C.
19 1304) and inserting the following:

20 **“SEC. 204. TRIBAL JURISDICTION OVER CRIMES COM-**
21 **MITTED IN INDIAN COUNTRY.**

22 “(a) DEFINITIONS.—In this section:

23 “(1) ASSAULT OF A LAW ENFORCEMENT OR
24 CORRECTIONAL OFFICER.—The term ‘assault of a
25 law enforcement or correctional officer’ means any

1 violation of the criminal law of the Indian tribe that
2 has jurisdiction over the Indian country where the
3 violation occurs where a person forcibly assaults, re-
4 sists, opposes, impedes, intimidates, or interferes
5 with any person designated as a tribal law enforce-
6 ment or correctional officer engaged in or on ac-
7 count of the performance of their official duties.

8 “(2) COVERED CONDUCT.—The term ‘covered
9 conduct’ means an offense—

10 “(A) described in paragraphs (1), (3), (4),
11 (5), (6), (10), (13), and (14); and

12 “(B) committed in Indian country.

13 “(3) CRIMES AGAINST CHILDREN.—The term
14 ‘crimes against children’ means any violation of the
15 criminal law of the Indian tribe that is a partici-
16 pating tribe if the violation occurs and is committed
17 against an Indian child by a parent, legal custodian,
18 or guardian of the Indian child, or a caregiver or
19 person that would be subject to special tribal crimi-
20 nal jurisdiction.

21 “(4) DATING VIOLENCE.—The term ‘dating vio-
22 lence’ means any violation of the criminal law of the
23 Indian tribe that has jurisdiction over the Indian
24 country where the violation occurs that was com-
25 mitted by a person who is or has been in a social

1 relationship of a romantic or intimate nature with
2 the victim, as determined by the length of the rela-
3 tionship, the type of relationship, and the frequency
4 of interaction between the persons involved in the re-
5 lationship.

6 “(5) DOMESTIC VIOLENCE.—The term ‘domes-
7 tic violence’ means any violation of the criminal law
8 of the Indian tribe that has jurisdiction over the In-
9 dian country where the violation occurs that was
10 committed by a current or former spouse or intimate
11 partner of the victim, by a person with whom the
12 victim shares a child in common, by a person who
13 is cohabitating with or has cohabitated with the vic-
14 tim as a spouse or intimate partner, or by a person
15 similarly situated to a spouse of the victim under the
16 domestic- or family- violence laws of an Indian tribe
17 that has jurisdiction over the Indian country where
18 the violence occurs.

19 “(6) HUMAN TRAFFICKING.—The term ‘human
20 trafficking’ means any violation of the criminal law
21 of the Indian tribe that has jurisdiction over the In-
22 dian country where the violation occurs by a person
23 that commits an act or practice described in para-
24 graph (11) of section 103 of the Trafficking Victims
25 Protection Act of 2000 (22 U.S.C. 7102).

1 “(7) INDIAN COUNTRY.—The term ‘Indian
2 country’ has the meaning given the term in section
3 1151 of title 18, United States Code.

4 “(8) PARTICIPATING TRIBE.—The term ‘partici-
5 pating tribe’ means an Indian tribe that—

6 “(A) meets the requirements to exercise
7 special criminal jurisdiction described in sub-
8 section (b)(4);

9 “(B) elects to exercise special criminal ju-
10 risdiction over the Indian country of that In-
11 dian tribe; and

12 “(C) submits notice to the Attorney Gen-
13 eral of the intent of the Indian tribe to self-cer-
14 tify and begin exercising special criminal juris-
15 diction.

16 “(9) PROTECTION ORDER.—The term ‘protec-
17 tion order’—

18 “(A) means any injunction, restraining
19 order, or other order issued by a civil or crimi-
20 nal court for the purpose of preventing violent
21 or threatening acts or harassment against, sex-
22 ual violence against, contact or communication
23 with, or physical proximity to, another person;
24 and

1 “(B) includes any temporary or final order
2 issued by a civil or criminal court, whether ob-
3 tained by filing an independent action or as a
4 pendent lite order in another proceeding, if the
5 civil or criminal order was issued in response to
6 a complaint, petition, or motion filed by or on
7 behalf of a person seeking protection.

8 “(10) SEXUAL ASSAULT.—The term ‘sexual as-
9 sault’ means any nonconsensual sexual act or con-
10 tact proscribed by the criminal law of the Indian
11 tribe that has jurisdiction over the Indian country
12 where the violation occurs, including in any case in
13 which the victim lacks capacity to consent.

14 “(11) SPECIAL CRIMINAL JURISDICTION.—The
15 term ‘special criminal jurisdiction’ means the crimi-
16 nal jurisdiction that a participating tribe may exer-
17 cise under this section but could not otherwise exer-
18 cise.

19 “(12) SPOUSE OR INTIMATE PARTNER.—The
20 term ‘spouse or intimate partner’ has the meaning
21 given the term in section 2266 of title 18, United
22 States Code.

23 “(13) STALKING.—The term ‘stalking’ means
24 engaging in a course of conduct in violation of the
25 criminal law of the Indian tribe that has jurisdiction

1 over the Indian country where the violation occurs
 2 that would cause a reasonable person to fear for the
 3 safety of the person or the safety of others.

4 “(14) VIOLATION OF A PROTECTION ORDER.—

5 The term ‘violation of a protection order’ means any
 6 act that—

7 “(A) occurs in the Indian country of the
 8 participating tribe; and

9 “(B) violates a protection order that—

10 “(i) prohibits or provides protection
 11 against violent or threatening acts or har-
 12 assment against, sexual violence against,
 13 contact or communication with, or physical
 14 proximity to, another person;

15 “(ii) is enforceable by the partici-
 16 pating tribe; and

17 “(iii) is consistent with section
 18 2265(b) of title 18, United States Code.

19 “(b) NATURE OF THE CRIMINAL JURISDICTION.—

20 “(1) IN GENERAL.—Notwithstanding any other
 21 provision of law, in addition to all powers of self-gov-
 22 ernment recognized and affirmed by sections 201
 23 and 203, the powers of self-government of a partici-
 24 pating tribe, including any participating tribe in the
 25 State of Maine, include the inherent power of that

1 tribe, which is hereby recognized and affirmed, to
2 exercise special criminal jurisdiction over all persons.

3 “(2) CONCURRENT JURISDICTION.—The exer-
4 cise of special criminal jurisdiction by a participating
5 tribe shall be concurrent with the jurisdiction of the
6 United States, of a State, or of both.

7 “(3) APPLICABILITY.—Nothing in this sec-
8 tion—

9 “(A) creates or eliminates any Federal or
10 State criminal jurisdiction over Indian country;
11 or

12 “(B) affects the authority of the United
13 States or any State government that has been
14 delegated authority by the United States to in-
15 vestigate and prosecute a criminal violation in
16 Indian country.

17 “(4) REQUIREMENTS TO EXERCISE SPECIAL
18 CRIMINAL JURISDICTION OVER COVERED CON-
19 DUCT.—No participating tribe may exercise special
20 criminal jurisdiction or otherwise exercise jurisdic-
21 tion over covered conduct committed in the jurisdic-
22 tion of a participating tribe by a defendant unless—

23 “(A) the proceeding is presided over by a
24 judge of the participating tribe with a current,
25 valid license, and in good standing, to practice

1 law in any State, the District of Columbia, or
2 territory of the United States; and

3 “(B) each attorney prosecuting or defend-
4 ing the defendant has a current, valid license,
5 and in good standing, to practice law in any
6 State, the District of Columbia, or territory of
7 the United States.

8 “(5) EXCEPTIONS.—

9 “(A) VICTIM AND DEFENDANT ARE BOTH
10 NON-INDIANS.—

11 “(i) DEFINITION OF VICTIM.—In this
12 subparagraph and with respect to a crimi-
13 nal proceeding in which a participating
14 tribe exercises special criminal jurisdiction
15 based on a violation of a protection order,
16 the term ‘victim’ means a person specifi-
17 cally protected by a protection order that
18 the defendant allegedly violated.

19 “(ii) EXCEPTION.—A participating
20 tribe may not exercise special criminal ju-
21 risdiction over an alleged offense if neither
22 the defendant nor the alleged victim is an
23 Indian.

24 “(B) DEFENDANT LACKS TIES TO THE
25 PARTICIPATING TRIBE.—A participating tribe

1 may exercise special criminal jurisdiction over a
2 defendant only if the defendant—

3 “(i) resides in the Indian country of
4 the participating tribe;

5 “(ii) is employed in the Indian coun-
6 try of the participating tribe; or

7 “(iii) is a spouse, intimate partner, or
8 dating partner of—

9 “(I) a member of the partici-
10 pating tribe; or

11 “(II) an Indian who resides in
12 the Indian country of the partici-
13 pating tribe.

14 “(6) SPECIAL CRIMINAL JURISDICTION SELF-
15 CERTIFICATION.—

16 “(A) IN GENERAL.—An Indian tribe shall
17 submit to the Attorney General written notice
18 of the intent of the Indian tribe to begin exer-
19 cising special criminal jurisdiction.

20 “(B) AUDITING REQUIREMENTS.—

21 “(i) IN GENERAL.—The Attorney
22 General may conduct an audit or review of
23 a participating tribe to determine if the
24 participating tribe is in compliance with all

1 requirements necessary to exercise special
2 criminal jurisdiction.

3 “(ii) ONSITE VISITS.—To the max-
4 imum extent practicable, the audits and re-
5 views conducted under clause (i) shall in-
6 clude onsite visits by the appropriate offi-
7 cial of the Department of Justice.

8 “(iii) REGULATIONS.—The Attorney
9 General, in consultation with participating
10 tribes, shall promulgate regulations to en-
11 sure that appropriate action is taken if a
12 participating tribe is found under clause (i)
13 not to be in compliance with all require-
14 ments necessary to exercise special crimi-
15 nal jurisdiction.

16 “(c) RIGHTS OF DEFENDANTS.—In a criminal pro-
17 ceeding in which a participating tribe exercises criminal
18 jurisdiction over covered conduct by a defendant, including
19 special criminal jurisdiction, the participating tribe shall
20 provide to the defendant all rights under the Constitution
21 of the United States afforded criminal defendants by the
22 courts of the United States, as interpreted by the courts
23 of the United States, including the right to an impartial
24 jury, the right to counsel, and the right to due process.

25 “(d) SELECTION OF DETENTION FACILITY.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), on conviction of a non-Indian defendant
3 by a participating tribe, the participating tribe may
4 select, with the consent of the Attorney General, a
5 Federal or Tribal detention facility.

6 “(2) EXCEPTION.—Nothing in this subsection
7 shall prohibit a participating tribe from housing a
8 non-Indian inmate in a tribal facility that was pros-
9 ecuted under the special criminal jurisdiction of the
10 Indian tribe.

11 “(e) POST-SENTENCING NOTICE REQUIREMENTS.—
12 Immediately on the sentencing of a defendant to any form
13 of custody following a trial or guilty plea, the tribal court
14 of the participating tribe shall—

15 “(1) notify the defendant of his or her right to
16 file a habeas corpus petition in the Federal district
17 court for the district in which the defendant will be
18 held in custody;

19 “(2) provide the defendant with a form habeas
20 corpus petition for petitioners seeking relief and with
21 adequate postage to enable the defendant to mail the
22 form from the place of custody to the district court
23 for filing;

24 “(3) advise a defendant who is unable to pay
25 applicable filing fees of the right to ask for permis-

1 sion to file a habeas corpus petition in forma
2 pauperis; and

3 “(4) advise the defendant of his or her appel-
4 late rights, which include—

5 “(A) the right to stay proceedings;

6 “(B) the right to an attorney; and

7 “(C) the right both—

8 “(i) to appeal to the appellate court of
9 the participating tribe; and

10 “(ii) to file a petition for a writ of ha-
11 beas corpus in a court of the United
12 States.

13 “(f) POST-CONVICTION RELIEF.—

14 “(1) IN GENERAL.—Not later than 14 days
15 after the date on which a sentence has been im-
16 posed, the defendant may request an appeal of the
17 decision to the appellate court of jurisdiction of the
18 participating tribe, which shall hear the appeal and
19 render a decision not later than 90 days after the
20 date on which the request is received.

21 “(2) LICENSED ATTORNEYS AND JUDGES OF
22 TRIBAL APPELLATE COURTS.—Subsection (b)(4)
23 shall apply to each attorney and each judge on an
24 appellate court proceeding of the participating tribe
25 reviewing a sentence under this subsection.

1 “(g) PETITIONS FOR SPECIAL TRIBAL WRITS OF HA-
2 BEAS CORPUS.—

3 “(1) IN GENERAL.—Regardless of whether a
4 defendant requests an appeal under subsection
5 (f)(1), the defendant may file a petition for a writ
6 of habeas corpus in a court of the United States
7 under section 203 at any time after the conviction
8 of the defendant becomes final.

9 “(2) EFFECT OF ORDER.—Tribal courts shall
10 be bound by all orders issued by a court of the
11 United States after review of a petition for a writ
12 of habeas corpus under section 203.

13 “(3) SCOPE OF REVIEW.—A court of the United
14 States reviewing a petition for a writ of habeas cor-
15 pus under this subsection shall have jurisdiction to
16 review the conviction of the defendant, including any
17 deprivation of the rights of the defendant under sub-
18 section (c).

19 “(4) PROHIBITION ON INCORPORATING CER-
20 TAIN HABEAS PROVISIONS.—In reviewing a petition
21 for a writ of habeas corpus under section 203 by a
22 non-Indian petitioner, no court may apply any re-
23 quirement described in section 2254 or 2255 of title
24 28, United States Code.

25 “(h) PETITIONS TO STAY DETENTION.—

1 “(1) IN GENERAL.—A person who has filed a
2 petition for a writ of habeas corpus in a court of the
3 United States under section 203 may petition that
4 court, the appellate court of jurisdiction of the par-
5 ticipating tribe, or both, to stay further detention of
6 that person by the participating tribe.

7 “(2) GRANT OF STAY.—A court shall grant a
8 stay described in paragraph (1) if the court—

9 “(A) finds that there is a substantial likeli-
10 hood that the habeas corpus petition will be
11 granted; and

12 “(B) after giving each alleged victim in the
13 matter an opportunity to be heard, finds by
14 clear and convincing evidence that under condi-
15 tions imposed by the court, the petitioner is not
16 likely to flee or pose a danger to any person or
17 the community if released.

18 “(3) NOTICE.—An Indian tribe that has or-
19 dered the detention of any person has a duty to im-
20 mediately notify such person of his or her rights and
21 privileges under this subsection and under section
22 203.

23 “(i) CIVIL ACTION FOR DEPRIVATION OF RIGHTS.—

24 “(1) IN GENERAL.—Every person who, under
25 color of any statute, ordinance, regulation, custom,

1 or usage of any participating tribe, subjects, or
2 causes to be subjected, any defendant in a criminal
3 prosecution of the covered conduct, including the
4 special criminal jurisdiction of the participating
5 tribe, to the deprivation of any rights, privileges, or
6 immunities secured by the Constitution of the
7 United States and Federal laws, shall be liable to
8 the party injured in an action at law, suit in equity,
9 or other proper proceeding for redress.

10 “(2) IMMUNITY FOR TRIBAL OFFICIALS.—In
11 any action described in paragraph (1), tribal officials
12 shall be entitled to claim the same immunity ac-
13 corded public officials in actions brought under sec-
14 tion 1979 of the Revised Statutes of the United
15 States (42 U.S.C. 1983).

16 “(3) ADMINISTRATION.—

17 “(A) IN GENERAL.—An action described in
18 paragraph (1) may be brought in any appro-
19 priate district court of the United States.

20 “(B) TIMING.—An action described in
21 paragraph (1) shall commence not later than 4
22 years after the date on which the conduct giv-
23 ing rise to the action occurred.

24 “(j) GRANTS TO TRIBAL GOVERNMENTS.—The At-
25 torney General may award grants to the governments of

1 Indian tribes (or to authorized designees of those govern-
2 ments)—

3 “(1) to strengthen tribal criminal justice sys-
4 tems to assist Indian tribes in exercising special
5 criminal jurisdiction, including—

6 “(A) law enforcement (including the capac-
7 ity of law enforcement or court personnel to
8 enter information into and obtain information
9 from national crime information databases);

10 “(B) prosecution;

11 “(C) trial and appellate courts;

12 “(D) pretrial services;

13 “(E) probation systems;

14 “(F) detention and correctional facilities;

15 “(G) alternative rehabilitation centers;

16 “(H) culturally appropriate services and
17 assistance for victims and their families;

18 “(I) criminal codes and rules of criminal
19 procedure, appellate procedure, and evidence;
20 and

21 “(J) contracting for services directly relat-
22 ing to the prosecution or defense of a defend-
23 ant;

24 “(2) to provide indigent criminal defendants
25 with the effective assistance of licensed defense

1 counsel, at no cost to the defendant, in criminal pro-
2 ceedings in which a participating tribe prosecutes a
3 violation of covered conduct committed in Indian
4 country;

5 “(3) to ensure that, in criminal proceedings in
6 which a participating tribe exercises special criminal
7 jurisdiction, jurors are summoned, selected, and in-
8 structed in a manner consistent with all applicable
9 requirements; and

10 “(4) to accord victims of covered conduct rights
11 that are similar to the rights of a crime victim de-
12 scribed in section 3771(a) of title 18, United States
13 Code, consistent with tribal law and custom.

14 “(k) SUPPLEMENT, NOT SUPPLANT.—Amounts
15 made available under this section shall supplement and
16 not supplant any other Federal, State, tribal, or local gov-
17 ernment amounts made available to carry out activities de-
18 scribed in this section.

19 “(l) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated \$15,000,000 for each
21 of fiscal years 2020 through 2029 to carry out subsection
22 (j) and to provide training, technical assistance, data col-
23 lection, and evaluation of the criminal justice systems of
24 participating tribes.”.

1 **SEC. 805. REPORTING REQUIREMENTS.**

2 (a) DEFINITIONS.—In this section, the terms “par-
3 ticipating tribe” and “special criminal jurisdiction” have
4 the meanings given the terms in section 204 of Public Law
5 90–284 (25 U.S.C. 1304) (commonly known as the “In-
6 dian Civil Rights Act of 1968”).

7 (b) REQUIREMENTS.—The Attorney General, in con-
8 sultation with the Secretary of the Interior, shall submit
9 to the Committee on Indian Affairs and the Committee
10 on the Judiciary of the Senate and the Committee on Nat-
11 ural Resources and the Committee on the Judiciary of the
12 House of Representatives an annual report that in-
13 cludes—

14 (1) a comprehensive list of each participating
15 tribe, including the date on which each participating
16 tribe noticed the intent to begin exercising special
17 criminal jurisdiction;

18 (2) details of prosecutions, for each partici-
19 pating tribe and in total, under the special criminal
20 jurisdiction, including—

21 (A) the number and type of arrests;

22 (B) the number of convictions;

23 (C) the number of cases pending;

24 (D) the number of acquittals;

25 (E) the number of Federal referrals;

26 (F) the number of guilty pleas;

1 (G) the number of dismissals;

2 (H) the number of declinations;

3 (I) the number of jury trials, bench trials,
4 and jury convictions;

5 (J) the number, results, current status of
6 special tribal writs of habeas corpus; and

7 (K) demographic information on those ar-
8 rested and prosecuted under the special crimi-
9 nal jurisdiction; and

10 (3) recommendations to Congress on how the
11 special criminal jurisdiction can be improved.

12 **Subtitle B—SURVIVE Act**

13 **SEC. 811. SHORT TITLE.**

14 This subtitle may be cited as the “Securing Urgent
15 Resources Vital to Indian Victim Empowerment Act” or
16 the “SURVIVE Act”.

17 **SEC. 812. INDIAN VICTIMS OF CRIME.**

18 (a) GRANT PROGRAM FOR INDIAN CRIME VICTIM
19 SERVICES.—The Victims of Crime Act of 1984 (34 U.S.C.
20 20101 et seq.) is amended by inserting after section
21 1404F the following:

22 “GRANT PROGRAM FOR INDIAN CRIME VICTIM SERVICES

23 “SEC. 1404G. (a) DEFINITIONS.—In this section:

24 “(1) APPROPRIATE COMMITTEES OF CON-
25 GRESS.—The term ‘appropriate committees of Con-
26 gress’ means—

1 “(A) the Committee on Indian Affairs of
2 the Senate;

3 “(B) the Subcommittee on Indian, Insular
4 and Alaska Native Affairs of the Committee on
5 Natural Resources of the House of Representa-
6 tives;

7 “(C) the Committee on the Judiciary of
8 the Senate; and

9 “(D) the Committee on the Judiciary of
10 the House of Representatives.

11 “(2) COVERED GRANT.—The term ‘covered
12 grant’ means a grant under subsection (c).

13 “(3) ELIGIBLE INDIAN TRIBE.—The term ‘eligi-
14 ble Indian Tribe’ means an Indian Tribe that sub-
15 mits a written proposal for a covered grant to the
16 Director in accordance with subsection (c)(2).

17 “(4) IMMEDIATE FAMILY MEMBER.—The term
18 ‘immediate family member’ has the meaning given
19 the term in section 115(c) of title 18, United States
20 Code.

21 “(5) INDIAN.—The term ‘Indian’ means a
22 member of an Indian Tribe.

23 “(6) INDIAN LAND.—The term ‘Indian land’
24 has the meaning given the term ‘Indian lands’ in
25 section 3 of the Native American Business Develop-

1 ment, Trade Promotion, and Tourism Act of 2000
2 (25 U.S.C. 4302).

3 “(7) INDIAN TRIBE.—The term ‘Indian Tribe’
4 has the meaning given the term ‘Indian tribe’ in sec-
5 tion 4 of the Indian Self-Determination and Edu-
6 cation Assistance Act (25 U.S.C. 5304).

7 “(8) PERSONALLY IDENTIFYING INFORMA-
8 TION.—The term ‘personally identifying information’
9 has the meaning given the term in section 40002(a)
10 of the Violence Against Women Act of 1994 (34
11 U.S.C. 12291(a)).

12 “(9) SERVICES TO VICTIMS OF CRIME.—The
13 term ‘services to victims of crime’—

14 “(A) has the meaning given the term in
15 section 1404; and

16 “(B) includes efforts that—

17 “(i) respond to the emotional, psycho-
18 logical, or physical needs of a victim of
19 crime;

20 “(ii) assist a victim of crime in stabi-
21 lizing his or her life after victimization;

22 “(iii) assist a victim of crime in un-
23 derstanding and participating in the crimi-
24 nal justice system; or

1 “(iv) restore a measure of security
2 and safety for a victim of crime.

3 “(10) VICTIM OF CRIME.—The term ‘victim of
4 crime’ means an individual who has suffered direct
5 physical, sexual, financial, or emotional harm as a
6 result of the commission of a crime.

7 “(b) DUTIES OF THE DIRECTOR.—The Director
8 shall—

9 “(1) administer the grant program described in
10 subsection (c);

11 “(2) provide planning, research, training, and
12 technical assistance to recipients of covered grants;
13 and

14 “(3) coordinate with the Office of Tribal Jus-
15 tice, the Indian Health Service, and the Bureau of
16 Indian Affairs in implementing the grant program
17 described in subsection (c).

18 “(c) GRANT PROGRAM.—

19 “(1) IN GENERAL.—On an annual basis, the
20 Director shall make grants to eligible Indian Tribes
21 for the purposes of funding—

22 “(A) a program, administered by one or
23 more Indian Tribes, that provides services to
24 victims of crime, which may be provided in tra-

1 ditional form or through electronic, digital, or
2 other technological formats, including—

3 “(i) services to victims of crime pro-
4 vided through subgrants to agencies or de-
5 partments of Tribal governments or non-
6 profit organizations;

7 “(ii) domestic violence shelters, rape
8 crisis centers, child abuse programs, child
9 advocacy centers, and elder abuse pro-
10 grams providing services to victims of
11 crime;

12 “(iii) medical care, equipment, treat-
13 ment, and related evaluations arising from
14 the victimization, including—

15 “(I) emergency medical care and
16 evaluation, nonemergency medical
17 care and evaluation, psychological and
18 psychiatric care and evaluation, and
19 other forms of medical assistance,
20 treatment, or therapy, regardless of
21 the setting in which the services are
22 delivered;

23 “(II) mental and behavioral
24 health and crisis counseling, evalua-
25 tion, and assistance, including out-

1 patient therapy, counseling services,
2 substance abuse treatment, and other
3 forms of specialized treatment, includ-
4 ing intervention and prevention serv-
5 ices;

6 “(III) prophylactic treatment to
7 prevent an individual from contracting
8 HIV/AIDS or any other sexually
9 transmitted disease or infection; and

10 “(IV) forensic medical evidence
11 collection examinations and forensic
12 interviews of victims of crime—

13 “(aa) to the extent that
14 other funding sources are un-
15 available or insufficient; and

16 “(bb) on the condition that,
17 to the extent practicable, the ex-
18 aminers and interviewers follow
19 relevant guidelines or protocols
20 issued by the State, unit of local
21 government, or Indian Tribe with
22 jurisdiction over the area in
23 which the examination or inter-
24 view is conducted;

1 “(iv) legal services, legal assistance
2 services, and legal clinics (including serv-
3 ices provided by pro bono legal clinics and
4 practitioners), the need for which arises di-
5 rectly from the victimization;

6 “(v) the training and certification of
7 service animals and therapy animals;

8 “(vi) equipment for Braille or TTY/
9 TTD machines for the deaf necessary to
10 provide services to victims of crime;

11 “(vii) restorative justice opportunities
12 that allow victims of crime to meet with
13 the perpetrators if the meetings are volun-
14 tarily agreed to by the victim of crime and
15 are for therapeutic purposes; and

16 “(viii) training and related materials,
17 including books, training manuals, and
18 training videos, for staff and service pro-
19 viders to develop skills necessary to offer
20 quality services to victims of crime;

21 “(B) the development or implementation of
22 training, technical assistance, or professional
23 development that improves or enhances the
24 quality of services to victims of crime, including

1 coordination between healthcare, education, and
2 justice systems;

3 “(C) the transportation of victims of crime
4 to—

5 “(i) receive services; or

6 “(ii) participate in criminal justice
7 proceedings;

8 “(D) emergency legal assistance to victims
9 of crime that is directly connected to the crime;

10 “(E) the supervision of direct service pro-
11 viders and contracts for professional or special-
12 ized services that are related directly to pro-
13 viding services to victims of crime;

14 “(F) the repair and replacement of essen-
15 tial items used during the provision of services
16 to victims of crime to contribute to and main-
17 tain a healthy and safe environment for the vic-
18 tims;

19 “(G) transitional housing for victims of
20 crime, particularly victims who have a par-
21 ticular need for such housing and cannot safely
22 return to previous housing, including travel,
23 rental assistance, security deposits, utilities,
24 and other related costs that are incidental to
25 the relocation to transitional housing;

1 “(H) the relocation of victims of crime,
2 particularly where necessary for the safety and
3 well-being of the victim, including reasonable
4 moving expenses, security deposits for housing,
5 rental expenses, and utility startup costs;

6 “(I) the coordination of activities that fa-
7 cilitate the provision of direct services to victims
8 of crime;

9 “(J) a multi-system, inter-agency, multi-
10 disciplinary response to the needs of victims of
11 crime; and

12 “(K) the administration of the program
13 and services described in this section.

14 “(2) ELIGIBILITY.—An Indian Tribe seeking a
15 covered grant shall, in response to a request for pro-
16 posal, submit to the Director a written proposal for
17 a covered grant, which shall include—

18 “(A) a description of the need for services
19 and the mission and goals of the activity to be
20 carried out using the grant;

21 “(B) a description of how amounts re-
22 ceived under the grant would be used;

23 “(C) the proposed annual budget for the
24 activities for each fiscal year in which amounts
25 received under the grant may be used;

1 “(D) any qualifications, certifications, or
2 licenses that may be required for individuals in-
3 volved in administering the program;

4 “(E) a certification by the Indian Tribe
5 that, under the law of that Indian Tribe or the
6 law of a State to which the Act of August 15,
7 1953 (67 Stat. 588, chapter 505) (commonly
8 known as ‘Public Law 280’) applies—

9 “(i) victims of crime are entitled to
10 the rights and protections described in sec-
11 tion 3771(a) of title 18, United States
12 Code, or substantially similar rights and
13 protections; and

14 “(ii) individuals who report crimes are
15 protected by law from retribution and re-
16 taliation;

17 “(F) a certification by the Indian Tribe
18 that grant funds will be used to supplement and
19 not supplant other Federal, State, local, and
20 Tribal funds that are used for the purposes de-
21 scribed in paragraph (1);

22 “(G) a description of any plans or agree-
23 ments to coordinate services among Federal,
24 State, local, and Tribal governments; and

1 “(H) any additional information required
2 by the Director through written guidance, after
3 consultation with Indian Tribes.

4 “(3) NO MATCHING REQUIREMENT.—A recipi-
5 ent or subrecipient of a covered grant shall not be
6 required to make a matching contribution for Fed-
7 eral dollars received.

8 “(4) PROHIBITED USES OF FUNDS.—A recipi-
9 ent or subrecipient of a covered grant may not use
10 the amounts of the grant for—

11 “(A) salaries, benefits, fees, furniture,
12 equipment, and other expenses of executive di-
13 rectors, board members, and other administra-
14 tors, except as specifically allowed under this
15 section;

16 “(B) lobbying and administrative advocacy;
17 and

18 “(C) fundraising activities.

19 “(5) ANNUAL REPORT.—A recipient of a cov-
20 ered grant shall, on an annual basis, submit to the
21 Director an itemized budget with a report describing
22 the purpose for which the grant was used, which
23 shall include—

24 “(A) the purpose for which grant funds
25 were obligated or spent and the amount of

1 funds obligated or spent by the recipient or sub-
2 recipient for each purpose, including, on a quar-
3 terly basis—

4 “(i) the amount of grant funds obli-
5 gated or spent by the recipient or sub-
6 recipient for administrative and operational
7 costs; and

8 “(ii) the amount of grant funds obli-
9 gated or spent by the recipient or sub-
10 recipient for direct services;

11 “(B) the number of individuals served as a
12 result of the grant;

13 “(C) a description, in the aggregate, of the
14 types of individuals served, including—

15 “(i) the alleged crime and injury in-
16 volved;

17 “(ii) whether the victim is an Indian;
18 and

19 “(iii) the age, sex, and Tribal affili-
20 ation of the victim, if applicable; and

21 “(D) a description, in the aggregate, of the
22 general nature and location of the alleged
23 crimes involved, including—

24 “(i) whether the crime was committed
25 on Indian land;

1 “(ii) whether the alleged perpetrator
2 is an Indian;

3 “(iii) the disposition of the incident;
4 and

5 “(iv) all jurisdictions involved in any
6 disposition.

7 “(6) OBLIGATION TO REPORT FRAUD, WASTE,
8 OR ABUSE OF GRANT FUNDS.—A recipient or sub-
9 recipient of a covered grant shall immediately report
10 to the Director any finding of fraud, waste, or abuse
11 of grant funds.

12 “(d) PROTECTION OF CRIME VICTIM CONFIDEN-
13 TIALITY AND PRIVACY.—

14 “(1) ANNUAL REPORTS.—In order to ensure
15 the safety of victims of crime and immediate family
16 members of victims of crime, recipients and sub-
17 recipients of covered grants shall protect the con-
18 fidentiality and privacy of individuals receiving serv-
19 ices from the recipient or subrecipient.

20 “(2) NONDISCLOSURE.—

21 “(A) IN GENERAL.—Subject to paragraphs
22 (3) and (4), a recipient or subrecipient of a cov-
23 ered grant shall not disclose, reveal, or release
24 any personally identifying information collected
25 in connection with any service requested, used,

1 or denied through a program of the recipient or
2 subrecipient or require the release of personally
3 identifying information as a condition of eligi-
4 bility for the services provided by the recipient
5 or subrecipient—

6 “(i) regardless of whether the infor-
7 mation has been encoded, encrypted,
8 hashed, or otherwise protected; and

9 “(ii) subject to subparagraph (B) and
10 the condition that consent for release may
11 not be given by an abuser of the minor, an
12 abuser of a parent or guardian of a minor,
13 or an incapacitated individual, absent the
14 informed, written, reasonably time-limited
15 consent of—

16 “(I) the individual about whom
17 information is sought;

18 “(II) in the case of an emanci-
19 pated minor, the minor, and the par-
20 ent or guardian; or

21 “(III) in the case of legal inca-
22 pacity, a court-appointed guardian.

23 “(B) CERTAIN MINORS AND OTHER INDI-
24 VIDUALS.—If a minor or individual with a le-
25 gally appointed guardian may lawfully receive

1 services without the consent of a parent or
2 guardian, that minor or individual may consent
3 to the release of information under subpara-
4 graph (A)(ii) without the additional consent of
5 a parent or guardian.

6 “(3) RELEASE.—If the release of information
7 described in paragraph (2) is compelled by a statu-
8 tory or court mandate, a recipient or subrecipient of
9 a covered grant shall—

10 “(A) make reasonable attempts to provide
11 notice to victims of crime affected by the disclo-
12 sure of information; and

13 “(B) take steps necessary to protect the
14 privacy and safety of the individuals affected by
15 the release of the information.

16 “(4) INFORMATION SHARING.—A recipient or
17 subrecipient of a covered grant may share—

18 “(A) data in the aggregate that is not per-
19 sonally identifying information regarding serv-
20 ices to clients and demographics in order to
21 comply with Federal, State, Tribal, or terri-
22 torial reporting, evaluation, or data collection
23 requirements;

24 “(B) court-generated and law enforcement-
25 generated information contained in secure gov-

1 ernmental registries for protection order en-
2 forcement purposes; and

3 “(C) law enforcement-generated and pros-
4 ecution-generated information necessary for law
5 enforcement and prosecution purposes.

6 “(5) STATUTORILY MANDATED REPORTS OF
7 ABUSE OR NEGLECT.—Nothing in this subsection
8 shall be construed to prohibit a recipient or sub-
9 recipient of a covered grant from reporting sus-
10 pected abuse or neglect of an individual.

11 “(6) CONGRESSIONAL OVERSIGHT.—

12 “(A) IN GENERAL.—Nothing in this sub-
13 section shall be construed to prohibit the Direc-
14 tor from disclosing grant activities authorized
15 by this section to the appropriate committees of
16 Congress.

17 “(B) REQUIREMENTS.—The Director shall
18 ensure that a disclosure under subparagraph
19 (A) protects confidentiality and omits person-
20 ally identifying information.

21 “(7) CONFIDENTIALITY ASSESSMENT AND AS-
22 SURANCES.—A recipient or subrecipient of a covered
23 grant shall document compliance with the confiden-
24 tiality and privacy requirements of this subsection.

25 “(e) OVERSIGHT AND ENFORCEMENT AUTHORITY.—

1 “(1) AUTHORITY.—The Director shall—

2 “(A) regularly monitor and review covered
3 grants awarded, which shall include evaluation
4 of quarterly financial reports for victim services
5 grants; and

6 “(B) conduct investigations and audits—

7 “(i) to ensure compliance with all ap-
8 plicable Federal law; and

9 “(ii) to prevent duplication and redun-
10 dancy in the awarding of covered grants.

11 “(2) PERFORMANCE MEASURES AND ENFORCE-
12 ABLE AGREEMENTS.—The Director shall ensure that
13 all covered grants are subject to performance meas-
14 ures and enforceable agreements that allow for thor-
15 ough program oversight.

16 “(3) COMPLIANCE REPORTS TO CONGRESS.—
17 For the first fiscal year beginning after the date of
18 enactment of this section and each fiscal year there-
19 after, the Director shall submit to the appropriate
20 committees of Congress an annual compliance report
21 on all covered grants awarded.

22 “(4) VIOLATIONS.—

23 “(A) IN GENERAL.—If, after reasonable
24 notice and opportunity for a hearing on the
25 record (subject to subparagraph (B)), the Di-

1 rector finds that a recipient or subrecipient of
2 a covered grant has failed to comply substan-
3 tially with any provision of this section or a
4 rule, regulation, guideline, or procedure issued
5 under this section, a commitment or certifi-
6 cation made in the written proposal submitted
7 under subsection (c)(2), or the provisions of any
8 other applicable law, the Director shall—

9 “(i) terminate payments to the recipi-
10 ent;

11 “(ii) suspend payments to the recipi-
12 ent until the Director is satisfied that the
13 noncompliance has ended; or

14 “(iii) take any other action that the
15 Director determines appropriate.

16 “(B) SUBRECIPIENTS.—A subrecipient of
17 a covered grant may not request a hearing
18 under subparagraph (A) but may assist a re-
19 cipient in providing information during the
20 hearing process.

21 “(f) TIMELINES.—

22 “(1) NEGOTIATED RULEMAKING.—Not later
23 than 60 days after the date of enactment of this sec-
24 tion, the Director shall publish a notice in the Fed-
25 eral Register to initiate the negotiated rulemaking

1 described in section 913(b) of the Securing Urgent
2 Resources Vital to Indian Victim Empowerment Act,
3 which shall be completed not later than 180 days
4 after that publication.

5 “(2) REQUEST FOR PROPOSAL.—Not later than
6 60 days after the negotiated rulemaking described in
7 paragraph (1) is complete, the Director shall publish
8 a request for proposal in the Federal Register for
9 covered grants.

10 “(3) REQUIRED DISBURSAL.—Not later than
11 January 31 of each of the first 10 fiscal years begin-
12 ning after the date of enactment of this section, the
13 Director shall disburse competitive grants to Indian
14 Tribes in accordance with this section.

15 “(g) AVAILABILITY OF GRANT FUNDS.—Any amount
16 awarded under a covered grant that remains unobligated
17 at the end of the fiscal year in which the grant is made
18 may be expended for the purpose for which the grant was
19 made at any time during the 5 succeeding fiscal years,
20 at the end of which period, any unobligated sums shall
21 remain available to the Director for award under this sec-
22 tion in the following fiscal year.

23 “(h) EFFECT.—Nothing in this section prohibits—

1 “(1) an Indian Tribe from contracting for the
2 administration of a program or activity funded
3 under this section; or

4 “(2) multiple Indian Tribes or Tribal organiza-
5 tions from forming a consortium for any of the pur-
6 poses described in this section.

7 “(i) FUNDING.—

8 “(1) IN GENERAL.—The grant program estab-
9 lished under this section shall be carried out using
10 amounts made available under section 1402(d)(1).

11 “(2) ADMINISTRATIVE EXPENSES.—For each
12 fiscal year in which a grant is made or grant funds
13 may be obligated under this section, the Director
14 may use not more than 4 percent of the amounts
15 made available under this section for—

16 “(A) administration and management of
17 covered grants; and

18 “(B) training and technical assistance.

19 “(j) TERM.—This section shall be effective for the
20 first 10 fiscal years beginning after the date of enactment
21 of this section.”.

22 (b) FUNDING FOR GRANTS FOR TRIBAL VICTIMS OF
23 CRIME.—Section 1402(d) of the Victims of Crime Act of
24 1984 (34 U.S.C. 20101(d)) is amended—

1 (1) by inserting before paragraph (2) the fol-
2 lowing:

3 “(1) For each of the first 10 fiscal years begin-
4 ning after the date of enactment of the Securing Ur-
5 gent Resources Vital to Indian Victim Empowerment
6 Act, 5 percent of the total amount in the Fund
7 available for obligation during a fiscal year shall be
8 made available to the Director to make grants under
9 section 1404G.”;

10 (2) in paragraph (2)(A), by inserting “after
11 compliance with paragraph (1)” after “deposited in
12 the Fund”;

13 (3) in paragraph (3)(A), in the matter pre-
14 ceding clause (i), by striking “paragraph (2)” and
15 inserting “paragraphs (1) and (2)”;

16 (4) in paragraph (5)(A), by inserting “(1),” be-
17 fore “(2)” each place that term appears; and

18 (5) in paragraph (6)(A), by inserting “(1),” be-
19 fore “(2)”.

20 **SEC. 813. REGULATIONS REGARDING INDIAN TRIBES.**

21 (a) **EXISTING REGULATIONS.**—Any regulation, rule,
22 or guidance promulgated by the Director of the Office for
23 Victims of Crime before the date of enactment of this Act
24 shall have no force or effect with respect to section 1404G

1 of the Victims of Crime Act of 1984, as added by section
2 912.

3 (b) NEGOTIATED RULEMAKING.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of enactment of this Act, the Director of
6 the Office for Victims of Crime, in consultation with
7 the Secretary of the Interior and Indian Tribes (as
8 defined in section 1404G of the Victims of Crime
9 Act of 1984, as added by section 912) and through
10 notice and comment negotiated rulemaking, fol-
11 lowing the provisions of subchapter III of chapter 5
12 of title 5, United States Code (commonly known as
13 the ‘Negotiated Rulemaking Act of 1990’), shall pro-
14 mulgate final regulations carrying out section 1404G
15 of the Victims of Crime Act of 1984, as added by
16 section 912.

17 (2) REQUIREMENTS.—The Director of the Of-
18 fice for Victims of Crime shall ensure that—

19 (A) not fewer than 2 Indian Tribes from
20 each Bureau of Indian Affairs region partici-
21 pate in the consultation; and

22 (B) small, medium, and large land-based
23 Indian Tribes are represented.

1 **Subtitle C—Savanna’s Act**

2 **SEC. 821. SHORT TITLE.**

3 This subtitle may be cited as “Savanna’s Act”.

4 **SEC. 822. PURPOSES.**

5 The purposes of this subtitle are—

6 (1) to clarify the responsibilities of Federal,
7 State, Tribal, and local law enforcement agencies
8 with respect to responding to cases of missing or
9 murdered Indians;

10 (2) to increase coordination and communication
11 among Federal, State, Tribal, and local law enforce-
12 ment agencies, including medical examiner and cor-
13 oner offices;

14 (3) to empower Tribal governments with the re-
15 sources and information necessary to effectively re-
16 spond to cases of missing or murdered Indians; and

17 (4) to increase the collection of data related to
18 missing or murdered Indian men, women, and chil-
19 dren, regardless of where they reside, and the shar-
20 ing of information among Federal, State, and Tribal
21 officials responsible for responding to and inves-
22 tigating cases of missing or murdered Indians.

23 **SEC. 823. DEFINITIONS.**

24 In this subtitle:

1 (1) CONFER.—The term “confer” has the
2 meaning given the term in section 514 of the Indian
3 Health Care Improvement Act (25 U.S.C. 1660d).

4 (2) DATABASES.—The term “databases”
5 means—

6 (A) the National Crime Information Center
7 database;

8 (B) the Combined DNA Index System;

9 (C) the Next Generation Identification
10 System; and

11 (D) any other database relevant to re-
12 sponding to cases of missing or murdered Indi-
13 ans, including that under the Violent Criminal
14 Apprehension Program and the National Miss-
15 ing and Unidentified Persons System.

16 (3) INDIAN.—The term “Indian” means a
17 member of an Indian Tribe.

18 (4) INDIAN COUNTRY.—The term “Indian coun-
19 try” has the meaning given the term in section 1151
20 of title 18, United States Code.

21 (5) INDIAN LAND.—The term “Indian land”
22 means Indian lands, as defined in section 3 of the
23 Native American Business Development, Trade Pro-
24 motion, and Tourism Act of 2000 (25 U.S.C. 4302).

1 (6) INDIAN TRIBE.—The term “Indian Tribe”
2 has the meaning given the term “Indian tribe” in
3 section 4 of the Indian Self-Determination and Edu-
4 cation Assistance Act (25 U.S.C. 5304).

5 (7) LAW ENFORCEMENT AGENCY.—The term
6 “law enforcement agency” means a Tribal, Federal,
7 State, or local law enforcement agency.

8 **SEC. 824. IMPROVING TRIBAL ACCESS TO DATABASES.**

9 (a) TRIBAL ENROLLMENT INFORMATION.—The At-
10 torney General shall provide training to law enforcement
11 agencies regarding how to record the Tribal enrollment in-
12 formation or affiliation, as appropriate, of a victim in Fed-
13 eral databases.

14 (b) CONSULTATION.—

15 (1) CONSULTATION.—Not later than 180 days
16 after the date of enactment of this Act, the Attorney
17 General, in cooperation with the Secretary of the In-
18 terior, shall complete a formal consultation with In-
19 dian Tribes on how to further improve Tribal data
20 relevance and access to databases.

21 (2) INITIAL CONFER.—Not later than 180 days
22 after the date of enactment of this Act, the Attorney
23 General, in coordination with the Secretary of the
24 Interior, shall confer with Tribal organizations and
25 urban Indian organizations on how to further im-

1 prove American Indian and Alaska Native data rel-
2 evance and access to databases.

3 (3) ANNUAL CONSULTATION.—Section 903(b)
4 of the Violence Against Women and Department of
5 Justice Reauthorization Act of 2005 (34 U.S.C.
6 20126) is amended—

7 (A) by striking paragraph (2) and insert-
8 ing the following:

9 “(2) enhancing the safety of Indian women
10 from domestic violence, dating violence, sexual as-
11 sault, homicide, stalking, and sex trafficking;”;

12 (B) in paragraph (3), by striking the pe-
13 riod at the end and inserting “; and”; and

14 (C) by adding at the end the following:

15 “(4) improving access to local, regional, State,
16 and Federal crime information databases and crimi-
17 nal justice information systems.”.

18 (c) NOTIFICATION.—Not later than 180 days after
19 the date of enactment of this Act, the Attorney General
20 shall—

21 (1) develop and implement a dissemination
22 strategy to educate the public of the National Miss-
23 ing and Unidentified Persons System; and

24 (2) conduct specific outreach to Indian Tribes,
25 Tribal organizations, and urban Indian organiza-

1 tions regarding the ability to publicly enter informa-
2 tion, through the National Missing and Unidentified
3 Persons System or other non-law enforcement sen-
4 sitive portal, regarding missing persons, which may
5 include family members and other known acquaint-
6 ances.

7 **SEC. 825. GUIDELINES FOR RESPONDING TO CASES OF**
8 **MISSING OR MURDERED INDIANS.**

9 (a) IN GENERAL.—Not later than 60 days after the
10 date on which the consultation described in section 4(b)(1)
11 is completed, the Attorney General shall direct United
12 States attorneys to develop regionally appropriate guide-
13 lines to respond to cases of missing or murdered Indians
14 that shall include—

15 (1) guidelines on inter-jurisdictional cooperation
16 among law enforcement agencies at the Tribal, Fed-
17 eral, State, and local levels, including inter-jurisdic-
18 tional enforcement of protection orders and detailing
19 specific responsibilities of each law enforcement
20 agency;

21 (2) best practices in conducting searches for
22 missing persons on and off Indian land;

23 (3) standards on the collection, reporting, and
24 analysis of data and information on missing persons
25 and unidentified human remains, and information on

1 culturally appropriate identification and handling of
2 human remains identified as Indian, including guid-
3 ance stating that all appropriate information related
4 to missing or murdered Indians be entered in a
5 timely manner into applicable databases;

6 (4) guidance on which law enforcement agency
7 is responsible for inputting information into appro-
8 priate databases under paragraph (3) if the Tribal
9 law enforcement agency does not have access to
10 those appropriate databases;

11 (5) guidelines on improving law enforcement
12 agency response rates and follow-up responses to
13 cases of missing or murdered Indians; and

14 (6) guidelines on ensuring access to culturally
15 appropriate victim services for victims and their
16 families.

17 (b) CONSULTATION.—United States attorneys shall
18 develop the guidelines required under subsection (a) in
19 consultation with Indian Tribes and other relevant part-
20 ners, including—

21 (1) the Department of Justice;

22 (2) the Federal Bureau of Investigation;

23 (3) the Department of the Interior;

24 (4) the Bureau of Indian Affairs;

1 (5) Tribal, State, and local law enforcement
2 agencies;

3 (6) medical examiners;

4 (7) coroners;

5 (8) Tribal, State, and local organizations that
6 provide victim services; and

7 (9) national, regional, or urban Indian organi-
8 zations with relevant expertise.

9 (c) COMPLIANCE.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this Act, the United States
12 attorneys shall implement, by incorporating into of-
13 fice policies and procedures, the guidelines developed
14 under subsection (a).

15 (2) MODIFICATION.—Each Federal law enforce-
16 ment agency shall modify the guidelines, policies,
17 and protocols of the agency to incorporate the guide-
18 lines developed under subsection (a).

19 (3) DETERMINATION.—Not later than the end
20 of each fiscal year beginning after the date the
21 guidelines are established under this section and in-
22 corporated under this subsection, upon the request
23 of a Tribal, State, or local law enforcement agency,
24 the Attorney General shall determine whether the
25 Tribal, State, or local law enforcement agency seek-

1 ing recognition of compliance has incorporated
2 guidelines into their respective guidelines, policies,
3 and protocols.

4 (d) ACCOUNTABILITY.—Not later than 30 days after
5 compliance determinations are made each fiscal year in
6 accordance with subsection (c)(3), the Attorney General
7 shall—

8 (1) disclose and publish, including on the
9 website of the Department of Justice, the name of
10 each Tribal, State, or local law enforcement agency
11 that the Attorney General has determined has incor-
12 porated guidelines in accordance with subsection
13 (c)(3);

14 (2) disclose and publish, including on the
15 website of the Department of Justice, the name of
16 each Tribal, State, or local law enforcement agency
17 that has requested a determination in accordance
18 with subsection (c)(3) that is pending;

19 (3) collect the guidelines into a resource of ex-
20 amples and best practices that can be used by other
21 law enforcement agencies seeking to create and im-
22 plement such guidelines.

23 (e) TRAINING AND TECHNICAL ASSISTANCE.—The
24 Attorney General shall use the National Indian Country
25 Training Initiative to provide training and technical as-

1 sistance to Indian Tribes and law enforcement agencies
2 on—

3 (1) implementing the guidelines developed
4 under subsection (a) or developing and implementing
5 locally specific guidelines or protocols for responding
6 to cases of missing or murdered Indians; and

7 (2) using the National Missing and Unidenti-
8 fied Persons System and accessing program services
9 that will assist Indian Tribes with responding to
10 cases of missing or murdered Indians.

11 **SEC. 826. ANNUAL REPORTING REQUIREMENTS.**

12 (a) ANNUAL REPORTING.—Beginning in the first fis-
13 cal year after the date of enactment of this Act, the Attor-
14 ney General shall include in its annual Indian Country In-
15 vestigations and Prosecutions report to Congress informa-
16 tion that—

17 (1) includes known statistics on missing Indians
18 in the United States, available to the Department of
19 Justice, including—

20 (A) age;

21 (B) gender;

22 (C) Tribal enrollment information or affili-
23 ation, if available;

24 (D) the current number of open cases per
25 State;

1 (E) the total number of closed cases per
2 State each calendar year, from the most recent
3 10 calendar years; and

4 (F) other relevant information the Attor-
5 ney General determines is appropriate;

6 (2) includes known statistics on murdered Indi-
7 ans in the United States, available to the Depart-
8 ment of Justice, including—

9 (A) age;

10 (B) gender;

11 (C) Tribal enrollment information or affili-
12 ation, if available;

13 (D) the current number of open cases per
14 State;

15 (E) the total number of closed cases per
16 State each calendar year, from the most recent
17 10 calendar years; and

18 (F) other relevant information the Attor-
19 ney General determines is appropriate;

20 (3) maintains victim privacy to the greatest ex-
21 tent possible by excluding information that can be
22 used on its own or with other information to iden-
23 tify, contact, or locate a single person, or to identify
24 an individual in context; and

25 (4) includes—

1 (A) an explanation of why the statistics de-
2 scribed in paragraph (1) may not be com-
3 prehensive; and

4 (B) recommendations on how data collec-
5 tion on missing or murdered Indians may be
6 improved.

7 (b) COMPLIANCE.—

8 (1) IN GENERAL.—Beginning in the first fiscal
9 year after the date of enactment of this Act, and an-
10 nually thereafter, for the purpose of compiling accu-
11 rate data for the annual report required under sub-
12 section (a), the Attorney General shall request all
13 Tribal, State, and local law enforcement agencies to
14 submit to the Department of Justice all relevant in-
15 formation pertaining to missing or murdered Indians
16 collected by the Tribal, State, and local law enforce-
17 ment agency, and in a format provided by the De-
18 partment of Justice that ensures the streamlining of
19 data reporting.

20 (2) DISCLOSURE.—The Attorney General shall
21 disclose and publish annually, including on the
22 website of the Department of Justice, the name of
23 each Tribal, State, or local law enforcement agency
24 that the Attorney General has determined has sub-
25 mitted the information requested under paragraph

1 (1) for the fiscal year in which the report was pub-
2 lished.

3 (c) INCLUSION OF GENDER IN MISSING AND UN-
4 IDENTIFIED PERSONS STATISTICS.—Beginning in the
5 first calendar year after the date of enactment of this Act,
6 and annually thereafter, the Federal Bureau of Investiga-
7 tion shall include gender in its annual statistics on missing
8 and unidentified persons published on its public website.

9 **SEC. 827. IMPLEMENTATION AND INCENTIVE.**

10 (a) GRANT AUTHORITY.—Section 2101(b) of title I
11 of the Omnibus Crime Control and Safe Streets Act of
12 1968 (34 U.S.C. 10461(b)) is amended by adding at the
13 end the following:

14 “(23) To develop, strengthen, and implement
15 policies, protocols, and training for law enforcement
16 regarding cases of missing or murdered Indians, as
17 described in section 825 of Savanna’s Act.

18 “(24) To compile and annually report data to
19 the Attorney General related to missing or murdered
20 Indians, as described in section 826 of Savanna’s
21 Act.”.

22 (b) GRANTS TO INDIAN TRIBAL GOVERNMENTS.—
23 Section 2015 of title I of the Omnibus Crime Control and
24 Safe Streets Act of 1968 (34 U.S.C. 10452(a)) is amend-
25 ed—

1 (1) in paragraph (9), by striking “and” at the
2 end;

3 (2) in paragraph (10), by striking the period at
4 the end and inserting a semicolon; and

5 (3) by adding at the end the following:

6 “(11) develop, strengthen, and implement poli-
7 cies, protocols, and training for law enforcement re-
8 garding cases of missing or murdered Indians, as de-
9 scribed in section 825 of Savanna’s Act; and

10 “(12) compile and annually report data to the
11 Attorney General related to missing or murdered In-
12 dians, as described in section 826 of Savanna’s
13 Act.”.

14 **Subtitle D—Tribal Law and Order**
15 **Reauthorization and Amend-**
16 **ments Act**

17 **SEC. 831. SHORT TITLE.**

18 This subtitle may be cited as the “Tribal Law and
19 Order Reauthorization and Amendments Act of 2019”

20 **PART I—TRIBAL LAW AND ORDER**

21 **SEC. 841. OFFICE OF JUSTICE SERVICES LAW ENFORCE-**
22 **MENT.**

23 (a) SPENDING REPORT.—Section 3(c) of the Indian
24 Law Enforcement Reform Act (25 U.S.C. 2802(c)) is
25 amended—

1 (1) by striking paragraph (13);

2 (2) by redesignating paragraphs (14) through
3 (18) as paragraphs (13) through (17), respectively;
4 and

5 (3) in subparagraph (C) of paragraph (15) (as
6 redesignated)—

7 (A) by inserting “(for which any tribal in-
8 formation may be summarized by State)” after
9 “a list”; and

10 (B) by striking “and public safety and
11 emergency communications and technology
12 needs” and inserting “public safety and emer-
13 gency communications and technology needs,
14 and other administrative and supporting needs
15 of program operations, including information
16 technology and other equipment, travel, and
17 training”.

18 (b) ALLOWANCE FOR RENTALS OF QUARTERS AND
19 FACILITIES.—Section 8 of the Indian Law Enforcement
20 Reform Act (25 U.S.C. 2807) is amended—

21 (1) by striking the section heading and designa-
22 tion and all that follows through “Notwithstanding
23 the limitation” and inserting the following:

1 **“SEC. 8. ALLOWANCES.**

2 “(a) UNIFORMS.—Notwithstanding the limitation”;
3 and

4 (2) by adding at the end the following:

5 “(b) RENTALS FOR QUARTERS AND FACILITIES.—
6 Notwithstanding section 5911 of title 5, United States
7 Code, the Secretary, on recommendation of the Director
8 of the Office of Justice Services, shall establish applicable
9 rental rates for quarters and facilities for employees of the
10 Office of Justice Services.”.

11 (c) BACKGROUND CHECKS FOR TRIBAL JUSTICE OF-
12 FICIALS.—

13 (1) IN GENERAL.—The Office of Justice Serv-
14 ices shall develop standards and deadlines for the
15 provision of background checks to tribal law enforce-
16 ment and corrections officials.

17 (2) TIMING.—

18 (A) TIMING.—If a request for a back-
19 ground check is made by an Indian tribe that
20 has contracted or entered into a compact for
21 law enforcement or corrections services with the
22 Office of Justice Services pursuant to the In-
23 dian Self-Determination and Education Assist-
24 ance Act (25 U.S.C. 5301 et seq.), the Office
25 of Justice Services shall complete the check not
26 later than 60 days after the date of receipt of

1 a completed background application package,
2 containing all of the documentation and infor-
3 mation requested by the Office of Justice Serv-
4 ices.

5 (B) EXTENSION.—The Office of Justice
6 Services may extend the 60-day period required
7 under subparagraph (A) for completion of a
8 background request for not more than an addi-
9 tional 30 days upon written notice to the Indian
10 tribe that states the reason for the extension.

11 (3) ESTABLISHMENT OF PROGRAM.—

12 (A) IN GENERAL.—The Secretary of the
13 Interior (referred to in this paragraph as the
14 “Secretary”) shall establish a demonstration
15 program for the purpose of conducting or adju-
16 dicating, in coordination with the Director of
17 the Office of Justice Services, personnel back-
18 ground investigations for applicants for law en-
19 forcement positions in the Office of Justice
20 Services.

21 (B) BACKGROUND INVESTIGATIONS AND
22 SECURITY CLEARANCE DETERMINATIONS.—

23 (i) OJS INVESTIGATIONS.—As part of
24 the demonstration program established
25 under this paragraph, the Secretary,

1 through the Office of Justice Services, is
2 authorized to carry out a background in-
3 vestigation, security clearance determina-
4 tion, or both a background investigation
5 and a security clearance determination for
6 an applicant for a law enforcement position
7 in the Office of Justice Services.

8 (ii) USE OF PREVIOUS INVESTIGA-
9 TIONS AND DETERMINATIONS.—

10 (I) IN GENERAL.—Subject to
11 subclause (II), as part of the dem-
12 onstration program established under
13 this paragraph, the Secretary, in adju-
14 dicating background investigations for
15 applicants for law enforcement posi-
16 tions in the Office of Justice Services,
17 shall consider previous background in-
18 vestigations for an applicant, security
19 clearance determinations for an appli-
20 cant, or both background investiga-
21 tions and security clearance deter-
22 minations for an applicant, as the
23 case may be, that have been con-
24 ducted by a State, local, or Tribal
25 Government, or by the Office of Jus-

1 tice Services (or by the Bureau of In-
2 dian Affairs before the date of enact-
3 ment of this Act), within the 5-year
4 period preceding the application for
5 employment with the Office of Justice
6 Services.

7 (II) QUALITY.—The Secretary
8 shall only consider previous back-
9 ground investigations and security
10 clearance determinations for an appli-
11 cant that have been conducted by a
12 State, local, or Tribal Government if
13 the Secretary can verify that those
14 previous investigations and determina-
15 tions, as the case may be, are of a
16 comparable quality and thoroughness
17 to investigations and determinations
18 carried out by the Office of Justice
19 Services, the Office of Personnel Man-
20 agement, or another Federal agency.

21 (III) ADDITIONAL INVESTIGA-
22 TION.—If, as described in subclause
23 (I), the Secretary considers an exist-
24 ing background investigation, security
25 clearance determination, or both, as

1 the case may be, for an applicant that
2 has been carried out by a State, local,
3 or Tribal Government, or by the Of-
4 fice of Justice Services (or by the Bu-
5 reau of Indian Affairs before the date
6 of enactment of this Act), the Sec-
7 retary—

8 (aa) may carry out addi-
9 tional investigation and examina-
10 tion of the applicant if the Sec-
11 retary determines that such addi-
12 tional information is needed in
13 order to make an appropriate de-
14 termination as to the character
15 and trustworthiness of the appli-
16 cant before final adjudication can
17 be made and a security clearance
18 can be issued; and

19 (bb) shall not initiate a new
20 background investigation process
21 with the National Background
22 Investigations Bureau or other
23 Federal agency unless that new
24 background investigation process
25 covers a period of time that was

1 not covered by a previous back-
2 ground investigation process.

3 (IV) AGREEMENTS.—The Sec-
4 retary may enter into a Memorandum
5 of Agreement with a State, local, or
6 Tribal Government to develop steps to
7 expedite the process of receiving and
8 obtaining access to background inves-
9 tigation and security clearance deter-
10 minations for use in the demonstra-
11 tion program.

12 (C) SUNSET.—The demonstration program
13 established under this paragraph shall termi-
14 nate 5 years after the date of the commence-
15 ment of the program.

16 (D) SUFFICIENCY.—Notwithstanding any
17 other provision of law, a background investiga-
18 tion conducted or adjudicated by the Secretary
19 pursuant to the demonstration program author-
20 ized under this paragraph that results in the
21 granting of a security clearance to an applicant
22 for a law enforcement position in the Office of
23 Justice Services shall be sufficient to meet the
24 applicable requirements of the Office of Per-

1 sonnel Management or other Federal agency for
2 such investigations.

3 (E) ANNUAL REPORT.—The Secretary
4 shall submit an annual report to the Committee
5 on Indian Affairs of the Senate and the Com-
6 mittee on Natural Resources of the House of
7 Representatives on the demonstration program
8 established under this paragraph, which shall
9 include a description of—

10 (i) the demonstration program and
11 any relevant annual changes or updates to
12 the program;

13 (ii) the number of background inves-
14 tigations carried out under the program;

15 (iii) the costs, including any cost sav-
16 ings, associated with the investigation and
17 adjudication process under the program;

18 (iv) the processing times for the inves-
19 tigation and adjudication processes under
20 the program;

21 (v) any Memoranda of Agreement en-
22 tered into with State, local, or Tribal Gov-
23 ernments; and

24 (vi) any other information that the
25 Secretary determines to be relevant.

1 (F) GAO STUDY AND REPORT.—

2 (i) INITIAL REPORT.—Not later than
3 18 months after the beginning of the dem-
4 onstration program under this paragraph,
5 the Comptroller General of the United
6 States shall prepare and submit to Con-
7 gress an initial report on such demonstra-
8 tion program.

9 (ii) FINAL REPORT.—Not later than 3
10 years after the beginning of the dem-
11 onstration program under this paragraph,
12 the Comptroller General of the United
13 States shall prepare and submit to Con-
14 gress a final report on such demonstration
15 program.

16 (iii) TRIBAL INPUT.—In preparing the
17 reports under this subparagraph, the
18 Comptroller General shall prioritize input
19 from Indian Tribes regarding the dem-
20 onstration program under this paragraph.

21 (d) LAW ENFORCEMENT AND JUDICIAL TRAINING.—
22 Section 4218(b) of the Indian Alcohol and Substance
23 Abuse Prevention and Treatment Act of 1986 (25 U.S.C.
24 2451(b)) is amended by striking “2011 through 2015”
25 and inserting “2020 through 2024”.

1 (e) PUBLIC SAFETY AND COMMUNITY POLICING
2 GRANTS.—Section 1701(j) of the Omnibus Crime Control
3 and Safe Streets Act of 1968 (34 U.S.C. 10381(j)) is
4 amended—

5 (1) in paragraph (1), by striking “any fiscal
6 year” and inserting “each fiscal year”; and

7 (2) in paragraph (4), by striking “2011
8 through 2015” and inserting “2020 through 2024”.

9 (f) REORGANIZATION OF THE OFFICE OF JUSTICE
10 SERVICES WITHIN THE DEPARTMENT OF THE INTE-
11 RIOR.—

12 (1) IN GENERAL.—Section 3 of the Indian Law
13 Enforcement Reform Act (25 U.S.C. 2802) is
14 amended—

15 (A) in subsection (a), by striking “, acting
16 through the Bureau,”;

17 (B) in subsection (b), in the matter pre-
18 ceding paragraph (1), by striking “in the Bu-
19 reau” and all the follows through “shall be re-
20 sponsible for—” and inserting “under the As-
21 sistant Secretary for Indian Affairs an office, to
22 be known as the ‘Office of Justice Services’, the
23 Director of which shall be responsible for—”;

24 (C) in subsection (c)(16)—

1 (i) in subparagraph (A)(i), by striking
2 “Bureau” and inserting “Office of Justice
3 Services”; and

4 (ii) in subparagraph (C)—

5 (I) by striking “tribal and Bu-
6 reau of Indian Affairs justice agen-
7 cies” and inserting “tribal justice
8 agencies and the Office of Justice
9 Services”; and

10 (II) by striking “Bureau correc-
11 tions” and inserting “Office of Justice
12 Services corrections”;

13 (D) in subsection (d)—

14 (i) in paragraph (2), by striking “Bu-
15 reau” and inserting “Office of Justice
16 Services”;

17 (ii) in paragraph (3), by striking “Bu-
18 reau” and inserting “Office of Justice
19 Services”; and

20 (iii) in paragraph (4)—

21 (I) in clause (i), by striking the
22 second sentence;

23 (II) by striking clause (ii); and

1 (III) by striking “(4)(i) Criminal
2 investigative” and inserting “(4)
3 Criminal investigative”; and

4 (E) in subsection (e)(4)(B), by striking
5 “Bureau of Indian Affairs” and inserting “Of-
6 fice of Justice Services”.

7 (2) DEFINITIONS.—Section 2(3) of the Indian
8 Law Enforcement Reform Act (25 U.S.C. 2801(3))
9 is amended by striking “Bureau” each place it ap-
10 pears and inserting “Office of Justice Services”.

11 (3) LAW ENFORCEMENT AUTHORITY.—Section
12 4 of the Indian Law Enforcement Reform Act (25
13 U.S.C. 2803) is amended in the matter preceding
14 paragraph (1) by striking “the Bureau” and insert-
15 ing “the Office of Justice Services”.

16 (4) ACCEPTANCE OF ASSISTANCE.—Section
17 5(g) of the Indian Law Enforcement Reform Act
18 (25 U.S.C. 2804(g)) is amended, in the matter pre-
19 ceding paragraph (1), by striking “Bureau” and in-
20 serting “Office of Justice Services”.

21 (5) JURISDICTION.—Section 7(b) of the Indian
22 Law Enforcement Reform Act (25 U.S.C. 2806(b))
23 is amended by striking “Bureau” and inserting “Of-
24 fice of Justice Services”.

25 (6) SAVINGS PROVISIONS.—

1 (A) CONTINUING EFFECT OF LEGAL DOCU-
2 MENTS.—

3 (i) IN GENERAL.—The orders, deter-
4 minations, rules, regulations, permits,
5 agreements, grants, contracts, certificates,
6 licenses, registrations, privileges, and other
7 administrative actions described in clause
8 (ii) shall continue in effect according to the
9 terms of the administrative actions until
10 modified, terminated, superseded, set
11 aside, or revoked—

12 (I) by operation of law; or

13 (II) otherwise in accordance with
14 applicable law by—

15 (aa) the President;

16 (bb) the Secretary of the In-
17 terior;

18 (cc) another authorized offi-
19 cial; or

20 (dd) a court of competent
21 jurisdiction.

22 (ii) DESCRIPTION OF ADMINISTRATIVE
23 ACTIONS.—An order, determination, rule,
24 regulation, permit, agreement, grant, con-
25 tract, certificate, license, registration,

1 privilege, or other administrative action re-
2 ferred to in clause (i) is any order, deter-
3 mination, rule, regulation, permit, agree-
4 ment, grant, contract, certificate, license,
5 registration, privilege, or other administra-
6 tive action that—

7 (I) has been issued, made, grant-
8 ed, or allowed to become effective, in
9 the performance of a function trans-
10 ferred by this Act or an amendment
11 made by this Act, by—

12 (aa) the President;

13 (bb) the head of an agency;

14 (cc) an authorized Federal
15 official; or

16 (dd) a court of competent
17 jurisdiction; and

18 (II)(aa) is in effect on the date of
19 enactment of this Act; or

20 (bb)(AA) was final before the
21 date of enactment of this Act; and

22 (BB) will become effective on or
23 after the date of enactment of this
24 Act.

25 (B) PROCEEDINGS NOT AFFECTED.—

1 (i) EFFECT OF ACT.—Nothing in this
2 Act or an amendment made by this Act af-
3 fects any proceeding (including a notice of
4 proposed rulemaking) or any application
5 for a license, permit, certificate, or finan-
6 cial assistance pending before the Office of
7 Justice Services on the date of enactment
8 of this Act with respect to any function
9 transferred by this Act or an amendment
10 made by this Act.

11 (ii) TREATMENT.—

12 (I) IN GENERAL.—A proceeding
13 or application described in clause (i)
14 shall be continued in effect on and
15 after the date of enactment of this
16 Act.

17 (II) ORDERS, APPEALS, AND
18 FEES.—With respect to a proceeding
19 described in clause (i)—

20 (aa) appropriate orders and
21 appeals shall be issued or filed,
22 as applicable, and payments shall
23 be made pursuant to those or-
24 ders, as if this Act had not been
25 enacted; and

1 (bb) orders issued in such a
2 proceeding shall continue in ef-
3 fect until modified, terminated,
4 superseded, or revoked by—

5 (AA) an authorized of-
6 ficial;

7 (BB) a court of com-
8 petent jurisdiction; or

9 (CC) operation of law.

10 (iii) EFFECT OF SUBPARAGRAPH.—

11 Nothing in this subparagraph prohibits the
12 discontinuance or modification of any pro-
13 ceeding described in clause (i) under the
14 same terms and conditions, and to the
15 same extent, that such proceeding could
16 have been discontinued or modified if this
17 Act had not been enacted.

18 (C) SUITS NOT AFFECTED.—

19 (i) EFFECT OF ACT.—Nothing in this
20 Act or an amendment made by this Act af-
21 fects any judicial action or proceeding com-
22 menced before the date of enactment of
23 this Act.

24 (ii) TREATMENT.—With respect to an
25 action described in clause (i), proceedings

1 shall be had, appeals taken, and judgments
2 rendered in the same manner, and with the
3 same effect, as if this Act had not been en-
4 acted.

5 (D) NO ABATEMENT OF ACTIONS.—No ac-
6 tion or other proceeding commenced by or
7 against the Office of Justice Services, or by or
8 against any individual in the official capacity of
9 the individual as an officer of the Office of Jus-
10 tice Services, shall abate by reason of the enact-
11 ment of this Act.

12 (E) ADMINISTRATIVE ACTIONS RELATING
13 TO PROMULGATION OF REGULATIONS.—Any ad-
14 ministrative action relating to the preparation
15 or promulgation of a regulation by the Sec-
16 retary of the Interior relating to a function
17 transferred by this Act or an amendment made
18 by this Act may be continued by the Secretary
19 of the Interior with the same effect as if this
20 Act had not been enacted.

21 (F) REFERENCES.—Any reference in any
22 other Federal law (including an Executive
23 order, rule, or regulation), in any delegation of
24 authority, or in any other document, of or relat-
25 ing to a department, agency, or office from

1 which a function is transferred by this Act or
2 an amendment made by this Act—

3 (i) to the Director of the Bureau of
4 Indian Affairs with respect to law enforce-
5 ment provisions is deemed to refer to the
6 Secretary of the Interior; and

7 (ii) to the Office of Justice Services of
8 the Bureau of Indian Affairs is deemed to
9 refer to the Office of Justice Services.

10 (g) CLARIFYING THE USE OF INTERGOVERNMENTAL
11 AID.—Section 5(a) of the Indian Law Enforcement Re-
12 form Act (25 U.S.C. 2804(a)) is amended by adding at
13 the end the following:

14 “(4) EXEMPTION.—Section 1342 of title 31,
15 United States Code, shall not apply to personnel or
16 facilities subject to a memorandum of agreement
17 under paragraph (1).”.

18 (h) ADDRESSING THE LAW ENFORCEMENT SHORT-
19 AGE IN INDIAN COUNTRY.—Section 3(e) of the Indian
20 Law Enforcement Reform Act (25 U.S.C. 2802(e)) is
21 amended by adding at the end the following:

22 “(5) EXPEDITED HIRING OF LAW ENFORCE-
23 MENT OFFICERS.—If the Secretary determines that
24 a law enforcement or corrections officer position
25 within the Office of Justice Services is a hard-to-fill

1 duty station (including a duty station at a district,
2 office, or agency level), the Secretary may waive the
3 application of section 12 of the Act of June 18,
4 1934 (25 U.S.C. 5116) (commonly known as the
5 ‘Indian Reorganization Act’).

6 “(6) REQUEST TO PASSOVER A PREFERENCE
7 ELIGIBLE.—

8 “(A) IN GENERAL.—Subject to subpara-
9 graph (B), the Office of Justice Services (at the
10 district, office, or agency level) may request a
11 passover of a preference eligible in accordance
12 with section 3318 of title 5, United States
13 Code.

14 “(B) REQUIREMENT.—If the Office of
15 Justice Services is requesting a passover of a
16 preference eligible under subparagraph (A), the
17 Office of Justice Services shall—

18 “(i) complete the Office of Personnel
19 Management Agency Request to Pass Over
20 a Preference Eligible or Object to an Eligi-
21 ble, commonly known as ‘OPM Standard
22 Form 62’, describing the reason for the re-
23 quest; and

24 “(ii) submit the completed form to the
25 appropriate officer within the Office of

1 Justice Services for a decision and pro-
2 cessing.”.

3 **SEC. 842. AUTHORITY TO EXECUTE EMERGENCY ORDERS.**

4 (a) IN GENERAL.—Section 4 of the Indian Law En-
5 forcement Reform Act (25 U.S.C. 2803) (as amended by
6 section 841(f)(3)) is amended—

7 (1) in the matter preceding paragraph (1), by
8 striking “The Secretary” and inserting the fol-
9 lowing:

10 “(a) The Secretary”; and

11 (2) by adding at the end the following:

12 “(b)(1) In addition to the activities described in sub-
13 section (a), the Secretary may authorize employees of the
14 Office of Justice Services with law enforcement respon-
15 sibilities to execute an emergency civil order of detention
16 (referred to in this section as an ‘EOD’), or take an indi-
17 vidual into protective custody for emergency mental health
18 purposes, and transport that individual to an appropriate
19 mental health facility, when—

20 “(A) requested to do so by a tribal court of
21 competent civil jurisdiction pursuant to an EOD
22 (when that court has determined the individual likely
23 poses serious harm to himself or herself or others,
24 and to the extent that the individual can be detained
25 in a mental health treatment facility); or

1 “(B) in the absence of an EOD, an employee
2 who is authorized by State or tribal law to take an
3 individual into protective custody for emergency
4 mental health purposes reasonably believes that an
5 individual is mentally ill, alcohol-dependent, or drug-
6 dependent to such a degree that immediate emer-
7 gency action is necessary due to the likelihood of se-
8 rious harm to that individual or others.

9 “(2) In carrying out this subsection, employees of the
10 Office of Justice Services with law enforcement respon-
11 sibilities—

12 “(A) shall take or cause such individual to be
13 taken into custody and immediately transport that
14 individual to the nearest mental health facility, ei-
15 ther within or outside of Indian country, for an ini-
16 tial assessment or other appropriate treatment; and

17 “(B) will be given the full coverage and protec-
18 tion of chapter 171 of title 28, United States Code
19 (commonly known as the ‘Federal Tort Claims Act’),
20 and any other Federal tort liability statute, both
21 within and outside of Indian country.

22 “(3) Before implementing this subsection, the Office
23 of Justice Services and the United States Indian Police
24 Academy shall—

1 “(A) establish appropriate standards regarding
2 experience, mental health and disability education,
3 and other relevant qualifications for employees of
4 the Office of Justice Services who are law enforce-
5 ment personnel implementing this subsection; and

6 “(B) provide training for such Office of Justice
7 Services employees.

8 “(4) Not later than 180 days after the date of enact-
9 ment of this subsection, the Office of Justice Services shall
10 enter into agreements with State and tribal mental health
11 officials that outline the process for carrying out an EOD
12 or taking an individual into protective custody in a case
13 in which Office of Justice Services law enforcement pro-
14 vides the primary law enforcement to a tribe.

15 “(5) There is authorized to be appropriated
16 \$1,500,000 to the Office of Justice Services to implement
17 this subsection, which shall remain available until ex-
18 pended.

19 “(c) Corrections officers of the Office of Justice Serv-
20 ices and tribal corrections officers—

21 “(1) may carry out searches and seize evidence
22 from individuals incarcerated in an Indian country
23 detention facility; and

24 “(2) may carry out searches and seize evidence
25 within any Indian country detention facility.”.

1 (b) DEFINITIONS.—Section 2 of the Indian Law En-
2 forcement Reform Act (25 U.S.C. 2801) is amended by
3 inserting after paragraph (8) the following:

4 “(9) The term ‘tribal corrections officer’ means
5 an officer who is—

6 “(A) employed by—

7 “(i) the Office of Justice Services; or

8 “(ii) an Indian tribe carrying out a
9 detention or corrections program, function,
10 service, or activity under the Indian Self-
11 Determination and Education Assistance
12 Act (25 U.S.C. 5301 et seq.); and

13 “(B) charged with the supervision of crimi-
14 nal offenders or inmates in—

15 “(i) a tribal detention facility; or

16 “(ii) a detention facility of the Office
17 of Justice Services.”.

18 (c) TRIBAL CORRECTIONS OFFICERS.—

19 (1) PROTECTION OF OFFICERS AND EMPLOYEES
20 OF THE UNITED STATES.—Section 1114 of title 18,
21 United States Code, is amended by inserting “and a
22 tribal corrections officer (as defined in section 2 of
23 the Indian Law Enforcement Reform Act (25 U.S.C.
24 2801))” after “services”.

1 (2) TORT CLAIMS PROCEDURE EXCEPTIONS.—
2 Section 2680(h) of title 28, United States Code, is
3 amended by inserting “, including tribal corrections
4 officers (as defined in section 2 of the Indian Law
5 Enforcement Reform Act (25 U.S.C. 2801))” after
6 “Government”.

7 (3) COMPENSATION FOR WORK INJURIES.—Sec-
8 tion 8191 of title 5, United States Code, is amend-
9 ed—

10 (A) in paragraph (2), by striking “or” at
11 the end;

12 (B) in paragraph (3), by striking the semi-
13 colon and inserting “; or”; and

14 (C) by adding at the end the following:

15 “(4) a tribal corrections officers (as defined in
16 section 2 of the Indian Law Enforcement Reform
17 Act (25 U.S.C. 2801)).”.

18 **SEC. 843. DETENTION SERVICES.**

19 (a) INCARCERATED INDIVIDUALS.—In accordance
20 with the Act of August 5, 1954 (42 U.S.C. 2001 et seq.)
21 (commonly referred to as the “Transfer Act”), the Indian
22 Health Service shall be responsible for the medical care
23 and treatment of all Indians detained or incarcerated in
24 an Office of Justice Services or tribal detention or correc-

1 tional center. Care shall be provided to those individuals
2 without regard to the individual's normal domicile.

3 (b) MEMORANDUM OF AGREEMENT.—The Office of
4 Justice Services and the Indian Health Service shall enter
5 a memorandum of agreement to implement this section.
6 Such agreement shall include provisions regarding appro-
7 priate training, treatment locations for detained or incar-
8 cerated individuals, and other matters relating to medical
9 care and treatment under this section.

10 **SEC. 844. TRIBAL LAW ENFORCEMENT OFFICERS.**

11 The Indian Law Enforcement Reform Act (25 U.S.C.
12 2801 et seq.) is amended by inserting after section 4 the
13 following:

14 **“SEC. 4A. TRIBAL LAW ENFORCEMENT OFFICERS.**

15 “(a) Notwithstanding any other provision of Federal
16 law, law enforcement officers of any Indian tribe that has
17 contracted or compacted any or all Federal law enforce-
18 ment functions through the Indian Self-Determination
19 and Education Assistance Act (25 U.S.C. 5301 et seq.)
20 shall have the authority to enforce Federal law within the
21 area under the tribe's jurisdiction, if—

22 “(1) the tribal officers involved have—

23 “(A) completed training that is comparable
24 to that of an employee of the Office of Justice
25 Services who is providing the same services in

1 Indian country, as determined by the Director
2 of the Office of Justice Services or the Direc-
3 tor’s designee;

4 “(B) passed an adjudicated background in-
5 vestigation equivalent to that of an employee of
6 the Office of Justice Services who is providing
7 the same services in Indian country; and

8 “(C) received a certification from the Of-
9 fice of Justice Services, as described in sub-
10 section (c); and

11 “(2) the tribe has adopted policies and proce-
12 dures that meet or exceed those of the Office of Jus-
13 tice Services for the same program, service, function,
14 or activity.

15 “(b) While acting under the authority granted by the
16 Secretary through an Indian Self-Determination and Edu-
17 cation Assistance Act (25 U.S.C. 5301 et seq.) contract
18 or compact, a tribal law enforcement officer shall be
19 deemed to be a Federal law enforcement officer for the
20 purposes of—

21 “(1) sections 111 and 1114 of title 18, United
22 States Code;

23 “(2) consideration as an eligible officer under
24 subchapter III of chapter 81 of title 5, United
25 States Code; and

1 (1) the timely submission of reports to Con-
2 gress;

3 (2) robust training, as required under Federal
4 law and as needed or requested by Indian tribes or
5 Federal and State officials relating to—

6 (A) public safety in Indian communities;
7 and

8 (B) training outcomes demonstrating a
9 better understanding of public safety ap-
10 proaches in Indian communities;

11 (3) the updating and improvements to United
12 States attorney operational plans;

13 (4) comprehensive evaluation and analysis of
14 data, including approaches to collecting better data,
15 relating to public safety in Indian communities; and

16 (5) other duties or responsibilities as needed to
17 improve public safety in Indian communities.

18 **SEC. 846. INTEGRATION AND COORDINATION OF PRO-**
19 **GRAMS.**

20 (a) IN GENERAL.—

21 (1) CONSULTATION.—Not later than 18 months
22 after the date of enactment of this Act, the Sec-
23 retary of the Interior, the Secretary of Health and
24 Human Services, and the Attorney General shall
25 consult with Indian tribes regarding—

1 (A) the feasibility and effectiveness of the
2 establishment of base funding for, and the inte-
3 gration and consolidation of, Federal law en-
4 forcement, public safety, and substance abuse
5 and mental health programs designed to sup-
6 port Indian tribal communities, for the pur-
7 poses of coordinating the programs, reducing
8 administrative costs, and improving services for
9 Indian tribes, individual Indians, and Indian
10 communities;

11 (B) the use of a single application and re-
12 porting system for the consolidated approach
13 described in subparagraph (A);

14 (C) the application of chapter 75 of title
15 31, United States Code (commonly known as
16 the “Single Audit Act”) to the consolidated ap-
17 proach described in subparagraph (A);

18 (D) the processes for, and approaches for
19 addressing delays in, interagency transfer of
20 funds for the consolidated approach described
21 in subparagraph (A);

22 (E) the method for Federal oversight for
23 the consolidated approach described in subpara-
24 graph (A); and

1 (F) any legal or administrative barriers to
2 the implementation of the consolidated ap-
3 proach described in subparagraph (A).

4 (2) RESPONSIBILITIES.—As part of the con-
5 sultation described in paragraph (1), each applicable
6 unit of the Department of the Interior, the Depart-
7 ment of Health and Human Services, and the De-
8 partment of Justice shall identify—

9 (A) each program under the jurisdiction of
10 that unit that is designed to support Indian
11 tribal communities; and

12 (B) the regulations governing each pro-
13 gram described in subparagraph (A).

14 (3) SUBMISSION OF PLAN.—Not later than 2
15 years after the date of enactment of this Act, the
16 Secretary of the Interior, the Secretary of Health
17 and Human Services, and the Attorney General shall
18 jointly submit to the Committee on Indian Affairs of
19 the Senate, the Committee on Natural Resources of
20 the House of Representatives, and the Committee on
21 the Judiciary of the House of Representatives a plan
22 that includes—

23 (A) the findings of the consultation de-
24 scribed in paragraph (1);

1 (B) the programs identified in accordance
2 with paragraph (2);

3 (C) any legal or administrative barriers to
4 the implementation of the consolidated ap-
5 proach described in paragraph (1)(A); and

6 (D) a method, approach, and timeline for
7 implementing the integration and consolidation
8 described in paragraph (1)(A).

9 (b) PROGRAM EVALUATION.—Not later than 18
10 months after the date of enactment of this Act, the Attor-
11 ney General shall conduct an evaluation of and submit to
12 the Committee on Indian Affairs of the Senate, the Com-
13 mittee on Natural Resources of the House of Representa-
14 tives, the Committee on the Judiciary of the Senate, and
15 the Committee on the Judiciary of the House of Rep-
16 resentatives a report on—

17 (1) law enforcement grants and other resources
18 made available to State, local, and tribal govern-
19 ments under current requirements encouraging
20 intergovernmental cooperation;

21 (2) benefits of, barriers to, and the need for
22 intergovernmental cooperation between State, local,
23 and tribal governments; and

24 (3) recommendations, if any, for incentivizing
25 intergovernmental cooperation, including any legisla-

1 tion or regulations needed to achieve those incen-
2 tives.

3 (c) INTERAGENCY COORDINATION AND COOPERA-
4 TION.—

5 (1) MEMORANDUM OF AGREEMENT.—

6 (A) IN GENERAL.—Not later than 18
7 months after the date of enactment of this Act,
8 the Attorney General, acting through the Bu-
9 reau of Prisons, the Secretary of the Interior,
10 acting through the Office of Justice Services,
11 and the Secretary of Health and Human Serv-
12 ices shall enter into a Memorandum of Agree-
13 ment to cooperate, confer, transfer funds (ex-
14 cept that the funding for the Office of Justice
15 Services shall not be reduced), share resources
16 and, as permitted by law, information on mat-
17 ters relating to the detention of Indian inmates,
18 the reduction of recidivism (including through
19 substance abuse treatment and mental and
20 health care services), and the lease or loan of
21 facilities, technical assistance, training, and
22 equipment.

23 (B) STRATEGIES AND BEST PRACTICES.—

24 Not later than 2 years after the date of enact-
25 ment of this Act, the Attorney General, the Sec-

1 retary of the Interior, the Secretary of Health
2 and Human Services, and, as appropriate, the
3 Administrative Office of the United States
4 Courts shall enter into a Memorandum of
5 Agreement to develop, share, and implement ef-
6 fective strategies, best practices, and resources,
7 and transfer funds (except that the funding for
8 the Office of Justice Services shall not be re-
9 duced), to improve the re-entry of Indian in-
10 mates into Indian communities after incarcer-
11 ation.

12 (2) REQUIREMENTS.—Not later than 1 year
13 after the date of enactment of this Act, the Attorney
14 General, the Secretary of the Interior, and the Sec-
15 retary of Health and Human Services shall—

16 (A) consult with and solicit comments from
17 entities as described in section 4205(c) of the
18 Indian Alcohol and Substance Abuse Prevention
19 and Treatment Act of 1986 (25 U.S.C.
20 2411(c)); and

21 (B) submit to the Committee on Indian Af-
22 fairs of the Senate, the Committee on Natural
23 Resources of the House of Representatives, the
24 Committee on the Judiciary of the Senate, and
25 the Committee on the Judiciary of the House of

1 Representatives a report regarding any legal or
2 regulatory impediments to carrying out sub-
3 paragraphs (A) and (B) of paragraph (1).

4 (3) REPORT.—Not later than 4 years after the
5 date of enactment of this Act, the Attorney General,
6 the Secretary of the Interior, and the Secretary of
7 Health and Human Services shall submit to the
8 Committee on Indian Affairs of the Senate, the
9 Committee on Natural Resources of the House of
10 Representatives, the Committee on the Judiciary of
11 the Senate, and the Committee on the Judiciary of
12 the House of Representatives a report regarding the
13 implementation of the Memoranda of Agreement
14 under subparagraphs (A) and (B) of paragraph (1).

15 **SEC. 847. DATA SHARING WITH INDIAN TRIBES.**

16 (a) INFORMATION SHARING WITH INDIAN TRIBES.—
17 Section 534(d) of title 28, United States Code, is amend-
18 ed—

19 (1) by redesignating paragraphs (1) and (2) as
20 subparagraphs (A) and (B), respectively, and indent-
21 ing appropriately;

22 (2) in the matter preceding subparagraph (A)
23 (as so redesignated), by striking “The Attorney Gen-
24 eral” and inserting the following:

1 “(1) IN GENERAL.—The Attorney General”;
2 and

3 (3) by adding at the end the following:

4 “(2) TRIBAL ACCESS PROGRAM.—Out of any
5 funds available and not otherwise obligated, the At-
6 torney General shall establish and carry out a tribal
7 access program to enhance the ability of tribal gov-
8 ernments to access, enter information into, and ob-
9 tain information from, Federal criminal information
10 databases as authorized under this section.

11 “(3) INFORMATION SHARING.—To the extent
12 otherwise permitted by law, any report issued as a
13 result of the analysis of information entered into
14 Federal criminal information databases or obtained
15 from Federal criminal databases, including for the
16 purpose of conducting background checks, shall be
17 shared with Indian tribes of jurisdiction.”.

18 (b) ACCESS TO NATIONAL CRIMINAL INFORMATION
19 DATABASES.—Section 233(b) of the Tribal Law and
20 Order Act of 2010 (34 U.S.C. 41107; Public Law 111–
21 211) is amended by striking paragraph (1) and inserting
22 the following:

23 “(1) IN GENERAL.—The Attorney General shall
24 ensure that—

1 “(A) Tribal law enforcement officials that
2 meet applicable Federal or State requirements
3 be permitted access to national crime informa-
4 tion databases;

5 “(B) technical assistance and training to
6 Office of Justice Services and tribal law en-
7 forcement officials is provided to gain access
8 and input ability to use the National Criminal
9 Information Center and other national crime in-
10 formation databases pursuant to section 534 of
11 title 28, United States Code; and

12 “(C) the Federal Bureau of Investigation
13 coordinates with the Office of Justice Services
14 to ensure Indian tribal law enforcement agen-
15 cies are assigned appropriate credentials or ORI
16 numbers for uniform crime reporting pur-
17 poses.”.

18 (c) BUREAU OF JUSTICE STATISTICS.—Section
19 302(d) of the Omnibus Crime Control and Safe Streets
20 Act of 1968 (34 U.S.C. 10132(d)) is amended—

21 (1) by striking the subsection designation and
22 all that follows through “To ensure” in paragraph
23 (1) and inserting the following:

24 “(d) JUSTICE STATISTICAL COLLECTION, ANALYSIS,
25 AND DISSEMINATION.—

1 “(1) IN GENERAL.—To ensure”;

2 (2) in paragraph (1)—

3 (A) in subparagraph (E), by striking
4 “and” at the end;

5 (B) in subparagraph (F), by striking the
6 period at the end and inserting “; and”; and

7 (C) by adding at the end the following:

8 “(G) confer and cooperate with the Office
9 of Justice Services as needed to carry out the
10 purposes of this part, including by entering into
11 cooperative resource and data sharing agree-
12 ments in conformity with all laws and regula-
13 tions applicable to the disclosure and use of
14 data.”; and

15 (3) in paragraph (2)—

16 (A) by striking “The Director” and insert-
17 ing the following:

18 “(A) IN GENERAL.—The Director”; and

19 (B) by adding at the end the following:

20 “(B) INFORMATION SHARING REQUIRE-
21 MENT.—Analysis of the information collected
22 under subparagraph (A) shall be shared with
23 the Indian tribe that provided the information
24 that was collected.”.

1 (d) REPORTS TO TRIBES.—Section 10(b) of the In-
2 dian Law Enforcement Reform Act (25 U.S.C. 2809(b))
3 is amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (B), by redesignating
6 clauses (i) and (ii) as subclauses (I) and (II),
7 respectively, and indenting appropriately; and

8 (B) by redesignating subparagraphs (A)
9 and (B) as clauses (i) and (ii), respectively, and
10 indenting appropriately;

11 (2) by redesignating paragraphs (1) and (2) as
12 subparagraphs (A) and (B), respectively, and indent-
13 ing appropriately;

14 (3) in the matter preceding subparagraph (A)
15 (as so redesignated), by striking “The Attorney Gen-
16 eral” and inserting the following:

17 “(1) IN GENERAL.—The Attorney General”;
18 and

19 (4) by adding at the end the following:

20 “(2) CONSULTATION.—Not later than 1 year
21 after the date of enactment of the Tribal Law and
22 Order Reauthorization and Amendments Act of
23 2019, and every 5 years thereafter, the Attorney
24 General shall consult with Indian tribes, including
25 appropriate tribal justice officials, regarding—

1 “(A) the annual reports described in para-
2 graph (1) to improve the data collected, the in-
3 formation reported, and the reporting system;
4 and

5 “(B) improvements to the processes for the
6 satisfaction of the requirements for coordination
7 described in paragraphs (1) and (3) of sub-
8 section (a), or to the reporting requirements
9 under paragraph (1).”.

10 (e) ENHANCED ABILITY OF TRIBAL GOVERNMENTS
11 TO USE FEDERAL CRIMINAL INFORMATION DATA-
12 BASES.—The Attorney General is authorized to use any
13 balances remaining for the account under the heading “VI-
14 OLENCE AGAINST WOMEN PREVENTION AND PROSECU-
15 TION PROGRAMS” under the heading “STATE AND LOCAL
16 LAW ENFORCEMENT ACTIVITIES OFFICE ON VIOLENCE
17 AGAINST WOMEN” of the Department of Justice from ap-
18 propriations for full fiscal years prior to the date of enact-
19 ment of this Act for tracking violence against Indian
20 women, as authorized by section 905(b) of the Violence
21 Against Women and Department of Justice Reauthoriza-
22 tion Act of 2005 (34 U.S.C. 20903), to enhance the ability
23 of Tribal Government entities to access, enter information
24 into, and obtain information from, Federal criminal infor-
25 mation databases, as authorized by section 534 of title 28,

1 United States Code. Some or all of such balances may be
2 transferred, at the discretion of the Attorney General, to
3 the account under the heading “JUSTICE INFORMATION
4 SHARING TECHNOLOGY” under the heading “GENERAL
5 ADMINISTRATION” of the Department of Justice for the
6 tribal access program for national crime information in
7 furtherance of the objectives described in the previous sen-
8 tence.

9 **SEC. 848. JUDICIAL ADMINISTRATION IN INDIAN COUNTRY.**

10 (a) BUREAU OF PRISONS TRIBAL PRISONER PRO-
11 GRAM.—Section 234(c) of the Tribal Law and Order Act
12 of 2010 (25 U.S.C. 1302 note; Public Law 111–211) is
13 amended—

14 (1) in paragraph (5), by striking “3 years after
15 the date of establishment of the pilot program” and
16 inserting “5 years after the date of enactment of the
17 Tribal Law and Order Reauthorization and Amend-
18 ments Act of 2019”;

19 (2) by redesignating paragraph (6) as para-
20 graph (7);

21 (3) by inserting after paragraph (5) the fol-
22 lowing:

23 “(6) CONSULTATION.—Not later than 1 year
24 after the date of enactment of the Tribal Law and
25 Order Reauthorization and Amendments Act of

1 2019, the Director of the Bureau of Prisons and the
2 Director of the Office of Justice Services shall co-
3 ordinate and consult with Indian tribes to develop
4 improvements in implementing the pilot program, in-
5 cluding intergovernmental communication, training,
6 processes, and other subject matters as appro-
7 priate.”; and

8 (4) in paragraph (7) (as redesignated), by strik-
9 ing “paragraph shall expire—on the date that is 4
10 years after the date on which the program is estab-
11 lished” and inserting “subsection—

12 “(A) shall expire, with respect to any new
13 requests for confinement, on the date that is 9
14 years after the date of enactment of the Tribal
15 Law and Order Reauthorization and Amend-
16 ments Act of 2019; and

17 “(B) may be temporarily extended for of-
18 fenders who have been confined through the
19 program under this subsection before the expi-
20 ration date described in subparagraph (B) and
21 whose underlying tribal conviction has not yet
22 expired, except in no case shall such extension
23 exceed the maximum period of time authorized
24 under tribal law, pursuant to section 202 of
25 Public Law 90–284 (25 U.S.C. 1302) (com-

1 monly known as the ‘Indian Civil Rights Act of
2 1968’).”.

3 (b) CONSULTATION FOR JUVENILE JUSTICE RE-
4 FORM.—Section 3 of the Indian Law Enforcement Reform
5 Act (25 U.S.C. 2802) is amended by adding at the end
6 the following:

7 “(g) CONSULTATION FOR JUVENILE JUSTICE RE-
8 FORM.—Not later than 1 year after date of enactment of
9 this subsection, the Director of the Office of Justice Serv-
10 ices, the Director of the Bureau of Prisons, the Director
11 of the Indian Health Service, the Administrator of the Of-
12 fice of Juvenile Justice and Delinquency Prevention, and
13 the Administrator of the Substance Abuse and Mental
14 Health Services Administration shall consult with Indian
15 tribes regarding Indian juvenile justice and incarceration,
16 including—

17 “(1) the potential for using Office of Justice
18 Services or tribal juvenile facilities for the incarcer-
19 ation of Indian youth in the Federal system as alter-
20 native locations closer to the communities of the In-
21 dian youth;

22 “(2) improving community-based options for
23 the services needed and available for Indian youth in
24 Federal incarceration;

25 “(3) barriers to the use of—

1 “(A) alternatives to incarceration; or

2 “(B) cross-agency services for Indian
3 youth in incarceration; and

4 “(4) the application of the Federal sentencing
5 guidelines to Indian youth.”.

6 **SEC. 849. FEDERAL NOTICE.**

7 Section 10 of the Indian Law Enforcement Reform
8 Act (25 U.S.C. 2809) is amended by adding at the end
9 the following:

10 “(d) FEDERAL NOTICE.—On conviction in any dis-
11 trict court of the United States of an enrolled member
12 of a federally recognized Indian tribe, the Office of the
13 United States Attorney for the district in which the mem-
14 ber was convicted may provide to the appropriate tribal
15 justice official notice of the conviction and any other perti-
16 nent information otherwise permitted by law.”.

17 **SEC. 850. DETENTION FACILITIES.**

18 (a) INDIAN LAW ENFORCEMENT REFORM ACT.—
19 Section 3 of the Indian Law Enforcement Reform Act (25
20 U.S.C. 2802) (as amended by section 848(b)) is amended
21 by adding at the end the following:

22 “(h) ALTERNATIVES TO DETENTION.—In carrying
23 out the responsibilities of the Secretary under this Act or
24 title II of Public Law 90–284 (commonly known as the
25 ‘Indian Civil Rights Act of 1968’) (25 U.S.C. 1301 et

1 seq.), the Secretary shall authorize an Indian tribe car-
2 rying out a contract or compact pursuant to the Indian
3 Self-Determination and Education Assistance Act (25
4 U.S.C. 5304 et seq.), on request of the Indian tribe, to
5 use any available detention funding from the contract or
6 compact for such appropriate alternatives to detention to
7 which the Indian tribe and Secretary, acting through the
8 Director of the Office of Justice Services, mutually
9 agree.”.

10 (b) INDIAN TRIBAL JUSTICE ACT.—Section 103 of
11 the Indian Tribal Justice Act (25 U.S.C. 3613) is amend-
12 ed—

13 (1) by redesignating subsection (c) as sub-
14 section (d); and

15 (2) by inserting after subsection (b) the fol-
16 lowing:

17 “(c) ALTERNATIVES TO DETENTION.—In carrying
18 out the responsibilities of the Secretary under this Act or
19 title II of Public Law 90–284 (commonly known as the
20 ‘Indian Civil Rights Act of 1968’) (25 U.S.C. 1301 et
21 seq.), the Secretary shall authorize an Indian tribe car-
22 rying out a contract or compact pursuant to the Indian
23 Self-Determination and Education Assistance Act (25
24 U.S.C. 5304 et seq.), on request of the Indian tribe, to
25 use any available detention funding from the contract or

1 compact for such appropriate alternatives to detention to
2 which the Indian tribe and Secretary, acting through the
3 Director of the Office of Justice Services, mutually
4 agree.”.

5 (c) JUVENILE DETENTION CENTERS.—Section
6 4220(b) of the Indian Alcohol and Substance Abuse Pre-
7 vention and Treatment Act of 1986 (25 U.S.C. 2453(b))
8 is amended by striking “2011 through 2015” each place
9 it appears and inserting “2020 through 2024”.

10 (d) PAYMENTS FOR INCARCERATION ON TRIBAL
11 LAND.—Section 20109(a) of the Violent Crime Control
12 and Law Enforcement Act of 1994 (34 U.S.C. 12109) is
13 amended by striking “2011 through 2015” and inserting
14 “2020 through 2024”.

15 **SEC. 851. REAUTHORIZATION FOR TRIBAL COURTS TRAIN-**
16 **ING.**

17 (a) TRIBAL JUSTICE SYSTEMS.—Section 201 of the
18 Indian Tribal Justice Act (25 U.S.C. 3621) is amended
19 by striking “2011 through 2015” each place it appears
20 and inserting “2020 through 2024”.

21 (b) TECHNICAL AND LEGAL ASSISTANCE.—

22 (1) AUTHORIZATION OF APPROPRIATIONS.—
23 Section 107 of the Indian Tribal Justice Technical
24 and Legal Assistance Act of 2000 (25 U.S.C. 3666)

1 is amended by striking “2011 through 2015” and
2 inserting “2020 through 2024”.

3 (2) GRANTS.—Section 201(d) of the Indian
4 Tribal Justice Technical and Legal Assistance Act of
5 2000 (25 U.S.C. 3681(d)) is amended by striking
6 “2011 through 2015” and inserting “2020 through
7 2024”.

8 **SEC. 852. PUBLIC DEFENDERS.**

9 The Indian Law Enforcement Reform Act is amend-
10 ed by inserting after section 13 (25 U.S.C. 2810) the fol-
11 lowing:

12 **“SEC. 13A. PUBLIC DEFENSE IN INDIAN COUNTRY.**

13 “(a) IN GENERAL.—Not later than one year after the
14 date of enactment of this Act, the Director of the Adminis-
15 trative Office of the United States Courts shall collaborate
16 and consult with Indian tribes, including relevant tribal
17 court personnel, regarding—

18 “(1) developing working relationships and
19 maintaining communication with tribal leaders and
20 tribal community, including the interchange and un-
21 derstanding of cultural issues that may impact the
22 effective assistance of counsel; and

23 “(2) providing technical assistance and training
24 regarding criminal defense techniques and strategies,

1 forensics, and reentry programs and strategies for
2 responding to crimes occurring in Indian country.

3 “(b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the Director of the Administrative Office of the
5 United States Courts and the Attorney General should
6 work together to ensure that each district that includes
7 Indian country has sufficient resources to provide ade-
8 quate criminal defense representation for defendants in
9 Indian country.”.

10 **SEC. 853. OFFENSES IN INDIAN COUNTRY: TRESPASS ON IN-**
11 **DIAN LAND.**

12 (a) IN GENERAL.—Section 1165 of title 18, United
13 States Code, is amended—

14 (1) in the section heading, by striking “**Hunt-**
15 **ing, trapping, or fishing on Indian land**”
16 and inserting “**Criminal trespass**”;

17 (2) by inserting “(referred to in this section as
18 ‘tribal land’)” after “for Indian use”;

19 (3) by striking “Whoever” and inserting the fol-
20 lowing:

21 “(a) HUNTING, TRAPPING, OR FISHING ON INDIAN
22 LAND.—Whoever”; and

23 (4) by adding at the end the following:

24 “(b) VIOLATION OF TRIBAL EXCLUSION ORDER.—

1 “(1) DEFINITION OF EXCLUSION ORDER.—In
2 this subsection, the term ‘exclusion order’ means an
3 order issued in a proceeding by a court of an Indian
4 tribe that temporarily or permanently excludes a
5 person from the Indian country of the Indian tribe
6 because of a criminal conviction or civil adjudication
7 under the laws of the tribal government for a
8 victimless crime such as—

9 “(A) criminal street gang activity (as de-
10 fined under section 521 of this title); or

11 “(B) the sale and distribution of controlled
12 substances (as defined in section 102 of the
13 Controlled Substances Act (21 U.S.C. 802)).

14 “(2) VIOLATION DESCRIBED.—It shall be un-
15 lawful for any person to knowingly violate the terms
16 of an exclusion order that was issued by a court of
17 an Indian tribe in accordance with paragraph (4).

18 “(3) PENALTY.—Any person who violates para-
19 graph (2) shall be fined not more than \$5,000, im-
20 prisoned for not more than 1 year, or both.

21 “(4) REQUIREMENTS.—The violation described
22 in paragraph (2) applies only to an exclusion
23 order—

24 “(A) for which—

1 “(i) the act occurs in the Indian coun-
2 try of the Indian tribe;

3 “(ii) the court issuing the exclusion
4 order has jurisdiction over the parties and
5 matter under the law of the Indian tribe;
6 and

7 “(iii) the underlying complaint in-
8 cluded—

9 “(I) a plain statement of facts
10 that, if true, would provide the basis
11 for the issuance of an exclusion order
12 against the respondent;

13 “(II) the date, time, and place
14 for a hearing on the complaint; and

15 “(III) a statement informing the
16 respondent that if the respondent fails
17 to appear at the hearing on the com-
18 plaint, an order may issue, the viola-
19 tion of which may result in—

20 “(aa) criminal prosecution
21 under Federal law; and

22 “(bb) the imposition of a
23 fine or imprisonment, or both;

24 “(B) for which a hearing on the underlying
25 complaint sufficient to protect the right of the

1 respondent to due process was held on the
2 record, at which the respondent was provided
3 reasonable notice and an opportunity to be
4 heard and present testimony of witnesses and
5 other evidence as to why the order should not
6 issue;

7 “(C) that—

8 “(i) temporarily or permanently ex-
9 cludes the respondent from the Indian
10 country of the Indian tribe; and

11 “(ii) includes a statement that a viola-
12 tion of the order may result in—

13 “(I) criminal prosecution under
14 Federal law; and

15 “(II) the imposition of a fine or
16 imprisonment, or both; and

17 “(D) with which the respondent was served
18 or of which the respondent had actual notice.

19 “(5) TRIBAL COURT JURISDICTION.—For pur-
20 poses of this section, a court of an Indian tribe shall
21 have full civil jurisdiction to issue and enforce exclu-
22 sion orders involving any person, including the au-
23 thority to enforce any orders through civil contempt
24 proceedings, to exclude violators from the Indian

1 country of the Indian tribe, or otherwise within the
2 authority of the Indian tribe.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENT.—

4 The table of sections for chapter 53 of title 18, United
5 States Code, is amended by striking the item relating to
6 section 1165 and inserting the following:

“1165. Criminal trespass.”.

7 **SEC. 854. RESOURCES FOR PUBLIC SAFETY IN INDIAN COM-**
8 **MUNITIES; DRUG TRAFFICKING PREVENTION.**

9 (a) SHADOW WOLVES.—

10 (1) IN GENERAL.—There is established within
11 the Bureau of Immigration and Customs Enforce-
12 ment of the Department of Homeland Security a di-
13 vision to be known as the “Shadow Wolves Divi-
14 sion”.

15 (2) DUTIES.—The Shadow Wolves Division
16 shall—

17 (A) carry out such duties as are assigned
18 by the Director of the Bureau of Immigration
19 and Customs Enforcement; and

20 (B) in carrying out those duties, coordi-
21 nate with the Office of Justice Services and
22 other applicable Federal agencies and State and
23 tribal governments.

24 (b) REAUTHORIZATION OF FUNDING TO COMBAT IL-
25 LEGAL NARCOTICS TRAFFICKING.—Section 4216 of the

1 Indian Alcohol and Substance Abuse Prevention and
2 Treatment Act of 1986 (25 U.S.C. 2442) is amended by
3 striking “2011 through 2015” each place it appears and
4 inserting “2020 through 2024”.

5 (c) MAINTENANCE OF CERTAIN INDIAN RESERVA-
6 TION ROADS.—The Commissioner of U.S. Customs and
7 Border Protection may transfer funds to the Director of
8 the Bureau of Indian Affairs to maintain or repair roads
9 under the jurisdiction of the Director, on the condition
10 that the Commissioner and the Director mutually agree
11 that the primary user of the subject road is U.S. Customs
12 and Border Protection.

13 **SEC. 855. SUBSTANCE ABUSE PREVENTION TRIBAL ACTION**
14 **PLANS.**

15 (a) INTER-DEPARTMENTAL MEMORANDUM OF
16 AGREEMENT.—Section 4205(a) of the Indian Alcohol and
17 Substance Abuse Prevention and Treatment Act of 1986
18 (25 U.S.C. 2411(a)) is amended—

19 (1) in the matter preceding paragraph (1), by
20 inserting “the Secretary of Agriculture, the Sec-
21 retary of Housing and Urban Development,” after
22 “the Attorney General,”;

23 (2) in paragraph (2)(A), by inserting “the De-
24 partment of Agriculture, the Department of Housing

1 and Urban Development,” after “Services Adminis-
2 tration,”;

3 (3) in paragraph (5), by inserting “the Depart-
4 ment of Agriculture, the Department of Housing
5 and Urban Development,” after “Services Adminis-
6 tration,”; and

7 (4) in paragraph (7) by inserting “the Sec-
8 retary of Agriculture, the Secretary of Housing and
9 Urban Development,” after “the Attorney General,”.

10 (b) REAUTHORIZATION OF TRIBAL ACTION PLANS
11 FUNDS.—Section 4206(d)(2) of the Indian Alcohol and
12 Substance Abuse Prevention and Treatment Act of 1986
13 (25 U.S.C. 2412(d)(2)) is amended by striking “2011
14 through 2015” and inserting “2020 through 2024”.

15 (c) GRANTS FOR TRAINING, EDUCATION, AND PRE-
16 VENTION PROGRAMS.—Section 4206(f)(3) of the Indian
17 Alcohol and Substance Abuse Prevention and Treatment
18 Act of 1986 (25 U.S.C. 2412(f)(3)) is amended by striking
19 “2011 through 2015” and inserting “2020 through
20 2024”.

21 **SEC. 856. OFFICE OF JUSTICE SERVICES SPENDING RE-**
22 **PORT.**

23 Section 3(c)(16)(C) of the Indian Law Enforcement
24 Reform Act (25 U.S.C. 2802(c)(16)(C)) is amended by in-

1 serring “health care, behavioral health, and tele-health
2 needs at tribal jails,” after “court facilities,”.

3 **SEC. 857. TRAFFICKING VICTIMS PROTECTION.**

4 Section 107(f)(3) of the Trafficking Victims Protec-
5 tion Act of 2000 (22 U.S.C. 7105(f)(3)) is amended by
6 adding at the end the following:

7 “(C) REPORT.—For each grant awarded
8 under this subsection, the Secretary of Health
9 and Human Services and the Attorney General,
10 in consultation with the Secretary of Labor,
11 shall submit to Congress a report that lists—

12 “(i) the total number of entities that
13 received a grant under this subsection that
14 directly serve or are Indian tribal govern-
15 ments or tribal organizations; and

16 “(ii) the total number of health care
17 providers and other related providers that
18 participated in training supported by the
19 pilot program who are employees of the In-
20 dian Health Service.”.

21 **SEC. 858. REPORTING ON INDIAN VICTIMS OF TRAF-**
22 **FICKING.**

23 (a) IN GENERAL.—The Director of the Office of Jus-
24 tice Programs, the Director of the Office on Violence
25 Against Women, and the Assistant Secretary for the Ad-

1 ministration for Children and Families shall require each
2 grantee that receives funds to serve victims of severe
3 forms of trafficking in persons to report, as appropriate—

4 (1) the number of human trafficking victims
5 served with grant funding; and

6 (2) the number of human trafficking victims
7 that are members of an Indian tribe.

8 (b) EXCEPTIONS; RESPECTING VICTIM PRIVACY.—

9 (1) RULE OF CONSTRUCTION.—Nothing in this
10 section shall be construed to require an individual
11 victim seeking services from a grantee described in
12 subsection (a) to report the individual’s Native
13 American status or any other personally identifiable
14 information the individual wishes to remain con-
15 fidential.

16 (2) PROHIBITION ON DENIAL OF SERVICE.—A
17 grantee described in subsection (a) may not deny
18 services to a victim on the basis that the victim de-
19 clines to provide information on the victim’s Native
20 American status or any other personally identifiable
21 information the victim wishes to remain confidential.

22 (c) REPORT.—Not later than January 1 of each year,
23 the Attorney General shall submit to Congress a report
24 on the data collected in accordance with subsection (a).

**PART II—IMPROVING JUSTICE FOR INDIAN
YOUTH**

**SEC. 861. FEDERAL JURISDICTION OVER INDIAN JUVE-
NILES.**

Section 5032 of title 18, United States Code, is amended—

(1) in the first undesignated paragraph—

(A) in paragraph (1), by inserting “or Indian tribe” after “court of a State”; and

(B) in paragraph (2), by inserting “or Indian tribe” after “the State”;

(2) in the second undesignated paragraph—

(A) in the first sentence, by inserting “or Indian tribe” after “such State”; and

(B) by adding at the end the following: “In this section, the term ‘Indian tribe’ has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130).”;

(3) in the third undesignated paragraph, in the first sentence, by inserting “or Indian tribe” after “State”; and

(4) in the fourth undesignated paragraph, in the first sentence—

(A) by inserting “or Indian tribal” after “State”; and

1 (B) by inserting “, or of a representative
2 of an Indian tribe of which the juvenile is a
3 member,” after “counsel”.

4 **SEC. 862. REAUTHORIZATION OF TRIBAL YOUTH PRO-**
5 **GRAMS.**

6 (a) SUMMER YOUTH PROGRAMS.—Section
7 4212(a)(3) of the Indian Alcohol and Substance Abuse
8 Prevention and Treatment Act of 1986 (25 U.S.C.
9 2432(a)(3)) is amended by striking “2011 through 2015”
10 and inserting “2020 through 2024”.

11 (b) EMERGENCY SHELTERS.—Section 4213(e) of the
12 Indian Alcohol and Substance Abuse Prevention and
13 Treatment Act of 1986 (25 U.S.C. 2433(e)) is amended,
14 in paragraphs (1) and (2), by striking “2011 through
15 2015” each place it appears and inserting “2020 through
16 2024”.

17 **SEC. 863. ASSISTANCE FOR INDIAN TRIBES RELATING TO**
18 **JUVENILE CRIME.**

19 The Indian Law Enforcement Reform Act (25 U.S.C.
20 2801 et seq.) is amended by adding at the end the fol-
21 lowing:

22 **“SEC. 18. ASSISTANCE FOR INDIAN TRIBES RELATING TO**
23 **JUVENILE CRIME.**

24 “(a) ACTIVITIES.—Not later than 1 year after the
25 date of enactment of this section, the Secretary shall co-

1 ordinate with the Secretary of Health and Human Serv-
2 ices, the Attorney General, and the Administrator of the
3 Office of Juvenile Justice and Delinquency Prevention
4 within the Department of Justice (referred to in this sec-
5 tion as the ‘Administrator’)—

6 “(1) to assist Indian tribal governments in ad-
7 dressing juvenile offenses and crime through tech-
8 nical assistance, research, training, evaluation, and
9 the dissemination of information on effective, evi-
10 dence-based, and promising programs and practices
11 for combating juvenile delinquency;

12 “(2) to conduct consultation, not less frequently
13 than biannually, with Indian tribes regarding—

14 “(A) strengthening the government-to-gov-
15 ernment relationship between the Federal Gov-
16 ernment and Indian tribes relating to juvenile
17 justice issues;

18 “(B) improving juvenile delinquency pro-
19 grams, services, and activities affecting Indian
20 youth and Indian tribes;

21 “(C) improving coordination among Fed-
22 eral departments and agencies to reduce juve-
23 nile offenses, delinquency, and recidivism;

1 “(D) the means by which traditional or
2 cultural tribal programs may serve or be devel-
3 oped as promising or evidence-based programs;

4 “(E) a process and means of submitting to
5 the Attorney General and the Secretary an
6 analysis and evaluation of the effectiveness of
7 the programs and activities carried out for juve-
8 nile justice systems in which Indian youth are
9 involved, including a survey of tribal needs; and

10 “(F) any other matters relating to improv-
11 ing juvenile justice for Indian youth;

12 “(3) to develop a means for collecting data on
13 the number of offenses committed by Indian youth
14 in Federal, State, and tribal jurisdictions, including
15 information regarding—

16 “(A) the offenses (including status of-
17 fenses), charges, disposition, and case outcomes
18 for each Indian youth;

19 “(B) whether the Indian youth was held in
20 pre-adjudication detention;

21 “(C) whether the Indian youth was re-
22 moved from home, and for which offenses;

23 “(D) whether the Indian youth was at any
24 point placed in secure confinement; and

1 “(E) an assessment of the degree to which
2 the notice of removal for status offenses was
3 provided under section 102(a) of the Act of No-
4 vember 8, 1978 (Public Law 95–608);

5 “(4) to develop a process for informing Indian
6 tribal governments when a juvenile member of that
7 Indian tribe comes in contact with the juvenile jus-
8 tice system of the Federal, State, or other unit of
9 local government and for facilitating intervention by,
10 the provision of services by, or coordination with,
11 such Indian tribe for any Indian juvenile member of
12 that Indian tribe or other local Indian tribes;

13 “(5) to facilitate the incorporation of tribal cul-
14 tural or traditional practices designed to reduce de-
15 linquency among Indian youth into Federal, State,
16 or other unit of local government juvenile justice
17 systems or programs;

18 “(6) to develop or incorporate in existing pro-
19 grams partnerships among State educational agen-
20 cies, local educational agencies, and Bureau-funded
21 schools (as defined in section 1141 of the Education
22 Amendments of 1978 (25 U.S.C. 2021)); and

23 “(7) to conduct research and evaluate—

24 “(A) the number of Indian juveniles who,
25 prior to placement in the juvenile justice sys-

1 tem, were under the care or custody of a State
2 or tribal child welfare system and the number
3 of Indian juveniles who are unable to return to
4 their family after completing their disposition in
5 the juvenile justice system and who remain
6 wards of the State or Indian tribe;

7 “(B) the extent to which State and tribal
8 juvenile justice systems and child welfare sys-
9 tems are coordinating systems and treatment
10 for the juveniles referred to in subparagraph
11 (A);

12 “(C) the types of post-placement services
13 used;

14 “(D) the frequency of case plan reviews for
15 juveniles referred to in subparagraph (A) and
16 the extent to which these case plans identify
17 and address permanency and placement bar-
18 riers and treatment plans;

19 “(E) services, treatment, and aftercare
20 placement of Indian juveniles who were under
21 the care of the State or tribal child protection
22 system before their placement in the juvenile
23 justice system;

1 “(F) the frequency, seriousness, and inci-
2 dence of drug use by Indian youth in schools
3 and tribal communities;

4 “(G) in consultation and coordination with
5 Indian tribes—

6 “(i) the structure and needs of tribal
7 juvenile justice systems;

8 “(ii) the characteristics and outcomes
9 for youth in tribal juvenile systems; and

10 “(iii) recommendations for improving
11 tribal juvenile justice systems; and

12 “(H) educational program offerings for in-
13 carcerated Indian juveniles, the educational at-
14 tainment of incarcerated Indian juveniles, and
15 potential links to recidivism among previously
16 incarcerated Indian juveniles and delayed edu-
17 cational opportunities while incarcerated.

18 “(b) CONSULTATION POLICY.—Not later than 1 year
19 after the date of enactment of this section, the Attorney
20 General and the Administrator shall issue a tribal con-
21 sultation policy for the Office of Juvenile Justice and De-
22 linquency Prevention to govern the consultation by the Of-
23 fice to be conducted under subsection (a).

24 “(c) ACTION.—Not later than 3 years after the date
25 of enactment of the Tribal Law and Order Reauthoriza-

1 tion and Amendments Act of 2019, the Administrator
 2 shall implement the improvements, processes, and other
 3 activities under paragraphs (3), (4), (5), and (6) of sub-
 4 section (a).

5 “(d) REPORT.—Not later than 3 years after the date
 6 of enactment of the Tribal Law and Order Reauthoriza-
 7 tion and Amendments Act of 2019, the Administrator
 8 shall submit to the Committee on the Judiciary and the
 9 Committee on Indian Affairs of the Senate and the Com-
 10 mittee on Education and Labor of the House of Rep-
 11 resentatives a report that summarizes the results of the
 12 consultation activities described in subsection (a)(2) and
 13 consultation policy described in subsection (b), rec-
 14 ommendations, if any, for ensuring the implementation of
 15 paragraphs (3), (4), (5), and (6) of subsection (a), and
 16 any recommendations of the Coordinating Council on Ju-
 17 venile Justice and Delinquency Prevention regarding im-
 18 proving resource and service delivery to Indian tribal com-
 19 munities.”.

20 **SEC. 864. COORDINATING COUNCIL ON JUVENILE JUSTICE**
 21 **AND DELINQUENCY PREVENTION.**

22 Section 206 of the Juvenile Justice and Delinquency
 23 Prevention Act of 1974 (34 U.S.C. 11116) is amended—

24 (1) in subsection (a)—

25 (A) in paragraph (1)—

1 (i) by inserting “the Director of the
2 Indian Health Service,” after “the Sec-
3 retary of Health and Human Services,”;
4 and

5 (ii) by striking “Commissioner of Im-
6 migration and Naturalization” and insert-
7 ing “Assistant Secretary for Immigration
8 and Customs Enforcement, the Secretary
9 of the Interior, the Assistant Secretary for
10 Indian Affairs”; and

11 (B) in paragraph (2)(A), by striking
12 “United States” and inserting “Federal Gov-
13 ernment”; and

14 (2) in subsection (c)(1)—

15 (A) in the first sentence, by inserting “,
16 tribal,” after “State”; and

17 (B) in the second sentence, by inserting
18 “tribal,” before “and local”.

19 **SEC. 865. GRANTS FOR DELINQUENCY PREVENTION PRO-**
20 **GRAMS.**

21 Section 504 of the Juvenile Justice and Delinquency
22 Prevention Act of 1974 (34 U.S.C. 11313) is amended—

23 (1) in subsection (a), in the matter preceding
24 paragraph (1), by striking “tribe” and inserting
25 “tribes”; and

1 (2) in subsection (d)(4), by striking “2011
2 through 2015” and inserting “2020 through 2024”.

3 **Subtitle E—BADGES for Native**
4 **Communities Act**

5 **SEC. 871. SHORT TITLE.**

6 This subtitle may be cited as the “Bridging Agency
7 Data Gaps and Ensuring Safety for Native Communities
8 Act” or the “BADGES for Native Communities Act”.

9 **SEC. 872. DEFINITIONS.**

10 In this subtitle:

11 (1) **DIRECTOR.**—The term “Director” means
12 the Director of the Office of Justice Services.

13 (2) **FEDERAL LAW ENFORCEMENT AGENCY.**—
14 The term “Federal law enforcement agency” means
15 the Bureau of Indian Affairs direct-service police,
16 the Federal Bureau of Investigation, and any other
17 Federal law enforcement agency that—

18 (A) has jurisdiction over crimes in Indian
19 country; or

20 (B) investigates missing persons cases of
21 interest to Indian tribes, murder cases of inter-
22 est to Indian tribes, or unidentified remains
23 cases of interest to Indian tribes.

24 (3) **INDIAN.**—The term “Indian” has the mean-
25 ing given the term in section 4 of the Indian Self-

1 Determination and Education Assistance Act (25
2 U.S.C. 5304).

3 (4) INDIAN COUNTRY.—The term “Indian coun-
4 try” has the meaning given the term in section 1151
5 of title 18, United States Code.

6 (5) INDIAN LAND.—The term “Indian land”
7 has the meaning given the term “Indian lands” in
8 section 3 of the Native American Business Develop-
9 ment, Trade Promotion, and Tourism Act of 2000
10 (25 U.S.C. 4302).

11 (6) INDIAN TRIBE.—The term “Indian tribe”
12 has the meaning given the term in section 4 of the
13 Indian Self-Determination and Education Assistance
14 Act (25 U.S.C. 5304).

15 (7) MANSLAUGHTER.—The term “man-
16 slaughter” has the meaning given the term in sec-
17 tion 1112 of title 18, United States Code.

18 (8) MISSING.—The term “missing” has the
19 meaning determined by the applicable Federal law
20 enforcement agency.

21 (9) MISSING PERSONS CASE OF INTEREST TO
22 INDIAN TRIBES.—The term “missing persons case of
23 interest to Indian tribes” means a case involving—

24 (A) a missing Indian; or

1 (B) a missing person whose last known lo-
2 cation is believed to be on, in, or near Indian
3 land.

4 (10) MURDER.—The term “murder” has the
5 meaning given the term in section 1111 of title 18,
6 United States Code.

7 (11) MURDER CASE OF INTEREST TO INDIAN
8 TRIBES.—The term “murder case of interest to In-
9 dian tribes” means a case involving—

10 (A) a murdered Indian; or

11 (B) a person murdered on, in, or near In-
12 dian land.

13 (12) MURDERED.—The term “murdered”, with
14 respect to a person, means the person was the victim
15 of—

16 (A) murder; or

17 (B) manslaughter.

18 (13) NATIONAL CRIME INFORMATION DATA-
19 BASES.—The term “national crime information
20 databases” has the meaning given the term in sec-
21 tion 534(f)(3) of title 28, United States Code.

22 (14) RELEVANT TRIBAL STAKEHOLDER.—The
23 term “relevant Tribal stakeholder” means, as appli-
24 cable—

25 (A) an Indian tribe;

1 (B) a tribal organization; and

2 (C) a national or regional organization

3 that—

4 (i) represents a substantial Indian
5 constituency; and

6 (ii) has expertise in the fields of—

7 (I) human trafficking;

8 (II) violence against women and
9 children; or

10 (III) Tribal justice systems.

11 (15) SECRETARY.—The term “Secretary”
12 means the Secretary of the Interior.

13 (16) TRIBAL JUSTICE OFFICIAL.—The term
14 “tribal justice official” has the meaning given the
15 term in section 2 of the Indian Law Enforcement
16 Reform Act (25 U.S.C. 2801).

17 (17) TRIBAL ORGANIZATION.—The term “tribal
18 organization” has the meaning given the term in
19 section 4 of the Indian Self-Determination and Edu-
20 cation Assistance Act (25 U.S.C. 5304).

21 (18) UNIDENTIFIED REMAINS CASE OF INTER-
22 EST TO INDIAN TRIBES.—The term “unidentified re-
23 mains case of interest to Indian tribes” means a
24 case involving—

25 (A) unidentified Indian remains; or

1 (B) unidentified remains found on, in, or
2 near Indian land.

3 **PART I—BRIDGING AGENCY DATA GAPS**

4 **SEC. 873. FEDERAL LAW ENFORCEMENT DATABASE RE-**
5 **PORTING REQUIREMENTS.**

6 (a) IN GENERAL.—Section 151(a) of the Sex Of-
7 fender Registration and Notification Act (34 U.S.C.
8 20961(a)) is amended—

9 (1) in paragraph (1), by striking “and” after
10 the semicolon;

11 (2) by redesignating paragraph (2) as para-
12 graph (3); and

13 (3) by inserting after paragraph (1) the fol-
14 lowing:

15 “(2) the National Missing and Unidentified
16 Persons System, to be used by a person accessing
17 the System only within the scope of the work of the
18 person in assisting or supporting law enforcement
19 efforts to solve missing, unidentified, and unclaimed
20 person cases across the United States; and”.

21 (b) SHARING OF INFORMATION.—Not later than 2
22 years after the date of enactment of this Act, the Attorney
23 General shall, in a manner that maintains the integrity
24 of confidential, private, and law enforcement sensitive in-
25 formation, provide for information on missing persons and

1 unidentified remains contained in national crime informa-
2 tion databases to be transmitted to, entered in, and other-
3 wise shared with the National Missing and Unidentified
4 Persons System.

5 (c) TEMPORARY REPORTING REQUIREMENTS.—Until
6 such time as the data sharing procedures required under
7 subsection (b) are in effect, each Federal law enforcement
8 agency shall enter into the National Missing and Unidenti-
9 fied Persons System each missing persons case of interest
10 to Indian tribes and each unidentified remains case of in-
11 terest to Indian tribes reported to or investigated by the
12 Federal law enforcement agency.

13 (d) COORDINATION WITH NAMUS TRIBAL LIAI-
14 SON.—The Director and the Director of the Federal Bu-
15 reau of Investigation shall each appoint a liaison to coordi-
16 nate with the 1 or more Tribal liaisons appointed under
17 section 874(a) to ensure that—

18 (1) all missing persons cases of interest to In-
19 dian tribes and all unidentified remains cases of in-
20 terest to Indian tribes are fully captured in the Na-
21 tional Missing and Unidentified Persons System;
22 and

23 (2) Indian tribes are aware of, and able to ac-
24 cess, information in the National Missing and Un-
25 identified Persons System.

1 **SEC. 874. NATIONAL MISSING AND UNIDENTIFIED PERSONS**
2 **SYSTEM TRIBAL LIAISON.**

3 (a) APPOINTMENT.—The Attorney General, acting
4 through the Director of the National Institute of Justice,
5 shall appoint 1 or more Tribal liaisons for the National
6 Missing and Unidentified Persons System.

7 (b) DUTIES.—The duties of a Tribal liaison ap-
8 pointed under subsection (a) shall include—

9 (1) coordinating the reporting of information
10 relating to missing persons cases of interest to In-
11 dian tribes and unidentified remains cases of inter-
12 est to Indian tribes;

13 (2) consulting and coordinating with relevant
14 Tribal stakeholders to address the reporting, docu-
15 mentation, and tracking of missing persons cases of
16 interest to Indian tribes and unidentified remains
17 cases of interest to Indian tribes;

18 (3) developing working relationships, and main-
19 taining communication, with relevant Tribal stake-
20 holders;

21 (4) providing technical assistance and training
22 to relevant Tribal stakeholders, victim service advo-
23 cates, medical examiners, and tribal justice officials
24 regarding—

1 (A) the gathering and reporting of infor-
2 mation to the National Missing and Unidenti-
3 fied Persons System; and

4 (B) working with non-Tribal law enforce-
5 ment agencies to ensure all missing persons
6 cases of interest to Indian tribes and unidenti-
7 fied remains cases of interest to Indian tribes
8 are reported to the National Missing and Un-
9 identified Persons System;

10 (5) coordinating with the Office of Tribal Jus-
11 tice and the Office of Justice Services, as necessary;
12 and

13 (6) conducting other training, information gath-
14 ering, and outreach activities to improve resolution
15 of missing persons cases of interest to Indian tribes
16 and unidentified remains cases of interest to Indian
17 tribes.

18 (c) REPORTING AND TRANSPARENCY.—

19 (1) ANNUAL REPORTS TO CONGRESS.—During
20 the 3-year-period beginning on the date of enact-
21 ment of this Act, the Attorney General, acting
22 through the Director of the National Institute of
23 Justice, shall submit to the Committees on Indian
24 Affairs and the Judiciary of the Senate and the

1 Committees on Natural Resources and the Judiciary
2 of the House of Representatives an annual report—

3 (A) describing the activities and accom-
4 plishments of the 1 or more Tribal liaisons ap-
5 pointed under subsection (a) during the 1-year
6 period preceding the date of the report; and

7 (B) summarizing—

8 (i) the number of missing persons
9 cases of interest to Indian tribes and un-
10 identified remains cases of interest to In-
11 dian tribes listed in the National Missing
12 and Unidentified Persons System;

13 (ii) the percentage of missing persons
14 cases of interest to Indian tribes and un-
15 identified remains cases of interest to In-
16 dian tribes closed during the 1-year period
17 preceding the date of the report; and

18 (iii) the reasons for those closures.

19 (2) PUBLIC TRANSPARENCY.—Annually, the At-
20 torney General, acting through the Director of the
21 National Institute of Justice, shall publish on a
22 website publicly accessible information—

23 (A) describing the activities and accom-
24 plishments of the 1 or more Tribal liaisons ap-
25 pointed under subsection (a) during the 1-year

1 period preceding the date of the publication;
2 and

3 (B) summarizing—

4 (i) the number of missing persons
5 cases of interest to Indian tribes and un-
6 identified remains cases of interest to In-
7 dian tribes listed in the National Missing
8 and Unidentified Persons System;

9 (ii) the percentage of missing persons
10 cases of interest to Indian tribes and un-
11 identified remains cases of interest to In-
12 dian tribes closed during the 1-year period
13 preceding the date of the report; and

14 (iii) the reasons for those closures.

15 **PART II—ENSURING SAFETY FOR NATIVE**

16 **COMMUNITIES**

17 **SEC. 875. MISSING AND MURDERED RESPONSE COORDINA-**
18 **TION GRANT PROGRAM.**

19 (a) ESTABLISHMENT OF PROGRAM.—The Attorney
20 General shall establish within the Office of Justice Pro-
21 grams a grant program under which the Attorney General
22 shall make grants to eligible entities described in sub-
23 section (b) to carry out eligible activities described in sub-
24 section (c).

25 (b) ELIGIBLE ENTITIES.—

1 (1) IN GENERAL.—To be eligible to receive a
2 grant under the grant program established under
3 subsection (a) an entity shall be—

4 (A) a relevant Tribal stakeholder;

5 (B) subject to paragraph (2), a State, in
6 consortium with a relevant Tribal stakeholder;

7 (C) a consortium of 2 or more relevant
8 Tribal stakeholders; or

9 (D) subject to paragraph (2), a consortium
10 of 2 or more States and 1 or more relevant
11 Tribal stakeholders.

12 (2) STATE ELIGIBILITY.—To be eligible under
13 subparagraph (B) or (D) of paragraph (1), a State
14 shall demonstrate to the satisfaction of the Attorney
15 General that the State—

16 (A) reports missing persons cases in the
17 State to the national crime information data-
18 bases; or

19 (B) if not, has a plan to do so using a
20 grant received under the grant program estab-
21 lished under subsection (a).

22 (c) ELIGIBLE ACTIVITIES.—An eligible entity receiv-
23 ing a grant under the grant program established under
24 subsection (a) may use the grant—

1 (1) to establish a statewide or regional center to
2 document and track missing persons cases of inter-
3 est to Indian tribes and murder cases of interest to
4 Indian tribes;

5 (2) to establish a State or regional commission
6 to respond to, and to improve coordination between
7 Federal law enforcement agencies, and Tribal, State,
8 and local law enforcement agencies of the investiga-
9 tion of, missing persons cases of interest to Indian
10 tribes and murder cases of interest to Indian tribes;
11 and

12 (3) to document, develop, and disseminate re-
13 sources for use by Federal law enforcement agencies
14 and Tribal, State, and local law enforcement agen-
15 cies for the coordination of the investigation of miss-
16 ing persons cases of interest to Indian tribes and
17 murder cases of interest to Indian tribes.

18 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated to carry out the program
20 \$1,000,000 for each of fiscal years 2020 through 2024.

21 **SEC. 876. GAO STUDY ON FEDERAL LAW ENFORCEMENT**
22 **AGENCY EVIDENCE COLLECTION, HANDLING,**
23 **AND PROCESSING.**

24 (a) IN GENERAL.—The Comptroller General of the
25 United States shall conduct a study—

1 (1) on the evidence collection, handling, and
2 processing procedures and practices of the Office of
3 Justice Services and the Federal Bureau of Inves-
4 tigation in exercising jurisdiction over crimes involv-
5 ing Indians or committed in Indian country;

6 (2) on any barriers to evidence collection, han-
7 dling, and processing by the agencies referred to in
8 paragraph (1);

9 (3) on the views of law enforcement officials at
10 the agencies referred to in paragraph (1) and their
11 counterparts within the Offices of the United States
12 Attorneys concerning any relationship between—

13 (A) the barriers identified under paragraph

14 (2); and

15 (B) United States Attorneys declination
16 rates due to insufficient evidence; and

17 (4) that includes a survey of barriers to evi-
18 dence collection, handling, and processing faced by
19 State and local law enforcement agencies that exer-
20 cise jurisdiction over Indian country under the Act
21 of August 15, 1953 (67 Stat. 588, chapter 505),
22 and the amendments made by that Act.

23 (b) REPORT.—Not later than 18 months after the
24 date of enactment of this Act, the Comptroller General
25 of the United States shall submit to Congress a report

1 describing the results of the study conducted under sub-
 2 section (a).

3 **SEC. 877. BUREAU OF INDIAN AFFAIRS AND TRIBAL LAW**
 4 **ENFORCEMENT OFFICER COUNSELING RE-**
 5 **SOURCES INTERDEPARTMENTAL COORDINA-**
 6 **TION.**

7 The Secretary of Health and Human Services, acting
 8 through the Director of the Indian Health Service and the
 9 Administrator of the Substance Abuse and Mental Health
 10 Services Administration, and the Attorney General shall
 11 coordinate with the Director to ensure that Federal train-
 12 ing materials and resources for establishing and maintain-
 13 ing mental health wellness programs are available to Trib-
 14 al and Bureau of Indian Affairs law enforcement officers
 15 experiencing occupational stress.

16 **Subtitle F—Tribal Labor**
 17 **Sovereignty Act**

18 **SEC. 881. SHORT TITLE.**

19 This subtitle may be cited as the “Tribal Labor Sov-
 20 ereignty Act of 2019”.

21 **SEC. 882. DEFINITION OF EMPLOYER.**

22 Section 2 of the National Labor Relations Act (29
 23 U.S.C. 152) is amended—

24 (1) in paragraph (2), by inserting “or any In-
 25 dian tribe, or any enterprise or institution owned

1 and operated by an Indian tribe and located on its
2 Indian lands,” after “subdivision thereof,”; and

3 (2) by adding at the end the following:

4 “(15) The term ‘Indian tribe’ means any Indian
5 tribe, band, nation, pueblo, or other organized group
6 or community which is recognized as eligible for the
7 special programs and services provided by the
8 United States to Indians because of their status as
9 Indians.

10 “(16) The term ‘Indian’ means any individual
11 who is a member of an Indian tribe.

12 “(17) The term ‘Indian lands’ means—

13 “(A) all lands within the limits of any In-
14 dian reservation;

15 “(B) any lands title to which is either held
16 in trust by the United States for the benefit of
17 any Indian tribe or individual or held by any
18 Indian tribe or individual subject to restriction
19 by the United States against alienation; and

20 “(C) any lands in the State of Oklahoma
21 that are within the boundaries of a former res-
22 ervation (as defined by the Secretary of the In-
23 terior) of a Federally recognized Indian tribe.”.

1 **TITLE IX—OFFICE ON VIOLENCE**
2 **AGAINST WOMEN TECHNICAL**
3 **CLARIFICATIONS**

4 **SEC. 901. OFFICE ON VIOLENCE AGAINST WOMEN TECH-**
5 **NICAL CLARIFICATIONS.**

6 (a) ESTABLISHMENT OF OFFICE ON VIOLENCE
7 AGAINST WOMEN.—Section 2002 of title I of the Omnibus
8 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
9 10442) is amended—

10 (1) in the section heading, by striking “**VIO-**
11 **LENCE AGAINST WOMEN OFFICE**” and inserting
12 “**OFFICE ON VIOLENCE AGAINST WOMEN**”;

13 (2) in subsection (a), by striking “a Violence
14 Against Women Office” and inserting “an Office on
15 Violence Against Women”;

16 (3) in subsection (b), by inserting “, not sub-
17 sumed by any other office” after “within the De-
18 partment of Justice”; and

19 (4) in subsection (c)(2), by striking “Violence
20 Against Women Act of 1994 (title IV of Public Law
21 103–322) and the Violence Against Women Act of
22 2000 (division B of Public Law 106–386)” and in-
23 sserting “Violence Against Women Act of 1994 (title
24 IV of Public Law 103–322), the Violence Against
25 Women Act of 2000 (division B of Public Law 106–

1 386), the Violence Against Women and Department
2 of Justice Reauthorization Act of 2005 (Public Law
3 109–162; 119 Stat. 2960), the Violence Against
4 Women Reauthorization Act of 2013 (Public Law
5 113–4; 127 Stat. 54), and the Violence Against
6 Women Reauthorization Act of 2019”.

7 (b) DIRECTOR OF THE OFFICE ON VIOLENCE
8 AGAINST WOMEN.—Section 2003 of title I of the Omnibus
9 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
10 10443) is amended—

11 (1) in the section heading, by striking “**VIO-**
12 **LENCE AGAINST WOMEN OFFICE**” and inserting
13 “**OFFICE ON VIOLENCE AGAINST WOMEN**”;

14 (2) in subsection (a), by striking “Violence
15 Against Women Office” and inserting “Office on Vi-
16 olence Against Women”; and

17 (3) in subsection (b)(2) by striking “Violence
18 Against Women Act of 1994 (title IV of Public Law
19 103–322) or the Violence Against Women Act of
20 2000 (division B of Public Law 106–386)” and in-
21 sserting “Violence Against Women Act of 1994 (title
22 IV of Public Law 103–322), the Violence Against
23 Women Act of 2000 (division B of Public Law 106–
24 386), the Violence Against Women and Department
25 of Justice Reauthorization Act of 2005 (Public Law

1 109–162; 119 Stat. 2960), the Violence Against
2 Women Reauthorization Act of 2013 (Public Law
3 113–4; 127 Stat. 54), or the Violence Against
4 Women Reauthorization Act of 2019”.

5 (c) DUTIES AND FUNCTIONS OF DIRECTOR OF THE
6 OFFICE ON VIOLENCE AGAINST WOMEN.—Section 2004
7 of title I of the Omnibus Crime Control and Safe Streets
8 Act of 1968 (34 U.S.C. 10444) is amended—

9 (1) in the section heading, by striking “**VIO-**
10 **LENCE AGAINST WOMEN OFFICE**” and inserting
11 “**THE OFFICE ON VIOLENCE AGAINST WOMEN**”;
12 and

13 (2) in paragraph (5), in the matter preceding
14 subparagraph (A), by striking “Violence Against
15 Women Act of 1994 (title IV of Public Law 103–
16 322) and the Violence Against Women Act of 2000
17 (division B of Public Law 106–386)” and inserting
18 “Violence Against Women Act of 1994 (title IV of
19 Public Law 103–322) and the Violence Against
20 Women Act of 2000 (division B of Public Law 106–
21 386)” and inserting “Violence Against Women Act
22 of 1994 (title IV of Public Law 103–322), the Vio-
23 lence Against Women Act of 2000 (division B of
24 Public Law 106–386), the Violence Against Women
25 and Department of Justice Reauthorization Act of

1 2005 (Public Law 109–162; 119 Stat. 2960), the
2 Violence Against Women Reauthorization Act of
3 2013 (Public Law 113–4; 127 Stat. 54), and the Vi-
4 olence Against Women Reauthorization Act of
5 2019”.

6 (d) STAFF OF OFFICE ON VIOLENCE AGAINST
7 WOMEN.—Section 2005 of title I the Omnibus Crime Con-
8 trol and Safe Streets Act of 1968 (34 U.S.C. 10445) is
9 amended, in section the heading, by striking “**VIOLENCE**
10 **AGAINST WOMEN OFFICE**” and inserting “**OFFICE ON**
11 **VIOLENCE AGAINST WOMEN**”.

12 (e) CLERICAL AMENDMENT.—Section 121(a)(1) of
13 the Violence Against Women and Department of Justice
14 Reauthorization Act of 2005 (34 U.S.C. 20124(a)(1)) is
15 amended by striking “the Violence Against Women Of-
16 fice” and inserting “the Office on Violence Against
17 Women”.

18 **TITLE X—CLOSING THE LAW EN-**
19 **FORCEMENT CONSENT LOOP-**
20 **HOLE**

21 **SEC. 1001. SHORT TITLE.**

22 This title may be cited as the “Closing the Law En-
23 forcement Consent Loophole Act of 2019”.

1 **SEC. 1002. PROHIBITION ON ENGAGING IN SEXUAL ACTS**
2 **WHILE ACTING UNDER COLOR OF LAW.**

3 (a) IN GENERAL.—Section 2243 of title 18, United
4 States Code, is amended—

5 (1) in the section heading, by adding at the end
6 the following: “**or by any person acting**
7 **under color of law**”;

8 (2) by redesignating subsections (c) and (d) as
9 subsections (d) and (e), respectively;

10 (3) by inserting after subsection (b) the fol-
11 lowing:

12 “(c) OF AN INDIVIDUAL BY ANY PERSON ACTING
13 UNDER COLOR OF LAW.—

14 “(1) IN GENERAL.—Whoever, acting under
15 color of law, knowingly engages in a sexual act with
16 an individual, including an individual who is under
17 arrest, in detention, or otherwise in the actual cus-
18 tody of any Federal law enforcement officer, shall be
19 fined under this title, imprisoned not more than 15
20 years, or both.

21 “(2) DEFINITION.—In this subsection, the term
22 ‘sexual act’ has the meaning given the term in sec-
23 tion 2246.”; and

24 (4) in subsection (d), as so redesignated, by
25 adding at the end the following:

1 “(3) In a prosecution under subsection (c), it is
2 not a defense that the other individual consented to
3 the sexual act.”.

4 (b) DEFINITION.—Section 2246 of title 18, United
5 States Code, is amended—

6 (1) in paragraph (5), by striking “and” at the
7 end;

8 (2) in paragraph (6), by striking the period at
9 the end and inserting “; and”; and

10 (3) by inserting after paragraph (6) the fol-
11 lowing:

12 “(7) the term ‘Federal law enforcement officer’
13 has the meaning given the term in section 115.”.

14 (c) CLERICAL AMENDMENT.—The table of sections
15 for chapter 109A of title 18, United States Code, is
16 amended by amending the item related to section 2243
17 to read as follows:

“2243. Sexual abuse of a minor or ward or by any person acting under color
of law.”.

18 **SEC. 1003. INCENTIVE FOR STATES.**

19 (a) AUTHORITY TO MAKE GRANTS.—The Attorney
20 General is authorized to make grants to States that have
21 in effect a law that—

22 (1) makes it a criminal offense for any person
23 acting under color of law of the State to engage in
24 a sexual act with an individual, including an indi-

1 vidual who is under arrest, in detention, or otherwise
2 in the actual custody of any law enforcement officer;
3 and

4 (2) prohibits a person charged with an offense
5 described in paragraph (1) from asserting the con-
6 sent of the other individual as a defense.

7 (b) REPORTING REQUIREMENT.—A State that re-
8 ceives a grant under this section shall submit to the Attor-
9 ney General, on an annual basis, information on—

10 (1) the number of reports made to law enforce-
11 ment agencies in that State regarding persons en-
12 gaging in a sexual act while acting under color of
13 law during the previous year; and

14 (2) the disposition of each case in which sexual
15 misconduct by a person acting under color of law
16 was reported during the previous year.

17 (c) APPLICATION.—A State seeking a grant under
18 this section shall submit an application to the Attorney
19 General at such time, in such manner, and containing
20 such information as the Attorney General may reasonably
21 require, including information about the law described in
22 subsection (a).

23 (d) GRANT AMOUNT.—The amount of a grant to a
24 State under this section shall be in an amount that is not
25 greater than 10 percent of the average of the total amount

1 of funding of the 3 most recent awards that the State re-
2 ceived under the following grant programs:

3 (1) Part T of title I of the Omnibus Crime Con-
4 trol and Safe Streets Act of 1968 (34 U.S.C. 10441
5 et seq.) (commonly referred to as the “STOP Vio-
6 lence Against Women Formula Grant Program”).

7 (2) Section 41601 of the Violence Against
8 Women Act of 1994 (34 U.S.C. 12511) (commonly
9 referred to as the “Sexual Assault Services Pro-
10 gram”).

11 (e) GRANT TERM.—

12 (1) IN GENERAL.—The Attorney General shall
13 provide an increase in the amount provided to a
14 State under the grant programs described in sub-
15 section (d) for a 2-year period.

16 (2) RENEWAL.—A State that receives a grant
17 under this section may submit an application for a
18 renewal of such grant at such time, in such manner,
19 and containing such information as the Attorney
20 General may reasonably require.

21 (3) LIMIT.—A State may not receive a grant
22 under this section for more than 4 years.

23 (f) USES OF FUNDS.—A State that receives a grant
24 under this section shall use—

1 (1) 25 percent of such funds for any of the per-
2 missible uses of funds under the grant program de-
3 scribed in paragraph (1) of subsection (d); and

4 (2) 75 percent of such funds for any of the per-
5 missible uses of funds under the grant program de-
6 scribed in paragraph (2) of subsection (d).

7 (g) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated to carry out this
9 section \$5,500,000 for each of fiscal years 2020 through
10 2024.

11 (h) DEFINITION.—For purposes of this section, the
12 term “State” means each of the several States and the
13 District of Columbia, Indian Tribes, and the Common-
14 wealth of Puerto Rico, Guam, American Samoa, the Vir-
15 gin Islands, and the Northern Mariana Islands.

16 **SEC. 1004. REPORTS TO CONGRESS.**

17 (a) REPORT BY ATTORNEY GENERAL.—Not later
18 than 1 year after the date of enactment of this Act, and
19 each year thereafter, the Attorney General shall submit
20 to Congress a report containing—

21 (1) the information required to be reported to
22 the Attorney General under section 1003(b); and

23 (2) information on—

24 (A) the number of reports made, during
25 the previous year, to Federal law enforcement

1 agencies regarding persons engaging in a sexual
2 act while acting under color of law; and

3 (B) the disposition of each case in which
4 sexual misconduct by a person acting under
5 color of law was reported.

6 (b) REPORT BY GAO.—Not later than 1 year after
7 the date of enactment of this Act, and each year there-
8 after, the Comptroller General of the United States shall
9 submit to Congress a report on any violations of section
10 2243(c) of title 18, United States Code, as amended by
11 section 1002, committed during the 1-year period covered
12 by the report.

13 **TITLE XI—HOLDING VIOLENT**
14 **CRIMINALS AND CHILD PRED-**
15 **ATORS ACCOUNTABLE**

16 **SEC. 1101. ENHANCED PENALTIES.**

17 (a) SEXUAL ABUSE OF A MINOR OR WARD.—Section
18 2243 of title 18, United States Code, is amended by strik-
19 ing “not more than 15 years” each place the term appears
20 and inserting “for any number of years up to life”.

21 (b) ABUSIVE SEXUAL CONTACT.—Section 2244(c) of
22 title 18, United States Code, is amended by striking
23 “twice that otherwise provided in this section” and replace
24 with “up to life”.

1 (c) SEXUAL EXPLOITATION OF CHILDREN.—Section
2 2251 of title 18, United States Code, is amended by strik-
3 ing subsection (e) and inserting the following:

4 “(e)(1) Except as provided in paragraph (2), any per-
5 son who violates, or attempts or conspires to violate, this
6 section shall be fined under this title and imprisoned not
7 less than 15 years or for life.

8 “(2) In the case of a person described in paragraph
9 (1) who—

10 “(A) has 1 prior conviction under this chapter,
11 section 1591, chapter 71, chapter 109A, or chapter
12 117, or under section 920 of title 10 (article 120 of
13 the Uniform Code of Military Justice), or under the
14 laws of any State relating to aggravated sexual
15 abuse, sexual abuse, abusive sexual contact involving
16 a minor or ward, or sex trafficking of children, or
17 the production, possession, receipt, mailing, sale, dis-
18 tribution, shipment, or transportation of child por-
19 nography, the person shall be fined under this title
20 and imprisoned for not less than 25 years or for life;
21 and

22 “(B) has 2 or more prior convictions under this
23 chapter, chapter 71, chapter 109A, or chapter 117,
24 or under section 920 of title 10 (article 120 of the
25 Uniform Code of Military Justice), or under the laws

1 of any State relating to the sexual exploitation of
2 children, the person shall be fined under this title
3 and imprisoned not less than 35 years or for life.

4 “(3) Any organization that violates, or attempts or
5 conspires to violate, this section shall be fined under this
6 title.

7 “(4) Whoever, in the course of an offense under this
8 section, engages in conduct that results in the death of
9 a person, shall be punished by death or imprisoned for
10 not less than 30 years or for life.”.

11 (d) CERTAIN ACTIVITIES RELATING TO MATERIAL
12 INVOLVING THE SEXUAL EXPLOITATION OF MINORS.—
13 Section 2252(b) of title 18, United States Code, is amend-
14 ed—

15 (1) in paragraph (1)—

16 (A) by striking “not more than 20 years”
17 and inserting “not more than 40 years”; and

18 (B) by striking “nor more than 40 years”
19 and inserting “or for life”; and

20 (2) in paragraph (2), by striking “for not more
21 than 20 years, or if” and inserting “for any number
22 of years up to life, or if”.

23 (e) CERTAIN ACTIVITIES RELATING TO MATERIAL
24 CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY.—
25 Section 2252A(b)(2) of title 18, United States Code, is

1 amended by striking “for not more than 20 years, or if”
2 and inserting “for any number of years up to life, or if”.

3 (f) INTERSTATE DOMESTIC VIOLENCE.—Section
4 2261(b) of title 18, United States Code, is amended—

5 (1) in paragraph (1), by striking “for life or
6 any term of years” and inserting “for not less than
7 15 years or for life”;

8 (2) in paragraph (2), by striking “20 years”
9 and inserting “25 years”; and

10 (3) in paragraph (3), by striking “10 years”
11 and inserting “15 years”.

12 **SEC. 1102. COMBAT ONLINE PREDATORS.**

13 (a) IN GENERAL.—Chapter 110A of title 18, United
14 States Code, is amended by inserting after section 2261A
15 the following:

16 **“§ 2261B. Enhanced penalty for stalkers of children**

17 “(a) IN GENERAL.—Except as provided in subsection
18 (b), if the victim of an offense under section 2261A is
19 under the age of 18 years, the maximum term of imprison-
20 ment for the offense is 5 years greater than the maximum
21 term of imprisonment otherwise provided for that offense
22 in section 2261.

23 “(b) LIMITATION.—Subsection (a) shall not apply to
24 a person who violates section 2261A if—

1 “(1) the person is subject to a sentence under
2 section 2261(b)(5); and

3 “(2)(A) the person is under the age of 18 at
4 the time the offense occurred; or

5 “(B) the victim of the offense is not less than
6 15 nor more than 17 years of age and not more
7 than 3 years younger than the person who com-
8 mitted the offense at the time the offense oc-
9 curred.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of chapter 110A of title 18, United States
12 Code, is amended by inserting after the item relating to
13 section 2261A the following:

 “2261B. Enhanced penalty for stalkers of children.”.

14 (c) CONFORMING AMENDMENT.—Section 2261A of
15 title 18, United States Code, is amended in the matter
16 following paragraph (2)(B), by striking “section 2261(b)
17 of this title” and inserting “section 2261(b) or section
18 2261B, as the case may be”.

19 (d) REPORT ON BEST PRACTICES REGARDING EN-
20 FORCEMENT OF ANTI-STALKING LAWS.—Not later than
21 1 year after the date of enactment of this Act, the Attor-
22 ney General shall submit a report to Congress, which
23 shall—

1 (1) include an evaluation of Federal, Tribal,
2 State, and local efforts to enforce laws relating to
3 stalking; and

4 (2) identify and describe those elements of such
5 efforts that constitute the best practices for the en-
6 forcement of such laws.

7 **SEC. 1103. MAXIMIZING ACCESS TO FORENSIC EXAMS.**

8 Section 304(c)(1) of the DNA Sexual Assault Justice
9 Act of 2004 (34 U.S.C. 40723(c)(1)) is amended—

10 (1) by redesignating subparagraphs (A), (B),
11 and (C) as subparagraphs (B), (C), and (D), respec-
12 tively; and

13 (2) by inserting before subparagraph (B) the
14 following:

15 “(A) maximize access to forensic exams,
16 including by establishing or sustaining forensic
17 nurse mobile teams or units or telehealth pro-
18 grams;”.

19 **SEC. 1104. STUDY ON STATE COVERAGE OF FORENSIC EX-**
20 **AMINATIONS AND RELATED MEDICAL COSTS**
21 **FOLLOWING A SEXUAL ASSAULT.**

22 Not later than 270 days after the date of enactment
23 of this Act, the Comptroller General of the United States
24 shall issue a report on State requirements and funding

1 for forensic exams conducted after sexual assaults and any
2 related medical expenses, as applicable—

3 (1) the total annual cost of conducting forensic
4 exams described in section 2010(b) of title I of the
5 Omnibus Crime Control and Safe Streets Act of
6 1968 (34 U.S.C. 10449(b));

7 (2) each funding source used to pay for forensic
8 exams as required under section 2010(b) of title I
9 of the Omnibus Crime Control and Safe Streets Act
10 of 1968 (34 U.S.C. 10449(b));

11 (3) description of any State laws or policies to
12 ensure that individuals do not receive bills for foren-
13 sic exams conducted after sexual assaults, consistent
14 with section 2010(b) of title I of the Omnibus Crime
15 Control and Safe Streets Act of 1968 (34 U.S.C.
16 10449(b)), including any oversight to ensure such
17 individuals do not receive bills;

18 (4) identification of any best practices imple-
19 mented to ensure that individuals do not receive bills
20 for forensic exams conducted after sexual assaults;

21 (5) any requirements under State laws relating
22 regarding payment for medical expenses relating to
23 a sexual assault, which may include treatment of in-
24 juries associated with the assault, imaging (including
25 x-rays, MRIs, and CAT scans), and other emergency

1 medical care required as a result of the sexual as-
 2 sault for which a victim receives a forensic exam;

3 (6) if State law requires the State to pay for
 4 medical expenses described in paragraph (5)—

5 (A) detailed list of which medical expenses
 6 require coverage;

7 (B) total annual cost of medical expenses
 8 related to a sexual assault in which a victim re-
 9 ceives a forensic exam, outside of the cost of
 10 the forensic exam;

11 (C) each funding source the State uses to
 12 pay for medical expenses related to sexual as-
 13 sault in which a victim receives a forensic exam.

14 **TITLE XII—CHOOSE RESPECT**
 15 **Subtitle A—Choose Respect Act**

16 **SEC. 1201. SHORT TITLE.**

17 This subtitle may be cited as the “Choose Respect
 18 Act”.

19 **SEC. 1202. DESIGNATION.**

20 (a) IN GENERAL.—Chapter 1 of title 36, United
 21 States Code, is amended by adding at the end the fol-
 22 lowing:

23 **“§ 146. Choose respect day**

24 “(a) DESIGNATION.—October 1 is Choose Respect
 25 Day.

1 “(b) RECOGNITION.—All private citizens and Fed-
 2 eral, State, and local governmental and legislative entities
 3 are encouraged to recognize Choose Respect Day through
 4 proclamations, activities, and educational efforts in fur-
 5 therance of changing the culture around violence against
 6 women.”.

7 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 8 The table of sections for chapter 1 of title 36, United
 9 States Code, is amended by adding at the end the fol-
 10 lowing:

“146. Choose Respect Day.”.

11 **SEC. 1203. MEDIA CAMPAIGN.**

12 (a) DEFINITIONS.—In this section:

13 (1) DIRECTOR.—The term “Director” means
 14 the Director of the Office on Violence Against
 15 Women.

16 (2) NATIONAL MEDIA CAMPAIGN.—The term
 17 “national media campaign” means the national
 18 “Choose Respect” media campaign described in sub-
 19 section (b).

20 (b) MEDIA CAMPAIGN.—The Director shall, to the ex-
 21 tent feasible and appropriate, conduct a national “Choose
 22 Respect” media campaign in accordance with this section
 23 for the purposes of—

24 (1) preventing and discouraging violence
 25 against women, including domestic violence, dating

1 violence, sexual assault, and stalking by targeting
2 the attitudes, perceptions, and beliefs of individuals
3 who have or are likely to commit such crimes;

4 (2) encouraging victims of the crimes described
5 in paragraph (1) to seek help through the means de-
6 termined to be most effective by the most current
7 evidence available, including seeking legal represen-
8 tation; and

9 (3) informing the public about the help avail-
10 able to victims of the crimes described in paragraph
11 (1).

12 (c) USE OF FUNDS.—

13 (1) IN GENERAL.—Amounts made available to
14 carry out this section for the national media cam-
15 paign may only be used for the following:

16 (A) The purchase of media time and space,
17 including the strategic planning for, tracking,
18 and accounting of, such purchases.

19 (B) Creative and talent costs, consistent
20 with paragraph (2).

21 (C) Advertising production costs, which
22 may include television, radio, internet, social
23 media, and other commercial marketing venues.

24 (D) Testing and evaluation of advertising.

1 (E) Evaluation of the effectiveness of the
2 national media campaign.

3 (F) Costs of contracts to carry out activi-
4 ties authorized by this section.

5 (G) Partnerships with professional and
6 civic groups, community-based organizations,
7 including faith-based organizations, and govern-
8 ment organizations related to the national
9 media campaign.

10 (H) Entertainment industry outreach,
11 interactive outreach, media projects and activi-
12 ties, public information, news media outreach,
13 corporate sponsorship and participation, and
14 professional sports associations and military
15 branch participation.

16 (I) Operational and management expenses.

17 (2) SPECIFIC REQUIREMENTS.—

18 (A) CREATIVE SERVICES.—In using
19 amounts for creative and talent costs under
20 paragraph (1), the Director shall use creative
21 services donated at no cost to the Government
22 wherever feasible and may only procure creative
23 services for advertising—

1 (i) responding to high-priority or
2 emergent campaign needs that cannot
3 timely be obtained at no cost; or

4 (ii) intended to reach a minority, eth-
5 nic, or other special audience that cannot
6 reasonably be obtained at no cost.

7 (B) TESTING AND EVALUATION OF ADVER-
8 TISING.—In using amounts for testing and eval-
9 uation of advertising under paragraph (1)(D),
10 the Director shall test all advertisements prior
11 to use in the national media campaign to en-
12 sure that the advertisements are effective with
13 the target audience and meet industry-accepted
14 standards. The Director may waive this require-
15 ment for advertisements using no more than 10
16 percent of the purchase of advertising time pur-
17 chased under this section in a fiscal year and
18 no more than 10 percent of the advertising
19 space purchased under this section in a fiscal
20 year, if the advertisements respond to emergent
21 and time-sensitive campaign needs or the adver-
22 tisements will not be widely utilized in the na-
23 tional media campaign.

1 (C) CONSULTATION.—For the planning of
2 the campaign under subsection (b), the Director
3 may consult with—

4 (i) the Office for Victims of Crime,
5 the Administration on Children, Youth and
6 Families, and other related government en-
7 tities;

8 (ii) State, local, and Tribal govern-
9 ments;

10 (iii) the prevention of domestic vio-
11 lence, dating violence, sexual assault, or
12 stalking, including national and local non-
13 profits; and

14 (iv) communications professionals.

15 (D) EVALUATION OF EFFECTIVENESS OF
16 NATIONAL MEDIA CAMPAIGN.—In using
17 amounts for the evaluation of the effectiveness
18 of the national media campaign under para-
19 graph (1)(E), the Attorney General shall—

20 (i) designate an independent entity to
21 evaluate by April 20 of each year the effec-
22 tiveness of the national media campaign
23 based on data from any relevant studies or
24 publications, as determined by the Attor-
25 ney General, including tracking and eval-

1 uation data collected according to mar-
2 keting and advertising industry standards;
3 and

4 (ii) ensure that the effectiveness of
5 the national media campaign is evaluated
6 in a manner that enables consideration of
7 whether the national media campaign has
8 contributed to changes in attitude or be-
9 haviors among the target audience with re-
10 spect to violence against women and such
11 other measures of evaluation as the Attor-
12 ney General determines are appropriate.

13 (d) ADVERTISING.—In carrying out this section, the
14 Director shall ensure that sufficient funds are allocated
15 to meet the stated goals of the national media campaign.

16 (e) RESPONSIBILITIES AND FUNCTIONS UNDER THE
17 PROGRAM.—

18 (1) IN GENERAL.—The Director shall determine
19 the overall purposes and strategy of the national
20 media campaign.

21 (2) DIRECTOR.—

22 (A) IN GENERAL.—The Director shall ap-
23 prove—

24 (i) the strategy of the national media
25 campaign;

1 (ii) all advertising and promotional
2 material used in the national media cam-
3 paign; and

4 (iii) the plan for the purchase of ad-
5 vertising time and space for the national
6 media campaign.

7 (B) IMPLEMENTATION.—The Director
8 shall be responsible for implementing a focused
9 national media campaign to meet the purposes
10 set forth in subsection (b) and shall ensure—

11 (i) information disseminated through
12 the campaign is accurate and scientifically
13 valid; and

14 (ii) the campaign is designed using
15 strategies demonstrated to be the most ef-
16 fective at achieving the goals and require-
17 ments of subsection (b), which may in-
18 clude—

19 (I) a media campaign, as de-
20 scribed in subsection (c);

21 (II) local, regional, or population
22 specific messaging;

23 (III) the development of websites
24 to publicize and disseminate informa-
25 tion;

1 (IV) conducting outreach and
2 providing educational resources for
3 women;

4 (V) collaborating with law en-
5 forcement agencies; and

6 (VI) providing support for school-
7 based public health education classes
8 to improve teen knowledge about the
9 effects of violence against women.

10 (f) PROHIBITIONS.—None of the amounts made
11 available under subsection (e) may be obligated or ex-
12 pended for any of the following:

13 (1) To supplant current antiviolence against
14 women community-based coalitions.

15 (2) To supplant pro bono public service time
16 donated by national and local broadcasting networks
17 for other public service campaigns.

18 (3) For partisan political purposes, or to ex-
19 press advocacy in support of or to defeat any clearly
20 identified candidate, clearly identified ballot initia-
21 tive, or clearly identified legislative or regulatory
22 proposal.

23 (4) To fund advertising that features any elect-
24 ed officials, persons seeking elected office, cabinet
25 level officials, or other Federal officials employed

1 pursuant to section 213 of Schedule C of title 5,
2 Code of Federal Regulations.

3 (5) To fund advertising that does not contain a
4 primary message intended to reduce or prevent vio-
5 lence against women.

6 (6) To fund advertising containing a primary
7 message intended to promote support for the na-
8 tional media campaign or private sector contribu-
9 tions to the national media campaign.

10 (g) FINANCIAL AND PERFORMANCE ACCOUNT-
11 ABILITY.—The Director shall cause to be performed—

12 (1) audits and reviews of costs of the national
13 media campaign pursuant to section 4706 of title
14 41, United States Code; and

15 (2) an audit to determine whether the costs of
16 the national media campaign are allowable under
17 chapter 43 of title 41, United States Code.

18 (h) REPORT TO CONGRESS.—The Director shall sub-
19 mit on an annual basis a report to Congress that de-
20 scribes—

21 (1) the strategy of the national media campaign
22 and whether specific objectives of the national media
23 campaign were accomplished;

24 (2) steps taken to ensure that the national
25 media campaign operates in an effective and effi-

1 cient manner consistent with the overall strategy
2 and focus of the national media campaign;

3 (3) plans to purchase advertising time and
4 space;

5 (4) policies and practices implemented to ensure
6 that Federal funds are used responsibly to purchase
7 advertising time and space and eliminate the poten-
8 tial for waste, fraud, and abuse;

9 (5) all contracts entered into with a corpora-
10 tion, partnership, or individual working on behalf of
11 the national media campaign;

12 (6) the results of any financial audit of the na-
13 tional media campaign;

14 (7) a description of any evidence used to de-
15 velop the national media campaign;

16 (8) specific policies and steps implemented to
17 ensure compliance with this section;

18 (9) a detailed accounting of the amount of
19 funds obligated during the previous fiscal year for
20 carrying out the national media campaign, including
21 each recipient of funds, the purpose of each expendi-
22 ture, the amount of each expenditure, any available
23 outcome information, and any other information nec-
24 essary to provide a complete accounting of the funds
25 expended; and

1 (10) a review and evaluation of the effectiveness
2 of the national media campaign strategy for the past
3 year.

4 (i) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to the Director to carry
6 out this section \$5,000,000 for each of fiscal years 2020
7 through 2029, to remain available until expended.

8 **Subtitle B—Legal Assistance for**
9 **Victims**

10 **SEC. 1211. LEGAL ASSISTANCE FOR VICTIMS.**

11 (a) IN GENERAL.—Section 1201 of division B of the
12 Victims of Trafficking and Violence Protection Act of
13 2000 (34 U.S.C. 20121) is amended—

14 (1) by striking subsection (a) and inserting the
15 following:

16 “(a) IN GENERAL.—The purpose of this section is
17 to enable to the Attorney General to award grants to in-
18 crease the availability of civil and criminal legal assistance
19 necessary to provide effective aid to adult and youth vic-
20 tims of domestic violence, dating violence, stalking, or sex-
21 ual assault who are seeking relief in legal matters relating
22 to or arising out of that abuse or violence, at minimal or
23 no cost to the victims. When legal assistance to a depend-
24 ent is necessary for the safety of a victim, such assistance
25 may be provided. Criminal legal assistance provided for

1 under this section shall be limited to criminal matters re-
2 lating to or arising out of domestic violence, sexual as-
3 sault, dating violence, and stalking. To the extent prac-
4 ticable, the Attorney General shall award grants to entities
5 in every State, with the goal of serving the maximum
6 amount of victims throughout the country.”; and

7 (2) in subsection (f)(1), by striking
8 “\$57,000,000 for each of fiscal years 2014 through
9 2018” and inserting “\$80,000,000 for each of fiscal
10 years 2020 through 2029”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 subsection (a)(1) shall not take effect until October 1,
13 2020.

14 **SEC. 1212. REPORT ON PROTECTION ORDER SERVICE**
15 **PROCESSES.**

16 The Attorney General shall submit to Congress a re-
17 port on service processes for protection orders, and poten-
18 tial improvements to efficiency and safety through the use
19 of electronic service process methods, including—

20 (1) a summary of the current methods of serv-
21 ing and enforcing protection orders in various juris-
22 dictions;

23 (2) statistics on the efficiency and safety of the
24 methods described in paragraph (1), including sta-
25 tistics on how often process servers succeed in serv-

1 ing protection orders on the intended recipients or
2 targets in the various jurisdictions;

3 (3) an analysis of potential improvements to the
4 efficiency and safety described in paragraph (2)
5 across various jurisdictions by using electronic serv-
6 ice methods;

7 (4) recommendations on the implementation of
8 electronic service methods in various jurisdictions;
9 and

10 (5) an analysis of potential issues with elec-
11 tronic service methods with regard to technology and
12 due process.

13 **TITLE XIII—COMBATTING FE-**
14 **MALE GENITAL MUTILATION**
15 **OR CUTTING**

16 **SEC. 1301. SHORT TITLE.**

17 This title may be cited as the “Federal Prohibition
18 of Female Genital Mutilation Act of 2019”.

19 **SEC. 1302. FINDINGS.**

20 Congress finds the following:

21 (1) Congress has previously prohibited the prac-
22 tice of female genital mutilation on minors, which
23 causes physical and psychological harm and is often
24 beyond the ability of any single State or jurisdiction
25 to control.

1 (2) Individuals who perform the practice of fe-
2 male genital mutilation on minors rely on a connec-
3 tion to interstate or foreign commerce, such as inter-
4 state or foreign travel, the transmission or receipt of
5 communications in interstate or foreign commerce,
6 or interstate or foreign payments of any kind in fur-
7 therance of this conduct.

8 (3) Amending section 116 of title 18, United
9 States Code, to specify a link to interstate or foreign
10 commerce would confirm that Congress has the af-
11 firmative power to prohibit this conduct.

12 **SEC. 1303. AMENDMENTS TO CURRENT LAW PROHIBITING**
13 **FEMALE GENITAL MUTILATION.**

14 Section 116 of title 18, United States Code, is
15 amended—

16 (1) in subsection (a), by inserting “, in any cir-
17 cumstance described in subsection (e),” after “who-
18 ever”; and

19 (2) by adding at the end the following:

20 “(e) For purposes of subsection (a), the cir-
21 cumstances described in this subsection are that—

22 “(1) the defendant or victim traveled in inter-
23 state or foreign commerce, or traveled using a
24 means, channel, facility, or instrumentality of inter-
25 state or foreign commerce, in furtherance of or in

1 connection with the conduct described in subsection
2 (a);

3 “(2) the defendant used a means, channel, fa-
4 cility, or instrumentality of interstate or foreign
5 commerce in furtherance of or in connection with
6 the conduct described in subsection (a);

7 “(3) any payment of any kind was made, di-
8 rectly or indirectly, in furtherance of or in connec-
9 tion with the conduct described in subsection (a)
10 using any means, channel, facility, or instrumen-
11 tality of interstate or foreign commerce or in or af-
12 fecting interstate or foreign commerce;

13 “(4) the defendant transmitted in interstate or
14 foreign commerce any communication relating to or
15 in furtherance of the conduct described in subsection
16 (a) using any means, channel, facility, or instrumen-
17 tality of interstate or foreign commerce or in or af-
18 fecting interstate or foreign commerce by any means
19 or in any manner, including by computer, mail, wire,
20 or electromagnetic transmission;

21 “(5) the conduct described in subsection (a) oc-
22 curred within the special maritime and territorial ju-
23 risdiction of the United States, or within the District
24 of Columbia or any territory or possession of the
25 United States; or

1 “(6) the conduct described in subsection (a)
2 otherwise occurred in or affected interstate or for-
3 eign commerce.”.

4 **SEC. 1304. INCREASED PENALTY FOR FEMALE GENITAL MU-**
5 **TILATION.**

6 (a) IN GENERAL.—Section 116 of title 18, United
7 States Code, is amended by striking “5 years” each place
8 the term appears and inserting “15 years”.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that States should have in place laws that require
11 health care professionals, teachers, and other school em-
12 ployees to report to local law enforcement agencies any
13 instance of suspected female genital mutilation.

14 **SEC. 1305. PILOT PROGRAM TO PREVENT AND RESPOND TO**
15 **FEMALE GENITAL MUTILATION OR CUTTING.**

16 (a) DEFINITIONS.—In this section:

17 (1) BODILY INJURY.—The term “bodily injury”
18 has the meaning given the term in section 1365(h)
19 of title 18, United States Code.

20 (2) ELIGIBLE ENTITY.—The term “eligible enti-
21 ty” means—

22 (A) a State, local, territorial, or Tribal law
23 enforcement agency;

24 (B) a national, regional, or local victim
25 services organization; or

1 (C) a State, local, territorial, or Tribal law
2 enforcement agency working in collaboration
3 with a national, regional, or local organization.

4 (3) FEMALE GENITAL MUTILATION OR CUT-
5 TING.—The term “female genital mutilation or cut-
6 ting” means intentionally circumcising, excising,
7 infibulating the whole or any part of the labia
8 majora or labia minora or clitoris, or in any way
9 causing bodily injury to the female genitalia for non-
10 medical reasons.

11 (b) AWARD.—The Attorney General, acting through
12 the Director of the Office on Violence Against Women,
13 shall award grants to eligible entities on a competitive
14 basis to create, implement, and oversee female genital mu-
15 tilation or cutting education, awareness, and prevention
16 pilot programs.

17 (c) PERIOD OF A GRANT.—The period of a grant
18 under this subsection shall be up to 2 years.

19 (d) TERM.—The Attorney General shall make grants
20 under this section for each of the first 6 fiscal years begin-
21 ning after the date of enactment of this Act.

22 (e) PREFERENCE.—In awarding grants under this
23 subsection, the Secretary shall give preference to eligible
24 entities serving communities with the highest estimate of

1 women and girls at risk of experiencing female genital mu-
2 tilation or cutting.

3 (f) USE OF FUNDS.—Any female genital mutilation
4 or cutting education, awareness, and prevention pilot pro-
5 gram funded under this subsection may—

6 (1) provide education on the harmful effects of
7 female genital mutilation or cutting;

8 (2) provide education and resources for treat-
9 ment of female genital mutilation or cutting;

10 (3) engage in public service announcement cam-
11 paigns to educate the community on the practice
12 and prevention of female genital mutilation or cut-
13 ting; or

14 (4) provide training to law enforcement agen-
15 cies, medical personnel, social service agencies, or
16 other community leaders regarding the practice, pre-
17 vention, and detection of female genital mutilation
18 or cutting.

19 (g) LIMITATION.—Of the funds received through a
20 grant under this section for a fiscal year, an eligible entity
21 shall not use more than 10 percent for program evalua-
22 tion.

23 (h) REPORTS.—

24 (1) IN GENERAL.—Each entity that receives a
25 grant under paragraph (1) shall submit a report to

1 the Attorney General that includes information such
2 as the methodology of and outcomes and statistics
3 from the pilot program.

4 (2) REPORT TO CONGRESS.—Not later than 1
5 year after the date on which the first grant is
6 awarded under this Act and annually thereafter for
7 the duration of the pilot program, the Attorney Gen-
8 eral shall submit to Congress a report on the pilot
9 program, based on the reports submitted by grant
10 recipients under paragraph (1).

11 (i) AUTHORIZATION OF APPROPRIATIONS.—The At-
12 torney General shall carry out this section using amounts
13 otherwise available to the Attorney General.

14 **SEC. 1306. REPORTING ON FEMALE GENITAL MUTILATION**
15 **OR CUTTING.**

16 The Director of the Federal Bureau of Investigation
17 shall, pursuant to section 534 of title 28, United States
18 Code, include the offense of female genital mutilation in
19 the National Incident-Based Reporting System (commonly
20 known as “NIBRS”).

1 **TITLE XIV—EMPOWERING VIC-**
2 **TIMS OF REVENGE PORNOG-**
3 **RAPHY**

4 **SEC. 1401. EMPOWERING VICTIMS OF REVENGE PORNOG-**
5 **RAPHY.**

6 (a) DEFINITION.—In this section, the term “covered
7 work” means a work involving pornography.

8 (b) REGISTRATION.—Section 408 of title 17, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

11 “(g) WORKS INVOLVING PORNOGRAPHY.—With re-
12 spect to a work involving pornography, in the absence of
13 a validly executed contract assigning ownership of the
14 work, any individual appearing in the work may obtain
15 registration under this section of a copyright claim in the
16 work as a joint work.”.

17 (c) LICENSING.—The licensing or sale of a covered
18 work may be made only with the consent of all individuals
19 appearing in the work.

20 (d) INFRINGEMENT AND REMEDIES.—With respect
21 to a covered work—

22 (1) infringement of the work shall be subject to
23 the remedies provided under chapter 5 of title 17,
24 United States Code; and

1 (2) an individual appearing in the work may
 2 submit a request under section 512(h) of title 17,
 3 United States Code, with respect to the identifica-
 4 tion of an alleged infringer of the work.

5 **TITLE XV—CREEPS ACT**

6 **SEC. 1501. SHORT TITLE.**

7 This title may be cited as the “Compulsory Require-
 8 ment to Eliminate Employees who are Perpetrators of
 9 Sexual assault Act of 2019” or the “CREEPS Act”.

10 **SEC. 1502. SEXUAL ASSAULT BY FEDERAL EMPLOYEES AND** 11 **CONTRACTORS.**

12 (a) DEFINITIONS.—In this section—

13 (1) the term “becomes final” means—

14 (A) that—

15 (i) there is a final agency action; and

16 (ii)(I) the time for seeking judicial re-
 17 view of the final agency action has lapsed
 18 and judicial review has not been sought; or

19 (II) judicial review of the final agency
 20 action was sought and final judgment has
 21 been entered upholding the agency action;

22 or

23 (B) that final judgment has been entered
 24 in a civil action;

25 (2) the term “bonus”—

1 (A) means any bonus or cash award; and

2 (B) with respect to a Federal employee, in-
3 cludes—

4 (i) an award under chapter 45 of title
5 5, United States Code;

6 (ii) an award under section 5384 of
7 title 5, United States Code; and

8 (iii) a retention bonus under section
9 5754 of title 5, United States Code;

10 (3) the term “civil service” has the meaning
11 given that term in section 2101 of title 5, United
12 States Code;

13 (4) the term “contractor” includes a subcon-
14 tractor, at any tier, of an individual or entity enter-
15 ing into a contract with the Federal Government;

16 (5) the term “Federal employee” has the mean-
17 ing given the term “employee” in section 2105 of
18 title 5, United States Code, without regard to
19 whether the employee is exempted from the applica-
20 tion of some or all of such title 5;

21 (6) the term “sexual assault offense” means a
22 criminal offense under Federal law or the law of a
23 State that includes as an element of the offense that
24 the defendant engaged in a nonconsensual sexual act
25 upon another person; and

1 (7) the term “sustained complaint involving
2 sexual assault” means an administrative or judicial
3 determination that an employer engaged in an un-
4 lawful employment practice under title VII of the
5 Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.)
6 which included, as part of the course of conduct con-
7 stituting the unlawful employment practice, that an
8 employee of the employer engaged in a nonconsen-
9 sual sexual act upon another person.

10 (b) FEDERAL EMPLOYEES.—

11 (1) CRIMINAL CONVICTIONS.—The head of the
12 agency, office, or other entity employing a Federal
13 employee who is convicted of a sexual assault offense
14 committed while a Federal employee shall, after no-
15 tice and an opportunity for a hearing, remove the
16 Federal employee from the civil service.

17 (2) UNLAWFUL EMPLOYMENT PRACTICES.—

18 During the 5-year period beginning on the date on
19 which a sustained complaint involving sexual assault
20 with respect to an agency, office, or other entity em-
21 ploying Federal employees becomes final, the head of
22 the agency, office, or other entity may not increase
23 the rate of basic pay (including any increase in
24 grade and any within-grade step increase) of a Fed-
25 eral employee who engaged in a nonconsensual sex-

1 ual act upon another person that was part of the
2 course of conduct constituting the applicable unlaw-
3 ful employment practice, award such a Federal em-
4 ployee a bonus, or promote such a Federal employee.

5 (3) INTERACTION WITH OTHER LAWS.—The au-
6 thority under this subsection is in addition to any
7 authority provided to the head of an agency, office,
8 or other entity employing Federal employees.

9 (c) CONTRACTORS.—Any contract to procure prop-
10 erty or services entered into or modified by the Federal
11 Government on or after the date of enactment of this Act
12 shall require that the contractor have in effect policies that
13 require that—

14 (1) the contractor shall, after notice and an op-
15 portunity for a hearing, terminate an employee of
16 the contractor who is convicted of a sexual assault
17 offense committed while an employee of the con-
18 tractor; and

19 (2) during the 5-year period beginning on the
20 date on which a sustained complaint involving sexual
21 assault with respect to the contractor becomes final,
22 the contractor may not increase the rate of basic pay
23 of an employee of the contractor who engaged in a
24 nonconsensual sexual act upon another person that
25 was part of the course of conduct constituting the

1 applicable unlawful employment practice, award such
2 an employee a bonus, or promote such an employee.

3 **TITLE XVI—ADDITIONAL GRANT**
4 **PROGRAMS**

5 **SEC. 1601. NATIONAL STALKER AND DOMESTIC VIOLENCE**
6 **REDUCTION.**

7 Section 40603 of the Violence Against Women Act
8 of 1994 (34 U.S.C. 12402) is amended by striking
9 “\$3,000,000 for each of fiscal years 2014 through 2018”
10 and inserting “\$3,300,000 for each of fiscal years 2020
11 through 2029”.

12 **SEC. 1602. FEDERAL VICTIM ASSISTANTS REAUTHORIZA-**
13 **TION.**

14 Section 40114 of the Violence Against Women Act
15 of 1994 (Public Law 103–322) is amended to read as fol-
16 lows:

17 **“SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM COUN-**
18 **SELORS.**

19 “There are authorized to be appropriated for the
20 United States Attorneys for the purpose of appointing vic-
21 tim/witness counselors for the prosecution of sex crimes
22 and domestic violence crimes where applicable (such as the
23 District of Columbia), \$1,100,000 for each of fiscal years
24 2020 through 2029.”.

1 **SEC. 1603. CHILD ABUSE TRAINING PROGRAMS FOR JUDI-**
2 **CIAL PERSONNEL AND PRACTITIONERS RE-**
3 **AUTHORIZATION.**

4 Section 224(a) of the Crime Control Act of 1990 (34
5 U.S.C. 20334(a)) is amended by striking “\$2,300,000 for
6 each of fiscal years 2014 through 2018” and inserting
7 “\$3,000,000 for each of fiscal years 2020 through 2029”.

8 **SEC. 1604. SEX OFFENDER MANAGEMENT.**

9 Section 40152(e) of the Violence Against Women Act
10 of 1994 (34 U.S.C. 12311(e)) is amended by striking
11 “\$5,000,000 for each of fiscal years 2014 through 2018”
12 and inserting “\$5,500,000 for each of fiscal years 2020
13 through 2029”.

14 **SEC. 1605. COURT-APPOINTED SPECIAL ADVOCATE PRO-**
15 **GRAM.**

16 Section 219(a) of the Crime Control Act of 1990 (34
17 U.S.C. 20324(a)) is amended by striking “\$12,000,000
18 for each of fiscal years 2014 through 2018” and inserting
19 “\$15,000,000 for each of fiscal years 2020 through
20 2029”.

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116TH CONGRESS
1ST Session
S. 2920

A BILL

To reauthorize the Violence Against Women Act of
1994, and for other purposes.

NOVEMBER 21, 2019

Read the second time and placed on the calendar