

1 “(ii) intimidating or dissuading a wit-  
2 ness from testifying in court; and

3 “(C) that—

4 “(i) includes a finding that such per-  
5 son represents a credible threat to the  
6 physical safety of such individual described  
7 in subparagraph (B); or

8 “(ii) by its terms explicitly prohibits  
9 the use, attempted use, or threatened use  
10 of physical force against such individual  
11 described in subparagraph (B) that would  
12 reasonably be expected to cause bodily in-  
13 jury;”;

14 (B) in paragraph (9), by striking the  
15 comma at the end and inserting “; or”; and

16 (C) by inserting after paragraph (9) the  
17 following:

18 “(10) who has been convicted in any court of  
19 a misdemeanor crime of stalking;”.

20 **TITLE IX—SAFETY FOR INDIAN**  
21 **WOMEN**

22 **SEC. 901. FINDINGS AND PURPOSES.**

23 (a) FINDINGS.—Congress finds the following:

24 (1) American Indians and Alaska Natives are  
25 2.5 times as likely to experience violent crimes—and

1 at least 2 times more likely to experience rape or  
2 sexual assault crimes—compared to all other races.

3 (2) More than 4 in 5 American Indian and  
4 Alaska Native women, or 84.3 percent, have experi-  
5 enced violence in their lifetime.

6 (3) The vast majority of Native victims—96%  
7 of women and 89% of male victims—report being  
8 victimized by a non-Indian.

9 (4) Native victims of sexual violence are three  
10 times as likely to have experienced sexual violence by  
11 an interracial perpetrator as non-Hispanic White  
12 victims and Native stalking victims are nearly 4  
13 times as likely to be stalked by someone of a dif-  
14 ferent race.

15 (5) While tribes exercising jurisdiction over  
16 non-Indians have reported significant successes, the  
17 inability to prosecute crimes related to the Special  
18 Domestic Violence Criminal Jurisdiction crimes con-  
19 tinues to leave Tribes unable to fully hold domestic  
20 violence offenders accountable.

21 (6) Tribal prosecutors report that the majority  
22 of domestic violence cases involve children either as  
23 witnesses or victims, and Department of Justice re-  
24 ports that American Indian and Alaska Native chil-

1       dren suffer exposure to violence at rates higher than  
2       any other race in the United States.

3           (7) Childhood exposure to violence has imme-  
4       diate and long-term effects, including: increased  
5       rates of altered neurological development, poor phys-  
6       ical and mental health, poor school performance,  
7       substance abuse, and overrepresentation in the juve-  
8       nile justice system.

9           (8) According to the Centers for Disease Con-  
10      trol and Prevention, homicide is the third leading  
11      cause of death among American Indian and Alaska  
12      Native women between 10 and 24 years of age and  
13      the fifth leading cause of death for American Indian  
14      and Alaska Native women between 25 and 34 years  
15      of age.

16          (9) On some reservations, Indian women are  
17      murdered at more than 10 times the national aver-  
18      age.

19          (10) According to a 2010 Government Account-  
20      ability Office report, United States Attorneys de-  
21      clined to prosecute nearly 52 percent of violent  
22      crimes that occur in Indian country.

23          (11) Investigation into cases of missing and  
24      murdered Indian women is made difficult for tribal

1 law enforcement agencies due to a lack of resources,  
2 such as—

3 (A) necessary training, equipment, or  
4 funding;

5 (B) a lack of interagency cooperation; and

6 (C) a lack of appropriate laws in place.

7 (12) Domestic violence calls are among the  
8 most dangerous calls that law enforcement receives.

9 (13) The complicated jurisdictional scheme that  
10 exists in Indian country—

11 (A) has a significant negative impact on  
12 the ability to provide public safety to Indian  
13 communities;

14 (B) has been increasingly exploited by  
15 criminals; and

16 (C) requires a high degree of commitment  
17 and cooperation among tribal, Federal, and  
18 State law enforcement officials.

19 (14) Restoring and enhancing local, tribal ca-  
20 pacity to address violence against women provides  
21 for greater local control, safety, accountability, and  
22 transparency.

23 (15) In States with restrictive land settlement  
24 acts such as Alaska, “Indian country” is limited, re-  
25 sources for local tribal responses either nonexistent

1 or insufficient to meet the needs, jurisdiction unnec-  
2 essarily complicated and increases the already high  
3 levels of victimization of American Indian and Alas-  
4 ka Native women. According to the Tribal Law and  
5 Order Act Commission Report, Alaska Native  
6 women are over-represented in the domestic violence  
7 victim population by 250 percent; they comprise 19  
8 percent of the State population, but are 47 percent  
9 of reported rape victims. And among other Indian  
10 Tribes, Alaska Native women suffer the highest  
11 rates of domestic and sexual violence in the country.

12 (b) PURPOSES.—The purposes of this title are—

13 (1) to clarify the responsibilities of Federal,  
14 State, tribal, and local governments with respect to  
15 responding to cases of domestic violence, dating vio-  
16 lence, stalking, trafficking, sexual violence, crimes  
17 against children, and assault against tribal law en-  
18 forcement officers and murdered Indians;

19 (2) to increase coordination and communication  
20 among Federal, State, tribal, and local law enforce-  
21 ment agencies; and

22 (3) to empower tribal governments with the re-  
23 sources and information necessary to effectively re-  
24 spond to cases of domestic violence, dating violence,

1 stalking, sex trafficking, sexual violence, and missing  
2 and murdered Indians; and

3 (4) to increase the collection of data related to  
4 missing and murdered Indians and the sharing of in-  
5 formation among Federal, State, and tribal officials  
6 responsible for responding to and investigating cases  
7 of missing and murdered Indians.

8 **SEC. 902. AUTHORIZING FUNDING FOR THE TRIBAL ACCESS**  
9 **PROGRAM.**

10 Section 534 of title 28, United States Code, is  
11 amended by adding at the end the following:

12 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
13 is authorized to be appropriated \$3,000,000 for each of  
14 fiscal years 2020 through 2024, to remain available until  
15 expended, for the purposes of enhancing the ability of trib-  
16 al government entities to access, enter information into,  
17 and obtain information from, Federal criminal informa-  
18 tion databases, as authorized by this section.”.

1 **SEC. 903. TRIBAL JURISDICTION OVER CRIMES OF DOMES-**  
2 **TIC VIOLENCE, DATING VIOLENCE, OBSTRUC-**  
3 **TION OF JUSTICE, SEXUAL VIOLENCE, SEX**  
4 **TRAFFICKING, STALKING, AND ASSAULT OF A**  
5 **LAW ENFORCEMENT OFFICER OR CORREC-**  
6 **TIONS OFFICER.**

7 Section 204 of Public Law 90–284 (25 U.S.C. 1304)  
8 (commonly known as the “Indian Civil Rights Act of  
9 1968”) is amended—

10 (1) in the heading, by striking “**CRIMES OF**  
11 **DOMESTIC VIOLENCE**” and inserting “**CRIMES**  
12 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**  
13 **OBSTRUCTION OF JUSTICE, SEXUAL VIOLENCE,**  
14 **SEX TRAFFICKING, STALKING, AND ASSAULT**  
15 **OF A LAW ENFORCEMENT OR CORRECTIONS**  
16 **OFFICER**”;

17 (2) in paragraph (6), in the heading, by strik-  
18 ing “SPECIAL DOMESTIC VIOLENCE CRIMINAL JURIS-  
19 DICTION” and inserting “SPECIAL TRIBAL CRIMINAL  
20 JURISDICTION”;

21 (3) by striking “special domestic violence crimi-  
22 nal jurisdiction” each place such term appears and  
23 inserting “special tribal criminal jurisdiction”;

24 (4) in subsection (a)—

25 (A) by adding at the end the following:

1           “(12) STALKING.—The term ‘stalking’ means  
2           engaging in a course of conduct directed at a spe-  
3           cific person proscribed by the criminal law of the In-  
4           dian tribe that has jurisdiction over the Indian coun-  
5           try where the violation occurs that would cause a  
6           reasonable person to—

7                   “(A) fear for the person’s safety or the  
8                   safety of others; or

9                   “(B) suffer substantial emotional dis-  
10                  tress.”;

11                  (B) by redesignating paragraphs (6) and  
12                  (7) as paragraphs (10) and (11);

13                  (C) by inserting before paragraph (10) (as  
14                  redesignated) the following:

15           “(8) SEX TRAFFICKING.—

16                   “(A) IN GENERAL.—The term ‘sex traf-  
17                   ficking’ means conduct—

18                           “(i) consisting of—

19                                   “(I) recruiting, enticing, har-  
20                                   boring, transporting, providing, ob-  
21                                   taining, advertising, maintaining, pa-  
22                                   tronizing, or soliciting by any means a  
23                                   person; or

24                                   “(II) benefitting, financially or  
25                                   by receiving anything of value, from

1 participation in a venture that has en-  
2 gaged in an act described in subclause  
3 (I); and

4 “(ii) carried out with the knowledge,  
5 or, except where the act constituting the  
6 violation of clause (i) is advertising, in  
7 reckless disregard of the fact, that—

8 “(I) means of force, threats of  
9 force, fraud, coercion, or any combina-  
10 tion of such means will be used to  
11 cause the person to engage in a com-  
12 mercial sex act; or

13 “(II) the person has not attained  
14 the age of 18 years and will be caused  
15 to engage in a commercial sex act.

16 “(B) DEFINITIONS.—In this paragraph,  
17 the terms ‘coercion’ and ‘commercial sex act’  
18 have the meanings given the terms in section  
19 1591(e) of title 18, United States Code.

20 “(9) SEXUAL VIOLENCE.—The term ‘sexual vio-  
21 lence’ means any nonconsensual sexual act or con-  
22 tact proscribed by the criminal law of the Indian  
23 tribe that has jurisdiction over the Indian country  
24 where the violation occurs, including in any case in

1 which the victim lacks the capacity to consent to the  
2 act.”;

3 (D) by redesignating paragraphs (4) and  
4 (5) as paragraphs (6) and (7);

5 (E) by redesignating paragraphs (1)  
6 through (3) as paragraphs (2) through (4);

7 (F) in paragraph (3) (as redesignated), to  
8 read as follows:

9 “(3) DOMESTIC VIOLENCE.—The term ‘domes-  
10 tic violence’ means violence—

11 “(A) committed by a current or former  
12 spouse or intimate partner of the victim, by a  
13 person with whom the victim shares a child in  
14 common, by a person who is cohabitating with  
15 or has cohabitated with the victim as a spouse  
16 or intimate partner, or by a person similarly  
17 situated to a spouse of the victim under the  
18 domestic- or family- violence laws of an Indian  
19 tribe that has jurisdiction over the Indian coun-  
20 try where the violence occurs; or

21 “(B) committed against a victim who is a  
22 child under the age of 18, or an elder (as such  
23 term is defined by tribal law) who resides or  
24 has resided in the same household as the de-  
25 fendant.”;

1 (G) by inserting before paragraph (2) (as  
2 redesignated), the following:

3 “(1) ASSAULT OF A LAW ENFORCEMENT OR  
4 CORRECTIONAL OFFICER.—The term ‘assault of a  
5 law enforcement or correctional officer’ means any  
6 criminal violation of the law of the Indian tribe that  
7 has jurisdiction over the Indian country where the  
8 violation occurs that involves the threatened, at-  
9 tempted, or actual harmful or offensive touching of  
10 a law enforcement or correctional officer.”;

11 (H) by inserting after paragraph (4) (as  
12 redesignated), the following:

13 “(5) OBSTRUCTION OF JUSTICE.—The term  
14 ‘obstruction of justice’ means any violation of the  
15 criminal law of the Indian tribe that has jurisdiction  
16 over the Indian country where the violation occurs,  
17 and the violation involves interfering with the ad-  
18 ministration or due process of the tribe’s laws in-  
19 cluding any tribal criminal proceeding or investiga-  
20 tion of a crime.”;

21 (5) in subsection (b)(1), by inserting after “the  
22 powers of self-government of a participating tribe”  
23 the following: “, including any participating tribes in  
24 the State of Maine,”

25 (6) in subsection (b)(4)—

1 (A) in subparagraph (A)(i), by inserting  
2 after “over an alleged offense” the following: “,  
3 other than obstruction of justice or an act of  
4 assault of a law enforcement or corrections offi-  
5 cer,”; and

6 (B) in subparagraph (B)—

7 (i) in clause (ii), by striking “or” at  
8 the end;

9 (ii) in clause (iii)(II), by striking the  
10 period at the end and inserting the fol-  
11 lowing: “; or”; and

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(iv) is being prosecuted for a crime  
15 of sexual violence, stalking, sex trafficking,  
16 obstructing justice, or assaulting a police  
17 or corrections officer under the laws of the  
18 prosecuting tribe.”;

19 (7) in subsection (c)—

20 (A) in the matter preceding paragraph (1),  
21 by striking “domestic violence” and inserting  
22 “tribal”; and

23 (B) in paragraph (1)—

24 (i) in the paragraph heading, by strik-  
25 ing “AND DATING VIOLENCE” and insert-

1           ing “, DATING VIOLENCE, OBSTRUCTION  
2           OF JUSTICE, SEXUAL VIOLENCE, STALK-  
3           ING, SEX TRAFFICKING, OR ASSAULT OF A  
4           LAW ENFORCEMENT OR CORRECTIONS OF-  
5           FICER”; and

6                   (ii) by striking “or dating violence”  
7           and inserting “, dating violence, obstruc-  
8           tion of justice, sexual violence, stalking,  
9           sex trafficking, or assault of a law enforce-  
10          ment or corrections officer”;

11          (8) in subsection (d), by striking “domestic vio-  
12          lence” each place it appears and inserting “tribal”;

13          (9) in subsection (f)—

14                   (A) by striking “special domestic violence”  
15          each place it appears and inserting “special  
16          tribal”;

17                   (B) in paragraph (2), by striking “pros-  
18          ecutes” and all that follows through the semi-  
19          colon at the end and inserting the following:  
20          “prosecutes—

21                           “(A) a crime of domestic violence;

22                           “(B) a crime of dating violence;

23                           “(C) a criminal violation of a protection  
24          order;

25                           “(D) a crime of sexual violence;

1 “(E) a crime of stalking;

2 “(F) a crime of sex trafficking;

3 “(G) a crime of obstruction of justice; or

4 “(H) a crime of assault of a law enforce-  
5 ment or correctional officer.”;

6 (C) in paragraph (4), by inserting “sexual  
7 violence, stalking, sex trafficking, assault of a  
8 law enforcement or correctional officer,” after  
9 “dating violence,”; and

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

11 “(5) to create a pilot project to allow up to five  
12 Indian tribes in Alaska to implement special tribal  
13 criminal jurisdiction.”;

14 (10) by redesignating subsections (g) and (h) as  
15 subsections (h) and (i), respectively;

16 (11) by inserting after subsection (f) the fol-  
17 lowing;; and

18 “(g) INDIAN COUNTRY DEFINED.—For purposes of  
19 the pilot project described in subsection (f)(5), the defini-  
20 tion of ‘Indian country’ shall include Alaska Native-owned  
21 Townsites, Allotments, and former reservation lands ac-  
22 quired in fee by Alaska Native Village Corporations pursu-  
23 ant to the Alaska Native Claims Settlement Act (43  
24 U.S.C. 33) and other lands transferred in fee to Native  
25 villages.”.

1 (12) in subsection (i) (as redesignated) by strik-  
2 ing “fiscal years 2014 through 2018” and inserting  
3 “fiscal years 2020 through 2024”.

4 **TITLE X—OFFICE ON VIOLENCE**  
5 **AGAINST WOMEN**

6 **SEC. 1001. ESTABLISHMENT OF OFFICE ON VIOLENCE**  
7 **AGAINST WOMEN.**

8 (a) ESTABLISHMENT OF OFFICE ON VIOLENCE  
9 AGAINST WOMEN.—Section 2002 of title I of the Omnibus  
10 Crime Control and Safe Streets Act of 1968 (34 U.S.C.  
11 10442) is amended—

12 (1) in subsection (a), by striking “a Violence  
13 Against Women Office” and inserting “an Office on  
14 Violence Against Women”;

15 (2) in subsection (b), by inserting after “within  
16 the Department of Justice” the following: “, not  
17 subsumed by any other office”;

18 (3) in subsection (c)(2), by striking “Violence  
19 Against Women Act of 1994 (title VI of Public 103–  
20 322) and the Violence Against Women Act of 2000  
21 (Division B of Public Law 106–386)” and inserting  
22 “Violence Against Women Act of 1994 (title VI1 of  
23 Public 103–322), the Violence Against Women Act  
24 of 2000 (Division B of Public Law 106–386), the  
25 Violence Against Women and Department of Justice