

1 (A) each Field Division of the Bureau of
2 Alcohol, Tobacco, and Firearms; and

3 (B) each District Office of the United
4 States Attorneys.

5 (b) IMPROVE INTIMATE PARTNER AND PUBLIC
6 SAFETY.—The Attorney General shall—

7 (1) identify no less than 75 jurisdictions among
8 the various States, territories, and tribes in which
9 there are high rates of firearms violence and threats
10 of firearms violence against intimate partners and
11 other persons protected under paragraphs (8) and
12 (9) subsection (g) of section 922 of title 18, United
13 States Code, and in which local authorities lack the
14 resources to address such violence; and

15 (2) make appointments as described in sub-
16 section (a) in such jurisdictions.

17 (c) AUTHORIZATION OF FUNDS.—There is author-
18 ized to be appropriated such sums as may be necessary
19 to carry out this section.

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

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

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

1 (1) On some reservations, Indian women are
2 murdered at more than 10 times the national aver-
3 age.

4 (2) American Indians and Alaska Natives are
5 2.5 times as likely to experience violent crimes—and
6 at least 2 times more likely to experience rape or
7 sexual assault crimes—compared to all other races.

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

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

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

22 (6) Investigation into cases of missing and mur-
23 dered Indian women is made difficult for tribal law
24 enforcement agencies due to a lack of resources,
25 such as—

1 (A) necessary training, equipment, or
2 funding;

3 (B) a lack of interagency cooperation; and

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

5 (7) The complicated jurisdictional scheme that
6 exists in Indian country—

7 (A) has a significant negative impact on
8 the ability to provide public safety to Indian
9 communities;

10 (B) has been increasingly exploited by
11 criminals; and

12 (C) requires a high degree of commitment
13 and cooperation among tribal, Federal, and
14 State law enforcement officials.

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

16 (1) to clarify the responsibilities of Federal,
17 State, tribal, and local governments with respect to
18 responding to cases of missing and murdered Indi-
19 ans;

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

23 (3) to empower tribal governments with the re-
24 sources and information necessary to effectively re-

1 spond to cases of missing and murdered Indians;
2 and

3 (4) to increase the collection of data related to
4 missing and murdered Indian women and the shar-
5 ing of information among Federal, State, and tribal
6 officials responsible for responding to and inves-
7 tigating cases of missing and murdered Indians.

8 **SEC. 902. DEFINITIONS.**

9 In this title:

10 (1) **FEDERAL DATABASES.**—The term “Federal
11 databases” means—

12 (A) the National Crime Information Center
13 database;

14 (B) the Combined DNA Index System;

15 (C) the Integrated Automated Fingerprint
16 Identification System;

17 (D) the Violent Criminal Apprehension
18 Program;

19 (E) the National Missing and Unidentified
20 Persons System; and

21 (F) other Federal databases relevant to re-
22 sponding to cases of missing and murdered In-
23 dians.

24 (2) **INDIAN.**—The term “Indian” means a
25 member of an Indian Tribe.

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

4 (4) INDIAN TRIBE.—The term “Indian Tribe”
5 has the meaning given the term in section 4 of the
6 Indian Self-Determination and Education Assistance
7 Act (25 U.S.C. 5304).

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

11 **SEC. 903. IMPROVING TRIBAL ACCESS TO FEDERAL CRIME**
12 **INFORMATION DATABASES.**

13 (a) TRIBAL ENROLLMENT INFORMATION.—Not later
14 than 30 days after the date of enactment of this title, the
15 Attorney General shall update the online data entry for-
16 mat for Federal databases to include a new data field for
17 users to input the victim’s Tribal enrollment information
18 or affiliation, as appropriate.

19 (b) CONSULTATION.—

20 (1) INITIAL CONSULTATION.—Not later than
21 120 days after the date of enactment of this title,
22 the Attorney General, in cooperation with the Sec-
23 retary of the Interior, shall complete a formal con-
24 sultation with Indian Tribes on how to further im-
25 prove tribal data relevance and access to Federal

1 databases, which shall also inform the development
2 of law enforcement and justice protocols under sec-
3 tion 904(a).

4 (2) ANNUAL CONSULTATION.—Section 903(b)
5 of the Violence Against Women and Department of
6 Justice Reauthorization Act of 2005 (34 U.S.C.
7 20126) is amended—

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

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

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

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

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

19 (c) REPORT.—Not later than 1 year after the date
20 of enactment of this Act, the Attorney General shall pre-
21 pare and submit a report to the Committee on Indian Af-
22 fairs and the Committee on the Judiciary of the Senate
23 and the Committee on Natural Resources and the Com-
24 mittee on the Judiciary of the House of Representatives
25 that includes—

1 (1) the results of the formal consultation de-
2 scribed in subsection (b)(1);

3 (2) a description of the outstanding barriers In-
4 dian Tribes face in acquiring full access to Federal
5 databases and related national crime information
6 systems; and

7 (3) the plan of action of the Department of
8 Justice to—

9 (A) implement suggestions received from
10 Indian Tribes through the consultation process;
11 and

12 (B) resolve the outstanding barriers de-
13 scribed under paragraph (2).

14 **SEC. 904. STANDARDIZED PROTOCOLS FOR RESPONDING**
15 **TO CASES OF MISSING AND MURDERED INDI-**
16 **ANS.**

17 (a) STANDARDIZED PROTOCOLS FOR MISSING AND
18 MURDERED INDIANS.—

19 (1) IN GENERAL.—Not later than 90 days after
20 the consultation process described in section
21 903(b)(1), the Attorney General, in cooperation with
22 the Secretary of the Interior and in consultation
23 with Indian Tribes, shall—

24 (A) review existing (as of the date of the
25 review) law enforcement and justice protocols

1 appropriate to missing and murdered Indians;
2 and

3 (B) recommend such existing protocols, re-
4 vise such existing protocols, or develop new pro-
5 tocols, as necessary, to establish protocols to
6 serve as guidelines for law enforcement agencies
7 with respect to missing and murdered Indians.

8 (2) PUBLIC AVAILABILITY.—The Attorney Gen-
9 eral shall make the protocols under paragraph (1)
10 publicly available and shall distribute them to law
11 enforcement agencies.

12 (b) REQUIREMENTS.—The standardized protocols
13 under subsection (a) shall include the following:

14 (1) Guidance on inter-jurisdictional cooperation
15 among law enforcement agencies at the Tribal, Fed-
16 eral, State, and local levels.

17 (2) Standards on the collection, reporting, and
18 analysis of data and information on missing persons
19 and unidentified human remains appropriate to Indi-
20 ans, including standards on entering information to
21 Federal databases on missing persons within a cer-
22 tain timeframe after receiving the missing persons
23 report.

1 (3) Guidance on improving law enforcement re-
2 sponse rates and follow-up to cases of missing and
3 murdered Indians.

4 (4) Methods to ensure access to victim services
5 for Indian victims and their families.

6 (c) DIRECTIONS TO UNITED STATES ATTORNEYS.—

7 (1) DIRECTIONS.—Not later than 240 days
8 after the date of enactment of this title, the Attor-
9 ney General shall direct United States attorneys
10 with jurisdiction to prosecute crimes in Indian coun-
11 try under sections 1152 and 1153 of title 18, United
12 States Code, to develop written standard protocols to
13 investigate cases of missing and murdered Indians
14 that—

15 (A) are guided by the standardized proto-
16 cols under subsection (a);

17 (B) are developed in consultation with In-
18 dian Tribes and other Federal partners, includ-
19 ing—

20 (i) the Federal Bureau of Investiga-
21 tion;

22 (ii) the Department of the Interior;

23 (iii) the Bureau of Indian Affairs; and

24 (iv) the Indian Health Service;

1 (C) detail specific responsibilities of each
2 Federal partner; and

3 (D) shall be implemented not later than 60
4 days after the direction is issued.

5 (2) ADDITIONAL DIRECTIONS.—Not later than
6 240 days after the date of enactment of this title,
7 the Attorney General shall direct United States at-
8 torneys with jurisdiction to prosecute crimes in In-
9 dian Country from an authority other than section
10 1152 or 1153 of title 18, United States Code, to dis-
11 cuss the Federal response to cases of missing and
12 murdered Indians with their Tribal partners and
13 Federal partners as appropriate during annual con-
14 sultations.

15 (d) TRAINING AND TECHNICAL ASSISTANCE.—The
16 Attorney General shall provide Indian Tribes and law en-
17 forcement agencies with training and technical assistance
18 relating to the development and implementation of the law
19 enforcement and justice protocols of the Indian Tribes and
20 agencies, respectively, in accordance with the standardized
21 protocols under subsection (a).

22 (e) COMPLIANCE.—Not later than 18 months after
23 the date of enactment of this title, Federal law enforce-
24 ment agencies with jurisdiction to investigate and pros-
25 ecute crimes relating to missing and murdered Indians

1 shall modify the law enforcement and justice protocols of
2 the agency to satisfactorily comply with the standardized
3 protocols under subsection (a).

4 **SEC. 905. ANNUAL REPORTING REQUIREMENTS.**

5 Beginning in the first fiscal year after the date of
6 enactment of this title, and annually thereafter, the Attor-
7 ney General and the Secretary of the Interior shall jointly
8 prepare and submit a report, to the Committee on Indian
9 Affairs and the Committee on the Judiciary of the Senate
10 and the Committee on Natural Resources and the Com-
11 mittee on the Judiciary of the House of Representatives,
12 that—

13 (1) includes known statistics on missing and
14 murdered Indian women in the United States;

15 (2) provides recommendations regarding how to
16 improve data collection on missing and murdered In-
17 dian women; and

18 (3) includes information relevant to the imple-
19 mentation of the standardized protocols developed
20 under section 904(a).

1 **SEC. 906. TRIBAL JURISDICTION OVER CRIMES OF DOMES-**
2 **TIC VIOLENCE, SEXUAL VIOLENCE, SEX TRAF-**
3 **FICKING, STALKING, CHILD VIOLENCE, AND**
4 **VIOLENCE AGAINST LAW ENFORCEMENT OF-**
5 **FICERS.**

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

9 (1) by striking “special tribal domestic violence
10 criminal jurisdiction” each place such term appears
11 and inserting “special tribal criminal jurisdiction”;

12 (2) in subsection (a)—

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

14 “(16) STALKING.—The term ‘stalking’ means
15 engaging in a course of conduct directed at a spe-
16 cific person that would cause a reasonable person—

17 “(A) to fear for his or her safety or the
18 safety of others; or

19 “(B) to suffer substantial emotional dis-
20 tress.”;

21 (B) by redesignating paragraphs (6) and
22 (7) as paragraphs (14) and (15);

23 (C) by inserting before paragraph (14) (as
24 redesignated) the following:

1 “(11) RELATED CONDUCT.—The term ‘related
2 conduct’ means a violation of the criminal law of an
3 Indian tribe that is committed—

4 “(A) against a covered individual;

5 “(B) by a person—

6 “(i) who is subject to special tribal
7 criminal jurisdiction; and

8 “(ii) has committed criminal conduct
9 that falls into one or more of the cat-
10 egories described in paragraphs (1) and
11 (2) of subsection (c); and

12 “(C) in the course of resisting or inter-
13 fering with the prevention, detection, investiga-
14 tion, arrest, pretrial detention, prosecution, ad-
15 judication, or sentencing, including the proba-
16 tion, parole, incarceration, or rehabilitation, of
17 that person relating to that criminal conduct.

18 “(12) SEX TRAFFICKING.—

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

21 “(i) consisting of—

22 “(I) recruiting, enticing, har-
23 boring, transporting, providing, ob-
24 taining, advertising, maintaining, pa-

1 tronizing, or soliciting by any means a
2 person; or

3 “(II) benefiting, financially or by
4 receiving anything of value, from par-
5 ticipation in a venture that has en-
6 gaged in an act described in subclause
7 (I); and

8 “(ii) carried out with the knowledge,
9 or, except where the act constituting the
10 violation of clause (i) is advertising, in
11 reckless disregard of the fact, that—

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

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

20 “(B) DEFINITIONS.—In this paragraph,
21 the terms ‘coercion’ and ‘commercial sex act’
22 have the meanings given the terms in section
23 1591(e) of title 18, United States Code.

24 “(13) SEXUAL VIOLENCE.—The term ‘sexual vi-
25 olence’ means any nonconsensual sexual act or con-

1 tact proscribed by Federal, tribal, or State law, in-
2 cluding in any case in which the victim lacks the ca-
3 pacity to consent to the act.”;

4 (D) by redesignating paragraphs (1)
5 through (5) as paragraphs (6) through (10);

6 (E) in paragraph (6) (as redesignated), by
7 striking “violence” and inserting “covered con-
8 duct”;

9 (F) in paragraph (7) (as redesignated), by
10 striking “violence” each place such term ap-
11 pears and inserting “covered conduct”; and

12 (G) by inserting before paragraph (6) (as
13 redesignated), the following:

14 “(1) CAREGIVER.—The term ‘caregiver’
15 means—

16 “(A) the parent, guardian, or legal custo-
17 dian of the child;

18 “(B) the spouse or intimate partner of a
19 parent, guardian, or legal custodian of the
20 child;

21 “(C) any relative of the child, including a
22 parent, grandparent, great-grandparent, step-
23 parent, brother, sister, stepbrother, stepsister,
24 half-brother, or half-sister;

1 “(D) a person who resides or has resided
2 regularly or intermittently in the same dwelling
3 as the child;

4 “(E) a person who provides or has pro-
5 vided care for the child in or out of the home
6 of the child;

7 “(F) any person who exercises or has exer-
8 cised temporary or permanent control over the
9 child; or

10 “(G) any person who temporarily or per-
11 manently supervises or has supervised the child.

12 “(2) CHILD.—The term ‘child’ means a person
13 who has not attained the lesser of—

14 “(A) the age of 18; or

15 “(B) except in the case of sexual abuse,
16 the age specified by the child protection law of
17 the participating tribe that has jurisdiction over
18 the Indian country where the child resides.

19 “(3) CHILD VIOLENCE.—The term ‘child vio-
20 lence’ means covered conduct committed against a
21 child by a caregiver of the child.

22 “(4) COVERED CONDUCT.—The term ‘covered
23 conduct’ means conduct that—

1 “(A) involves the use, attempted use, or
2 threatened use of force against the person or
3 property of another; and

4 “(B) violates the criminal law of the In-
5 dian tribe that has jurisdiction over the Indian
6 country where the conduct occurs.

7 “(5) COVERED INDIVIDUAL.—The term ‘cov-
8 ered individual’ means an officer or employee of an
9 Indian tribe, or an individual authorized to act for
10 or on behalf of an Indian tribe or serving an Indian
11 tribe—

12 “(A) who is—

13 “(i) authorized under law to engage in
14 or supervise the prevention, detection, in-
15 vestigation, arrest, pretrial detention, pros-
16 ecution, or adjudication of an offense or
17 the sentencing, including the probation,
18 parole, incarceration, or rehabilitation, of
19 an individual; or

20 “(ii) serves as a probation or pretrial
21 services officer; and

22 “(B) who is carrying out an activity de-
23 scribed in paragraph (11)(C).”;

24 (3) in subsection (b)(4), by striking subpara-
25 graph (B);

1 (4) in subsection (c)—

2 (A) in the matter preceding paragraph (1),
3 by striking “domestic violence” and inserting
4 “tribal”;

5 (B) in paragraph (1)—

6 (i) in the paragraph heading, by strik-
7 ing “AND DATING VIOLENCE” and insert-
8 ing “, DATING VIOLENCE, SEXUAL VIO-
9 LENCE, STALKING, TRAFFICKING, AND
10 CHILD VIOLENCE”; and

11 (ii) by striking “or dating violence”
12 and inserting “, dating violence, sexual
13 violence, stalking, trafficking, or child vio-
14 lence”; and

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

16 “(3) RELATED CONDUCT.—An act of related
17 conduct that occurs in the Indian country of the
18 participating tribe.”;

19 (5) in subsection (d), by striking “domestic vio-
20 lence” each place it appears and inserting “tribal”;

21 (6) in subsection (f)—

22 (A) by striking “special domestic violence”
23 each place it appears and inserting “special
24 tribal”;

1 (B) in paragraph (2), by striking “pros-
2 ecutes” and all that follows through the semi-
3 colon at the end and inserting the following:

4 “prosecutes—

5 “(A) a crime of domestic violence;

6 “(B) a crime of dating violence;

7 “(C) a criminal violation of a protection
8 order;

9 “(D) a crime of sexual violence;

10 “(E) a crime of stalking;

11 “(F) a crime of trafficking; or

12 “(G) a crime of related conduct;”; and

13 (C) in paragraph (4), by inserting “child
14 violence, sexual violence, stalking, trafficking,
15 related conduct” after “dating violence”; and

16 (7) in subsection (h), by striking “fiscal years
17 2014 through 2018” and inserting “fiscal years
18 2019 through 2023”.

19 **SEC. 907. AUTHORIZING FUNDING FOR THE TRIBAL ACCESS**
20 **PROGRAM.**

21 Section 534 of title 28, united States Code, is amend-
22 ed by adding at the end the following:

23 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
24 is authorized to be appropriated \$3,000,000 for each of
25 fiscal years 2019 to 2023, to remain available until ex-

1 pended, for the purposes of enhancing the ability of tribal
2 government entities to access, enter information into, and
3 obtain information from, Federal criminal information
4 databases, as authorized by this section.”.

5 **SEC. 908. CRIMINAL TRESPASS ON INDIAN LAND.**

6 (a) IN GENERAL.—Section 1165 of title 18, United
7 States Code, is amended to read as follows:

8 **“§ 1165. Criminal trespass on Indian land**

9 “(a) HUNTING, TRAPPING OR FISHING ON INDIAN
10 LAND.—Whoever, without lawful authority or permission,
11 willfully and knowingly goes upon any land that belongs
12 to any Indian or Indian tribe, band, or group and either
13 are held by the United States in trust or are subject to
14 a restriction against alienation imposed by the United
15 States, or upon any lands of the United States that are
16 reserved for Indian use (referred to in this section as ‘trib-
17 al land’), for the purpose of hunting, trapping, or fishing
18 thereon, or for the removal of game, peltries, or fish there-
19 from, shall be fined under this title or imprisoned not
20 more than ninety days, or both, and all game, fish, and
21 peltries in his possession shall be forfeited.

22 “(b) VIOLATION OF TRIBAL EXCLUSION ORDER.—

23 “(1) DEFINITION OF EXCLUSION ORDER.—In
24 this subsection, the term ‘exclusion order’ means an
25 order issued in a proceeding by a court of an Indian

1 tribe that temporarily or permanently excludes a
2 person from tribal land because of a conviction
3 under the criminal laws of the tribal government—

4 “(A) for a violent crime (as defined under
5 applicable tribal law); or

6 “(B) for the sale or distribution of con-
7 trolled substances.

8 “(2) VIOLATION DESCRIBED.—It shall be un-
9 lawful for any person to knowingly violate the terms
10 of an exclusion order that was issued by a court of
11 an Indian tribe in accordance with paragraph (4).

12 “(3) PENALTY.—Any person who violates para-
13 graph (2) shall be fined up to \$5,000 or imprisoned
14 for up to 1 year, or both.

15 “(4) REQUIREMENTS.—The violation described
16 in paragraph (2) applies only to an exclusion
17 order—

18 “(A) for which—

19 “(i) the respondent was served with,
20 or had actual notice of, the underlying
21 complaint; and

22 “(ii) the underlying complaint in-
23 cluded—

24 “(I) a plain statement of facts
25 that, if true, would provide the basis

1 for the issuance of an exclusion order
2 against the respondent;

3 “(II) the date, time, and place
4 for a hearing on the complaint; and

5 “(III) a statement informing the
6 respondent that if the respondent fails
7 to appear at the hearing on the com-
8 plaint, an order may issue, the viola-
9 tion of which may result in—

10 “(aa) criminal prosecution
11 under Federal law; and

12 “(bb) the imposition of a
13 fine or imprisonment, or both;

14 “(B) for which a hearing on the underlying
15 complaint sufficient to protect the right of the
16 respondent to due process was held on the
17 record, at which the respondent was provided
18 an opportunity to be heard and present testi-
19 mony of witnesses and other evidence as to why
20 the order should not issue;

21 “(C) that—

22 “(i) temporarily or permanently ex-
23 cludes the respondent from tribal land
24 under the jurisdiction of the applicable In-
25 dian tribe; and

1 “(ii) includes a statement that a viola-
2 tion of the order may result in—

3 “(I) criminal prosecution under
4 Federal law; and

5 “(II) the imposition of a fine or
6 imprisonment, or both; and

7 “(D) with which the respondent was served
8 or of which the respondent had actual notice.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 for chapter 53 of such title is amended by striking the
11 item relating to section 1165 and inserting the following:

“1165. Criminal trespass on Indian land.”.

12 **TITLE X—OFFICE ON VIOLENCE**
13 **AGAINST WOMEN**

14 **SEC. 1001. OFFICE ON VIOLENCE AGAINST WOMEN.**

15 (a) ESTABLISHMENT OF OFFICE ON VIOLENCE
16 AGAINST WOMEN.—Section 2002 of title I of the Omnibus
17 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
18 10442) is amended—

19 (1) in the heading, by striking “**VIOLENCE**
20 **AGAINST WOMEN OFFICE**” and inserting “**OF-**
21 **FICE ON VIOLENCE AGAINST WOMEN**”;

22 (2) in subsection (a), by striking “a Violence
23 Against Women Office” and inserting “an Office on
24 Violence Against Women”;