

VAWA TITLE IX: SAFETY FOR INDIAN WOMEN

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Sec. 901. Findings.

Section 901 contains six findings highlighting that American Indian and Alaska Native women are victimized at a higher rate of violence than any other population of women. It presents research portraying a spectrum of violence committed against Indian women including rape, battering, and homicide. Section 901 also states the unique legal responsibility of the United States to Indian tribes in safeguarding the lives of Indian women.

Sec. 902. Purposes.

Section 904 defines the three purpose areas of Title IX. The purpose areas provide general guidelines for the implementation of sections of the Title. The three purpose areas include: (1) decrease the incidence of violent crimes against Indian women; (2) strengthen the capacity of Indian tribes to exercise their sovereign authority to respond to violent crimes committed against Indian women; and (3) ensure that perpetrators of violent crimes committed against Indian women are held accountable for their criminal behavior.

Sec. 903. Consultation.

Directs the Attorney General and Secretary of Health and Human Services to each conduct annual consultations with Indian tribal governments concerning the federal administration of tribal funds and programs established under the Violence Against Women Act of 1994 and VAWA. Requires the Attorney General, during such consultations, to solicit recommendations from Indian tribes concerning: (1) administering tribal funds and programs; (2) enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, and stalking; and (3) strengthening the federal response to such violent crimes.

Sec. 904. Analysis and research on violence against Indian women.

Sec. 904(a): Baseline Study

Directs the Attorney General, acting through the National Institute of Justice, in consultation with the Director of the Office on Violence Against Women, to conduct a national baseline study to: (1) examine violence against Indian women; and (2) evaluate the effectiveness of federal, state, tribal and local responses to offenses against Indian women. Directs the Attorney General, acting through the Director of the Office on Violence Against Women, to establish a task force to assist in the development and implementation of the study. Requires the Director to appoint to the task force representatives from: (1) national tribal domestic violence and sexual assault nonprofit

organizations; (2) tribal governments; and (3) the national tribal organizations. Authorizes appropriations of \$1,000,000 for FY2007 and FY2008.

Sec. 904(b): Cost of Injury Study

Directs the Secretary of Health and Human Services, acting through the Indian Health Service and the Centers for Disease Control and Prevention, to conduct a study to obtain a national projection of: (1) the incidence of injuries and homicide resulting from domestic violence, dating violence, sexual assault and stalking committed against American Indian and Alaska Native women; 2) the cost of providing health care for the injuries. Authorizes appropriations of \$500,000 for FY2007 and FY2008.

Sec. 905. Tracking of violence against Indian women.

Amends the federal code to require the Attorney General to permit Indian law enforcement agencies, in cases of domestic violence, dating violence, sexual assault, and stalking, to enter information into, and obtain information from, federal criminal information databases.

Directs the Attorney General to contract with any interested Indian tribe, tribal organization, or tribal nonprofit organization to develop and maintain a national tribal sex offender registry and a tribal protection order registry. Authorizes appropriations of \$1,000,000 for FY2007-FY2011.

Sec. 906. Grants to Indian tribal governments.

Requires the Director to take certain tribal set asides under the Act and combine them to establish the Grants to Indian Tribal Governments Program. The purpose of the single grant program is to enhance the response of Indian tribal governments to address domestic violence, sexual assault, dating violence, and stalking.

Sec. 907. Tribal deputy in the Office on Violence Against Women.

Amends the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the establishment in the Office on Violence Against Women a Deputy Director for Tribal Affairs. Directs the Deputy Director to: (1) ensure that a portion of the tribal set-aside funds from any grant awarded under this Act, the Violence Against Women Act of 1994, or the Violence Against Women Act of 2000 is used to enhance the capacity of Indian tribes to address the safety of Indian women; and (2) ensure that another portion is used to hold offenders accountable. Requires that the Deputy Director shall under the guidance and authority of the Director of the Office on Violence Against Women: (A) oversee and manage the administration of grants to and contracts with Indian tribes, tribal courts, tribal organizations, or tribal nonprofit organizations; (B) ensure that, if a grant under this Act or a contract pursuant to such a grant is made to an organization to perform services that benefit more than 1 Indian tribe, the approval of each Indian tribe to be benefited shall be a prerequisite to the making of the grant or letting of the contract; (C) coordinate development of Federal policy, protocols, and guidelines on matters relating to violence against Indian women; (D) advise the Director of the Office on

Violence Against Women concerning policies, legislation, implementation of laws, and other issues relating to violence against Indian women; (E) represent the Office on Violence Against Women in the annual consultations under section 903; (F) provide technical assistance, coordination, and support to other offices and bureaus in the Department of Justice to develop policy and to enforce Federal laws relating to violence against Indian women, including through litigation of civil and criminal actions relating to those laws; (G) maintain a liaison with the judicial branches of Federal, State, and tribal governments on matters relating to violence against Indian women; (H) support enforcement of tribal protection orders and implementation of full faith and credit educational projects and comity agreements between Indian tribes and States; and (I) ensure that adequate tribal technical assistance is made available to Indian tribes, tribal courts, tribal organizations, and tribal nonprofit organizations for all programs relating to violence against Indian women.

Sec. 908. Enhanced criminal law resources.

Sec. 908(a): Expands the Firearms Possession Prohibition to include tribal law conviction by amending the federal criminal code to include under the term "misdemeanor crime of domestic violence" any offense that is a misdemeanor under Tribal law.

Sec. 909. Domestic assault by an habitual offender.

Amends the federal criminal code to impose criminal penalties upon any person who: (1) commits a domestic assault within the special maritime and territorial jurisdiction of the United States or Indian country; and (2) has a final conviction on at least two separate prior occasions in federal, state, or tribal court for offenses that would be, if subject to federal jurisdiction, an assault, sexual abuse, or serious violent felony against a spouse or intimate partner, or a domestic violence offense.