



Consultation Question 1: Do Tribes support, under OVW grant programs, proposed funding incentives for jurisdictions, including tribes, that are implementing certain guidelines, protocols, or data reporting related to missing or murdered Indians?

Consultation Question 2: If such funding incentives are enacted, how should OVW implement them so that they are helpful to tribes and tribal communities in their efforts to combat domestic violence, dating violence, sexual assault, and stalking?

BACKGROUND

At past consultations, tribal leaders and advocates have expressed support for Savanna's Act, a bill that is currently pending before the 116th Congress. The stated purposes of Savanna's Act are to clarify law enforcement responsibilities for responding to cases of missing or murdered Indians, increase coordination, data collection, and information on such cases, and empower tribal governments with the resources and information necessary to respond effectively. Although the Senate and House bills vary, they both propose a funding incentive to encourage jurisdictions, including tribes, to implement certain guidelines or protocols for handling cases of missing or murdered Indians and submit statistics on such cases to the Department of Justice (DOJ). OVW is seeking tribal input on these proposals, which would affect grant programs under the Violence Against Women Act (VAWA) for which tribes are eligible, including the Grants to Indian Tribal Governments Program (Tribal Governments Program).

Savanna's Act would establish a structure under which DOJ, after consulting with tribes, is to develop guidelines and protocols to respond to cases of missing or murdered Indians, gather and report statistics on such cases, and track whether tribal, state, and local law enforcement agencies are implementing the guidelines and submitting the requested statistics to DOJ. The Senate bill, as introduced, would require DOJ to give a grant funding preference to tribal, state, or local law enforcement agencies that are doing so. The House bill, as introduced, would amend two OVW grant program statutes' purpose areas to allow funds to be used to implement the guidelines and protocols and submit the requested data to DOJ. It also would require OVW to give larger grant awards to applicants that have implemented the guidelines or submitted the requested data. The two affected OVW programs would be the Improving Criminal Justice Responses (ICJR) Program and the Tribal Governments Program.

QUESTIONS

Consultation Question 1: Do Tribes support, under OVW grant programs, proposed funding incentives for all jurisdictions, including tribes, that are implementing certain guidelines, protocols, or data reporting related to missing or murdered Indians?



The Department's first question for tribal leaders is whether they support a funding incentive for jurisdictions to implement guidelines for responding to cases of missing or murdered Indians and submit statistics on such cases to DOJ. Would tribes recommend a different approach, particularly for tribal applicants?

What do tribes think about expanding the scope of OVW's ICJR Program or Tribal Governments Program from their current focus on violence against women crimes to any missing or murdered case, regardless of its connection to domestic violence, dating violence, sexual assault, or stalking? Would such an expansion raise concerns about reducing funding currently available to support tribal services for victims of domestic and sexual violence? Would tribal leaders support, as an alternative, a funding priority under OVW's Tribal Governments Program for applicants that have implemented the guidelines or submitted the requested statistics? Such a priority would give a competitive advantage to tribes that have done so, but it would not guarantee funding.

Consultation Question 2: If such funding incentives are enacted, how should OVW implement them so that they are helpful to tribes and tribal communities in their efforts to combat domestic violence, dating violence, sexual assault, and stalking?

The Senate bill's DOJ-wide funding preference, in the bill as introduced, would apply only to law enforcement-focused applications that would help address the issue of missing or murdered Indians. If the Senate bill is enacted into law, what criteria would tribal leaders recommend that OVW use to determine that an application would help address the issue of missing or murdered Indians? Do tribal leaders have other recommendations for implementing this preference, if this version is enacted?

The House bill would require OVW to give larger grant awards under certain OVW grant programs, to all jurisdictions, including tribal governments, that have implemented the guidelines or submitted the requested data. Do tribal leaders have specific recommendations for what information applicants should be required to submit to qualify for the increase or how applicants should be permitted to use the additional funds to ensure a focus on the VAWA crimes? Are there additional steps that OVW should take in implementing this approach, if it is enacted, so that it achieves the intended goal of encouraging jurisdictions to implement the guidelines and submit the requested statistics? Do tribal leaders have additional recommendations for how OVW should implement this VAWA focused approach, if it, or one similar to it, is enacted?