



United States Department of Justice

Office on Violence Against Women

Working Together to End the Violence

**2021 Update on the Status of
Tribal Consultation Recommendations**

prepared for

Department of Justice Annual Government-to-Government

Violence Against Women Tribal Consultation

Four Online Sessions

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Table of Contents

<u>Section</u>	<u>Page</u>
Introduction	3
Part One: Detailed Responses to Selected 2020 Recommendations	4
Part Two: Implementation of the Tribal Provisions in VAWA	10
Part Three: Strengthening the Federal Response to Violence Against American Indian and Alaska Native Women	21
Appendices	
A: Updates from the Department of Health and Human Services	27
B: Brief Responses to 2020 Recommendations	31
C: Analysis of FY 2021 OVW Tribal Grant Program Funding	43
D: FY 2020 OVW Tribal Grant Awards	45

Introduction

On October 27-30, 2020, the Department of Justice (DOJ) hosted its 15th annual government-to-government consultation on violence against American Indian and Alaska Native (AI/AN) women. This annual consultation is required by law to address the federal administration of tribal funds and programs established under the Violence Against Women Act of 1994 (VAWA) and its subsequent reauthorizations.¹ DOJ, the Department of Health and Human Services (HHS), and the Department of the Interior (DOI) received recommendations from tribal leaders on the four statutorily-mandated consultation topics:

- Administering tribal funds and programs;
- Enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, homicide, stalking, and sex trafficking;
- Strengthening the federal response to such violent crimes; and
- Improving access to local, regional, state, and federal crime information databases and criminal justice information systems.²

In addition, DOJ's Office on Violence Against Women (OVW) asked tribal leaders for input on efforts to streamline the application process for OVW's tribal-specific grant programs, including feedback on the application process under OVW's special summer 2020 COVID-19/Violence Against Women Assistance to Tribes Solicitation. OVW also requested testimony on creating a separate application process under OVW's Tribal Jurisdiction Program for tribes already exercising special domestic violence criminal jurisdiction, and DOJ's National Institute of Justice sought input on the impact of the COVID-19 pandemic on the National Baseline Study.

The purpose of this follow-up report, also known as the Update Report, is to provide tribal leaders with a comprehensive update on activities undertaken in the past year to respond to their recommendations at the 2020 consultation session, including DOJ's coordination and collaboration with tribes, HHS, and DOI to address these recommendations. This report includes three sections: 1) information on actions taken in response to certain specific recommendations made at the 2020 and prior consultations; 2) a review of progress made on implementation of tribal provisions included in VAWA, as amended; and 3) an update on other DOJ activities related to combating violence against AI/AN women. It also includes an appendix (Appendix A) with information about HHS's Family Violence Prevention and Services Act (FVPSA) Program and Indian Health Service (IHS), an appendix with a table of recommendations from the 2020 consultation and brief responses (Appendix B), and two appendices with information on OVW's tribal grant funding. This Update Report is meant to be a companion to the report summarizing the proceedings of the 2020 consultation, which is available at www.justice.gov/ovw/tribal-consultation.

¹ 34 U.S.C. § 20126; Pub. L. No. 103-322, tit. IV, 108 Stat. 1796, 1902-55; Violence Against Women Reauthorization Act of 2000, Pub. L. No. 106-386, div. B, 114 Stat. 1464, 1492-1539; Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), Pub. L. No. 109-162, 119 Stat. 2960 (2006); Violence Against Women Reauthorization Act of 2013 (VAWA 2013), Pub. L. No. 113-4, 127 Stat. 54.

² This fourth topic, along with the crime of homicide, was added to the statutory list of consultation topics on October 10, 2020, by Savanna's Act, Pub. L. No. 116-165, 134 Stat. 760.

Part One: Detailed Responses to Selected 2020 Recommendations

This part addresses recommendations made by tribal leaders (or their designees)³ at the 2020 consultation in four specific areas: 1) expansion of tribal jurisdiction over non-Indian offenders; 2) improved responses to the disappearance or murder of AI/AN people, including women and girls; 3) tribal access to crime information databases, including entry of tribal protection orders; and 4) tribal set-aside funding under the Victims of Crime Act (VOCA). Information on responses to other recommendations related to the implementation of VAWA 2005 and 2013, as well as strengthening the federal response to violence against AI/AN women, can be found in Parts Two and Three of this report. In addition, Appendix B of this report contains a table of recommendations made at the 2020 consultation with brief responses or cross-references to relevant information.

Expansion of Tribal Jurisdiction Over Non-Indian Offenders

Recommendations: Tribal leaders recommended that federal agencies support legislation restoring tribal criminal jurisdiction over non-Indian perpetrators of domestic violence, sexual assault, dating violence, stalking, and sex trafficking; they also recommended expanding protections for children and public safety personnel and ensuring inclusion of tribal nations in Alaska and Maine. Finally, for those tribes already implementing special domestic violence criminal jurisdiction (SDVCJ) under VAWA 2013, tribal leaders recommended increased funding and resources to support the costs of implementation, including detention and healthcare costs for non-Indian inmates sentenced by tribal courts.

Response: On March 17, 2021, President Biden issued a [Statement of Administration Policy](#) urging swift passage H.R. 1620, the Violence Against Women Reauthorization Act of 2021, noting that the bill recognizes tribal jurisdiction that will allow participating tribes to hold accountable non-native perpetrators of sexual violence, sex trafficking, domestic violence against child victims, stalking, elder abuse, and assault against law enforcement officers when they commit such crimes on tribal territory. In addition, OVW has been working with implementing tribes to ensure the Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction Program (Tribal Jurisdiction Program) is meeting their needs, including issuing a separate solicitation specifically for the costs associated with implementing the jurisdiction and a framing paper for this year's consultation regarding how best to ensure that these funds reach tribes. OVW also has met with implementing tribes to discuss the parameters of reimbursement funding for implementation costs, as proposed in H.R. 1620. Finally, to assist with the increasing needs likely to come with SDVCJ expansion, the President's FY 2022 Budget includes increased funding for OVW's Tribal Jurisdiction Program and for the Department of the Interior's (DOI) Tribal Justice Support programs at the Bureau of Indian Affairs (BIA) Office of Justice Services (OJS), which includes training for tribal courts on SDVCJ implementation, related technical assistance on amending tribal codes, and funding for prosecutor and defender positions.

³ When describing tribal testimony and recommendations, this report uses "tribal leaders" to refer to testimony and recommendations submitted by tribal leaders or their authorized designees.

Improved Responses to Missing or Murdered AI/AN People, Including Women and Girls

Recommendations: Tribal leaders recommended that federal agencies coordinate across departments to increase support for tribal responses to missing or murdered AI/AN women and girls and, in consultation with tribal nations, to increase the response of state governments, where appropriate, to such cases. Specifically, they recommended increased support for tribally based victim advocacy services, as well as counseling for children and family members, burial assistance, and community healing. They also recommended that DOJ and DOI develop guidelines and protocols for interjurisdictional collaboration appropriate to the disappearance or murder of indigenous people, including improved data collection, support full implementation of Savanna's Act and the Not Invisible Act, and ensure that the Presidential Task Force on Missing and Murdered American Indians and Alaska Natives (also known as Operation Lady Justice or the OLJ Task Force) is working with tribal domestic violence and sexual assault coalitions and advocates in carrying out its work.

Response: In April 2021, DOI and DOJ [announced](#) coordination to establish a joint Commission on reducing violent crime against American Indians and Alaska Natives, as required by the Not Invisible Act. The Commission must be composed of at least 27 federal, tribal, and other non-federal members who represent diverse experiences, backgrounds, and geography, and who are able to provide balanced points of view regarding the duties of the Commission. Many of the federal entities serving on the OLJ Task Force also are to be represented on the Commission, along with tribal, state, and local law enforcement, different types of service providers, tribal judges and other officials, survivors of human trafficking, and family members of missing or murdered Indian people. The Commission will hold hearings, take testimony, and receive evidence to develop recommendations for the federal government to combat violent crime against Indians and within Indian lands, including responses to instances of missing persons, murder, and human trafficking.

DOJ also has taken several steps to implement Savanna's Act. First, OVW has ensured that all materials related to this annual consultation under VAWA have included the consultation topics added by Savanna's Act – enhancing the safety of Indian women from homicide and improving access to local, regional, state, and federal crime information databases and criminal justice information systems. Second, in June 2021, DOJ held two tribal consultations on how to further improve tribal data relevance and access to databases, as directed by Savanna's Act. The framing paper for these consultations provided background information on federal databases and a series of specific questions for tribal leaders' consideration.

Further, to specifically address the training requirements set out in Savanna's Act, DOJ's National Indian Country Training Initiative (NICTI) developed a multiprong approach, short webinars, multiday webinars, and written products. Because of the global pandemic, all training offered by the NICTI since mid-March 2020 has been virtual, and it is provided free of charge to participants. The NICTI advertises the MMIP training via email using a database of names and email addresses collected over time. The NICTI also sends all training announcements and registration links to the following: MMIP coordinators, tribal liaisons, law enforcement coordinators and victim witness coordinators in the USAOs, training contacts for the FBI, USMS and BIA, Department funded Indian country training and technical assistance providers, program

managers and policy advisors in Department components with Indian country programs, and the Executive Director of OLJ. Each of these contacts are requested to forward the training announcement to their constituent list, thereby ensuring that each training announcement is sent out to thousands of criminal justice and social service personnel working in or with tribal communities. Additional information about the NICTI's MMIP training and related resources is provided in Part Three of this report.

Finally, OVW's FY 2021 solicitations for the Grants to Indian Tribal Governments Program and the Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grant Program included the new purpose areas add by Savanna's Act related to law enforcement policies, protocols, and training regarding cases of missing or murdered Indians and data collection and reporting related to missing or murdered Indians.

On May 4, 2021, President Biden issued [A Proclamation on Missing and Murdered Indigenous Persons Awareness Day, 2021](#), stating this his "Administration is fully committed to working with Tribal Nations to address the disproportionately high number of missing or murdered Indigenous people, as well as increasing coordination to investigate and resolve these cases and ensure accountability." He further committed to addressing the underlying causes behind those numbers, including sexual and domestic violence, other types of violent crime, systemic racism, and economic disparities, and noted that federal partnerships to address missing and murdered American Indians and Alaska Natives will be governed by respect for tribal sovereignty and self-determination.

In addition to a series of listening sessions and tribal consultations throughout 2020, the OLJ Task Force is coordinating with state and tribal task forces, met with the DOJ Tribal Nations Leadership Council, and held listening sessions with grassroots organizations, including tribal coalitions, and with AI/AN LGBTQ+ and Two-Spirit communities and organizations working with and supporting these communities. A federal data discussion and listening session on strategies for improving data collection, analysis, use, and communication related to missing or murdered indigenous persons took place on July 27, 2021.

The Task Force website (<https://operationladyjustice.usdoj.gov/>) is full of the types of resources requested by tribal leaders at the 2020 VAWA consultation. These include fact sheets on [emergency alerts](#) for missing persons and [federal funding opportunities](#) – including those that can support the range of services tribes recommended, as well as [two issues](#) of the DOJ Journal of Federal Law and Practice dedicated to this subject, with articles on legal and practical issues. The website also contains [transcripts, notes, written comments, and recordings](#) of listening sessions and consultations held to date, as well as a [recording](#) of a May 2021 training for tribal law enforcement on volunteer engagement and the Unresolved Cases Technical Assistance Project.

Improving Tribal Access to National Databases, Including Entry of Tribal Protection Orders

Recommendation: Tribal leaders recommended building awareness of the Department's Tribal Access Program for National Crime Information (TAP) and encouraging tribes to participate in

TAP, ensure that their protection orders meet the requirements for full faith and credit, and enter those orders into the National Crime Information Center (NCIC) directly and independently of any state.

Background: DOJ launched TAP in August 2015 and has expanded the program yearly to provide tribes access to national crime information databases for federally authorized criminal justice and non-criminal justice purposes. TAP allows participating federally recognized tribes to more effectively serve and protect their communities by helping apprehend fugitives, register convicted sex offenders, enforce domestic violence protection orders, and protect children. TAP-LIGHT provides software that enables both query and entry access to national crime information databases, such as NCIC, for criminal justice agencies, including police departments, prosecutors, criminal courts, jails, and probation departments. TAP-FULL, in addition to the basic access capabilities of TAP-LIGHT, provides a kiosk workstation that is capable of processing finger and palm prints, taking mugshots, and submitting information to FBI Criminal Justice Information Services (CJIS) systems. TAP-FULL enables tribal officials to submit and query fingerprint-based transactions via FBI's Next Generation Identification (NGI) system for both criminal justice and non-criminal justice purposes. There are 98 Tribes participating in TAP, providing access to over 330 tribal government agencies.

Collaboration with DOI's BIA is also critical to filling criminal justice information sharing gaps. The BIA's OJS is now a partner in TAP. Although TAP kiosk deployment was delayed in FY 2020 due to the COVID-19 pandemic, TAP deployment at BIA OJS sites is resuming. Once fully deployed, BIA OJS will have over 30 TAP kiosks deployed at various locations across Indian country, which will serve over 50 tribes.

Response: DOJ raises awareness of TAP through its publicly available website (<https://www.justice.gov/tribal/tribal-access-program-tap>) and by providing speakers to regional and national events, publicizing the announcements of TAP application periods, and using distribution lists to reach federally recognized tribes.

To encourage tribes to enter protection orders entitled to full faith and credit into NCIC, DOJ has been systematically communicating with each tribe participating in TAP to assess whether and how frequently they are using TAP to enter their protection orders into CJIS systems. These assessments include identifying and addressing barriers to entering orders, including making sure that the correct staff have been trained to enter orders and reviewing tribal codes and protection order forms, if requested by the participating tribe. Tribes are offered technical assistance that will help them address the identified barriers and more effectively use TAP to enter their protection orders into NCIC.

TAP continues to be available to tribes that have an agency for which there is a federal law authorizing access, including those in PL-280 states such as Alaska. Authorized criminal justice agencies include law enforcement with arrest powers, corrections, criminal courts, probation, parole, pretrial services, and prosecution; authorized non-criminal justice agencies include sex offender registries, civil courts, Head Start, human resources, social services, child support enforcement, and social services. The key is for an interested tribe to review the worksheet

available on the TAP website setting forth the federal legal authorities for which TAP may be utilized and decide if the program would benefit the tribe.

TAP is co-managed by DOJ's Office of the Chief Information Officer (OCIO) and Office of Tribal Justice (OTJ) and is currently funded by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART Office), the Office of Community Oriented Policing Services (COPS Office), the Office for Victims of Crime (OVC), and OVW, but lacks a permanent authorization of appropriations from Congress. The Department continues to advocate for permanent funding for TAP, as well as working closely with partners to expand the program and increase the services offered.

TAP is currently soliciting applications from tribes. The FY 2021 TAP application period is July 1 – August 31, 2021. For more information on TAP, including how to apply, visit www.justice.gov/tribal/tribal-access-program-tap.

Tribal Victim Services Set-Aside Formula Program

Recommendations: Tribal leaders stated that OVC's FY 2020 solicitation for the tribal set aside under VOCA reflected the concerns and recommendations raised by tribal leaders, including moving forward with formula distribution for this funding. Tribal leaders recommended that OVC continue to consult with tribal nations to improve distributions of set-aside funds and use a tribally based view of what constitutes activities that will improve services to victims of crime, recognizing that tribes must have flexibility to address the unique needs of their communities. They also recommended extending the project period for set-aside awards to four years.

Response: In response to tribal consultations and listening sessions, in which tribal leaders expressed a strong preference that the VOCA tribal set-aside funding be distributed via a formula rather than a competitive program, the Department implemented an interim formula grant program for disbursing tribal set-aside funds in FY 2020. Under the FY 2020 Tribal Victim Services Set-Aside (TVSSA) Formula Program, the Department made 133 awards, totaling over \$112.9 million, to over 200 tribes and tribal consortia. The purpose of the program is to improve services for victims of crime in tribal communities. OVC established a dedicated Tribal Division to ensure appropriate staffing to implement the TVSSA Formula Program and serve OVC's tribal grantees.

After consultation with tribal leaders in November 2020, OVC retained many of the features of the FY 2020 set-aside formula program, including noncompetitive distribution of set-aside funds based on population; a two-phase process that allows OVC to calculate grant awards based on the number of tribes that intend to apply; a self-determined project period of 12-60 months; and self-certification of tribal population numbers based on the population the tribe intends to serve under the set-aside grant program. All federally recognized tribes were eligible to apply for FY 2021 set-aside formula funding regardless when they last received set-aside awards, and regardless of the project periods of those awards.

Under the FY 2021 TVSSA Formula Program, federally recognized Indian tribes, tribal designees, and tribal consortia, consisting of two or more federally recognized Indian tribes, were eligible to apply for tribal set-aside funding. Eligible applicants were invited to submit a population certification in March 2021 in order to allow OVC to run the formula to determine allocations for each eligible applicant. Applicants were then invited to submit a full application, including a project narrative and budget, by June 14, 2021. As of July 2021, OVC is in the process of collecting and reviewing applications from tribes that submitted their intent to participate in the FY 2021 TVSSA Formula program. Awards will be made in fall 2021.

OVC made additional changes to the TVSSA Formula program in FY 2021 to allow tribes to use those funds to serve victims as their communities deem appropriate, such as supplies necessary to support victim participation in traditional/cultural therapeutic practices (sweat lodges, smudging, and crafting supplies, etc.) and food as part of cultural/traditional activities reasonably incorporated into victim services.

Part Two: Implementation of the Tribal Provisions in VAWA

The reauthorizations of VAWA in 2005 and 2013 included a number of provisions specifically aimed at ending violence against AI/AN women. This part provides a summary of DOJ efforts to implement these provisions and respond to related recommendations from tribal leaders.

Administering VAWA grant programs

VAWA authorizes four programs that are specifically designed for tribal communities:

- 1) Grants to Indian Tribal Governments Program (“Tribal Governments Program”);
- 2) Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction (“Tribal Jurisdiction Program”);
- 3) Tribal Sexual Assault Services Program (“TSASP”); and
- 4) Grants to Tribal Domestic Violence and Sexual Assault Coalitions Program (“Tribal Coalitions Program”).

More information about each of these programs appears below, and an analysis of the funding levels for each of the four programs in FY 2021 is provided in Appendix C.

Tribal Governments Program

The Tribal Governments Program (TGP), which was created by Section 906 of VAWA 2005 and amended by section 901 of VAWA 2013 and section 7 of Savanna’s Act, provides funding to tribal governments or their designees to:

- 1) develop and enhance effective governmental strategies to curtail violent crimes against women;
- 2) increase tribal capacity to respond to domestic violence, dating violence, stalking, sexual assault, and sex trafficking crimes against Native women;
- 3) strengthen tribal justice interventions including tribal law enforcement, prosecution, courts, probation, and correctional facilities;
- 4) enhance services to Indian women who are victims;
- 5) develop prevention and education strategies;
- 6) provide supervised visitation services;
- 7) provide transitional housing and related support services to victims;
- 8) provide legal assistance to victims;
- 9) provide services to youth victims and children and youth exposed to these crimes;
- 10) develop and promote legislation and policies to respond to violent crimes against Indian women;
- 11) develop, strengthen, and implement policies, protocols, and training for law enforcement regarding cases of missing or murdered Indians, as described in section 5 of Savanna’s Act (25 U.S.C. § 5704); and

12) compile and annually report data to the Attorney General related to missing or murdered Indians, as described in section 6 of Savanna's Act (25 U.S.C. § 5705).⁴

In FY 2020, OVW received 58 applications for the TGP requesting a total of \$44,659,755. Twelve of these were new applicants, and 46 were submitted by current grantees who were seeking funding to enhance or continue their existing OVW-funded projects (continuation applicants).

Three applications did not meet the eligibility criteria in the solicitation because they were substantially incomplete. The 55 remaining applications were sent to a panel of external peer reviewers and were also reviewed internally by OVW Program Specialists. During the internal review, OVW staff determined whether the applications contained activities that might compromise victim safety and how well continuation applicants had complied with the requirements of their current OVW grant awards. Each application sent to external peer review was evaluated and scored by a three-person panel composed of individuals with expertise in violence against women issues and the unique needs of tribal communities. After peer review, one applicant withdrew its application.

Based on the internal and external review of the applications, OVW made 54 awards through the TGP for FY 2020 for a total of \$39,070,734. Eleven of these awards went to new applicants, and 43 went to continuation applicants. A list of FY 2020 TGP awards is provided in Appendix D to this report.

FY 2021 Changes in Response to Tribal Recommendations

At the 2020 consultation, OVW provided a framing paper reporting that TGP applications would no longer be solicited through DOJ's Coordinated Tribal Assistance Solicitation (CTAS), based on feedback received at prior consultations. OVW also requested further feedback on streamlining the application process and increasing tribal access to OVW funding. Tribal leaders expressed support for a planning grant option for new applicants; in response, OVW created an option in the FY 2021 TGP solicitation to apply for a \$600,000 capacity-building project, referred to as an Improving Tribal Responses to Violence Against Native Women (ITR) Capacity-Building project. An ITR Capacity-Building project includes specialized technical assistance to assess strengths and gaps in the tribal community's response to violence against women and implement strategies tailored to these strengths and gaps.

FY 2021 continuation applicants and new applicants not interested in the capacity-building option were able to request up to \$900,000. The FY 2021 TGP solicitation also included an option for applicants that had successfully completed the strategic planning process with funding under CTAS Purpose Area 2 to apply for up to \$900,000 to implement the applicable parts of their plan. FY 2021 applications were due April 22, 2021. In response to recommendations from tribal leaders to extend the length of TGP awards, OVW continues to offer three-year awards with the possibility of two-year, noncompetitive supplemental awards for grantees that are meeting project goals and

⁴ Purpose areas 11 and 12 were added in October 2020 by Savanna's Act and are applicable to awards made under the FY 2021 TGP solicitation or later.

spending their funds on schedule. This five-year funding option is available to ITR Capacity-Building applicants, as well as CTAS Purpose Area 2 and standard applicants. FY 2021 awards were in process as this report was prepared; details on these awards will be provided in the 2022 Update Report.

After the COVID-19 pandemic hit, and after consulting with tribes on their needs in responding to violence against women during the pandemic, OVW solicited additional applications for TGP funding to meet these needs in a separate solicitation. The FY 2020 COVID-19/Violence Against Women Assistance to Tribes Solicitation covered both the TGP and TSASP. Applicants were instructed to request award amounts in the range of \$50,000-\$100,000 but were allowed to request a greater amount with sufficient justification. OVW received over 75 applications under this solicitation, selected six TGP recipients from those that were submitted by August 20, 2020, and made an additional 29 awards in winter/spring 2021, for a total of \$3,003,013.74 in TGP funds under this special solicitation. The six TGP awards made in FY 2020 and 29 awards made in FY 2021 are included in the award lists in Appendix D of this report; information on TSASP awards is provided below. At the 2020 consultation, tribal leaders provided feedback on the application process under this special solicitation, which OVW used in developing the FY 2021 solicitations for all tribal-specific programs.

Alaska TGP Project Implementation Workshop

In 2017, OVW created this workshop for all active Alaska TGP grantees to help them successfully implement their projects and strengthen responses to domestic and sexual violence in their villages or service areas. This effort was developed specifically to respond to recommendations at prior consultations to address the unique challenges faced by Alaska Native villages in responding to violence against women. The workshop includes hands-on grant administration and management training and provides an opportunity for tribal leaders to discuss their role in supporting the project, sustaining its success, and maximizing community strengths. Since implementing this effort, OVW has seen increases in successful applications from Alaska. The workshop could not be held online during the pandemic because much of the content requires in-person interaction and because internet connectivity varies in remote villages. The next Alaska workshop is tentatively scheduled for Spring 2022, and OVW also is working on adapting this model to assist TGP grantees in the lower forty-eight with project implementation.

Tribal Jurisdiction Program

VAWA 2013 recognized the inherent power of “participating tribes” to exercise “special domestic violence criminal jurisdiction” (SDVCJ) over certain defendants, regardless of their Indian or non-Indian status, who commit acts of domestic violence or dating violence or violate certain protection orders in Indian country. This provision also created a grant program for tribal governments to, in SDVCJ cases:

- 1) strengthen tribal criminal justice systems;
- 2) provide counsel for indigent defendants;
- 3) ensure that jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

4) accord victims rights that are similar to the rights of a crime victim described in section 3771(a) of Title 18, consistent with tribal law and custom.

Funds may be used for law enforcement, prosecution, trial and appellate courts, probation systems, detention and correction facilities (including medical care up to a maximum of 20 percent of the total project budget), alternative rehabilitation centers, culturally appropriate services and assistance for victims and their families, and criminal codes and rules of criminal procedure, appellate procedure, and evidence. Eligibility for the program includes both tribes that are already exercising or immediately prepared to exercise SDVCJ and those that intend to use funding for planning and preparation activities related to implementing SDVCJ.

For FY 2020, new applicants for the Tribal Jurisdiction Program were able to request up to \$450,000 for three years, and continuation applicants could request up to \$300,000 for two years. OVW received 12 unduplicated applications for the program, ten of which met program eligibility requirements. Based on an internal review of all eligible applications, OVW made ten awards for a total of \$3,266,458. Six of these awards went to new applicants, and four went to continuation applicants. Four of the awards went to tribes currently exercising SDVCJ. Reasons that applications did not receive funding included ineligibility for the program, including proposed activities significantly outside the scope of the program. A list of FY 2020 Tribal Jurisdiction Program awards is provided in Appendix D.

At the 2020 consultation, OVW provided a framing paper asking whether tribes support creating a separate process under the Tribal Jurisdiction Program to award a portion of the appropriated funds specifically for basic costs associated with SDVCJ implementation, for those tribes that are already exercising the jurisdiction. The responses were favorable, so in FY 2021, OVW issued two solicitations under the program, one for standard projects and one for tribes currently exercising the jurisdiction and interested in targeted funding to support their work. Unfortunately, no applications were received, and only two applications came in under the standard solicitation. OVW has again issued a framing paper for the 2021 consultation requesting ideas for additional ways to ensure the program is meeting tribes' needs, as well as input on how best to administer the reimbursement program proposed as part of the VAWA reauthorization bill passed by the House of Representatives, should it be enacted.

TSASP

Section 202 of VAWA 2005 created the Sexual Assault Services Program (SASP), which encompasses five different funding streams, including a program specifically for tribal communities. By statute, 10 percent of the amount appropriated for SASP is directed towards TSASP funding. Overall, the purpose of SASP is to provide intervention, advocacy, accompaniment (e.g., accompanying victims to court, medical facilities, police departments, etc.), support services, and related assistance for adult, youth, and child victims of sexual assault, family and household members of victims, and those collaterally affected by the sexual assault. The goal of TSASP is to create, maintain, and expand sustainable sexual assault services provided by tribal governments and tribal

organizations, which are uniquely situated to respond to the needs of AI/AN sexual assault victims. By statute, tribal governments, tribal organizations, and tribal non-profits with programs and activities within Indian country and Alaska Native villages are the only eligible entities for TSASP funding. All applications must include documentation demonstrating authority to apply as described in the solicitation.

In response to the FY 2020 TSASP solicitation, OVW received ten applications requesting a total of \$3,478,146. Each application was reviewed for eligibility, completeness, proposed project activities within the scope of the TSASP statutory purpose area, and any proposed activities that might compromise victim safety. Upon completion of these reviews, OVW determined that one application was ineligible for funding and made nine awards through TSASP for FY 2020 for a total of \$2,662,939. A list of FY 2020 TSASP awards is provided in Appendix D to this report.

As discussed above, OVW also solicited applications for TSASP funding under the FY 2020 COVID-19/Violence Against Women Assistance to Tribes Solicitation. OVW made one TSASP award in FY 2020 and five more in winter/spring 2021, for a total of \$576,544 in TSASP funds awarded under this solicitation; these awards are included in the lists in Appendix D to this report.

For FY 2021, OVW posted a TSASP solicitation on January 13, 2021, with a deadline of March 18, 2021. As award processing coincided with the preparation of this report, details on FY 2021 applications and awards will be provided in the 2022 Update Report.

Tribal Coalitions Program

OVW's Tribal Coalitions Program provides funding to 19 nonprofit tribal organizations in 16 states to support tribal communities in ending violence against AI/AN women. Grant funds can be used to increase awareness of domestic violence and sexual assault; enhance the federal, state, and tribal response to violence against Indian women; provide technical assistance to coalition membership and tribal communities to enhance access to essential services for victims of domestic and sexual violence, including sex trafficking; and assist tribes in developing and promoting legislation and policies that enhance best practices for responding to violent crimes against AI/AN women. VAWA authorizes three funding sources for tribal coalitions. The first is a distribution of 1/56 of the STOP Violence Against Women Formula Program appropriation. The second is five percent of the appropriation for the Improving the Criminal Justice System Response to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program. The third is not less than one percent of the total appropriation for SASP and is available only to those coalitions that are involved in sexual assault work. At least 90 percent of Tribal Coalitions Program funding is to be equally divided among the recognized tribal coalitions that apply each fiscal year, and up to 10 percent may be awarded to new coalitions.

For FY 2020, OVW issued awards to 19 recognized tribal coalitions and no awards to new tribal coalitions for a total of \$6,718,691. A list of FY 2020 Tribal Coalitions awards is provided in Appendix D to this report.

For FY 2021, OVW issued an invitation to apply to 18 recognized coalitions; no new coalitions began the multi-step planning process necessary to be eligible to apply for Tribal Coalitions funding in FY 2021. Additional details on FY 2021 awards will be provided in the 2022 Update Report.

In addition to these four tribal programs, tribal governments are eligible to apply directly to a number of the other grant programs authorized by VAWA, and OVW continues to receive applications from tribes for those programs. FY 2020 OVW grant awards to tribes and tribal organizations from all OVW programs are included in Appendix D to this report.

Analysis and Research on Violence Against Indian Women (VAWA 2005 § 904, VAWA 2013 § 907)

NIJ Program of Research

Section 904(a) of VAWA 2005, as amended by VAWA 2013, calls for the National Institute of Justice (NIJ), in consultation with OVW, to examine violence against Indian women in Indian country and Alaska Native villages.⁵ In conducting its analyses and research, NIJ is asked to focus on domestic violence, dating violence, sexual assault, stalking, murder, and sex trafficking, and to evaluate the effectiveness of federal, state, tribal, and local responses to violence against Indian women.

NIJ addresses this directive as a “program of research” to meet the varied study needs through multiple research projects occurring over time. The program of research supports extramural and intramural research and evaluation studies that are designed to produce a deeper understanding of the issues faced by AI/AN women, expand the body of criminal justice policy-relevant research, and help formulate public policies and prevention strategies to decrease the incidence of violent crimes committed against indigenous women. Results from studies funded under this program are anticipated to help establish and enhance justice systems that will successfully restore victim safety and promote healing.

Some studies are completed and have been presented at annual consultations and other tribal venues, such as the National Congress of American Indians (NCAI) Mid-Year Meeting and Task Force on Violence Against Women gatherings and the National Indian Nations Conference meetings. NIJ annually assesses what studies have been funded and determines what areas are needed to fill knowledge gaps. In FY 2021, NIJ once again released competitive research investigator-initiated solicitations seeking research and evaluation proposals covering the topics outlined in VAWA 2005 and 2013. While most NIJ’s solicitations are open for proposals addressing violence against AI/AN women, three funding opportunities specifically requested applications in this area. Those solicitations include *Research and Evaluation on Violence Against Women, Fiscal Year 2021*, *Research and Evaluation on Trafficking in Persons, Fiscal Year 2021*, and the *Tribal-Researcher Capacity-Building Grants, Fiscal Year 2021* solicitations. NIJ anticipates making research awards before the end of the fiscal year that will address some of the topics covered under the statutes (*VAWA 2005 § 904, VAWA 2013 § 907*).

⁵ Pub. L. No. 109-162, § 904(a), 119 Stat. 2960, 3078-79 (2006); Pub. L. No. 113-4, § 907, 127 Stat. 54, 125.

As studies come to a close and findings are available, NIJ will continue to disseminate the information using many dissemination modes and media. For example, the 2021 consultation's research presentation highlights a study examining MMIP issues (i.e., *Assessing the scope of missing Native Americans in Nebraska through an NIJ-funded tribal-researcher partnership* presented by Drs. Wright and Richards from the University of Nebraska at Omaha).

In preparation for the 2020 consultation, NIJ issued a [framing paper](#) describing the history of the National Baseline Study (NBS), the capstone of NIJ's program of research regarding violence against AI/AN women. The framing paper requested recommendations on adjustments to NIJ's outreach and engagement protocols for the NBS during and post the COVID-19 pandemic. Tribal leaders recommended transitioning the NBS to a virtual model during the pandemic and working with Alaska Native and tribal organizations to implement the NBS, facilitate communication with tribes, and build trust. Guidance from the Task Force on Research on Violence Against American Indian and Alaska Native Women (discussed below) and other tribal stakeholders informed the NBS protocols to be implemented, including recommendations on how to engage and recruit tribal nations. With encouragement from tribal leaders, NIJ and its contractor for the NBS, American Indian Development Associates (AIDA), LLC, began virtual NBS recruitment and engagement activities in late 2020 into 2021. Finally, NIJ and AIDA have been working with tribal communities and other tribal stakeholders, as appropriate, to implement the study. To provide more current updates to stakeholders, AIDA has been drafting articles for the *Restoration of Native Sovereignty and Safety for Native Women* magazine (see <https://www.niwrc.org/restoration-magazine/february-2021/national-baseline-study> and <https://www.niwrc.org/restoration-magazine/june-2021/national-baseline-study-nbs-tribal-engagement-strategies>). NIJ and AIDA also regularly seek out opportunities to present information on the NBS (e.g., NCAI meetings, Alaska Federation of Nations, and Women are Sacred Conference).

Federal Advisory Task Force

VAWA 2005 also required the Attorney General to establish a Task Force on Research on Violence Against American Indian and Alaska Native Women (hereafter referred to as the Task Force), which is subject to the requirements of the Federal Advisory Committee Act. Under the statute, Task Force members must include representatives from tribal governments, national tribal domestic and sexual violence non-profit organizations, or national tribal organizations. The OVW Director serves as the Task Force's Designated Federal Officer. The Task Force's primary function is to provide advice and recommendations on the development and implementation of NIJ's program of research and, eventually, on improvements to federal, state, tribal, and local responses to violence against Indian women in light of the research findings.

The Attorney General originally established the Task Force on March 31, 2008, and has re-chartered the Task Force on a regular basis to ensure that NIJ continues to receive timely advice during the execution of the program of research. During summer 2020, Attorney General Barr approved the most recent re-charter of the Task Force and approved the selection of eight new [members](#) with criminal justice and research expertise, as well as an understanding of the unique challenges faced by geographically diverse tribal communities. The Department notified Congress of the new charter on June 26, 2020. The Task Force met virtually on October 22, 2020, with the new members engaging in helpful discussions regarding the dissemination of

program study findings and potential studies outside the scope of VAWA 2005 and 2013, such as studies of urban AI/AN populations, should additional funds become available.

OVW Deputy Director for Tribal Affairs (VAWA 2005 § 907)

Sherriann Moore, Rosebud Sicangu' Lakota, serves as Deputy Director, Tribal Affairs Division (TAD) in OVW. Established by section 907 of VAWA 2005, the Deputy Director for Tribal Affairs carries out statutory responsibilities relating to violence against AI/AN women, including administering tribal grants, developing federal policy, and strengthening the federal response to violent crime in tribal communities. Ms. Moore currently oversees a staff of grant program specialists, coordinates implementation of the tribal provisions of VAWA, and consults with tribal leaders to gain a better understanding of the needs and challenges that tribes face related to public safety and justice in their communities. She is also responsible for ensuring that the Attorney General's mandate to conduct annual government-to-government consultation with tribal leaders on violence against AI/AN women is fulfilled.

In addition to administering tribal grant funds, OVW's TAD works to build tribes' capacity to reduce violence against AI/AN women and collaborates with other DOJ components and federal agencies to increase the focus on sex trafficking and murdered or missing women in tribal communities. This includes special initiatives, such as improving responses for AI/AN populations residing in urban locations, strengthening sovereign responses to sex trafficking in Indian country and Alaska, and developing partnerships with tribal colleges and universities to address domestic violence, dating violence, sexual assault, and stalking on campus. TAD also is planning a new initiative focused on the needs of tribal men and boys who are survivors of childhood sexual abuse, victims of sex trafficking, or affected by MMIP issues through a national gathering in FY 2022-2023.

Through the Tribal Affairs Coordination Circle (TACC), OVW's TAD offers opportunities for OVW staff to learn about tribal culture and other targeted tribal topics, including presentations by the Deputy Director for Tribal Affairs or guest speakers, and opportunities to attend tribal technical assistance events. The TACC is designed to influence how OVW works with its tribal grantees to ensure the highest quality of service, including maximizing resources, coordinating efforts, learning and sharing, and strategizing about technical assistance needs. The TACC has resulted in the creation of specialized teams focused on streamlining application processes, reducing burdens, and enhancing technical assistance for tribes in different regions, starting with an Alaska-focused team and expanding to tribes in the lower 48 states in FY 2022-2023.

Implementation of VAWA 2005 and 2013 provisions on federal prosecutions in Indian country and tribal jurisdiction

Enhanced Criminal Law Resources

DOJ recognizes the United States' unique legal relationship with federally recognized Indian tribes. Improving public safety and the fair administration of justice in Indian country is a top priority for the Department. DOJ's overarching goal is to create substantial, lasting improvements in public safety for AI/AN people. This effort includes training for federal, state, and tribal criminal justice and social service professionals working in Indian country. In July

2010, DOJ's Executive Office for United States Attorneys (EOUSA) launched the National Indian Country Training Initiative (NICTI) to ensure that federal prosecutors, as well as state and tribal criminal justice personnel, receive the training and support needed to address the particular challenges relevant to Indian country prosecutions. This training effort is led by the Department's National Indian Country Training Coordinator and is based at the National Advocacy Center (NAC) in Columbia, SC.

Unfortunately, the calendar year (CY) 2020 and 2021 NICTI residential training calendar was significantly disrupted due to the COVID-19 global pandemic. In CY 2020, the NICTI sponsored two residential courses at the NAC (Indian Country Leadership Summit and the National Institute on the Prosecution of Sexual Violence in Indian Country), hosted one faculty development day, and developed and delivered seven webinars with the majority being multiday events. The webinars included the following: Domestic Violence in Indian Country: Investigation Basics and Prosecution Options; Accessing Grants Workshop; Prosecuting the Forensic Science Case; Investigating the Forensic Science Case; and Identifying and Responding to Stalking. In addition, the NICTI Coordinator taught numerous webinars for other federal agencies and DOJ-funded training and technical assistance providers and authored or edited significant written publications. The focus areas of all NICTI trainings and course development were identified through constituent surveys, conference calls, list-serve emails, reviews of new legislation, regulations, and case law, discussions with experts, prosecutors, and investigators, and monitoring of new policy documents issued by Department leadership.

In calendar year (CY) 2020 and 2021, thousands of criminal justice and social service professionals received NICTI residential training at the NAC or virtually via webinar. These students represented federally recognized tribes, United State Attorneys' Office (USAO) employees, and federal, state, and tribal organizations serving Indian country. Students' professions ranged from law enforcement, prosecutors, and judges to victim advocates, medical and social services professionals, and forensic interviewers. The majority of students attending classes are from tribes or tribal organizations. Of particular note, DOJ's Office of Legal Education covers the costs of travel and lodging for tribal attendees at residential classes sponsored by the NICTI, and all online NICTI training is offered free of charge. This allows many tribal criminal justice and social service professionals to receive cutting-edge training from national experts at no cost to the student or tribe.

Domestic Assault by an Habitual Offender (VAWA 2005 § 909)

Section 909 of VAWA 2005 created a new federal crime, "Domestic Assault by an Habitual Offender," 18 U.S.C. § 117, which enables federal prosecutors to charge any person who commits a domestic assault within Indian country and who has a final conviction on at least two separate prior occasions in federal, state, or Indian tribal court for a previous assault, sexual abuse, or serious violent felony against a spouse or intimate partner. Several defendants challenged the constitutionality of this provision arguing that tribal court convictions cannot be used as predicate offenses in cases where the defendant was not provided with appointed counsel. In June of 2016, the U.S. Supreme Court held that tribal convictions that are valid when rendered "retain that status when invoked in a subsequent proceeding." *United States v. Bryant*, 136 S.Ct. 1954, 1965 (2016). In *Bryant*, the Court saw no reason to distinguish between an uncounseled conviction that results in a fine and an uncounseled tribal-court conviction that

results in less than a year in prison: in both, the Court reasoned, the Sixth Amendment was inapplicable, and in both, the defendant was punished only for the last, counseled offense, not the prior, uncounseled ones. *Id.* at 1965-66. The Court also found that the various protections in the Indian Civil Rights Act, including the provision for *habeas* review in federal court, “sufficiently ensure the reliability of tribal-court convictions.” *Id.* at 1966.

A review of DOJ’s case management data shows that the number of defendants indicted under this provision steadily increased from 12 in FY 2010 to 49 in FY 2018, likely because of the Supreme Court’s decision in *Bryant*. The number of indictments fell to 25 in FY 2020, and as of June 30, 2021, 23 defendants had been indicted under 18 U.S.C. § 117 for the first three quarters of FY 2020; however, FY 2020 and 2021 federal prosecution numbers across the board have been affected by pandemic-related restrictions.

Tribal Criminal Jurisdiction over Crimes of Domestic Violence (VAWA 2013 § 904)

VAWA 2013 (codified at 25 U.S.C. § 1304) recognized the inherent power of “participating tribes” to exercise “special domestic violence criminal jurisdiction” (SDVCJ) over certain defendants, regardless of their Indian or non-Indian status, who commit acts of domestic violence or dating violence or violate certain protection orders in Indian country. The Act also specified the rights that a participating tribe must provide to defendants in SDVCJ cases.

In June 2013, the Department established an Intertribal Technical-Assistance Working Group on Special Domestic Violence Criminal Jurisdiction (ITWG) to exchange views, information, and advice about how tribes can best exercise SDVCJ, combat domestic violence, recognize victims’ rights and safety needs, and fully protect defendants’ rights. Since then, over 50 tribes have voluntarily joined the ITWG, and almost of all have remained actively engaged in ITWG meetings – sharing their experiences implementing or preparing to implement SDVCJ, attending in-person meetings, and participating in numerous webinars on subjects such as jury pools and juror selection, defendants’ rights, victims’ rights and prosecution skills. Through the ITWG, tribes that have implemented SDVCJ not only have discussed challenges and successes but also have shared best practices with tribes preparing to implement, including their revised tribal codes, court rules, court forms, jury instructions, and other tools they have developed to implement the jurisdiction.

The Department continues to support the ITWG with training and technical assistance, including awards by OVW to the National Congress of American Indians (NCAI) to support the ITWG’s ongoing work. During the COVID-19 pandemic, ITWG members have used the group to share best practices and challenges as tribes navigated the impact of the pandemic on their court systems. The ITWG held its 15th meeting virtually on March 16-18, 2021.

As of May 2021, 27 tribes have reported to NCAI that they have implemented SDVCJ. Based on updates provided at the March 2021 ITWG meeting (which does not include data from all exercising tribes), 332 arrests of 212 non-Indian abusers have led to 130 convictions. In July 2020, the United States District Court for the Western District of Washington dismissed the only *habeas* petition filed to date challenging an SDVCJ tribal conviction.

Amendments to the Federal Assault Statute (VAWA 2013 § 906)

VAWA 2013 recognized the gravity of strangulation and suffocation crimes, including their lethality in domestic violence cases, by amending the federal assault statute, 18 U.S.C. § 113, to include a specific charge of assault or attempted assault by strangulation or suffocation. This change in the law, which was effective March 7, 2013, makes it possible to prosecute in Indian country a perpetrator who commits or attempts to commit an act of strangulation against a spouse, intimate partner, or dating partner. The statute defines strangulation as the intentional, knowing, or reckless impeding of the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck – and importantly – regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim. This statute has been used with increasing frequency by federal prosecutors. In FY 2013, three strangulation cases were charged. In FY 2014, the number of strangulation cases indicted rose dramatically to 42 and reached 107 in FY 2019. The total for FY 2020 dropped to 70 during the pandemic, but as of June 30, 2021, 79 cases had been indicted for the first three quarters of FY 2021, which is more in line with the FY 2019 total.

To raise awareness about the issue and to educate professionals dealing with the legal or medical consequences of strangulation, the NICTI has continued to provide training and technical assistance to federal and tribal investigators, prosecutors, advocates, and medical professionals around the country. These educational opportunities have been in the form of live training, webinars, and written publications.

Part Three: Strengthening the Federal Response to Violence Against American Indian and Alaska Native Women

In addition to the work described above responding to the concerns that tribal leaders raised at the 15th VAWA consultation (Part One) and implementing VAWA and its subsequent reauthorizations (Part Two), DOJ has provided training and resources to enhance investigations and prosecutions of crimes against AI/AN women and support comprehensive services for victims of these crimes. As a part of these efforts, DOJ, in collaboration with DOI and HHS, has taken several actions that respond to concerns and recommendations from past consultation sessions. These activities are discussed below.

- **MMIP Training and Related Resources** – In 2020-2021, the NICTI focused considerable resources on the issue of missing or murdered American Indians and Alaska Natives. The investigation and prosecution of crimes in Indian country can be complex and frequently requires a multijurisdictional and multidisciplinary response. In part, this is because more than one jurisdiction (federal, state, or tribe) may have the legal authority to investigate and prosecute a case. Training is key to the development of comprehensive trauma-informed investigations and prosecutions for many of the crimes that can be associated with a missing or murdered Indigenous person. For example, if the missing person case involves the sexual exploitation of an adolescent, many issues may potentially be involved in the case that require specialized training, including forensic interviewing, mandatory reporting obligations, forensic medical examinations, crime scene processing and evidence collection, searches of electronic communications and social media, defendant interviewing and interrogation techniques, victim advocacy, and courtroom presentation and trial skills. During the pandemic, NICTI's MMIP training has been offered using an online platform that does not require a software download to enhance access to these programs.

In addition, the NICTI has developed written products. The Department of Justice Journal of Federal Law and Practice (DOJ Journal) is published six times a year by the Executive Office for United States Attorneys. Each issue focuses on a legal or technical topic of interest to attorneys in the United States Department of Justice. The January and March 2021 DOJ Journal issues were focused on issues related to MMIP. The NICTI Coordinator served as the organizer and primary point of contact for each issue. The DOJ Journal is a public facing document and is available online.

The January 2021 DOJ Journal issue is titled Missing or Murdered Indigenous Persons: Law Enforcement & Prevention

(<https://www.justice.gov/usao/page/file/1362691/download>). Articles in this issue include the following:

- Help for Missing American Indian and Alaska Native Children;
- AMBER Alert in Indian Country;
- The Tribal Engagement Program (TEP) Builds Bridges for Tribal Partners;
- The National Crime Information Center (NCIC)-Missing Person File;

- Missing or Murdered Indigenous People: Culturally Based Prevention Strategies
- Jurisdictional Solutions in Indian Country to Support Missing or Murdered Indigenous People Efforts;
- National Survey Estimates of Violence Against American Indian and Alaska Native People;
- Addressing the Crisis of Missing or Murdered Indigenous Persons: A Path Forward Utilizing a Structured Cold Case Investigation Protocol;
- Addressing Sexual Abuse, Assault, and Trafficking as Co-Morbidities in Missing or Murdered Indigenous Populations;
- Enhancing Law Enforcement Response to Missing Person Cases in Tribal Communities;
- FBI Resources in Missing Person Cases; and
- Prevention Strategies Related to Missing or Murdered Native Americans.

The March 2021 issue is titled Missing or Murdered Indigenous Persons: Legal, Prosecution, Advocacy, & Healthcare (<https://www.justice.gov/usao/page/file/1383296/download>). Articles in this issue include the following:

- Working Together: Building and Sustaining a Multijurisdictional Response to Missing or Murdered Indigenous Children and Adolescents;
- Victim Services for Native Families with Missing Loved Ones;
- Criminal Jurisdiction in Indian Country;
- Violent Crime in Indian Country and the Federal Response;
- Living in a Cruel Limbo: A Guide to Investigating Cold Missing Persons Cases;
- American Indian and Alaska Native Knowledge and Public Health for the Primary Prevention of Missing or Murdered Indigenous Persons;
- Federal Sex Crimes;
- Sex Offender Registration in Indian Country: SORNA Implementation and 18 U.S.C. § 2250; and
- Trauma-Informed, Culturally Relevant Psychological Responses in Cases of Missing or Murdered Indigenous Peoples.

The NICTI also has provided the following 90-minute webinars on MMIP-related topics:

- Identifying and Responding to Stalking Webinar - December 14, 2020
- Sex Offender Registration and Notification Act (SORNA) in Indian Country - January 19, 2021
- MMIP: Necessity of the Medical Forensic Examination for Survivors - March 1, 2021
- Investigating and Prosecuting the Non-Fatal Strangulation Case - March 29, 2021 (349 attendees)
- Sex Trafficking and Indian Country - May 13, 2021
- Missing Persons, Ambiguous Loss, Reintegration: How It All Fits Together - June 10, 2021
- Death Investigations - June 22, 2021

- Investigating Unresolved (Cold) Cases Part I – June 24, 2021
- Investigating Unresolved (Cold) Cases Part II – June 29, 2021

Finally, the NICTI has provided multi-day webinar training focused on MMIP issues, the first of which took place on February 10-11, 2021, and was titled Strategies for Developing a Coordinated Response to the Issue of Missing or Murdered Indigenous Persons. Topics covered included developing tribal community response plans, policies and procedures, and victim services for missing person cases, as well as in-depth discussions of cold missing person cases and unidentified person cases. The training was attended by 504 students and will be offered again September 14-16, 2021.

- **BJA/OVW Rural Alaska Prosecution Initiative** – In 2019, BJA, in partnership with OVW, funded the Alaska Department of Law to create a Rural Prosecution Unit within its Office of Special Prosecutions with two new state prosecutor positions. The Rural Prosecution Unit is designed to assist the Department of Law’s rural district attorneys’ offices with staffing shortages and experience gaps. The prosecutors in the unit are cross-designated as Special Assistant United States Attorneys (SAUSAs) to achieve the best results for cases prosecuted and focus on felony offenses occurring in rural Alaska, particularly in Alaska Native villages. One position is dedicated to prosecuting cases of domestic violence, dating violence, sexual assault, and stalking. As of June 2021, the project had reduced the significant case screening backlogs in two rural district attorneys’ offices by 60 percent. In partnership with BJA, the NICTI was scheduled to offer a Criminal Trial Advocacy Training in Alaska in April 2020. This was postponed to August 2020 and was then ultimately cancelled because of the pandemic. Discussions are underway to reschedule the training for the fall of 2021.
- **OVW/OVC Sexual Assault Forensic-Medical and Advocacy Services for Tribes (FAST) Initiative** – OVW made six awards using funds provided by OVC to support the FAST Initiative, designed to increase the availability of medical forensic exams and victim advocacy in tribal communities. These April 2020 awards went to the Confederated Tribes of Siletz Indians, the San Carlos Apache Healthcare Corporation, the Sitka Tribe of Alaska, the Norton Sound Health Corporation, the South Dakota Network Against Family Violence and Sexual Assault, and the University of Wisconsin-Milwaukee. These projects are in the early stages of their work. Two are in Alaska, so they will help address the high rates of victimization and the limited reach of the justice system reported by tribal leaders from Alaska at past consultations.
- **Federal Victim Assistance in Indian Country** – The FBI’s Office for Victim Assistance (OVA) has 55 Indian country-designated victim assistance positions, including 47 Victim Specialists (VSs) and eight child/adolescent forensic interviewers (CAFIs). In addition to these 53 designated positions, numerous additional VSs and CAFIs respond to victims of crime and conduct forensic interviews in Indian country.
- **OVW Violence Against Women Tribal SAUSA Initiative** – OVW has ten open awards supporting tribes and USAOs in their investigation and prosecution of Indian country criminal cases, with an emphasis on cases involving domestic violence, sexual assault,

dating violence, and stalking; five were made in FY 2018 solely for violence against women cases, and five more were made in FY 2020 in partnership with BJA, with at least 50 percent of award funds dedicated to prosecuting cases involving domestic violence, dating violence, sexual assault, and stalking. Tribes received funds to work with their USAO partner (and other tribes in their federal judicial district, as appropriate) to hire or retain a mutually agreed upon tribal prosecutor to be designated as a SAUSA. DOJ's NICTI has partnered with both OVW and BJA to provide legal training to the tribal SAUSAs, including the fundamentals of federal criminal practice. The cross-designated prosecutors maintain an active caseload in tribal court, federal court, or both, while also helping to promote higher quality investigations and better inter-governmental communication. Tribes and USAOs report these efforts create opportunities for them to actively engage with each other regarding prosecutions arising from their respective tribes, identify areas of concern that require additional attention, and hold offenders accountable while enhancing the safety of victims in Indian country. The five tribes with FY 2018 awards are Rosebud Sioux Tribe, Salt River Pima-Maricopa Indian Community, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Colville Reservation, and Fort Peck Assiniboine and Sioux Tribes. The five tribes with FY 2020 awards are Chickasaw Nation, Mississippi Band of Choctaw Indians, Oglala Sioux Tribe, Pueblo of Laguna, and Southern Ute Tribe.

- **Indian Country Criminal Investigator Training Program** – DOJ's National Indian Country Training Initiative (NICTI) works closely and partners frequently with the FBI and BIA. The NICTI Coordinator serves as faculty at the Indian Country Criminal Investigator Training Program (ICCITP), held twice each year at the Indian Police Academy in Artesia, NM; this multi-week training course is for FBI and BIA agents as well as tribal law enforcement officers new to working in Indian country. ICCITP also includes a victim assistance training module led by either BIA's or FBI's victim assistance program. This program was canceled in March and August 2020 because of the COVID-19 pandemic, but an in-person class was held in March 2021 and a second class is scheduled for August 2021.
- **Forensic Sciences Seminar** – The NICTI, in partnership with the Office of the Deputy Attorney General and the FBI, created a new course focused on forensic sciences. This high-level crime scene seminar was designed for experienced prosecutors and law enforcement personnel who investigate and prosecute violent crime cases, including sexual assault and domestic violence. Priority was given to individuals working violent crime cases in tribal communities, including tribal law enforcement, tribal prosecutors, and tribal SAUSAs. Topics covered included: evidence identification, collection, documentation, and elimination samples; the science behind DNA, including an overview of probabilistic genotyping; the use of likelihood ratios for assessing the weight of DNA evidence; an overview of pattern comparison evidence and current admissibility issues; DOJ forensic science policy initiatives; discovery and ethical issues concerning forensic science; and models for interagency communication among prosecutors, law enforcement, and crime laboratories. A four-day virtual offering of this class was held November 30-December 3, 2020.

- **Criminal Jurisdiction in Indian Country/Special Law Enforcement Commission Training Project** – Following the U.S. Supreme Court’s decision in *McGirt v. Oklahoma*, the NICTI was called upon to quickly develop an online version of the Criminal Jurisdiction in Indian Country (CJIC) class, as there were hundreds of police officers in Oklahoma urgently needing to attend the class so that they could apply for a Special Law Enforcement Commission (SLEC). In *McGirt*, the Court held that the land within the boundaries of the Creek Nation’s historic territory remains an Indian reservation for purposes of federal criminal law. Therefore, it was critical that hundreds of officers in Oklahoma quickly receive the training that would allow them to pursue getting a SLEC and the ability to enforce federal criminal statutes. Attendance at the training and passage of a test at the end of the class are two of the BIA requirements for tribal and local officers to receive a SLEC.

In CY 2020, the NICTI Coordinator along with four experienced Assistant United States Attorneys rewrote the entire training curriculum and the test, converting a 2.5 day in-person training into a 2-day long webinar. The curriculum includes a training block on sexual assault, domestic violence, and child abuse, as well as a section on the Crime Victim Rights Act. The NICTI also worked with colleagues to develop a method for administering the test online. This training project represents a collaborative effort between DOJ’s NICTI, the USAOs, and BIA. The first offering of the new online CJIC class was August 26-28, 2020. This class was for Oklahoma law enforcement only. Three hundred forty-nine full time sworn law enforcement officers took the class, and most students passed. A second online CJIC class was held October 5-7, 2020. This class was opened to law enforcement officers around the county with 740 registering to take the class. Over 650 officers took the test and the majority passed.

- **Enforcement of Tribal Protection Orders** – OVW and BJA have continued to support targeted training and technical assistance related to the enforcement of tribal protection orders through the National Center on Protection Orders and Full Faith and Credit (NCPOFFC) and www.TribalProtectionOrder.org, an online resource with tips for drafting orders, a library of resources, and webinars on the topic. The NCPOFFC provides site-specific support for county/tribal collaboration to identify and resolve barriers to enforcement of tribal orders, as well as training on issuance, service, and enforcement of tribal orders at tribal and non-tribal conferences. At its National Institute on Protection Order Practice for Attorneys and Advocates, one session focused on coordinating enforcement of civil and criminal protection orders across tribal, state, and federal jurisdictions.
- **Tribal Track at May 2021 Conference on Crimes Against Women** – OVW worked with conference organizers to identify presenters and content for seven sessions in areas such as investigating and prosecuting cases in tribal communities, including a sexual assault case study, responding to domestic and sexual violence through urban Native programs, and creating and sustaining a sexual assault response team on tribal college campuses. OVW technical assistance provider, Red Wind Consulting also hosted a virtual chat-board guided discussion focused on issues related to culturally responsive services for AI/AN survivors, working with urban Native survivors, and understanding

state, federal, and tribal jurisdiction and the government-to-government relationships between the United States government and Tribal Nations.

- **Sovereign Responses to Sex Trafficking** – With OVW funding, the Minnesota Indian Women’s Sexual Assault Coalition (MIWSAC) continued to provide comprehensive training and technical assistance on sex trafficking in Indian country and Alaska Native villages. In cooperation with OVW and their project partners, Mending the Sacred Hoop, the Tribal Law and Policy Institute, and Men as Peacemakers, MIWSAC hosted roundtables (one virtual in Alaska) related to sex trafficking and produced summary reports with recommendations for technical assistance and training. MIWSAC has been providing training and technical assistance for victim advocates and justice system personnel through virtual platforms, webinars, and eLearning sessions during the pandemic and enhancing the project’s website with downloadable resources and recordings for developing tribal codes and raising awareness on sex trafficking and its intersection with other violence against women crimes. They are planning the next national sex trafficking conference for January of 2022.
- **Responses for Urban Native Programs Training and Technical Assistance (RUN-TTA)** – Through its FY 2019 OVW award, Red Wind Consulting continued to provide training and technical assistance on improving victim services and justice responses for American Indian and Alaska Native populations residing within urban areas. The project focuses on addressing the unique challenges experienced by Native victims in accessing services and justice and on improving coordination and service provision between both non-tribal and tribal organizations. During the pandemic, Red Wind has been working closely with multiple organizations in the same communities, helping them build solid foundations in providing culturally responsive services to the large number of urban AI/AN survivors in their communities, including tools, templates, and training to expand the knowledge of their staff. The goal of these efforts is to ensure that urban Native victims have options to enhance their safety, escape violence, and survive in the aftermath of violence.
- **Tribal College Campus Technical Assistance – Sexual Assault on the Campuses of Tribal Colleges and Universities (TCUs)** – This technical assistance project addresses sexual assault at TCUs, including how to respond in a culturally holistic way and ensure that victims and survivors of childhood sexual abuse receive supportive services. The project provides comprehensive support to TCUs to develop and implement their sexual assault responses, as well as tribal-specific education and prevention materials for TCU student populations. This project also focuses on helping TCUs create sustainable coordinated community response teams and build long-term working relationships with local community responders who previously overlooked this population.

Appendix A – Updates from the Department of Health and Human Services

FY 2021 Family Violence Prevention and Services Act (FVPSA) Government-to-Government Consultation

The Family and Youth Services Bureau (FYSB), Family Violence Prevention and Services Program is hosting a two-day Government-to-Government Consultation scheduled for September 8 and September 9, 2021 from 2:00 p.m. to 5:00 p.m. ET. Recognizing the importance of meaningful dialogue about the allocation of FVPSA grant awards to Tribes, the purpose of this consultation is to solicit oral and written feedback from Tribes and Tribal leaders on the FVPSA Program’s proposal to establish a minimum award amount of \$55,000 for Tribes that apply for FVPSA noncompetitive formula grants each year.

On July 21, 2021, the FVPSA Program issued an [invitation letter](#) to Tribal leaders and Tribal councils notifying Tribes of the consultation topic as well as distributing the links to register for the two sessions. Enclosed with the letter was a [framing paper](#) from the FVPSA Program on its proposal to establish a minimum award amount for Tribes that apply for noncompetitive FVPSA funding. This paper provides background on the current FVPSA grant award allocation process, lays out a tentative plan for implementing a minimum base grant, and asks for feedback from tribes on whether they do or do not support the proposal.

The timeline for the consultation and related events is as follows:

- **June 30:** Tribal Consultation Overview ([webinar](#) hosted by the FYSB, the National Indigenous Women’s Resource Center, and the Alaska Native Women’s Resource Center to provide overview of the tribal consultation process/topic)
- **July 7 and 8:** Discussion of Tribal FVPSA Issues and Allocation Formula (facilitated virtual discussion hosted by FYSB, the National Indigenous Women’s Resource Center, and the Alaska Native Women’s Resource Center)
- **September 8 and 9:** FVPSA Tribal Consultation

For more information and links to register for the consultation, visit: <https://www.f2-fvpsa.net/tribal.html>.



Indian Health Service Forensic Healthcare Services

What is Forensic Healthcare?

Victims of violence and abuse require care from health professionals who are trained to treat trauma and provide forensic medical care. Forensic healthcare providers are typically registered nurses, but are also advanced practice nurses, physicians, and physician assistants. They provide medical treatment and evaluation, have specialized knowledge in injury identification, collect evidence, and provide testimony in a court of law to assist with prosecution of individuals who commit acts of abuse.

Training

The Indian Health Service (IHS) Forensic Healthcare Program was established in 2011 to address sexual assault, intimate partner violence, child sexual abuse, and elder maltreatment within American Indian and Alaskan Native (AI/AN) communities. The program, through a contract with the International Association of Forensic Nurses, trains providers in forensic medical examinations, evidence collection techniques, and in developing a coordinated community response to address violence. Since inception of this vital program, over 3,000 health care professionals serving AI/AN communities have been trained as forensic examiners. Between 2019 and 2020, IHS trained 617 forensic examiners (22% increase over previous year), through a combination of web-based and live courses including:

- 245 adult/adolescent sexual assault examiners;
- 210 pediatric sexual abuse examiners; and,
- 162 intimate partner violence examiners.

To further support adult/adolescent forensic examiners after initial training is completed, a total of 5 hands-on clinical skills labs for adult/adolescent examiners were scheduled in Colorado Springs, CO, Anchorage AK, and Polacca, AZ. Due to COVID-19, one clinical skills lab in Colorado Springs was cancelled. Pediatric forensic examiners were offered pediatric forensic exam mentoring experiences at three high-volume pediatric forensic exam centers located in Nashville TN, Corpus Christi TX, and Anchorage, AK. A total of 8 pediatric examiners completed the mentoring experiences with 2 student experiences being cancelled due to COVID-19 precautions. The clinical lab experiences are available to both novice examiners requesting additional practice experience and seasoned professionals looking for a review.

On-going professional support and continuing education is provided to forensic examiners through quarterly webinars. The IHS has hosted 64 webinars related to intimate partner violence, sexual assault, and child sexual abuse with almost 8,000 viewings. Subjects for the quarterly webinars are tailored to address new guidelines or hot topics that forensic examiners have requested additional training on. For example, in November of 2019, a special presentation regarding an intimate partner violence screening tool was made available to subscribers through the Tribal Forensic Healthcare Program.

Clinical guidance to pediatric forensic examiners is maintained through virtual monthly pediatric case review sessions with participating IHS and tribal pediatric sexual assault programs. Peer review is an opportunity for staff to discuss treatment provided and review specific clinical issues with an overall goal of learning from each other in a quality improvement environment.

Medical forensic examination training can be located at www.tribalforensichealthcare.org. Training is provided at no cost to IHS, Tribal, Urban Indian, and referral health care providers serving American Indians and Alaska Natives.

Forensic examination educational trainings are specifically designed to be culturally-relevant in order to increase health care provider knowledge and sensitivity when serving American Indian and Alaska Native communities.

Policies

IHS hospitals and health clinics follow national policies in the Indian Health Manual (IHM) for forensic health care services. There are currently five policies pertinent to the care of domestic and sexual violence survivors within the IHM available at www.ihs.gov/ihm.

- IHM, Part 3, Chapter 20 “Protecting Children from Sexual Abuse by Health Care Providers” – released February of 2019. Provides additional guidance related to professional standard expectations, process for reporting of child abuse by all staff, required annual training, and role responsibility related to oversight of policy implementation.
- IHM, Part 3, Chapter 29 “Sexual Assault” – released March 2011, and updated in February of 2018. Directs IHS-operated facilities to provide access to a medical forensic exams on-site, by referral, or a combination of both, to patients age 18 and older who present for sexual assault. Patients who are referred elsewhere must be transported within a two hour drive time of the victim’s originating medical facility.
- IHM, Part 5, Chapter 27 “Responding to Requests for IHS Employee’s Testimony or IHS Documents in Proceedings where the United States is not a Party” – released October 2015. Establishes policy for responding to subpoenas or requests for testimony following the Tribal Law and Order Act (TLOA) of 2010.
- IHM, Part 3, Chapter 31 “Intimate Partner Violence” – released October 2016. Directs IHS-operated facilities to provide access to medical forensic exams in cases of intimate partner violence without a sexual assault component. In recognition of the frequency of intimate partner

violence co-occurring with sexual violence, certain segments are directly linked to the sexual assault policy.

· IHM, Part 3 Chapter 36 “Child Maltreatment” – released September of 2019, establishes clinical care guidelines for identifying and responding to all forms of suspected child maltreatment, including child sexual abuse.

Domestic Violence Prevention Program

The Domestic Violence Prevention Program (DVPP), formerly called the Domestic Violence Prevention Initiative, or DVPI, is a congressionally mandated, nationally coordinated grant and Federal award program for Tribes, Tribal organizations, federal facilities, and Urban Indian organizations. The purpose of the national program is to provide domestic violence prevention and treatment services. The DVPP promotes the development of evidence-based and practice-based models that represent culturally appropriate prevention and treatment approaches to domestic and sexual violence from a community-driven context. The DVPP expands outreach and increases awareness by funding projects that provide victim advocacy, crisis intervention, case coordination, policy development, community response teams, sexual assault examiner programs, and community and school education programs.

In 2017, IHS expanded the funding for this program and funded an additional 26 DVPP projects to the existing 57 previously approved sites. DVPP currently funds 83 projects totaling \$11.2 million to tribes, tribal organizations, and Urban Indian organizations, and IHS federal facilities.

To allow grantees additional time due to delays caused by COVID-19, IHS extended the project period for currently funded DVPP grantees and federal awardees for an additional year, through September 2021. Information about the competitive grant cycle for domestic violence prevention and forensic health services funding is available at www.ihs.gov/dvpi.

Contact Information

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Appendix B – Brief Responses to 2020 Recommendations

The tables below provide brief responses and cross-references to relevant information in response to many of the recommendations received at the 2020 tribal consultation.

DOJ-wide Grant-Related Recommendations	
Recommendation	Response
Implement non-competitive, formula-based funding for tribes. <ul style="list-style-type: none"> • If implemented, ensure that formula-based funding does not harm small tribes – do not use Family Violence Prevention and Services Act (FVPSA) funding as a model. 	OVC’s TVSSA is being implemented as a formula program, based on tribal input. OVW has consulted extensively about formula-based funding; see the following report for more information: https://www.justice.gov/ovw/page/file/1319991/download .
Do NOT implement formula funding.	See response above.
Shorten the length of time between award notification and when grantees can access funds. <ul style="list-style-type: none"> • Prioritize processing budgets so tribes are not waiting months to draw down funds. 	This is a priority across DOJ’s grant-making components because of its critical importance to all grantees; increasing staffing and addressing technological challenges are key factors in making improvements in this area.
Provide a checklist to grantees that identifies what tasks they need to complete to move through the budget approval process more expeditiously.	OVW grantees receive detailed, individually tailored checklists when their budgets are under review; OVW will consider whether a generic checklist would be helpful as well.
Incorporate a “document hub” in JustGrants to streamline the application submission process.	This recommendation was implemented; JustGrants users may upload and store documents at the entity level and pull them into their applications as needed. Instructions are available on page 48 of the Entity Management Reference Guide .
Educate tribes on the various funding opportunities available.	DOJ has provided training on accessing grants for tribes through the National Indian Country Training Initiative to assist tribes in preparing to apply for grants and educate them about funding opportunities.
Notify grant awardees of award decisions at least two months before September 30.	DOJ will consider this recommendation for future fiscal years but was not able to work on it while transitioning to a new grants management system.

<p>In response to the COVID-19 pandemic, permit grant waivers or no-cost extensions for tribal-specific grants.</p>	<p>No-cost extensions are available for pandemic-related delays, which grant-making components are required to review on a case-by-case basis.</p>
<p>Ensure that review of tribal applications is conducted by individuals with either direct experience with and/or knowledge of tribal issues, or only following a detailed primer on tribal public safety and tribal governance frameworks.</p>	<p>DOJ grant-making components actively recruit peer reviewers with tribal expertise and prioritize the use of these peer reviewers in reviewing applications from tribes. New Coordinated Tribal Assistance Solicitation (CTAS) peer reviewers also are required to review a detailed primer on tribal public safety and governance before participating in peer review.</p>
<p>Require TA providers to demonstrate their expertise in working in Indian country.</p> <ul style="list-style-type: none"> • Solicit recommendations for TA providers from service providers with 10 or more years of field experience. • Require TA providers to have at least a minimum of 3-5 years of field work in Indian country. 	<p>DOJ grant-making components do require significant experience as part of the selection criteria for tribal training and technical assistance applications, such as a documented history of more than three years successfully providing culturally specific training and technical assistance for tribal governments, tribal communities, or tribal organizations on a national level.</p>
<p>Administer an annual questionnaire to grantees to evaluate TA providers.</p>	<p>OVW is exploring options for evaluating training and technical assistance, including the recommended questionnaire.</p>
<p>Allow tribes to spend grant funds on food in accordance with cultural practices.</p>	<p>Food costs as part of cultural/traditional activities reasonably incorporated into victim services may be permissible, depending on a grant program's scope. Limitations on the use of grant funds for food at trainings/meetings are required by policies that DOJ implemented in response to recommendations from the Office of the Inspector General.</p>

Recommendations for New/Additional Funding	
Recommendation	Response
Include AI/AN women who live off reservations and in urban areas in any research and services funding to ensure the full scope of the problem is considered and addressed.	Statutes governing research and services funding vary as to whether they include AI/AN populations living off reservations and in urban areas, which affects funding agencies' discretion to include these populations. Under OVC's TVSSA Formula program, tribes determine who will be served with project services. In addition, OVW funds a technical assistance project focused on improving victim services and justice responses for AI/AN populations in urban areas and included additional funds for this purpose in its FY 2021 Training and Technical Assistance Initiative solicitation.
Increase funding for tribal nation implementation of Special Domestic Violence Criminal Jurisdiction (SDVCJ).	As discussed in Part One of this Update Report, the President's FY 2022 Budget includes increased funding for this purpose.
Increase funding for specialized tribal advocacy training.	OVW funds a culturally-tailored advocacy training and technical assistance center for Alaska Native communities and included additional funds for this purpose in its FY 2021 Training and Technical Assistance Initiative solicitation.
Fund a transitional housing facility for victims who require long term inpatient or outpatient treatment for substance abuse.	Under BJA's Purpose Area 4 of CTAS, BJA will fund infrastructure projects that include housing and services, including access to substance abuse treatment, for victims.
Fund substance abuse treatment as part of victim services.	Under OVC's TVSSA Formula program, substance abuse services for victims of crime are an allowable expense.
Implement funding for behavioral health outcomes research teams on tribal reservations, including the Sexual Assault Nurse Examiner-Sexual Assault Response Team (SANE-SART) Initiative.	OVC's Training and Technical Assistance Center includes resources on SANE-SARTs, available at https://www.ovcttac.gov/sanesart/?nm=sfa&ns=sanesart , including a page of resources for victim service providers and allied professionals.

<p>Provide resources for tribal law enforcement, public safety, and justice, particularly within P.L. 280 states.</p>	<p>Under BJA’s Purpose Area 3 of CTAS, tribes can seek funding for tribal law enforcement to address public safety. Under the COPS Office’s Purpose Area 1 of CTAS, tribes, including those within P.L. 280 states, can seek funding for tribal law enforcement to address public safety. OVW’s TGP funds may be used to strengthen tribal justice interventions, including tribal law enforcement, prosecution, courts, probation, and correctional facilities, in cases of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.</p>
<p>Increase funding for law enforcement.</p>	<p>Under BJA’s Purpose Area 3 of CTAS, tribes can seek funding to for tribal law enforcement to address public safety. Funding increased in FY 2021. Under the COPS Office’s Purpose Area 1 of CTAS, tribes can seek funding for tribal law enforcement to address public safety. Appropriations for Purpose Area 1 increased from \$27 million in FY 2020 to \$29.5 million in FY 2021, and the President’s Budget request for FY 2022 is \$40 million. OVW’s TGP funds also may be used for law enforcement to address domestic violence, dating violence, sexual assault, stalking, and sex trafficking. TGP funding also increased from \$40.92 million to \$41.59 million in FY 2021 and would increase to \$71.95 million under the President’s FY 2022 Budget request.</p>
<p>Create a special program to assist tribes in the establishment and development of new tribal courts and justice services, including law enforcement departments.</p>	<p>Under BJA’s Purpose Area 3 of CTAS, tribes can seek funding to for the creation of new tribal law enforcement and courts. Funding increased for this program in FY 2021. Technical assistance to develop new tribal law enforcement departments is available from the COPS Office’s Collaborative Reform Initiative - Technical Assistance Center, or CRI-TAC. Two tribes (Klamath Tribes and Catawba Indian Nation) are currently receiving this type of assistance.</p>
<p>Increase funding for tribal courts.</p>	<p>Under BJA’s Purpose Area 3 of CTAS, tribes can seek funding to for tribal courts. Funding increased for this program in FY 2021.</p>
<p>Fund prevention and outreach education.</p> <ul style="list-style-type: none"> • Support prevention/outreach education on cyberstalking, online recruitment tactics, and coercion through social media. • Support outreach education on the meaning of consent, setting boundaries, and body autonomy. 	<p>In October 2020, OJP published a Monthly Feature on Internet Safety, available at www.ojp.gov/feature/internet-safety/overview, which includes sections on online safety for youth and cyberstalking and cyberbullying. The Centers for Disease Control and Prevention has issued a technical package on strategies with the greatest potential to reduce sexual violence and its consequences. Tribes are eligible for funding under OVW’s Consolidated Youth and Engaging Men Program, which can be used for certain types of prevention activities.</p>

<p>Increase funding to help tribes respond to the need for services during the COVID-19 pandemic.</p>	<p>Under OVC’s TVSSA Formula program, supplies and equipment that facilitate the delivery of victim services during pandemic circumstances are an allowable expense. OVW issued a special solicitation in FY 2020 to assist with these types of expenses, and in May 2021, HHS’s FVPSA Program awarded \$34.75 million to tribes and tribal organizations with supplemental appropriations under the American Rescue Plan.</p>
<p>Increase funding for shelters in response to the COVID-19 pandemic.</p>	<p>HHS’s FVPSA Program provided \$34.75 million in supplemental grant awards for tribes under the American Rescue Plan. Additional information on these awards is available at www.acf.hhs.gov/sites/default/files/documents/fysb/FY2021-ACF-FYSB-FVPSA-ARP-Supplemental-Funding-Tribes.pdf.</p>
<p>Provide funding for a native-specific domestic violence shelter in the Lower Peninsula of Michigan.</p>	<p>Under the TVSSA Formula program administered by OVC, such a shelter would be an allowable expense. OVW’s TGP also can fund shelter services, if one or more tribes in this region included them in their application.</p>
<p>Fund offender services, including batterers’ intervention programs and reentry education.</p> <ul style="list-style-type: none"> • Allow tribes to provide services to offenders that address factors such as substance abuse, mental health issues, poverty, homelessness, and other social issues. 	<p>BJA funds the Innovations in Reentry Initiative (IRI), which seeks to improve the capacity and effectiveness of state, local, and tribal jurisdictions to identify innovative ways to increase the success rates of individuals returning to their communities and reduce reoffending and recidivism rates. More information is available at https://bja.ojp.gov/program/innovations-reentry-initiative/overview.</p>
<p>Create a separate tribal Transitional Housing program dedicated for tribes/tribal programs/tribal organizations to assist tribal shelters.</p>	<p>OVW’s Tribal Governments Program (TGP) includes a transitional housing purpose area, under which tribes may apply for funding to carry out these types of activities. Tribes and tribal organizations also are eligible for funding under OVW’s Transitional Housing Program, for which the appropriation increased in FY 2021 from \$37 million to \$40 million, and for which the FY 2022 President’s Budget requests \$80 million.</p>
<p>Provide non-competitive funding to tribal coalitions to assist tribes in their region in applying for federal grants.</p>	<p>OVW does not have a funding stream that can be used for this purpose but is continually working to identify allowable ways to assist tribes in applying for grants.</p>

Recommendations for OVW	
Recommendation	OVW Response
Stop the practice of applying rescissions across tribal-specific grant programs.	OVW did have a rescission in FY 2021 but will consider this recommendation as appropriate in the future.
Provide an accounting of the funds awarded under the 2020 Tribal COVID-19/VAW Assistance to Tribes Solicitation.	Information on these funds and awards is available in Part Two, Appendix C, and Appendix D of this Update Report.
Report how much funding remains as carryover to be awarded in the upcoming fiscal year to tribal nations.	This information is provided in Appendix C of this Update Report.
Do not narrow the tribal purpose areas of the TGP without robust and timely government-to-government consultation with tribal nations.	OVW has never narrowed the purpose areas of the TGP and will not do so in the future without consultation.
Conduct informational sessions with tribal leaders to clarify ambiguities related to the Tribal Jurisdiction Program and provide detailed information on the resources available to tribal governments as they navigate the SDVCJ implementation process.	OVW conducted pre-application information sessions for both FY 2021 solicitations issued under the Tribal Jurisdiction Program and has funded extensive technical assistance for tribal governments interested in implementing SDVCJ. More information on these efforts is provided in Part Two of this Update Report.
Adjust the Transitional Housing provision in the TGP statute to remove the word “relocate.” <ul style="list-style-type: none"> • Revise the rule that has been interpreted to require a grantee to get program manager approval to provide furniture for transitional housing assistance and require the survivor to return the furniture to the tribal advocacy program. 	OVW supports such a change in the reauthorization of VAWA pending in Congress. Rules related to property purchased with grant funds, including furniture, are based on OMB regulations (specifically the property standards in 2 C.F.R. 200.310 to 200.316, as well as closeout requirements in 200.344(f)), and OVW is required to follow them.
Expand Transitional Housing funding to address victims of trafficking and support services, such as credit repair.	Funds may be used to support victims of sex trafficking under OVW’s TGP and to support victims of trafficking who are also victims of domestic violence, dating violence, sexual assault, and stalking under OVW’s Transitional Housing Program; support services, such as credit repair, also are allowable. <i>See also</i> OVW’s 2021 framing paper on a potential pilot program focused on flexible financial assistance for survivors in tribal communities.

<p>Freeze state OVW funding until each state provides a detailed plan on how they are going to ensure they give qualifying tribal court protection orders full faith and credit as required by federal law, including plans for ensuring that state prosecutors know how to charge violations of foreign or tribal orders.</p>	<p>The authorizing statutes for OVW’s state formula programs include a number of requirements that states must meet to qualify for funding, but compliance with VAWA’s full faith and credit provision is not expressly listed as one of these requirements. However, OVW has supported several initiatives over the years to improve enforcement of tribal protection orders, including training for state prosecutors. More information on these initiatives is provided in prior years’ Update Reports, available on OVW’s website, and in Part Three of this report.</p>
<p>Increase victim legal assistance and transitional housing funds for tribes outside of the TGP.</p>	<p>Tribes are eligible for funding under both OVW’s Transitional Housing and Legal Assistance for Victims Programs, and the FY 2022 President’s Budget request would increase the appropriation for both programs to \$80 million.</p>
<p>Ease restrictions on the use of grant funds.</p> <ul style="list-style-type: none"> • Allow tribes to fund counseling for victims’ families, holistic therapies, legal assistance, process server assistance, basic home or car repair, credit repair, community meals to launch prevention and awareness campaigns, advertising that gets positive and preventive messaging or alerts out on a national level, etc. • Allow tribes to use funds for financial education, vocational job skills training, including use of computers and software, and substance abuse treatment. • Allow tribes to fund self-care activities for program staff under the Tribal COVID-19/VAW solicitation. • Allow OVW funds to support homeless women who have experienced past victimization. 	<p>Many, but not all, of these activities may be funded under OVW’s grant programs, depending on the program and the scope of the funded project; grantees are encouraged to discuss the specific activities they would like to implement with their program manager to determine what is allowable under their grant awards. Although medical treatment, such as substance abuse treatment, is not an allowable cost under OVW grant programs, cross-training and coordination between victim service providers and substance abuse treatment providers often is, as is victim advocacy focused on obtaining appropriate support for survivors related to substance abuse. Self-care for staff may be allowable as an employee benefit, if it is provided to both federally funded and non-federally funded staff. Homeless survivors are eligible for services as long as there is a connection between their victimization and their need for services. Finally, OVW issued a framing paper in preparation for the 2021 consultation on a potential pilot program focused on flexible financial assistance for survivors in tribal communities.</p>

<p>When in-person travel is once again permitted, allow tribes to opt-in to participating virtually in OVW's mandatory technical assistance obligations.</p>	<p>These programs are not being conducted in person at this time, but OVW will consider this recommendation as in-person technical assistance programs resume.</p>
<p>SDVCJ grantees should be provided resources to cover the cost associated with holding non-tribal citizens accountable in their court or jail systems.</p>	<p>These costs are allowable under OVW's Tribal Jurisdiction Program.</p>
<p>Provide two separate application processes under the Tribal Jurisdiction Program that would allow tribes currently exercising SDVCJ to request financial support for anticipated costs associated with the general exercise of enhanced jurisdiction, such as public defense, jail services, and associated medical costs.</p>	<p>OVW implemented this recommendation and is seeking additional tribal input on the administration of this program through a framing paper issued in preparation for the 2021 consultation.</p>
<p>Remove six-month limit on no-cost extensions for Tribal Coalitions – extension periods should be determined by the individual needs of tribes/tribal coalitions.</p>	<p>This recommendation was implemented by allowing additional six-month extensions on a case-by-case basis. Tribal coalitions receive new awards every year, so the original policy was designed to avoid setting them too far behind in carrying out subsequent awards. OVW also recommends that coalitions work with their program specialist and technical assistance provider to identify ways to broaden their programming and services for member tribes to help ensure funds are used within the award period.</p>
<p>Provide optional planning grants to assist tribes that do not currently receive OVW funding.</p>	<p>This recommendation was implemented and is discussed in greater detail in Part Two of this Update Report.</p>

Recommendations for NIJ	
Recommendation	Response
Fully implement the 2005 reauthorization of VAWA NIJ program of research and provide tribal nations with information regarding missing and murdered AI/AN women.	NIJ’s Violence Against Indian Women (VAIW) research program is fully implemented. Additional information on the NIJ’s program of research under VAWA 2005 and 2013 and the dissemination of study results is provided in Part Two of this Update Report. In addition, NIJ published a background paper on the reporting and investigating of missing persons to help frame the issue. The paper reviews the scope, reporting, data collection, policies, and laws related to missing persons in the U.S. at all governmental levels. Similarly, NIJ’s National Missing and Unidentified Persons System (NamUs) provides monthly reports on missing, unidentified, and unclaimed indigenous person published cases (see https://namus.nij.ojp.gov/missing-indigenous-persons).
Ensure that the National Baseline Study (NBS) on violence against Indian women is population-based rather than land-based.	The NBS’s catchment area and the sample are defined by statute. However, NIJ has funded other population-based studies (see https://www.ojp.gov/pdffiles1/nij/249736.pdf) and plans to do more in the near future.
Engage the Alaska Area Institutional Review Board or Southcentral Foundation to learn more about the process for research review.	NIJ and its contractor for the NBS, AIDA, work directly with tribal nation leaders and governments to direct which institutional review board or research ethics board reviews and approvals will be employed for the study.
Recognize that the rate of misclassification of race is high in death records and considerably worse in police and healthcare data.	NIJ recognizes that race and ethnicity misclassification is a problem in most data due to variations in approaches. HHS has studied misclassification of race and ethnicity for some time (see https://aspe.hhs.gov/reports/ai-data-capacity , www.ncbi.nlm.nih.gov/pmc/articles/PMC4035863/ , and www.cdc.gov/nchs/data/series/sr_02/sr02_172.pdf). In addition, a recent assessment study was published on the American Indian and Alaska Native racial and ethnic data capacity of major health surveys that speaks to the challenges with classification, tabulation, and weighting of these data and the implications of current practices. Another report released in 2019 by the National Council of Urban Indian Health speaks to the role of funeral directors in preventing the misclassification of race on death certificates (see https://www.ncuih.org/misclassification). This study was made possible, in part, with support from HHS and CDC.

Recommendations for OVC	
Recommendation	Response
Implement a permanent tribal set aside as part of the Crime Victims Fund, as provided in legislation pending before Congress; this permanent direct funding should be provided through block grants or a distribution formula developed in consultation with tribal governments.	A permanent set aside in VOCA would require Congressional action, but OVC currently distributes TVSSA funds through a formula program to federally recognized tribes in consultation with tribal leaders.
Implement NCAI recommendations regarding the tribal set aside from the crime victims fund to ensure that resources reach victims, survivors, and their families.	OVC has implemented all of these recommendations, with the exception of the standing advisory board; the details are provided in Part One of this Update Report.
Extend the TVSSA grant project period for up to four years to allow time for project planning and needs assessments.	As discussed in Part One of this Update Report, the TVSSA Formula Program grant period has been extended to up to five years.
Approve no-cost extension requests from tribal nations impacted by COVID-19, because the pandemic has impacted tribal nations' ability to utilize and spend down CVF funds.	The TVSSA Formula Program grant period has been extended to up to five years, and extensions on existing awards are currently being reviewed and granted as appropriate.
Disburse all FY 2021 funds as soon as possible so that tribes have time to internally process and expend their grant awards.	OJP awards are made by the end of the fiscal year, and the FY 2021 TVSSA Formula grant funds may be expended over a period of five years.
Engage in government-to-government consultations with tribal nations to improve the distribution of the tribal set-aside funds and determine how regulations should be tailored to address unique tribal needs.	OVC holds annual consultations on tailoring the TVSSA Formula Program to tribal needs, but program requirements are not set by regulation.
Utilize a tribally based view of what constitutes activities that will improve services to victims of crime, as set forth in the Commerce, Justice, Science appropriations bill.	This recommendation is addressed in Part One of this Update Report.

Recommendations for DOJ	
Recommendation	Response
Direct U.S. Attorneys to implement Section 212 of the TLOA which requires U.S. attorneys to coordinate with tribal justice officials on the use of evidence when declining to prosecute a crime on the reservation. Failure to implement the law should be tied to employee performance and merit-based reviews.	USAOs have implemented this section and continue to work with tribal partners regarding evidence for matters that were declined federally. If there are specific issues, the tribal official should raise their concerns to the U.S. Attorney in their District.
Implement TLOA provision that requires the collection and reporting of crime data in Indian country.	The Department publishes the TLOA mandated Indian Country Investigation and Prosecution Report on a yearly basis. These reports are available on the Department's website at https://www.justice.gov/tribal/tribal-law-and-order-act .
Require U.S. Attorneys' offices to consult with tribes regularly.	U.S. Attorneys are required to meet with Tribes in their District on a yearly basis.
Require U.S. Attorneys' offices and U.S. Attorneys to notify tribal officials in a timely manner of decisions to decline to prosecute violent crimes occurring in Indian country.	All USAOs with Indian country responsibilities have policies in place that require them to notify the tribes of any declinations regarding Indian country cases. Every year the policy is reviewed to ensure this is being done. Law enforcement or the tribal prosecutor's office is the usual contact point, not the tribal legislature.
Provide U.S. Attorneys' offices with funding to assist U.S. Attorneys in prosecuting crimes in Indian country.	Grantmaking components generally may not fund positions in USAOs; however, both OJP and OVW have funded tribal prosecutor positions to be cross-designated as SAUSAs to prosecute Indian country cases in both tribal and federal courts.
Assist with improving coordination and communication between the U.S Attorneys' Offices and Indian tribes.	U.S. Attorneys and their representatives, usually Tribal Liaisons, strive to improve coordination and communication with their tribal partners. If tribes have specific suggestions, they should feel free to contact the U.S. Attorneys Office in their District to discuss any such recommendations.

<p>Consult with tribal governments on ways to increase accountability, improve enforcement, and deter violations of tribal protection and exclusion orders.</p>	<p>OVW has consulted at prior consultations on several issues related to tribal protection order enforcement and has supported several initiatives over the years to improve enforcement of tribal protection orders. More information on these consultations and initiatives is provided in prior years' Update Reports, available on OVW's website, and in Part Three of this report. DOJ welcomes additional recommendations from tribal leaders in this area.</p>
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<p style="text-align: center;">Recommendations for the Consultation Process</p>	
<p style="text-align: center;">Recommendation</p>	<p style="text-align: center;">Response</p>
<p>Consistently submit the VAWA Annual Tribal Consultation Report to Congress on time.</p>	<p>Reports to Congress will be submitted annually after issuance of this Update Report.</p>
<p>Publish the transmittal letters for each VAWA Annual Consultation Report to Congress on the DOJ website</p>	<p>Annual consultation reports to Congress, including transmittal letters, are available on OVW's website at: www.justice.gov/ovw/tribal-consultation.</p>
<p>Concerns expressed by more than one tribe should be made available for all tribes to review on an accessible national matrix posted on the DOJ website. The matrix should also include DOJ's plan to respond to the concern as well as measurable outcomes/timelines. If an issue cannot be addressed by DOJ, the matrix should identify specific opportunities for tribal nations to engage in further dialogue with DOJ regarding the topic.</p>	<p>This Update Report, including this appendix, is designed to respond to this recommendation.</p>

Appendix C – Analysis of OVW Tribal Grant Programs Funding for FY 2021

At past consultation sessions, tribal leaders have requested that DOJ provide a table showing how funds appropriated for tribal programs are spent by OVW. The table on the next page, along with the list of grant recipients in Appendix D, responds to this request. Please note, however, that because this report is being prepared before the end of the fiscal year, the table on the next page provides estimated amounts to be awarded in FY 2021. In addition, the list of recipients in Appendix D is for FY 2020; the final list of recipients for FY 2021 will be provided at the 2022 consultation.

	Tribal Governments (TGP)¹	Tribal Jurisdiction	Tribal Coalitions²	Tribal Sexual Assault Services (TSASP)³
FY 2021 Appropriation	\$41,590,000	\$4,000,000	\$6,899,286	\$4,100,000
Prior Year Carry Forward & Recoveries⁴	\$3,696,905	\$427,365	\$167,336	\$2,049,678
<i>Technical Assistance, Peer Review & Evaluation Reduction & Special Projects⁵</i>	-\$6,234,269	-\$614,987	-\$525,600	-\$661,628
<i>FY 2021 Rescission⁶</i>	\$0	\$0	\$0	\$0
<i>Salaries & Expenses Reduction⁷</i>	-\$2,391,698	-\$230,026	-\$396,754	\$0
Amount available for FY 2021 grants	\$36,660,938	\$3,582,352	\$6,144,268	\$5,488,058
Estimated amount to be awarded in FY 2021	\$32,432,119	\$733,691	\$6,144,268	\$3,784,638
Remaining balance⁸	\$4,228,819	\$2,848,661	\$0	\$1,703,420

¹ In FY 2021, the Tribal Governments Program was funded through the appropriations for seven other OVW grant programs and did not receive its own appropriation line.

² In FY 2021, the Tribal Coalitions Program was funded through the appropriations for the STOP, Improving Criminal Justice System Responses (formerly known as Arrest), and Sexual Assault Services Programs and did not receive its own appropriation line.

³ This column includes funding made available specifically for tribal sexual assault activities under the Sexual Assault Services Program appropriation.

⁴ The Prior Year Carry Forward amount includes both funds that were not obligated in the prior year and funds that were deobligated. Recoveries/deobligated funds are funds that are returned after the end of a grant award for any number of reasons. Recoveries are as of March 31, 2021. TGP includes \$152,701 in reprogrammed funds from TSASP for awards under the FY 2020 COVID-19/Violence Against Women Assistance to Tribes Solicitation.

⁵ For TGP and TSASP, this line includes \$2,523,410 and \$476,844, respectively, allocated for FY 2021 awards under the FY 2020 COVID-19/Violence Against Women Assistance to Tribes Solicitation.

⁶ OVW had no rescission for FY 2021.

⁷ In FY 2021, OVW did not receive an appropriation for management and administration expenses. As a result, OVW assessed the majority of its grant programs to cover management and administration expenses.

⁸ OVW is consulting with tribes on use of these balances and issued two framing papers on potential uses for the [Tribal Jurisdiction Program](#) and other tribal-specific funds, including a [financial assistance for victims pilot](#).

Appendix D – FY 2020 OVW Tribal Grant Awards

Grantee	Award Amount	Solicitation
Absentee Shawnee Tribe of Oklahoma	\$ 407,000.00	OVW Tribal Jur FY 20
Alaska Native Justice Center	\$ 750,000.00	OVW Rural FY 2020
Alaska Native Tribal Health Consortium	\$ 499,951.00	OVW Rural FY 2020
Alaska Native Tribal Health Consortium	\$ 288,300.00	OVW SASP CSS FY 2020
Alaska Native Women's Resource Center	\$ 200,000.00	OVW TA FY 2020
Aleut Community of St. Paul Island Tribal Government	\$ 475,000.00	OVW Housing FY 2020
Aleut Community of St. Paul Island Tribal Government	\$ 499,987.00	OVW Rural FY 2020
Aleutian Pribilof Islands Association, Incorporated	\$ 880,702.00	OVW FY 20 CTAS 5 TGP
American Indians Against Abuse, Incorporated	\$ 353,615.00	OVW Tribal Coal FY20
Big Valley Rancheria Band of Pomo Indians	\$ 748,399.00	OVW FY 20 CTAS 5 TGP
Big Valley Rancheria Band of Pomo Indians	\$ 99,806.00	OVW Tribal C-19/TGP FY20
Cahto Tribe of Laytonville Rancheria	\$ 488,136.00	OVW FY 20 CTAS 5 TGP
Chickasaw Nation	\$ 450,000.00	OVW Tribal SAUSA FY20
Choctaw Nation of Oklahoma	\$ 825,643.00	OVW FY 20 CTAS 5 TGP
Choctaw Nation of Oklahoma	\$ 499,775.00	OVW Housing FY 2020
Coalition to Stop Violence Against Native Women	\$ 353,615.00	OVW Tribal Coal FY20
Confederated Salish and Kootenai Tribes	\$ 655,623.00	OVW FY 20 CTAS 5 TGP
Confederated Salish and Kootenai Tribes	\$ 438,209.00	OVW Rural FY 2020
Confederated Tribes of Coos, Lower Umpqua, & Siuslaw Indians	\$ 515,000.00	OVW Housing FY 2020
Confederated Tribes of Siletz Indians	\$ 616,708.00	OVW FY 20 CTAS 5 TGP
Confederated Tribes of Siletz Indians	\$ 706,397.00	OVW FAST SA FY 2020
Confederated Tribes of the Grand Ronde Community of Oregon	\$ 789,997.00	OVW FY 20 CTAS 5 TGP
Delaware Tribe of Indians	\$ 899,999.00	OVW FY 20 CTAS 5 TGP
Eastern Band of Cherokee Indians	\$ 299,640.00	OVW Tribal Jur FY 20
Eastern Shoshone Tribe	\$ 870,105.00	OVW FY 20 CTAS 5 TGP
Eight Northern Indian Pueblos Council, Incorporated	\$ 625,000.00	OVW Housing FY 2020
First Nations Women's Alliance	\$ 353,615.00	OVW Tribal Coal FY20
Fond du Lac Band of Lake Superior Chippewa	\$ 640,529.00	OVW FY 20 CTAS 5 TGP
Grand Traverse Band of Ottawa and Chippewa Indians	\$ 300,000.00	OVW Tribal Jur FY 20
Hannahville Indian Community	\$ 84,440.00	OVW Tribal C-19/TGP FY20
Healing Native Hearts Coalition	\$ 353,615.00	OVW Tribal Coal FY20
Ho-Chunk Nation	\$ 690,764.00	OVW FY 20 CTAS 5 TGP
Hopi Tribe	\$ 900,000.00	OVW FY 20 CTAS 5 TGP
Hopi-Tewa Women's Coalition to End Abuse	\$ 353,615.00	OVW Tribal Coal FY20
Hualapai Tribe	\$ 900,000.00	OVW FY 20 CTAS 5 TGP
Indian Township Tribal Government	\$ 770,467.00	OVW FY 20 CTAS 5 TGP
Iowa Tribe of Kansas and Nebraska	\$ 27,002.00	OVW Tribal C-19/TGP FY20
Iowa Tribe of Oklahoma	\$ 900,000.00	OVW FY 20 CTAS 5 TGP

Kawerak, Incorporated	\$ 498,555.00	OVW Rural FY 2020
Kenaitze Indian Tribe (IRA)	\$ 320,000.00	OVW Families FY 2020
Keweenaw Bay Indian Community	\$ 900,000.00	OVW FY 20 CTAS 5 TGP
La Jolla Band of Luiseno Indians	\$ 836,856.00	OVW FY 20 CTAS 5 TGP
Lac Vieux Desert Band of Lake Superior Chippewa Indians	\$ 251,841.00	OVW FY 20 CTAS 5 TGP
Legal Aid of Nebraska	\$ 900,000.00	OVW FY 20 CTAS 5 TGP
Little River Band of Ottawa Indians	\$ 299,815.00	OVW FY 20 CTAS 5 TGP
Little Traverse Bay Bands of Odawa Indians	\$ 600,000.00	OVW Families FY 2020
Makah Tribal Council	\$ 122,513.00	OVW FY 20 CTAS 5 TGP
Maniilaq Association	\$ 699,015.00	OVW FY 20 CTAS 5 TGP
Maniilaq Association	\$ 323,764.00	OVW TSASP FY 2020
Mending the Sacred Hoop	\$ 353,615.00	OVW Tribal Coal FY20
Menominee Indian Tribe of Wisconsin	\$ 199,767.00	OVW TSASP FY 2020
Midwest Native Coalition for Justice and Peace	\$ 353,615.00	OVW Tribal Coal FY20
Mille Lacs Band of Ojibwe	\$ 734,898.00	OVW FY 20 CTAS 5 TGP
Minnesota Indian Women's Sexual Assault Coalition	\$ 353,615.00	OVW Tribal Coal FY20
Mississippi Band of Choctaw Indians	\$ 900,000.00	OVW FY 20 CTAS 5 TGP
Mississippi Band of Choctaw Indians	\$ 449,722.00	OVW Tribal Jur FY 20
Mississippi Band of Choctaw Indians	\$ 450,000.00	OVW Tribal SAUSA FY20
Mississippi Band of Choctaw Indians	\$ 350,000.00	OVW TSASP FY 2020
Montana Native Women's Coalition	\$ 353,615.00	OVW Tribal Coal FY20
National Center for Victims of Crime, Incorporated	\$ 400,000.00	OVW TA FY 2020
Native Alliance Against Violence, Incorporated	\$ 597,849.00	OVW LAV FY 2020
Native Alliance Against Violence, Incorporated	\$ 353,615.00	OVW Tribal Coal FY20
Native Village of Port Graham	\$ 272,618.00	OVW FY 20 CTAS 5 TGP
Native Village of Port Heiden	\$ 385,000.00	OVW FY 20 CTAS 5 TGP
Native Village of Tetlin	\$ 80,000.00	OVW Tribal C-19/TGP FY20
Native Women's Society of the Great Plains	\$ 353,615.00	OVW Tribal Coal FY20
Nez Perce Tribe	\$ 879,946.00	OVW FY 20 CTAS 5 TGP
Nez Perce Tribe	\$ 385,906.00	OVW Tribal Jur FY 20
Northern Arapaho Tribe	\$ 899,991.00	OVW FY 20 CTAS 5 TGP
Norton Sound Health Corporation	\$ 1,132,002.00	OVW FAST SA FY 2020
Oglala Sioux Tribe	\$ 450,000.00	OVW Tribal SAUSA FY20
Osage Nation	\$ 291,082.00	OVW TSASP FY 2020
Pauma Band of Mission Indians	\$ 900,000.00	OVW FY 20 CTAS 5 TGP
Pauma Band of Mission Indians	\$ 363,223.00	OVW Tribal Jur FY 20
Pawnee Nation of Oklahoma	\$ 761,416.00	OVW FY 20 CTAS 5 TGP
Pokagon Band of Potawatomi Indians	\$ 517,458.00	OVW LAV FY 2020
Ponca Tribe of Indians of Oklahoma	\$ 300,000.00	OVW TSASP FY 2020
Ponca Tribe of Nebraska	\$ 781,810.00	OVW FY 20 CTAS 5 TGP
Prairie Band Potawatomi Nation	\$ 841,082.00	OVW FY 20 CTAS 5 TGP
Pueblo of Isleta	\$ 684,965.00	OVW FY 20 CTAS 5 TGP

Pueblo of Laguna	\$ 450,000.00	OVW Tribal SAUSA FY20
Pueblo of Tesuque	\$ 898,969.00	OVW FY 20 CTAS 5 TGP
Pueblo of Tesuque	\$ 365,665.00	OVW Tribal Jur FY 20
Qagan Tayagungin Tribe	\$ 409,441.00	OVW FY 20 CTAS 5 TGP
Quartz Valley Indian Reservation	\$ 792,601.00	OVW FY 20 CTAS 5 TGP
Red Lake Band of Chippewa Indians	\$ 296,629.00	OVW Tribal Jur FY 20
Red Wind Consulting, Incorporated	\$ 500,000.00	OVW Housing FY 2020
Restoring Ancestral Winds, Incorporated	\$ 353,615.00	OVW Tribal Coal FY20
Sac & Fox Tribe of the Mississippi in Iowa	\$ 766,563.00	OVW FY 20 CTAS 5 TGP
Saginaw Chippewa Indian Tribe of Michigan	\$ 309,199.00	OVW TSASP FY 2020
Saint Regis Mohawk Tribe	\$ 100,000.00	OVW Tribal C-19/TGP FY20
San Carlos Apache Healthcare Corporation	\$ 845,572.00	OVW FAST SA FY 2020
San Pasqual Band of Mission Indians	\$ 900,000.00	OVW FY 20 CTAS 5 TGP
Santee Sioux Nation of Nebraska	\$ 492,000.00	OVW FY 20 CTAS 5 TGP
Sault Ste. Marie Tribe of Chippewa Indians	\$ 836,284.00	OVW FY 20 CTAS 5 TGP
Seneca Nation of Indians	\$ 692,363.00	OVW FY 20 CTAS 5 TGP
Seven Dancers Coalition, Incorporated	\$ 353,615.00	OVW Tribal Coal FY20
Shoshone-Bannock Tribes	\$ 721,203.00	OVW FY 20 CTAS 5 TGP
Shoshone-Paiute Tribes	\$ 325,212.00	OVW TSASP FY 2020
Sitka Tribe of Alaska	\$ 487,559.00	OVW FY 20 CTAS 5 TGP
Sitka Tribe of Alaska	\$ 852,300.00	OVW FAST SA FY 2020
Sitka Tribe of Alaska	\$ 515,000.00	OVW Housing FY 2020
South Dakota Network Against Family Violence and Sexual Assault	\$ 1,463,729.00	OVW FAST SA FY 2020
Southern Indian Health Council, Incorporated	\$ 614,433.00	OVW FY 20 CTAS 5 TGP
Southern Ute Indian Tribe	\$ 399,972.00	OVW FY 20 CTAS 5 TGP
Southern Ute Indian Tribe	\$ 450,000.00	OVW Tribal SAUSA FY20
Southwest Indigenous Women's Coalition	\$ 353,615.00	OVW Tribal Coal FY20
Spirit Lake Tribe	\$ 607,630.00	OVW FY 20 CTAS 5 TGP
Squaxin Island Tribe	\$ 88,056.00	OVW Tribal C-19/TGP FY20
St. Croix Chippewa Indians of Wisconsin	\$ 895,162.00	OVW FY 20 CTAS 5 TGP
St. Croix Chippewa Indians of Wisconsin	\$ 235,605.00	OVW TSASP FY 2020
Standing Rock Sioux Tribe	\$ 900,000.00	OVW FY 20 CTAS 5 TGP
Strong Hearted Native Women's Coalition	\$ 353,615.00	OVW Tribal Coal FY20
Swinomish Indian Tribal Community	\$ 227,124.00	OVW Tribal Jur FY 20
Tolowa Dee-ni' Nation	\$ 900,000.00	OVW FY 20 CTAS 5 TGP
Tolowa Dee-ni' Nation	\$ 328,310.00	OVW TSASP FY 2020
Tulalip Tribes of Washington	\$ 897,977.00	OVW FY 20 CTAS 5 TGP
Tulalip Tribes of Washington	\$ 171,549.00	OVW Tribal Jur FY 20
Turtle Mountain Band of Chippewa Indians	\$ 767,680.00	OVW FY 20 CTAS 5 TGP
Uniting Three Fires Against Violence	\$ 353,615.00	OVW Tribal Coal FY20
University of Wisconsin-Milwaukee	\$ 2,000,000.00	OVW FAST SA FY 2020
Wabanaki Women's Coalition, Incorporated	\$ 353,615.00	OVW Tribal Coal FY20

Washington State Native American Coalition	\$	353,615.00	OVW Tribal Coal FY20
White Earth Band of Chippewa Indians	\$	899,055.00	OVW FY 20 CTAS 5 TGP
Wild Horse Butte Community Development Corporation	\$	500,000.00	OVW Rural FY 2020
Wise Women Gathering Place	\$	100,000.00	OVW Tribal C-19/TSASP FY20
Yerington Paiute Tribe	\$	663,004.00	OVW FY 20 CTAS 5 TGP
Yup'ik Women's Coalition	\$	353,615.00	OVW Tribal Coal FY20
Yurok Tribe	\$	900,000.00	OVW FY 20 CTAS 5 TGP
	\$	70,788,204.00	

FY 2020 Tribal COVID/Violence Against Women Assistance Awards Made in FY 2021

Grantee	Award Amount	Solicitation
Absentee Shawnee Tribe of Oklahoma	\$ 90,503.00	OVW Tribal C-19/TGP FY20
Alaska Native Justice Center	\$ 100,000.00	OVW Tribal C-19/TGP FY20
Bishop Paiute Tribe	\$ 76,536.00	OVW Tribal C-19/TGP FY20
Cahuilla Band of Indians	\$ 56,820.00	OVW Tribal C-19/TGP FY20
Cherokee Nation	\$ 99,880.00	OVW Tribal C-19/TGP FY20
Cheyenne and Arapaho Tribes	\$ 100,000.00	OVW Tribal C-19/TGP FY20
Confederate Tribes of the Colville Reservation Public Safety	\$ 79,189.00	OVW Tribal C-19/TGP FY20
Dena'' Nena'' Henash dba Tanana Chiefs Conference	\$ 150,000.00	OVW Tribal C-19/TGP FY20
FORT BELKNAP INDIAN COMMUNITY	\$ 98,132.00	OVW Tribal C-19/TGP FY20
Gila River Indian Community	\$ 100,000.00	OVW Tribal C-19/TSASP FY20
Grand Traverse Band of Ottawa and Chippewa Indians	\$ 69,499.00	OVW Tribal C-19/TGP FY20
Iowa Tribe of Oklahoma	\$ 68,800.00	OVW Tribal C-19/TGP FY20
Kalispel Indian Community of the Kalispel Reservation	\$ 78,950.31	OVW Tribal C-19/TGP FY20
Kaw Nation	\$ 58,338.00	OVW Tribal C-19/TGP FY20
Modoc Nation	\$ 99,128.63	OVW Tribal C-19/TGP FY20
Nez Perce Tribe	\$ 99,340.00	OVW Tribal C-19/TSASP FY20
Nisqually Indian Tribe	\$ 127,510.00	OVW Tribal C-19/TGP FY20
Pauma Band of Mission Indians	\$ 100,000.00	OVW Tribal C-19/TGP FY20
Ponca Tribe of Indians of Oklahoma	\$ 99,338.00	OVW Tribal C-19/TGP FY20
Ponca Tribe of Indians of Oklahoma	\$ 77,204.00	OVW Tribal C-19/TSASP FY20
Prairie Band Potawatomi Nation	\$ 78,311.00	OVW Tribal C-19/TGP FY20
Pueblo of San Felipe	\$ 100,000.00	OVW Tribal C-19/TGP FY20
Pyramid Lake Paiute Tribe	\$ 100,000.00	OVW Tribal C-19/TGP FY20
Red Lake Band of Chippewa Indians	\$ 104,568.00	OVW Tribal C-19/TGP FY20
San Carlos Apache Tribe	\$ 99,396.00	OVW Tribal C-19/TGP FY20
Santo Domingo Pueblo (Kewa Pueblo)	\$ 59,566.00	OVW Tribal C-19/TGP FY20
Scotts Valley Band of Pomo Indians	\$ 100,000.00	OVW Tribal C-19/TSASP FY20
Shoshone-Bannock Tribes	\$ 85,850.00	OVW Tribal C-19/TGP FY20
The Chickasaw Nation	\$ 85,065.00	OVW Tribal C-19/TGP FY20
The Seneca Nation of Indians	\$ 76,697.73	OVW Tribal C-19/TGP FY20
The Suquamish Tribe	\$ 43,200.00	OVW Tribal C-19/TGP FY20

Tulalip Tribes of Washington	\$	51,486.07	OVW Tribal C-19/TGP FY20
Tundra Women"s Coalition	\$	100,000.00	OVW Tribal C-19/TSASP FY20
Yurok Tribe	\$	86,946.00	OVW Tribal C-19/TGP FY20
	\$	3,000,253.74	