

“(3) TASK FORCE.—

“(A) IN GENERAL.—The Attorney General, acting through the Director of the Office on Violence Against Women, shall establish a task force to assist in the development and implementation of the study under paragraph (1) and guide implementation of the recommendation in paragraph (2)(C).

“(B) MEMBERS.—The Director shall appoint to the task force representatives from—

“(i) national tribal domestic violence and sexual assault nonprofit organizations;

“(ii) tribal governments; and

“(iii) the national tribal organizations.

“(4) REPORT.—Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2013 [Mar. 7, 2013], the Attorney General shall submit to the Committee on Indian Affairs of the Senate, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives a report that describes the study.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$1,000,000 for each of fiscal years 2014 and 2015, to remain available until expended.”

§ 10453. Tribal Deputy

(a) Establishment

There is established in the Office on Violence Against Women a Deputy Director for Tribal Affairs.

(b) Duties

(1)¹ In general

The Deputy Director shall under the guidance and authority of the Director of the Office on Violence Against Women—

(A) oversee and manage the administration of grants to and contracts with Indian tribes, tribal courts, tribal organizations, or tribal nonprofit organizations;

(B) ensure that, if a grant under this Act or a contract pursuant to such a grant is made to an organization to perform services that benefit more than 1 Indian tribe, the approval of each Indian tribe to be benefitted shall be a prerequisite to the making of the grant or letting of the contract;

(C) coordinate development of Federal policy, protocols, and guidelines on matters relating to violence against Indian women;

(D) advise the Director of the Office on Violence Against Women concerning policies, legislation, implementation of laws, and other issues relating to violence against Indian women;

(E) represent the Office on Violence Against Women in the annual consultations under section 20126² of this title;

(F) provide technical assistance, coordination, and support to other offices and bureaus in the Department of Justice to develop policy and to enforce Federal laws relating to violence against Indian women, including through litigation of civil and criminal actions relating to those laws;

(G) maintain a liaison with the judicial branches of Federal, State, and tribal governments on matters relating to violence against Indian women;

(H) support enforcement of tribal protection orders and implementation of full faith

and credit educational projects and comity agreements between Indian tribes and States; and

(I) ensure that adequate tribal technical assistance that is developed and provided by entities having expertise in tribal law, customary practices, and Federal Indian law is made available to Indian tribes, tribal courts, tribal organizations, and tribal nonprofit organizations for all programs relating to violence against Indian women.

(c) Authority

(1) In general

The Deputy Director shall ensure that a portion of the tribal set-aside funds from any grant awarded under this Act, the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), or the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491) is used to enhance the capacity of Indian tribes to address the safety of Indian women.

(2) Accountability

The Deputy Director shall ensure that some portion of the tribal set-aside funds from any grant made under this subchapter is used to hold offenders accountable through—

(A) enhancement of the response of Indian tribes to crimes of domestic violence, dating violence, sexual assault, and stalking against Indian women, including legal services for victims and Indian-specific offender programs;

(B) development and maintenance of tribal domestic violence shelters or programs for battered Indian women, including sexual assault services, that are based upon the unique circumstances of the Indian women to be served;

(C) development of tribal educational awareness programs and materials;

(D) support for customary tribal activities to strengthen the intolerance of an Indian tribe to violence against Indian women; and

(E) development, implementation, and maintenance of tribal electronic databases for tribal protection order registries.

(Pub. L. 90-351, title I, § 2016, formerly § 2008, as added Pub. L. 109-162, title IX, § 907, Jan. 5, 2006, 119 Stat. 3082; renumbered § 2016 and amended Pub. L. 109-271, § 7(a)(1)(B), (C), (4), Aug. 12, 2006, 120 Stat. 763, 764.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsecs. (b)(1)(B) and (c)(1), is Pub. L. 90-351, June 19, 1968, 82 Stat. 197, known as the Omnibus Crime Control and Safe Streets Act of 1968. For complete classification of this Act to the Code, see Short Title of 1968 Act note set out under section 10101 of this title and Tables.

Section 20126 of this title, referred to in subsec. (b)(1)(E), was in the original “section 903” and was translated as meaning section 903 of Pub. L. 109-162, to reflect the probable intent of Congress, because there is no section 903 of Pub. L. 90-351.

The Violence Against Women Act of 1994, referred to in subsec. (c)(1), is title IV of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1902. For complete classification of this

¹ So in original. No par. (2) has been enacted.

² See References in Text note below.

Act to the Code, see Short Title of 1994 Act note set out under section 10101 of this title and Tables.

The Violence Against Women Act of 2000, referred to in subsec. (c)(1), is div. B of Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1491. For complete classification of this Act to the Code, see Short Title of 2000 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 3796gg-11 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2006—Subsec. (b)(1)(I). Pub. L. 109-271, §7(a)(4), inserted “that is developed and provided by entities having expertise in tribal law, customary practices, and Federal Indian law” after “technical assistance”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as an Effective Date of 2006 Amendment note under section 10261 of this title.

§ 10454. Grant eligibility regarding compelling victim testimony

In order for a prosecutor’s office to be eligible to receive grant funds under this subchapter, the head of the office shall certify, to the State, Indian Tribal government, or territorial government receiving the grant funding, that the office will, during the 3-year period beginning on the date on which the grant is awarded, engage in planning, developing and implementing—

(1) training developed by experts in the field regarding victim-centered approaches in domestic violence, sexual assault, dating violence, and stalking cases;

(2) policies that support a victim-centered approach, informed by such training; and

(3) a protocol outlining alternative practices and procedures for material witness petitions and bench warrants, consistent with best practices, that shall be exhausted before employing material witness petitions and bench warrants to obtain victim-witness testimony in the investigation, prosecution, and trial of a crime related to domestic violence, sexual assault, dating violence, and stalking of the victim in order to prevent further victimization and trauma to the victim.

(Pub. L. 90-351, title I, §2017, as added Pub. L. 117-103, div. W, title I, §101(a)(3), Mar. 15, 2022, 136 Stat. 848.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as a note under section 6851 of Title 15, Commerce and Trade.

§ 10455. Senior Policy Advisor for Culturally Specific Communities

(a) Establishment

There is established in the Office on Violence Against Women a Senior Policy Advisor for Culturally Specific Communities.

(b) Duties

The Senior Policy Advisor for Culturally Specific Communities, under the guidance and authority of the Director, shall—

(1) advise on the administration of grants related to culturally specific services and contracts with culturally specific organizations;

(2) coordinate development of Federal policy, protocols, and guidelines on matters relating to domestic violence, dating violence, sexual assault, and stalking in culturally specific communities;

(3) advise the Director on policies, legislation, implementation of laws, and other issues relating to domestic violence, dating violence, sexual assault, and stalking in culturally specific communities;

(4) provide technical assistance, coordination, and support to other offices and bureaus in the Department of Justice to develop policy and to enforce Federal laws relating to domestic violence, dating violence, sexual assault, and stalking in culturally specific communities;

(5) ensure that appropriate technical assistance, developed and provided by entities with expertise in culturally specific communities, is made available to grantees and potential grantees proposing to serve culturally specific communities;

(6) ensure access to grants and technical assistance for culturally specific organizations; and

(7) analyze the distribution of grant funding in order to identify barriers for culturally specific organizations.

(c) Qualifications

Not later than 120 days after March 15, 2022, the Director shall hire for the position established under subsection (a) an individual with personal, lived, and work experience from a culturally specific community, and a demonstrated history and expertise addressing domestic violence or sexual assault in a nongovernmental agency.

(Pub. L. 90-351, title I, §2018, as added Pub. L. 117-103, div. W, title IX, §902, Mar. 15, 2022, 136 Stat. 911.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as a note under section 6851 of Title 15, Commerce and Trade.

SUBCHAPTER XX—GRANTS TO IMPROVE THE CRIMINAL JUSTICE RESPONSE AND ENFORCEMENT OF PROTECTION ORDERS

Editorial Notes

CODIFICATION

Pub. L. 117-103, div. W, title I, §102(a), Mar. 15, 2022, 136 Stat. 848, substituted “GRANTS TO IMPROVE THE CRIMINAL JUSTICE RESPONSE” for “GRANTS TO ENCOURAGE ARREST POLICIES” in heading.

Pub. L. 106-386, div. B, title I, §1101(a)(1), Oct. 28, 2000, 114 Stat. 1492, inserted “AND ENFORCEMENT OF PROTECTION ORDERS” at end of heading.