



National
Congress of
American
Indians



Webinar

Preparation for Tribal Consultation

VAWA 2013, Section 903

July 21, 2021

Welcome!

Today's Presenters



NCAI Task Force Co-Chairs:

Juana Majel Dixon

Traditional Legislative
Councilwoman

Pauma Band of Luiseno Indians

President Shannon Holsey

Stockbridge Munsee Band of
Mohican Indians

Kerri Colfer

Senior Native Affairs Advisor
NIWRC

Kelbie Kennedy

Policy Counsel
NCAI

Debra O'Gara

Senior Policy Specialist
AKNWRC



16th Annual
Government-to-Government
Violence Against Women
Tribal Consultation

Virtual
Tribal Consultation
on Violence Against Women

August 17-20, 2021
<https://www.ovwconsultation.org/>

Schedule

- **Tribal Leaders Caucus Meeting**
 - **August 16, 2021**
 - <https://us02web.zoom.us/join/zoom-join?secret=ovH9MQscpmLzT8NRXXTEJLIwj1>
- **DOJ VAW Tribal Consultation**
 - **August 17-20, 2021**
 - <https://www.ovwconsultation.org/>

Kerri Colfer
Senior Native
Affairs Advisor
NIWRC





DOJ VAW Tribal Consultation

- The Department of Justice's annual Tribal Consultation on Violence Against American Indian and Alaska Native Women is held pursuant to Public Law 109-162, Title IX, Section 903, Violence Against Women Reauthorization Act of 2005.
- Section 903 requires the Attorney General to conduct an annual consultation with Indian tribal governments **to address the federal administration of all tribal funds and programs established under VAWA.**



Purpose of DOJ VAW Tribal Consultation

- Section 903, VAWA 2005 directs the Attorney General to solicit recommendations from Indian tribes on the following:
 - **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 crimes; and**
 - **improving access to local, regional, state, and federal crime information databases and criminal justice information systems.**

Annual DOJ VAW Tribal Consultation Report



- Section 903, VAWA 2005 mandates the Attorney General to submit a report to Congress on the annual consultation that –
 - **contains recommendations made by Indian tribes during the year covered by the report;**
 - **describes actions taken during the reporting year to respond to recommendations made during the year or a previous year; and**
 - **describes how the Attorney General will coordinate and collaborate with Indian tribes, Secretary of HHS, and Secretary of the Interior to address recommendations made.**



Notice of DOJ VAW Annual Tribal Consultation

- Section 903, VAWA 2013 requires the Attorney General *not later than 120 days before* the consultation date to notify tribal leaders of the date, time, and location of the consultation.

Significance of DOJ VAW Tribal Consultation



- Provides critical opportunity for government-to-government dialogue and for Indian tribes to identify barriers and implement solutions that will enhance their capacity as governments to protect their citizens.
- Feedback opportunity on what works/doesn't work in how Department of Justice, Department of Health and Human Services, and Department of Interior funds and programs are administered as related to violence against women.
- Raise awareness on current, outstanding and/or emerging issues.
- Help ensure coordination and collaboration with Indian Tribes, HHS, DOJ and the Secretary of the Interior in addressing intersecting issues.
- Help to design a legal framework for change and removal of barriers, inequity, etc.

Platforms for Change

- *National* platform unites movement on a national level
- *Regional* platform unites movement on a regional or tribal-specific level



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Preparing for DOJ VAW Tribal Consultation

- Review VAWA 2013 in context of tribe/region
- Review Family Violence Prevention and Services Act (FVPSA) in context of human services support to address VAW issues within tribal communities.
- Identify tribal or region-specific platform issues
 - Extend VAWA 904 jurisdiction to sexual assault crimes
 - Parity in funding for Tribes under FVPSA and VOCA
- Develop consultation statement on specific platform issues

Review VAWA 2013 in context of specific tribe/region



- Inherent Tribal Sovereignty is reaffirmed
- Section 904: Implementation of special domestic violence jurisdiction over non-Indians
- Section 905: Full civil jurisdiction over everyone to issue & enforce protection orders is clarified
- “Sex Trafficking” language is included under tribal government & Tribal Coalitions program
- Tribal Coalitions program is strengthened



2021 Issues of Concern

- Tribal Jurisdiction Over Non-Indian Offenders
 - Increased authority/SDVCJ jurisdiction
- Disbursement of Crime Victim Funding/Support for Permanent Fix
- Increased Protections from Sexual Assault and Services for Women Surviving Rape
- Improve Public Safety Funding Mechanisms
- Impact of Extractive Industries on Safety of Native Women
- Outstanding Unaddressed Issues/Missing and Murdered Native Women
- Increase Federal Penalties for Tribal Protection Order Violations and Exclusion Orders
- Grants and Grants.gov Issues

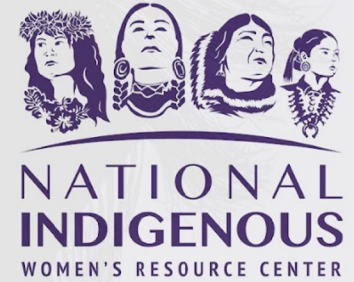


2021 Issues of Concern

- FVPSA allocation formula for Indian tribes
- FVPSA funding to support shelter/safe housing needs
- Alaska issues of concern



Debra O’Gara
Senior Policy
Specialist
AKNWRC





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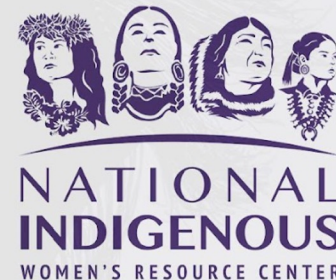
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**Traditional Councilwoman
Juana Majel-Dixon**
Pauma Band of Luiseno Indians





Priority Concerns Discussion



Resources

- NCAI 2021 Priority Issues
- VAWA 2013, Title IX-Safety for Indian Women
- Tribal Consultation Testimonies from Previous Years
- NIWRC Restoration Magazines
- ovw.usdoj.gov/tribal-consultation
- FVPSA State & Tribal Domestic Violence Services Fact Sheet
- FVPSA Tribal Domestic Violence Services Fact Sheet
- “Safety for Native Women: VAWA and American Indian Tribes” resource book @NIWRC or Amazon.com



- **August 16, 2021**

- <https://us02web.zoom.us/meeting/register/tZItcOCgrzovH9MQscpmLzT8NRXXTEJLIwj1>

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Thank You!



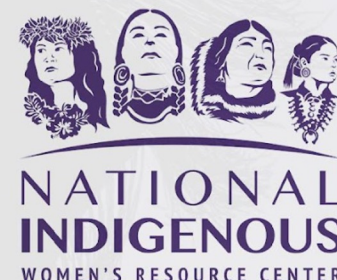
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