

AMENDMENT TO RULES COMMITTEE PRINT 116-9
OFFERED BY MR. GRIJALVA OF ARIZONA

Page 134, strike line 3 and all that follows through page 135, line 18, and insert the following:

1 (9) by striking subsections (f), (g), and (h) and
2 inserting the following:

3 “(f) GRANTS AND REIMBURSEMENT TO TRIBAL GOV-
4 ERNMENTS.—

5 “(1) REIMBURSEMENT.—

6 “(A) IN GENERAL.—The Attorney General
7 is authorized to reimburse tribal government
8 authorities for expenses incurred in exercising
9 special tribal criminal jurisdiction.

10 “(B) ELIGIBLE EXPENSES.—Eligible ex-
11 penses for reimbursement shall include—

12 “(i) expenses incurred to arrest or
13 prosecute offenders and to detain inmates
14 (including costs associated with providing
15 health care);

16 “(ii) expenses related to indigent de-
17 fense services; and

18 “(iii) costs associated with probation
19 and rehabilitation services.

1 “(C) PROCEDURE.—Reimbursements au-
2 thorized pursuant to this section shall be in ac-
3 cordance with rules promulgated by the Attor-
4 ney General after consultation with Indian
5 tribes and within one year after the date of en-
6 actment of this Act. The rules promulgated by
7 the Department shall set a maximum allowable
8 reimbursement to any tribal government in a
9 one year period.

10 “(2) GRANTS.—The Attorney General may
11 award grants to the governments of Indian tribes (or
12 to authorized designees of those governments)—

13 “(A) to strengthen tribal criminal justice
14 systems to assist Indian tribes in exercising
15 special tribal criminal jurisdiction, including—

16 “(i) law enforcement (including the
17 capacity of law enforcement, court per-
18 sonnel, or other non-law enforcement enti-
19 ties that have no Federal or State arrest
20 authority agencies but have been des-
21 ignated by a tribe as responsible for main-
22 taining public safety within its territorial
23 jurisdiction, to enter information into and
24 obtain information from national crime in-
25 formation databases);

1 “(ii) prosecution;

2 “(iii) trial and appellate courts (in-
3 cluding facilities construction);

4 “(iv) probation systems;

5 “(v) detention and correctional facili-
6 ties (including facilities construction);

7 “(vi) alternative rehabilitation centers;

8 “(vii) culturally appropriate services
9 and assistance for victims and their fami-
10 lies; and

11 “(viii) criminal codes and rules of
12 criminal procedure, appellate procedure,
13 and evidence;

14 “(B) to provide indigent criminal defend-
15 ants with the effective assistance of licensed de-
16 fense counsel, at no cost to the defendant, in
17 criminal proceedings in which a participating
18 tribe prosecutes—

19 “(i) a crime of domestic violence;

20 “(ii) a crime of dating violence;

21 “(iii) a criminal violation of a protec-
22 tion order;

23 “(iv) a crime of sexual violence;

24 “(v) a crime of stalking;

25 “(vi) a crime of sex trafficking;

1 “(vii) a crime of obstruction of justice;

2 or

3 “(viii) a crime of assault of a law en-
4 forcement or correctional officer;

5 “(C) to ensure that, in criminal pro-
6 ceedings in which a participating tribe exercises
7 special tribal criminal jurisdiction, jurors are
8 summoned, selected, and instructed in a man-
9 ner consistent with all applicable requirements;

10 “(D) to accord victims of domestic vio-
11 lence, dating violence, sexual violence, stalking,
12 sex trafficking, obstruction of justice, assault of
13 a law enforcement or correctional officer, and
14 violations of protection orders rights that are
15 similar to the rights of a crime victim described
16 in section 3771(a) of title 18, consistent with
17 tribal law and custom; and

18 “(E) to create a pilot project to allow up
19 to five Indian tribes in Alaska to implement
20 special tribal criminal jurisdiction.

21 “(g) INDIAN COUNTRY DEFINED.—For purposes of
22 the pilot project described in subsection (f)(2)(E), the defi-
23 nition of ‘Indian country’ shall include Alaska Native-
24 owned Townsites, Allotments, and former reservation
25 lands acquired in fee by Alaska Native Village Corpora-

1 tions pursuant to the Alaska Native Claims Settlement
2 Act (43 U.S.C. 33) and other lands transferred in fee to
3 Native villages.

4 “(h) SUPPLEMENT, NOT SUPPLANT.—Amounts
5 made available under this section shall supplement and
6 not supplant any other Federal, State, tribal, or local gov-
7 ernment amounts made available to carry out activities de-
8 scribed in this section.

9 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated \$7,000,000 for each of
11 fiscal years 2020 through 2024 to carry out subsection
12 (f) and to provide training, technical assistance, data col-
13 lection, and evaluation of the criminal justice systems of
14 participating tribes.

15 “(j) USE OF FUNDS.—Not less than 25 percent of
16 the total amount of funds appropriated under this section
17 in a given year shall be used for each of the purposes de-
18 scribed in paragraphs (1) and (2) of subsection (f), with
19 remaining funds available to be distributed for either of
20 the purposes described in paragraph (1) or (2) of sub-
21 section (f), or any combination of such purposes, depend-
22 ing on need and in consultation with Indian tribes.”.

