

our community are effectively working together to stop the kidnapping and murdering of Native women.

Native women have endured horrific rates of assault, rape, and murder for far too long, and I hope this bill brings some closure to Savanna's family and the countless family members in Native communities who live with the pain of a lost loved one every day.

Let me be clear: It is their unwavering advocacy that made this day a reality, and an untold number of lives will be saved as a result.

Mr. ARMSTRONG. Mr. Speaker, I yield 10 minutes to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Speaker, this is a monumental day. I am proud to rise alongside my colleagues on both sides of the aisle to speak out in support of our legislation, which aims to address a crisis afflicting our Nation: that of missing and murdered indigenous women.

I hail from the State of Washington, and I am very familiar with how Native American Tribes are deeply integrated into the culture of the Pacific Northwest, as well as our whole country.

I was raised just across the river from the Yakama Nation reservation in central Washington, but I have got to say, I, like many others, was not aware of the disproportionate murder rate indigenous women suffer, 10 times the national average.

At the end of 2018, this crisis and the need for a solution was brought to me by the Tribal communities that I represent, and I was made aware of just how devastating the shortfalls of our justice system are for Native American and Alaska Native women and girls.

While the statistics we have are absolutely staggering—and you have heard them—the fact of the matter is we don't even know the full extent of the crisis.

In my home State of Washington, Native Americans make up about 2 percent of the State's population, but a recent report by the Washington State Patrol shows that indigenous women account for 7 percent of the State's reported missing women. The families of dozens of women still await answers as cases of missing or murdered indigenous women remain open or turn cold.

Yet this crisis has gone on for decades, with little to no action by the Federal Government. Complicated law enforcement jurisdictions have caused many problems throughout these investigations, and far too many Tribal law enforcement agencies lack the resources or access to critical databases to help solve these cases, which is why, when Savanna's Act failed to receive a vote on the House floor in the 115th Congress, I was determined to bring forward solutions in order to get this bill signed into law.

I was very proud to work with Representatives TORRES and HAALAND and others, in collaboration with Tribes, the Department of Justice, and many others, to improve upon that legisla-

tion. The product is a broadly bipartisan bill that has passed unanimously in both the House Judiciary Committee as well as the United States Senate.

We worked to create legislation that will bring focus to this crisis and improve the coordination between Federal, State, local, and Tribal law enforcement agencies.

This legislation aims to provide a sense of hope to the loved ones of these women by developing guidelines and best practices for Tribes and law enforcement agencies across the country, by enhancing reporting and record-keeping of crimes against indigenous women, and by improving communication between law enforcement and the families of these victims.

This bill and this effort to bring awareness to the missing and murdered Native women across the country will go a long way to finally delivering justice to our communities.

Tribes across the country, including those that I represent, have thrown their support behind this legislation. In fact, last year, I walked alongside the then-chairman of the Yakama Tribe, as well as Councilwoman Lottie Sam, through the Halls of Congress, visiting Chairman GRIJALVA, Subcommittee Chairman GALLEGO, as well as Subcommittee Chairwoman BASS. These Yakama Nation officials traveled across the country, Mr. Speaker, more than 2,500 miles, to advocate for the passage of Savanna's Act and other legislation to address this crisis.

The bill is named, as you have heard the story, in honor of Savanna LaFontaine-Greywind, who was a 22-year-old member of the Spirit Lake Tribe, pregnant with her first child, who was murdered in August of 2017.

Since the introduction of Savanna's Act in the House, the remains of a Yakama Nation woman, Rosenda Strong, were found on the reservation. Her horrific murder, today, remains unsolved.

Thankfully, justice was served upon Savanna's murderers. We owe the same justice to Rosenda and all of the missing and murdered indigenous women across this country.

The passage of this bill today will demonstrate a long-awaited and necessary change. As I mentioned, this crisis has been going on for decades. Politicians on both sides of the aisle have promised action and failed to deliver.

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I have been asked: What is different now? Why do you think progress can be made?

And I can honestly tell you, the main difference I have seen is that our Native communities are leading the charge. They have had enough, and they no longer will suffer in silence.

Throughout central Washington and across the country, the families of loved ones of thousands of missing or murdered indigenous women are awaiting justice.

It is because of their voices and their strong advocacy that I am here today,

urging my colleagues throughout this legislative body to support passage of Savanna's Act. And, finally, Mr. Speaker, we can send this legislation to President Trump's desk to be signed into law.

Ms. SCANLON. Mr. Speaker, I reserve the balance of my time.

Mr. ARMSTRONG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank Mrs. TORRES, Mr. NEWHOUSE, and my colleagues in the Senate, Senator CRAMER and Senator HOEVEN. This is not the first time in my short time in Congress that I have been on the floor talking about this bill, and I think it is also important to remember people who came before us. Senator Heitkamp was a champion of this in the last Congress. And through this process we have gotten a more targeted and workable solution.

This bill allows U.S. Attorneys in Indian Country more autonomy and authority that is important to law enforcement, and that is particularly important in missing cases. And I think it is also important to recognize that these don't always happen in rural areas or actually on the reservation.

Savanna Greywind, while a member of the Spirit Lake Tribe, was in Fargo, North Dakota, the largest city in my State when this incident occurred.

So this is a good bill, it has been a long time coming, and I really appreciate everybody's hard work. With that, I recommend we pass it, and I yield back the balance of my time.

Ms. SCANLON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Savanna's Act is an important measure to ensure the safety of Native American women and men in communities across the United States, for all of the reasons discussed here today.

We are so grateful to Representative TORRES, Representative NEWHOUSE, Representative ARMSTRONG, and Representative HAALAND, for moving this legislation forward.

Mr. Speaker, I urge my colleagues to join me in supporting this bipartisan legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Pennsylvania (Ms. SCANLON) that the House suspend the rules and pass the bill, S. 227.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### EFFECTIVE ASSISTANCE OF COUNSEL IN THE DIGITAL ERA ACT

Ms. SCANLON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5546) to regulate monitoring of electronic communications between an incarcerated person in a Bureau of Prisons facility and that person's attorney or other legal representative, and for other purposes.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 5546

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Effective Assistance of Counsel in the Digital Era Act”.

#### SEC. 2. ELECTRONIC COMMUNICATIONS BETWEEN AN INCARCERATED PERSON AND THE PERSON’S ATTORNEY.

(a) **PROHIBITION ON MONITORING.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall create a program or system, or modify any program or system that exists on the date of enactment of this Act, through which an incarcerated person sends or receives an electronic communication, to exclude from monitoring the contents of any privileged electronic communication. In the case that the Attorney General creates a program or system in accordance with this subsection, the Attorney General shall, upon implementing such system, discontinue using any program or system that exists on the date of enactment of this Act through which an incarcerated person sends or receives a privileged electronic communication, except that any program or system that exists on such date may continue to be used for any other electronic communication.

(b) **RETENTION OF CONTENTS.**—A program or system or a modification to a program or system under subsection (a) may allow for retention by the Bureau of Prisons of, and access by an incarcerated person to, the contents of electronic communications, including the contents of privileged electronic communications, of the person until the date on which the person is released from prison.

(c) **ATTORNEY-CLIENT PRIVILEGE.**—Attorney-client privilege, and the protections and limitations associated with such privilege (including the crime fraud exception), applies to electronic communications sent or received through the program or system established or modified under subsection (a).

(d) **ACCESSING RETAINED CONTENTS.**—Contents retained under subsection (b) may only be accessed by a person other than the incarcerated person for whom such contents are retained under the following circumstances:

(1) **ATTORNEY GENERAL.**—The Attorney General may only access retained contents if necessary for the purpose of creating and maintaining the program or system, or any modification to the program or system, through which an incarcerated person sends or receives electronic communications. The Attorney General may not review retained contents that are accessed pursuant to this paragraph.

(2) **INVESTIGATIVE AND LAW ENFORCEMENT OFFICERS.**—

(A) **WARRANT.**—

(i) **IN GENERAL.**—Retained contents may only be accessed by an investigative or law enforcement officer pursuant to a warrant issued by a court pursuant to the procedures described in the Federal Rules of Criminal Procedure.

(ii) **APPROVAL.**—No application for a warrant may be made to a court without the express approval of a United States Attorney or an Assistant Attorney General.

(B) **PRIVILEGED INFORMATION.**—

(i) **REVIEW.**—Before retained contents may be accessed pursuant to a warrant obtained under subparagraph (A), such contents shall be reviewed by a United States Attorney to ensure that privileged electronic communications are not accessible.

(ii) **BARRING PARTICIPATION.**—A United States Attorney who reviews retained contents pursuant to clause (i) shall be barred from—

(I) participating in a legal proceeding in which an individual who sent or received an electronic communication from which such contents are retained under subsection (b) is a defendant; or

(II) sharing the retained contents with an attorney who is participating in such a legal proceeding.

(3) **MOTION TO SUPPRESS.**—In a case in which retained contents have been accessed in violation of this subsection, a court may suppress evidence obtained or derived from access to such contents upon motion of the defendant.

(e) **DEFINITIONS.**—In this Act—

(1) the term “agent of an attorney or legal representative” means any person employed by or contracting with an attorney or legal representative, including law clerks, interns, investigators, paraprofessionals, and administrative staff;

(2) the term “contents” has the meaning given such term in 2510 of title 18, United States Code;

(3) the term “electronic communication” has the meaning given such term in section 2510 of title 18, United States Code, and includes the Trust Fund Limited Inmate Computer System;

(4) the term “monitoring” means accessing the contents of an electronic communication at any time after such communication is sent;

(5) the term “incarcerated person” means any individual in the custody of the Bureau of Prisons or the United States Marshals Service who has been charged with or convicted of an offense against the United States, including such an individual who is imprisoned in a State institution; and

(6) the term “privileged electronic communication” means—

(A) any electronic communication between an incarcerated person and a potential, current, or former attorney or legal representative of such a person; and

(B) any electronic communication between an incarcerated person and the agent of an attorney or legal representative described in subparagraph (A).

The **SPEAKER** pro tempore. Pursuant to the rule, the gentlewoman from Pennsylvania (Ms. SCANLON) and the gentleman from North Dakota (Mr. ARMSTRONG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

#### GENERAL LEAVE

Ms. SCANLON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Pennsylvania?

There was no objection.

Ms. SCANLON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5546, the Effective Assistance of Counsel in the Digital Era Act would require the Federal Bureau of Prisons to establish a system to exempt from monitoring any privileged electronic communications between incarcerated individuals and their attorneys or legal representatives.

The Sixth Amendment to the U.S. Constitution provides the right to counsel to assist in the defense of those accused of criminal offenses. In order

to represent their clients in an effective manner, defense attorneys must have the ability to communicate candidly with their clients.

The attorney-client privilege, which keeps communications between individuals and their attorneys confidential, exists, in part, to foster this sort of open communication.

This privilege, of course, does not protect communications between a client and an attorney made in furtherance of, or in order to cover up a crime or fraud, also known as the crime-fraud exception. But to ensure free and open communication between individuals and their attorneys—a fundamental component of the effective assistance of counsel guaranteed by the Constitution—other communications between them may remain private.

It goes without saying that defendants who are not in custody are less constrained in their ability to have candid conversations with their attorneys than those defendants who are in custody.

Generally speaking, out-of-custody defendants can go to their attorneys’ offices, speak with them freely on the phone, or write letters back and forth with their attorneys without fear of interference. To an extent, in-custody defendants also have these protections: Bureau of Prisons regulations ensure that inmates are able to meet with their attorneys without auditory supervision, and that they can talk on the phone and exchange letters with their attorneys without monitoring.

But these same protections do not apply to email communications for the nearly 150,000 individuals currently in the Bureau of Prisons’ custody, many of whom are in pretrial detention and have not been convicted of any crime.

Since 2009, email communications have been available for Bureau of Prisons inmates through a system known as TRULINCS. TRULINCS requires inmates and their contacts to consent to monitoring, however, even in the case of communications between inmates and their attorneys.

Over a decade ago, BOP clearly recognized the growing importance of email for purposes of efficiency and speed of communication between inmates and their outside contacts. Over time, email has rapidly grown into a primary means of communication between inmates and their attorneys, but without a system in place to maintain attorney-client privilege. Without that system, the Bureau of Prisons risks severely hindering the effective representation of inmates. It is even more important for us to enable these confidential communications at this point in time, given that the pandemic has severely hampered the ability of attorneys to meet with their clients in person.

It is well past time to rectify this problem. I am pleased that H.R. 5546 would do just that, by requiring BOP to put in place a system that will exempt

from monitoring any privileged electronic communications between incarcerated individuals and their attorneys or legal representatives.

The bill also includes additional protections, including the requirement that the contents of electronic communications be destroyed when an inmate is released from prison, as well as authorizing the suppression of evidence obtained or derived from access to information in violation of provisions set forth in this bill.

This is an important bill, and one that has been needed for quite some time. I commend our colleagues, Representatives HAKEEM JEFFRIES and DOUG COLLINS, for their efforts and leadership in developing this bipartisan piece of legislation.

Mr. Speaker, I urge all of my colleagues to join me in support of this bill today, and I reserve the balance of my time.

Mr. ARMSTRONG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5546, the Effective Assistance of Counsel in the Digital Era Act.

As a defense attorney, I cannot overemphasize the importance of protecting attorney-client privilege. The ability to have confidential discussions with a client for the purpose of providing legal advice is foundational to providing effective assistance of counsel.

This bill will help modernize our criminal justice system by extending attorney-client privilege to electronic communications sent or received through the Bureau of Prisons' email system.

This will allow incarcerated individuals to communicate with their attorneys efficiently and privately. And it would prohibit the Bureau of Prisons from monitoring privileged email communications.

We all agree that attorney-client privilege is a vital component of our legal system, as it helps to ensure that a criminal defendant has an effective advocate in the courtroom.

Emails between incarcerated individuals and their attorneys should absolutely fall under attorney-client protections. This bill would protect the rights of incarcerated men and women to speak openly and honestly with their attorneys via email without fear that the prosecution is monitoring those communications.

Other methods of communication, such as in-person meetings and letters, can be particularly burdensome and time consuming. Even if an attorney is in close proximity to the incarcerated client, it could take hours to travel to a detention facility and visit with that client.

H.R. 5546 requires the Attorney General to ensure that BOP's email system excludes the contents of electronic communications between an incarcerated person and his or her attorney.

The bill stipulates that the protections and limitations associated with

attorney-client privilege, including the crime-fraud exception, apply to electronic communications. It does permit BOP to retain electronic communications until the incarcerated person is released but specifies that the contents may only be accessed under very limited circumstances.

Finally, it allows a court to suppress evidence obtained or derived from access to the retained contents if such access were granted in violation of the act.

Congress must continually address the application of existing law to emerging technology. This is a commonsense application of existing law to a technology that is decades old. It is time we act.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 5546, and I reserve the balance of my time.

Ms. SCANLON. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman from the Commonwealth of Pennsylvania for her leadership and for yielding.

Mr. Speaker, I rise in support of H.R. 5546, the Effective Assistance of Counsel in the Digital Era Act.

The Sixth Amendment to the United States Constitution provides that in all criminal prosecutions the accused shall have the assistance of counsel for his defense.

To effectively represent a client and provide the best possible legal advice, an attorney must be fully informed about the facts of the case. But this can only be achieved through confidential communication between the attorney and their client. That is why the attorney-client privilege is so critical.

The Supreme Court stated in *Lanza v. New York* that "even in a jail, or perhaps especially there, the relationships which the law has endowed with particularized confidentiality must continue to receive unceasing protection."

There are nearly 127,000 individuals currently in BOP custody, many of whom are in pretrial detention and have not been convicted of a crime. These Americans are innocent until proven guilty. Like any person involved in a criminal proceeding, these individuals need to be able to confidentially communicate with their attorneys in order to vindicate their rights under law.

The bipartisan Effective Assistance of Counsel in the Digital Era Act will enable incarcerated individuals to communicate with their legal representatives privately, efficiently, and safely by prohibiting the Bureau of Prisons from monitoring privileged electronic communications.

While BOP regulations place protections on attorney visits, phone calls, and traditional mail, no such protections currently exist in the context of email communications sent through BOP's electronic mail service, the Trust Fund Limited Inmate Computer

System, otherwise known as TRULINCS. The TRULINCS email system has become the easiest, fastest, and most efficient method of communication available to incarcerated individuals and their attorneys.

Even a brief client visit can take hours, as the distinguished gentleman from North Dakota pointed out, hours out of an attorney's day when you include travel and wait times. Confidential phone calls are often subject to time limitations and cannot usually be scheduled immediately.

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Postal mail can take an especially long time to reach an incarcerated individual because it must first be opened and screened. These delays should be unnecessary in a prison system that currently permits electronic communications and would be if the attorney-client privilege was consistently applied to email communication.

The situation has become even more urgent in light of BOP's decision to suspend legal visits as part of its COVID-19 Modified Operations Plan.

To solve this challenge, H.R. 5546 would require the Attorney General to ensure that the BOP email system excludes from monitoring the contents of electronic communications between an incarcerated person and their attorney.

BOP would, of course, be allowed to retain the contents of those messages up until the incarcerated person is released, but they would be accessible only under very limited circumstances. The bill also allows a court to suppress evidence that is obtained or derived from illegal access to the retained contents.

Our criminal justice system depends on the attorney-client privilege to ensure that lawyers are able to effectively represent their clients. That is why this legislation is so critical.

I thank my good friend, Representative DOUG COLLINS, Chairman JERRY NADLER, and Ranking Member JIM JORDAN for their leadership, as well as Members on both sides of the aisle.

I also thank the ACLU, the American Bar Association, Americans for Prosperity, #cut50, Due Process Institute, Faith and Freedom Coalition, Families Against Mandatory Minimums, Federal Defenders, FreedomWorks, National Action Network, National Association of Criminal Defense Lawyers, Prison Fellowship, and Right on Crime for their support of this legislation.

Mr. Speaker, I urge my colleagues to vote "yes" on H.R. 5546.

Mr. ARMSTRONG. Mr. Speaker, I yield myself such time as I may consume.

I do appreciate this bill, and the only question I sometimes have is that it seems like email has been around for a long time, and we are just getting to it, but better later than never.

But I also think it is really important to recognize a lot of these cases are public defense cases. You will have public defenders who have bigger caseloads than we would like sometimes

and clients that don't necessarily trust the system.

This is good for defendants. This is good for lawyers. This is good for overall faith in the criminal justice system. It protects people, and it doesn't just protect the client who that public defender is recognizing. It helps all of his other clients if he or she can communicate with all of their clients quicker and more efficiently.

This is a really good bill. I urge everybody to support it, and I yield back the balance of my time.

Ms. SCANLON. Mr. Speaker, H.R. 5546 is an important measure to reinforce the attorney-client privilege, an issue that is essential to the fair administration of our criminal justice system and one that is even more urgent in this pandemic.

For all the reasons discussed here today, I urge my colleagues to join me in supporting this bipartisan legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Pennsylvania (Ms. SCANLON) that the House suspend the rules and pass the bill, H.R. 5546.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### NOT INVISIBLE ACT OF 2019

Ms. SCANLON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 982) to increase intergovernmental coordination to identify and combat violent crime within Indian lands and of Indians.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 982

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Not Invisible Act of 2019".

#### SEC. 2. DEFINITIONS.

In this Act—

(1) the term "Commission" means the Department of the Interior and the Department of Justice Joint Commission on Reducing Violent Crime Against Indians under section 4;

(2) the term "human trafficking" means act or practice described in paragraph (9) or paragraph (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

(3) the term "Indian" means a member of an Indian tribe;

(4) the terms "Indian lands" and "Indian tribe" have the meanings given the terms in section 3 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4302); and

(5) the terms "urban centers" and "urban Indian organization" have the meanings given the terms in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

#### SEC. 3. COORDINATOR OF FEDERAL EFFORTS TO COMBAT VIOLENCE AGAINST NATIVE PEOPLE.

(a) COORDINATOR DESIGNATION.—The Secretary of the Interior shall designate an official within the Office of Justice Services in the Bureau of Indian Affairs who shall—

(1) coordinate prevention efforts, grants, and programs related to the murder of, trafficking of, and missing Indians across Federal agencies, including—

(A) the Bureau of Indian Affairs; and  
(B) the Department of Justice, including—  
(i) the Office of Justice Programs;  
(ii) the Office on Violence Against Women;  
(iii) the Office of Community Oriented Policing Services;  
(iv) the Federal Bureau of Investigation; and

(v) the Office of Tribal Justice;  
(2) ensure prevention efforts, grants, and programs of Federal agencies related to the murder of, trafficking of, and missing Indians consider the unique challenges of combating crime, violence, and human trafficking of Indians and on Indian lands faced by Tribal communities, urban centers, the Bureau of Indian Affairs, Tribal law enforcement, Federal law enforcement, and State and local law enforcement;

(3) work in cooperation with outside organizations with expertise in working with Indian tribes and Indian Tribes to provide victim centered and culturally relevant training to tribal law enforcement, Indian Health Service health care providers, urban Indian organizations, Tribal community members and businesses, on how to effectively identify, respond to and report instances of missing persons, murder, and trafficking within Indian lands and of Indians; and  
(4) report directly to the Secretary of the Interior.

(b) REPORT.—The official designated in subsection (a) shall submit to the Committee on Indian Affairs and the Committee on the Judiciary of the Senate and the Committee on Natural Resources and the Committee on the Judiciary of the House of Representatives a report to provide information on Federal coordination efforts accomplished over the previous year that includes—

(1) a summary of all coordination activities undertaken in compliance with this section;

(2) a summary of all trainings completed under subsection (a)(3); and

(3) recommendations for improving coordination across Federal agencies and of relevant Federal programs.

#### SEC. 4. ESTABLISHMENT OF THE DEPARTMENT OF INTERIOR AND THE DEPARTMENT OF JUSTICE JOINT COMMISSION ON REDUCING VIOLENT CRIME AGAINST INDIANS.

(a) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Interior, in coordination with the Attorney General, shall establish and appoint all members of a joint commission on violent crime on Indian lands and against Indians.

(b) MEMBERSHIP.—

(1) COMPOSITION.—

(A) IN GENERAL.—The Commission shall be composed of members who represent diverse experiences and backgrounds that provide balanced points of view with regard to the duties of the Commission.

(B) DIVERSITY.—To the greatest extent practicable, the Secretary of the Interior shall ensure the Commission includes Tribal representatives from diverse geographic areas and of diverse sizes.

(2) APPOINTMENT.—The Secretary of the Interior, in coordination with the Attorney General, shall appoint the members to the Commission, including representatives from—

(A) tribal law enforcement;

(B) the Office of Justice Services of the Bureau of Indian Affairs;

(C) State and local law enforcement in close proximity to Indian lands, with a letter of recommendation from a local Indian Tribe;

(D) the Victim Services Division of the Federal Bureau of Investigation;

(E) the Department of Justice's Human Trafficking Prosecution Unit;

(F) the Office of Violence Against Women of the Department of Justice;

(G) the Office of Victims of Crime of the Department of Justice;

(H) a United States attorney's office with experience in cases related to missing persons, murder, or trafficking of Indians or on Indian land;

(I) the Administration for Native Americans of the Office of the Administration for Children & Families of the Department of Health and Human Services;

(J) the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services;

(K) a Tribal judge with experience in cases related to missing persons, murder, or trafficking;

(L) not fewer than 3 Indian Tribes from diverse geographic areas, including 1 Indian tribe located in Alaska, selected from nominations submitted by the Indian Tribe;

(M) not fewer than 2 health care and mental health practitioners and counselors and providers with experience in working with Indian survivors of trafficking and sexual assault, with a letter of recommendation from a local tribal chair or tribal law enforcement officer;

(N) not fewer than 3 national, regional, or urban Indian organizations focused on violence against women and children on Indian lands or against Indians;

(O) at least 2 Indian survivors of human trafficking;

(P) at least 2 family members of missing Indian people;

(Q) at least 2 family members of murdered Indian people;

(R) the National Institute of Justice; and

(S) the Indian Health Service.

(3) PERIODS OF APPOINTMENT.—Members shall be appointed for the duration of the Commission.

(4) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made and shall not affect the powers or duties of the Commission.

(5) COMPENSATION.—Commission members shall serve without compensation.

(6) TRAVEL EXPENSES.—The Secretary of the Interior, in coordination with the Attorney General, shall consider the provision of travel expenses, including per diem, to Commission members when appropriate.

(c) DUTIES.—

(1) IN GENERAL.—The Commission may hold such hearings, meet and act at times and places, take such testimony, and receive such evidence as the Commission considers to be advisable to carry out the duties of the Commission under this section.

(2) RECOMMENDATIONS FOR THE DEPARTMENT OF INTERIOR AND DEPARTMENT OF JUSTICE.—

(A) IN GENERAL.—The Commission shall develop recommendations to the Secretary of the Interior and Attorney General on actions the Federal Government can take to help combat violent crime against Indians and within Indian lands, including the development and implementation of recommendations for—

(i) identifying, reporting, and responding to instances of missing persons, murder, and human trafficking on Indian lands and of Indians;