TRIBAL INTERIOR BUDGET COUNCIL RESOLUTION

Title: Supporting Tribal Public Safety and Victims Funding in the Commerce, Justice, Science Appropriations Bill and Inclusion of Public Safety & Justice within the White House Council on Native American Affairs Sub-Committees

WHEREAS, the Tribal Interior Budget Council (TIBC) was created to provide a forum and process, consistent with the Indian Self-Determination and Education Assistance Act, Section 450 (a)1 and Executive Order 13175 and Department of the Interior’s (DOI) Government to Government policy, whereby Tribes and the Department work together to develop policy and budgets that provide for 1) the DOI to fulfill its Trust responsibilities and Treaty obligations; and 2) the fulfillment of Tribes’ inherent sovereign rights of self-determination, self-governance, and self-sufficiency, as well as securing levels of funding necessary to strengthen Tribal governmental capacity to serve their Tribal citizens and communities; and

WHEREAS, these trust obligations of the United States to the Tribal Nations within its boundaries include, but are not limited to, providing health care, education, housing, social welfare, law and order, transportation, responsibility for trust lands, and many other services; and

WHEREAS, the fundamental trust, treaty and statutory obligations of the United States to American Indians have never been fully fulfilled, and American Indians and Alaska Natives suffer from great inadequacies and inequities in all aspects of those functions that are part of the overall trust, treaty and statutory obligations of the United States to American Indians, as has been continuously documented in many studies through the years; and

WHEREAS, crime victimization rates in tribal communities are staggering and have been estimated as much as 250% higher than the national rate. Predictably, the high level of violence has devastating social, health, and financial consequences, particularly for Native children who experience post-traumatic stress disorder at a rate of 22%—the same levels as Iraq and Afghanistan war veterans and triple the rate of the rest of the population1; and

WHEREAS, despite this profound need, Indian tribes have largely been left out of the annual disbursements from the Crime Victims Fund (CVF); and

WHEREAS, unlike state and territorial governments, who receive an annual formula distribution from the CVF, Indian tribes are only able to access CVF funds via pass-through grants from the states or by competing for very limited resources administered by the Department of Justice. From 2010–2014, state governments passed through 0.5% of available funds to programs serving tribal victims—less than $2.5 million annually nationwide. This leaves a significant unmet need in most tribal communities; and

WHEREAS, the Senate Appropriations Committee passed the FY 2017 Commerce-Justice-Science Appropriations bill, S. 2837, which includes over $350 million for tribal programs in the Department of Justice (DOJ); and

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WHEREAS, S. 2837 includes more than a $200 million increase over the FY 2016 enacted level for tribal programs in DOJ; and

WHEREAS, S. 2837 includes a 5% tribal set-aside from the Crime Victim’s Fund, which responds to a long-standing concern raised by tribal leaders that tribal governments have been excluded from programs created by the Victims of Crime Act; and

WHEREAS, funding in the bill includes: $145 million for Indian tribes through a 5% set-aside from the Crime Victim’s Fund for providing services to crime victims; $114 million for Indian tribes through a 7% set-aside from across the Office of Justice Programs that can be used to develop the capacity of tribal criminal justice systems; $30 million for tribal programs at the Community Oriented Policing Services (COPS) office; $10 million for the Tribal Youth Program; an estimated $39 million for the Office on Violence Against Women’s (OVW) Grants to Tribal Governments Program through set-asides from other OVW programs; an estimated $6.5 million for OVW’s Tribal Coalitions Program through set-asides from OVW programs; an estimated $3.5 million for OVW’s Tribal Sexual Assault Services Program; $4 million for implementation of Special Domestic Violence Criminal Jurisdiction; $1 million for research on violence against Native women; $500,000 for the National Indian Country Clearinghouse on Sexual Assault; and

WHEREAS, to meet the needs of crime victims on tribal lands, Indian tribal governments need a stable source of funding to build the crime victim services and compensation infrastructure that is taken for granted in much of the rest of the country; and

WHEREAS, the White House Council on Native American Affairs includes five subcommittees addressing education, health care, natural resources/climate change, economic development/infrastructure, and energy. Tribal leaders request that this Advisory Council needs to include a new subcommittee to address public safety and justice services.

NOW THEREFORE BE IT RESOLVED, that the White House Council on Native American Affairs should establish a Public Safety and Justice Subcommittee; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the leaders of the Tribal Nations across the 12 BIA regions attending the TIBC meeting urge Senate to adopt the Commerce, Justice, Science appropriations bills, S. 2837, with the existing 7% tribal-set aside of Office of Justice Program funding and the 5% set-aside for tribes in the Crime Victims Fund; and

NOW THEREFORE BE IT FINALLY RESOLVED, that the leaders of the Tribal Nations across the 12 BIA regions attending the TIBC meeting urge House appropriators to direct 5% of disbursements from the Crime Victims Fund to tribal governments, which is the level currently included in the Senate CJS appropriations bill; and urge the inclusion of the 7% tribal set-aside of Office of Justice Program funding.

CERTIFICATION

This resolution came before the Tribal leader caucus attending the Tribal Interior Budget Council in Washington, D.C. on May 11, 2016 and was passed unanimously.

W. Ron Allen, Co-Chair
Tribal/Interior Budget Council

Edward K. Thomas, Jr., Co-Chair
Tribal/Interior Budget Council