



# NATIONAL CONGRESS OF AMERICAN INDIANS

## **Resolutions Committee Recommendation**

Resolution #: MOH-17-023 and MOH-17-003

Title: Support for Amber Alert in Indian Country Act of 2017

### Comments:

The substantive issues and recommendations are also covered by another resolution for 2017 midyear conference. MOH-17-003, Support for Amber Alert in Indian Country Act of 2017.

### Recommendations:

Multiple resolutions are submitted on a single issue, MOH-17-003 & MOH-17-023; the resolutions should be considered together and combined so NCAI has a single position on the issue.

Sponsor a member in good standing (yes/no)?: \_\_\_\_\_



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #MOH-17-003

### DRAFT

#### **TITLE: Support for AMBER Alert in Indian Country Act of 2017**

#### **EXECUTIVE COMMITTEE**

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*Swinomish Tribe*

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**Fawn Sharp**  
*Quinault Indian Nation*

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*Sault Ste. Marie Tribe of Chippewa  
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**TREASURER**  
**W. Ron Allen**  
*Jamestown S'Klallam Tribe*

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**Jerry Isaac**  
*Native Village of Tanacross*

**EASTERN OKLAHOMA**  
**Joe Byrd**  
*Cherokee Nation*

**GREAT PLAINS**  
**Larry Wright**  
*Ponca Tribe of Nebraska*

**MIDWEST**  
**Roger Rader**  
*Pokagon Band of Potawatomi*

**NORTHEAST**  
**Lance Gumbs**  
*Shinnecock Indian Nation*

**NORTHWEST**  
**Mel Sheldon, Jr.**  
*Tulalip Tribes*

**PACIFIC**  
**Jack Potter, Jr.**  
*Redding Rancheria*

**ROCKY MOUNTAIN**  
**Darrin Old Coyote**  
*Crow Nation*

**SOUTHEAST**  
**Larry Townsend**  
*Lumbee Tribe*

**SOUTHERN PLAINS**  
**Liana Onnen**  
*Prairie Band of Potawatomi Nation*

**SOUTHWEST**  
**Joe Garcia**  
*Ohkay Owingeh Pueblo*

**WESTERN**  
**Bruce Ignacio**  
*Ute Indian Tribe*

**EXECUTIVE DIRECTOR**  
**Jacqueline Pata**  
*Tlingit*

**NCAI HEADQUARTERS**  
1516 P Street, N.W.  
Washington, DC 20005  
202.466.7767  
202.466.7797 fax  
www.ncai.org

**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, according to data produced by the Federal Bureau of Investigation, there are 7,724 American Indian children listed as missing in the United States; and

**WHEREAS**, there is currently no comprehensive plan for providing AMBER Alert Communications Plans to Native American communities. Children do not enjoy the same protection and access to critical resources in the aftermath of an abduction; and

**WHEREAS**, the Department of Justice (DOJ) ran a pilot program that offered AMBER Alert training services to Native American tribes in 2008, but only 10 pilot sites were given funds to create their own AMBER Alert programs; and

**WHEREAS**, assessment of tribal capabilities related to implementation of AMBER Alert plans within their communities, as well as the development of agreements between tribal and State and Regional AMBER Alert Plans are needed. This process would identify gaps in technology, infrastructure, policy, resources and training necessary for tribes to effectively comply with State and Regional AMBER Alert Plan requirements and best practices; and

**WHEREAS**, technical assistance to communities to help develop and sustain programs with State and Regional AMBER Alert Plans are needed, by developing community leaders who support these programs and encourage tribal leaders, public safety and others to continue programs through turnover, elections and political change. This process would involve developing implementation plans for each community that address missing, exploited and abducted child issues; and

**WHEREAS**, access to training and technical assistance programs to build capacity are needed as Tribes do not have access to training and technical assistance in the area of missing, endangered, abducted and exploited children to the extent that their state and local partners do; and

**WHEREAS**, on May 2nd, 2016, eleven-year-old Ashlynnne Mike and her younger brother were abducted near their home in Shiprock, New Mexico, on the Navajo Reservation. Ashlynnne's nine year old brother was able to escape their abductor and run through the desert to seek help and then assisted in the search for his sister. Tragically, Ashlynnne was brutally murdered by their abductor before help could arrive; and

**WHEREAS**, in response to the abduction and murder of Ashlynnne Mike, the *AMBER Alert in Indian Country Act of 2017 (S. 772)* was introduced by Senator John McCain on March 29, 2017. Congressman Andy Biggs (R-AZ-1) will introduce companion legislation in the U.S. House of Representatives on National Missing Children's Day, May 25, 2017; and

**WHEREAS**, the *AMBER Alert in Indian Country Act of 2017* would Amend the PROTECT Act, 42 U.S.C. 5791C and expand the AMBER Alert child abduction warning system on Native American reservations by clarifying that Indian tribes are eligible for Department of Justice (DOJ) grants that help assemble AMBER Alert systems for law enforcement agencies; and

**WHEREAS**, the *AMBER Alert in Indian Country Act of 2017* would make the AMBER Alert initiative permanent and enhance DOJ oversight of how the grants are used. The legislation would also reauthorize the DOJ grant program that assists state and local governments in developing and implementing AMBER Alert communication plans, which are used by law enforcement agencies to expedite child abduction alerts to the public. This legislation would also require the DOJ to perform a needs-assessment of AMBER Alert capabilities on Indian reservations. Lastly, this legislation authorizes DOJ the discretion to waive a requirement for tribes to contribute at least 50% of the cost for a grant and expands the definition of Indian Tribe to include Alaska Native regional corporations and Alaska Native village corporations.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians does hereby support the *AMBER Alert in Indian Country Act of 2017*;

**BE IT FURTHER RESOLVED**, that the NCAI does hereby resolve to advocate for the passage of the *AMBER Alert in Indian Country Act of 2017*;

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

The foregoing resolution was adopted by the General Assembly at the 2017 Midyear Session of the National Congress of American Indians, held at the Mohegan Sun Convention Center, June 12 to June 15, 2017, with a quorum present.

**ATTEST:**

\_\_\_\_\_  
Brian Cladoosby, President

\_\_\_\_\_  
Aaron Payment, Recording Secretary



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians  
Resolution #MOH-17-003

**Suggested Edits**

**TITLE: Support for AMBER Alert in Indian Country**

Res. Cmte 5/30/2017 9:14 AM  
Deleted: Act of 2017

**EXECUTIVE COMMITTEE**

- PRESIDENT**  
Brian Cladoosby  
*Swinomish Tribe*
- FIRST VICE-PRESIDENT**  
Fawn Sharp  
*Quinault Indian Nation*
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**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, according to data produced by the Federal Bureau of Investigation, there are 7,724 American Indian children listed as missing in the United States; and

**WHEREAS**, there is currently no comprehensive plan for providing AMBER Alert Communications Plans to Native American communities. Children do not enjoy the same protection and access to critical resources in the aftermath of an abduction; and

**WHEREAS**, the Department of Justice (DOJ) ran a pilot program that offered AMBER Alert training services to Native American tribes in 2008, but only 10 pilot sites were given funds to create their own AMBER Alert programs; and

**WHEREAS**, assessment of tribal capabilities related to implementation of AMBER Alert plans within their communities, as well as the development of agreements between tribal and State and Regional AMBER Alert Plans are needed. This process would identify gaps in technology, infrastructure, policy, resources and training necessary for tribes to effectively comply with State and Regional AMBER Alert Plan requirements and best practices; and

**WHEREAS**, technical assistance to communities to help develop and sustain programs with State and Regional AMBER Alert Plans are needed, by developing community leaders who support these programs and encourage tribal leaders, public safety and others to continue programs through turnover, elections and political change. This process would involve developing implementation plans for each community that address missing, exploited and abducted child issues; and

**WHEREAS**, access to training and technical assistance programs to build capacity are needed as Tribes do not have access to training and technical assistance in the area of missing, endangered, abducted and exploited children to the extent that their state and local partners do; and

**WHEREAS**, on May 2nd, 2016, eleven-year-old Ashlynn Mike and her younger brother were abducted near their home in Shiprock, New Mexico, on the Navajo Reservation. Ashlynn’s nine year old brother was able to escape their abductor and run through the desert to seek help and then assisted in the search for his sister. Tragically, Ashlynn was brutally murdered by their abductor before help could arrive; and

**WHEREAS**, Amending the PROTECT Act 42 U.S.C. 5791C will expand the AMBER Alert child abduction warning system on Native American reservations by clarifying that Indian tribes are eligible for Department of Justice (DOJ) grants that help assemble AMBER Alert systems for law enforcement agencies; and

**WHEREAS**, Amending the PROTECT Act 42 U.S.C. 5791C would make the AMBER Alert initiative permanent and enhance DOJ oversight of how the grants are used. Additional amendments should include: 1) reauthorization of the DOJ grant program that assists state and local governments in developing and implementing AMBER Alert communication plans, which are used by law enforcement agencies to expedite child abduction alerts to the public; 2) require the DOJ to perform a needs-assessment of AMBER Alert capabilities on Indian reservations; and 3) authorize DOJ the discretion to waive a requirement for tribes to contribute at least 50% of the cost for a grant and expands the definition of Indian Tribe to include Alaska Native regional corporations and Alaska Native village corporations.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians does hereby support amending the PROTECT Act, 42 U.S.C. 5791C to expand the AMBER Alert child abduction warning system on Native American reservations;

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

Res. Cmte 5/30/2017 9:16 AM

**Deleted:** **WHEREAS**, in response to the abduction and murder of Ashlynn Mike, the *AMBER Alert in Indian Country Act of 2017 (S. 772)* was introduced by Senator John McCain on March 29, 2017. Congressman Andy Biggs (R-AZ-1) will introduce companion legislation in the U.S. House of Representatives on National Missing Children's Day, May 25, 2017; and .

Res. Cmte 5/30/2017 9:21 AM

**Deleted:** **WHEREAS**, the *AMBER Alert in Indian Country Act of 2017* would Amend the PROTECT Act,

Res. Cmte 5/30/2017 9:23 AM

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Res. Cmte 5/30/2017 9:29 AM

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Res. Cmte 5/30/2017 9:31 AM

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Res. Cmte 5/30/2017 9:32 AM

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Res. Cmte 5/30/2017 9:32 AM

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Res. Cmte 5/30/2017 9:33 AM

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Res. Cmte 5/30/2017 9:26 AM

**Deleted:** the *AMBER Alert in Indian Country Act of 2017*;

Res. Cmte 5/30/2017 9:27 AM

**Deleted:** **BE IT FURTHER RESOLVED**, that the NCAI does hereby resolve to advocate for the passage of the *AMBER Alert in Indian Country Act of 2017*; .

The foregoing resolution was adopted by the General Assembly at the 2017 Midyear Session of the National Congress of American Indians, held at the Mohegan Sun Convention Center, June 12 to June 15, 2017, with a quorum present.

**ATTEST:**

\_\_\_\_\_  
Brian Cladoosby, President

\_\_\_\_\_  
Aaron Payment, Recording Secretary