



# NATIONAL CONGRESS OF AMERICAN INDIANS

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### RESOLUTION #BIS-02-025

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#### NCAI HEADQUARTERS

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**Title: Support for Increased Funding and a Renewed Focus on the Growing Needs of Tribal Law Enforcement Programs as Part of the Homeland Security Initiative**

**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 and their way of life, 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**, for the past two years, the Lac Vieux Desert Band of Lake Superior Chippewa Indians (LVD Tribe) has actively pursued additional funding for its law enforcement operations to supplant the outlay of construction costs associated with the Tribe's completed construction of a state-of-the-art police operation and detention facility, built completely with tribal funds, at a cost of more than \$1.3 million dollars; and

**WHEREAS**, the commitment of such scarce tribal revenues to complete construction the project, along with continued costs for hiring of additional tribal law enforcement personnel have more than exhausted tribal resources, warranting the receipt of additional federal assistance, for which the BIA has promised to provide; and

**WHEREAS**, to date, the BIA has failed to provide adequate funding to meet the Tribe's law enforcement operation needs, leaving the future status of the Tribe's law enforcement program in jeopardy; and

**WHEREAS**, the LVD tribal law enforcement center is much more than a tribal facility, serving all residents of Gogebic County, which is one of the largest geographically in the Upper Peninsula of Michigan; and

**WHEREAS**, the Tribal detention center is available to Gogebic County law enforcement and houses office space for the Michigan State Police in this large rural county; and

**WHEREAS**, the facility is certified by the Michigan State Police and, therefore, keeps tribal and off-reservation arrestees alike in the community, saving time, money and personal resources for off-reservation law enforcement as well as for tribal officers; and

**WHEREAS**, tribal officers also hold cross-deputization status and authority with County and State law enforcement departments; and

**WHEREAS**, support for increased federal funding for tribal law enforcement operations is broad, with the Gogebic County Sheriffs Department, the Ontonagon County Sheriffs Department and the Michigan Department of State Police all writing in support of increased Federal operations funding for the LVD police detention and operations facility; and

**WHEREAS**, over the past several months. United States Senators Carl Levin and Debbie Stabenow, along with Congressmen Bart Stupak and David Camp have all requested the Bush Administration as well as Congressional appropriators to increase law enforcement operation funding for the LVD Tribe as well as the entire BIA Law Enforcement Program; and

**WHEREAS**, the BIA's Midwest Regional Office, the Office of Tribal Law Enforcement in Albuquerque, NM, as well as the BIA's Central Office in Washington, DC are all concerned that under the White House's current plans for an expanded Homeland Security initiative as well as the creation of an official cabinet-level Department of Homeland Security, the status of Tribal law Enforcement Programs, along with their Congressional appropriations may be in jeopardy; and

**WHEREAS**, a key principle of the Federal-Tribal relationship is protecting and encouraging Indian self-government, to achieve self-determination and to reach the level of governmental self-sustainability, Tribes require a long-term Federal commitment and adequate funds to develop self-government, an economic base, and social and educational institutions that enable them to benefit from America's prosperity and preserve their cultural heritage; and

**WHEREAS**, a key component to this goal is adequate police and other law enforcement protection services and facilities throughout Indian Country, realized by prior Administrations through their proposed a multi-agency initiatives to accelerate law enforcement efforts in Indian country, including the strengthening of core law enforcement functions such as increasing the number of criminal investigators, uniformed police and strengthening basic detention center services; and

**WHEREAS**, parallel with these efforts, were others that sought to create law enforcement programs on reservations, such as drug testing and treatment, juvenile justice, and assistance to Tribal courts, initiatives that sought to appropriately address severe, long-standing deficiencies in the provision of law enforcement service in Indian country that has reached a crisis level and evidenced by the homicide rate on Indian lands that has soared by 87 percent in the last five years, even as the homicide rate declined nationwide by 22 percent; and

**WHEREAS**, many Tribes throughout Indian country lack adequate funding to provide a basic level of security in their communities, such as 24-hour police force coverage and protection, in addition to a lack of basic technical and human resources needed to ensure peace, stability and safety within tribal communities; and

**WHEREAS**, any effort by the Bush Administration and the United States Congress to improve the Nation's security, either through the establishment of a Department of Homeland Security or through other means, and to deter terrorism from occurring within the United States should also include a renewed focus on the law enforcement needs of Indian Country.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby call upon the White House and the Congress to immediately address the growing needs for additional law enforcement funding, personnel, equipment and technical assistance programs throughout Indian Country; and

**BE IT FURTHER RESOLVED**, that the NCAI calls upon Congress and the Bush Administration to include Tribes in the government-to-government negotiations, which will occur between the federal government and states and local governments, in developing the short-term and long-term plans for the creation of a viable Homeland Security initiative, which may include the possible creation of a new federal Department of Homeland Security; and

**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 at the 2002 Mid-Year Session of the National Congress of American Indians, held at the Bismarck Civic Center, in Bismarck, North Dakota on June 16-19, 2002 with a quorum present.

  
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Tex Hall, President

ATTEST:

  
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Colleen Cawston, Recording Secretary

Adopted by the General Assembly during the 2002 Mid-Year Session of the National Congress of American Indians, held at the Bismarck Civic Center, in Bismarck, North Dakota on June 16-19, 2002.