



For Immediate Release

NCAI President Says S.578 Will Close Vulnerable Gap In Homeland Security

During a Wednesday hearing before the Senate Indian Affairs Committee, the President of the National Congress of American Indians (NCAI) said he strongly supports Senate Bill S.578, a proposed bill that would ensure active participation by tribal governments in national efforts to prevent terrorism. Citing the “exclusion of tribal governments from nearly all aspects of homeland security”, Tex G. Hall said S.578 would change the Homeland Security Act’s incorrect definition of tribes as local governments and close a vulnerable gap in the nation’s homeland security network.

S. 578, authored by Senator Daniel Inouye (D-HI) in March 2003, is designed to provide tribes with access to programs and information from the Department of Homeland Security and to develop the government-to-government relationship between tribes and the DHS.

Hall indicated that the NCAI recommended three important changes to S. 578: correcting the exclusion of Alaska Native tribal governments, including language to strengthen jurisdictional provisions contained in Section 13, and developing a mechanism to address the budgetary strain created by homeland security related issues.

Section 13 of S.578 has drawn criticism from some groups because it reaffirms tribal sovereignty, giving tribes the right to arrest individuals suspected of engaging in or planning terrorist activities on tribal lands. The Department of Justice and the NCAI have indicated a willingness to work on the bill’s wording to ensure tribes have the ability protect and defend their homelands.

“This amendment to the Homeland Security Act gives the authority for tribes to defend people, all people on and around Indian land,” said Hall.

Hall called attention to his tribal lands on the Fort Berthold Reservation in North Dakota, which encompasses not only the Garrison Dam but also numerous Minuteman missile silos. To address the defense of these facilities, Hall said that under the current homeland security formula, North

Dakota had earmarked only \$73,000 for Indian reservations of the state's \$13.2 million dollar budget for homeland security.

"That results in \$14,000 per tribe to defend these national installations," Hall said. "That is a joke when the potential loss of life and property by terrorist attack is unimaginable."

Adding to the frustration is the lack of communication and consultation with tribes, Hall said.

"I have spoken with tribal leaders throughout the country, and the failure of states to consult with Indian tribes and include them in homeland security efforts seems to be the rule rather than the exception. The exclusion of tribal governments in implementation of a national homeland security strategy places both Indian and non-Indian populations at risk," Hall said. "This has to change. S.578 is the right bill at the right time for Indian country. It ensures our ability to fully protect our lands and our people from any potential attacks."

Tribal governments serve as the primary instrument of law enforcement and emergency response throughout the more than fifty-five million acres of land that comprise Indian country. Twenty-five tribes have land on or near international borders. In addition, critical national infrastructure located on tribal lands such as energy generating plants, oil and gas pipelines, rail and highway corridors, dams and water reservoirs, and communications towers are among the sites of greatest concern as potential targets for terrorist activity.

Hall said tribal governments, like state governments, need the necessary resources to develop procedures and plans to respond to threats of terrorism, including access to information and advisory systems, emergency preparedness and planning activities, law enforcement data bases, and health alert systems related to the possible use of germ, chemical and biological warfare.

Terry Virden, director of the Bureau of Indian Affairs, said "S.578 is an appropriate step in recognizing the importance of American Indians in protecting our homeland."

"In certain areas of the country, tribal emergency management may be the only agency able to respond to terrorist threats," Virden said. "Tribal public health can provide valuable expertise in confronting an outbreak of a deadly disease and tribal members may be the only citizens within miles to detect a terrorist incursion."

Founded in 1944, the National Congress of American Indians is the oldest, largest and most representative American Indian and Alaska Native organization in the country. NCAI advocates for more than 250 tribal governments with the federal government and Congress, promoting strong tribal-federal "government-to-government" policy and promoting a better understanding among the general public regarding American Indian and Alaska Native governments, people and rights.

For more information about NCAI, visit www.ncai.org.