



2009 Mid-Year Conference Reno, Nevada

RESOLUTION #09 - 30

“REASSUMPTION OF BIA LAW ENFORCEMENT AUTHORITY TO THE OFFICE OF THE REGIONAL DIRECTOR, BIA REGIONAL OFFICE”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, Title 25 United States Code (USC), Chapter 30 Section 1 of Pub. L. 101-379 herein known as the Indian Law Enforcement Reform Act established in 1990 to remove the authority to manage Bureau of Indian Affairs (BIA) law enforcement programs from local control (BIA Regional Directors and Superintendents), transfer supervision and create the Division of Law Enforcement Authorities which is a

Washington, D.C. based central office to administer these functions on a national basis; and

WHEREAS, the stated purpose of this centralization of authority was supposed to “streamline” law enforcement services, promote professionalism, and prevent undue interference being placed on law enforcement programs by tribes and BIA administrators in some places in the United States; and

WHEREAS, it has never been the position of ATNI that these conditions were prevalent in areas under the jurisdiction of the BIA Regional Office, and the removal of local input concerning BIA law enforcement decisions has had a detrimental effect on the public safety programs for the tribes in this region; and

WHEREAS, it is the stance of ATNI that Tribal Law Enforcement agencies in this region, and the management of these programs by the Tribal governments represented by ATNI in the BIA Regional Offices, are at a professional level commensurate with any other law enforcement agency in this region; that local input into overall BIA law enforcement planning, budgets, training, investigative needs, and other matters affecting the health and safety of our tribal membership is critical in order to foster the growth and effectiveness of Tribal police departments; and

WHEREAS, the current centralization of BIA law enforcement located in Washington, D.C. is not conducive to Inter-Tribal enforcement efforts concerning the growing problem of violent criminal gang activity, drug cartel enforcement, and the commissioning of tribal officers to mutually support one another and to coordinate enforcement to combat prevailing problems; and

WHEREAS, it has been determined that the provisions of the Indian Law Enforcement Reform Act concerning the overall control of law enforcement programs by the BIA Central Office has not been conducive to the maintenance and growth of Tribal law and order programs within the jurisdiction of the BIA Regional Offices; and

WHEREAS, as a result of BIA Central Office authority established in 1990, Tribal law enforcement offices have seen a significant decline in cooperation, communication, funding, and investigative support to Tribal Police departments from the Division of Law Enforcement Services as described in Title 25 USC, Section 2802(b); and

WHEREAS, in accordance with Title 25 USC, Chapter 30, Section 2802, subsection (d)(4)(ii), which states,

”At the end of one year following the date of establishment of the separate branch of criminal investigations, any tribe may, by resolution of the governing body of the tribe, request the Secretary to reestablish line authority through the Agency Superintendent or Bureau of Indian Affairs Area Office Director. In the absence of good cause to the


contrary, the Secretary, upon receipt of such resolution, shall reestablish the lines of authority as requested by the tribe"; and

WHEREAS, it has been over one year since the establishment of the BIA Central Office, and in accordance with the provisions provided in this statute, ATNI support that BIA law enforcement responsibilities would be better served with the administration of this program through the Office of the BIA Regional Director for the BIA Regional Offices ; now

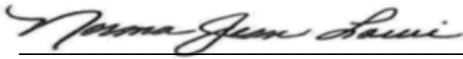
THEREFORE BE IT RESOLVED, that ATNI hereby support the member tribes petitioning the Secretary of the Interior, through the Assistant Secretary for Indian Affairs requesting the reestablishment of line authority for BIA law enforcement programs, to include funding, law enforcement authorizations, BIA personnel, equipment, and facilities through the Office of the Regional Director for the BIA Regional Offices.

CERTIFICATION

The foregoing resolution was adopted at the 2009 Mid-Year Conference of the Affiliated Tribes of Northwest Indians, held at the Silver Legacy Casino, Reno, Nevada on May 18-21, 2009 with a quorum present.



Brian Cladoosby, President



Norma Jean Louie, Secretary