



United South and Eastern Tribes, Inc.

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USET Resolution No. 2016:035

SUPPORT OF THE 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,** United South and Eastern Tribes Sovereignty Protection Fund (USET SPF) is an intertribal organization comprised of twenty-six (26) federally recognized Tribal Nations; and
- WHEREAS,** the actions taken by the USET SPF Board of Directors officially represent the intentions of each member Tribal Nation, as the Board of Directors comprises delegates from the member Tribal Nations' leadership; and
- WHEREAS,** the 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 Tribal Nations have never been fully delivered upon, 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 Tribal Nations, 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; and
- WHEREAS,** 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 population; and
- WHEREAS,** despite this profound need, Tribal Nations 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, Tribal Nations 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; and
- WHEREAS,** From 2010–2014, state governments passed through 0.5% of available funds to programs serving Tribal victims—less than \$2.5 million annually nationwide, which 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
- 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 Tribal Nations through a 5% set-aside from the Crime Victim's Fund for providing services to crime victims; \$114 million for Tribal Nations 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, 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 (WHCNA) includes five subcommittees addressing education, health care, natural resources/climate change, economic development/infrastructure, and energy; and
- WHEREAS,** USET SPF requests that the WHCNA form a new subcommittee to address public safety and justice services; and
- WHEREAS,** in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it
- RESOLVED** the USET SPF Board of Directors requests the White House Council on Native American Affairs establish a Public Safety and Justice Subcommittee; and, be it further
- RESOLVED** the USET SPF Board of Directors urges the Senate to adopt the Commerce, Justice, Science appropriations bill, S. 2837, with the existing 7% Tribal-set aside of Office of Justice Program funding and the 5% set-aside for Tribal Nations in the Crime Victims Fund; and, be it finally

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RESOLVED the USET SPF Board of Directors urges House appropriators to direct 5% of disbursements from the Crime Victims Fund to Tribal governments in the fiscal year 2017 House Commerce, Justice, and Science and Related Agencies appropriations bill; and include a 7% Tribal set-aside for Office of Justice Program funding.

CERTIFICATION

This resolution was duly passed at the USET Sovereignty Protection Fund Semi-Annual Meeting, at which a quorum was present, in Atmore, AL, May 18, 2016.



Brian Patterson, President
United South and Eastern Tribes
Sovereignty Protection Fund



Chief Lynn Malerba, Secretary
United South and Eastern Tribes
Sovereignty Protection Fund

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