

Appendix 11. Indian Tribe Information

Indian Country and Working with Indian Tribes

Eligibility

In H.R. 3402, “Chapter 2 – Building Community Capacity to Prevent, Reduce, and Control Crime”, it reads:

“Section 105. Inclusion of Indian Tribes.
For purposes of Section 103 and 104, the term “State” includes an Indian tribal government.”

The Congress has directed the Office of Justice Programs that “Indian tribe and tribal” is defined as: “An Indian tribe is any Indian tribe, band, nation or organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat.688)[43 U.S.C. 1601 et seq.], which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. 25 U.S.C.S. 450b(e).”

Additionally, in Alaska, applicants are advised that funds awarded through this program to the tribes listed below may not be used for court or law enforcement officers for a tribe or village, pursuant to Public Law 108-199 § 112 (a)(1). The following tribes are subject to the above restriction on use of funds: (1) tribes in which fewer than 25 Native members live in the village year around; and (2) tribes that are located within the boundaries of the Fairbanks North Star Borough, the Mantanuska Susitna Borough, the Municipality of Anchorage, the Kenai Peninsula Borough, the City and Borough of Juneau, the Sitka Borough, or the Ketchikan Borough.

Tribal Resolution

Each Indian tribe who applies must submit a Tribal Resolution. If a tribal consortium is applying for resources, a Tribal Resolution must be provided by each participating Indian tribe. These formal documents will be filed as part of the official grant file.

If a non-Indian applicant partners with an Indian tribe, a Tribal Resolution must be provided with the application. To obtain a Tribal Resolution, please work with your tribal contact (i.e. chief of police). It will require education of the community and a presentation before the Tribal Council or governing body, as appropriate. A Tribal Resolution is a formal document issued by an Indian tribal government.

Coordination between State, Country, Local and Tribal Agencies

The Weed and Seed Community application is focused on a place-based strategy and includes coordination among law enforcement, human services, and community development agencies of the applicable levels of government—federal, state, county, local and tribal—and other organizations. Add the various federal policies of Indian Country such as Public Law 83-280, which confers criminal jurisdiction from federal to state authority, to Weed and Seed strategy planning and implementation and coordination will become either very streamlined or very difficult. Applicants are highly encouraged to work with the U.S. Attorney’s Office to assist in bringing appropriate

agencies to the table. If an entity (tribal or non-tribal) does not positively respond to requests for information (i.e., crime data) or meeting invitations (i.e., Weed and Seed Steering Committee), please document and file. On the application, please reference the number of outreach efforts and response by (tribal or non-tribal) agencies. This information will assist you in application competition. Follow directions and complete all sections in the application.

Given the number of potential agencies involved on tribal lands, it is recommended that a tribe and its partners provide an initial training on the tribe and its criminal justice system and community development efforts. Likewise, any partners should also provide the same training to assist in building trusting relationships. This education process should continue every year through the life of a project and include more agencies.

Data Collection

Part I, Violent Crime, and Part II, Other Index Crimes, are required to compete. CCDO and its peer reviewers are aware that crime data and victimization information are problematic for some Indian tribes, especially those located in Public Law 83-280 and similar jurisdictions. If this information is not available, providing a short, concise narrative describing the crime in your designated area is recommended. In lieu of any crime data, CCDO will work with the Office of Justice Services, Bureau of Indian Affairs, U.S. Department of Interior, and other U.S. Department of Justice components on violent crime in the respective jurisdiction, when appropriate.

Additionally, it is recommended that prospective applicants invest in a local victimization survey, which is a local community survey conducted by the community that gauges the crime and victimization in a community. To date, three Indian tribes have developed their survey instrument, educated their own community residents on how to conduct the survey, and analyzed the data. A summary of the information can be found on [American Indians and Crime, A BJS Statistical Profile, 1992-2002](#) (<http://www.ojp.usdoj.gov/bjs/abstract/aic02.htm>). Information on the local victimization surveys, see www.ojp.usdoj.gov/bjs/cvict.htm.

Resources

Many requests are made to CCDO to learn more about Indian tribes—the history of Indian Nations is varied and fascinating. Reference material, reading written history, and listening to oral history are encouraged. The best source is your contact or the cultural office in the tribal government. For immediate questions, please see:

American Indians, Answer to Today's Questions, by Jack Utter.

Tiller's Guide to Indian Country, Economic Profiles of American Indian Reservations, by Veronica E. Velarde Tiller.

American Indian Law: Native Nations and the Federal System, Revised Edition, 2005 by Clinton, Goldberg, and Tsosie.