



Yankton Sioux Tribe

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TESTIMONY FOR YANKTON SIOUX TRIBE

The Yankton Sioux Tribe and all other tribes in the Dakotas face overwhelming problems stemming from our poverty and socioeconomic conditions. It is a runaway elephant that we are being asked to kill with a

B B gun. We are severely under funded and too scattered to effectively deal with burglary, theft, drugs and alcohol-related crimes that are an epidemic on our reservations. We need more help from the Department of the Interior and BIA, not the US Department of Justice. We don't need federal police, we just need the Bureau, which understands the most about the trust relationship, to step in and support the Tribes while we learn to assume and operate our own law enforcement.

The Yankton Sioux Tribe has long believed in the principles of law contained in the Indian Self-Determination and Education Assistance Act. It seems that the BIA doesn't. We have had great difficulty in obtaining funds already allocated for Self-Determination contracts. The BIA drags its feet on supporting and funding tribal law enforcement, as it is required to do by the law, perhaps in the hope that we will fail and retrocede back to the BIA. Or perhaps the federal government wants to show that we are a failure to justify the US Department of Justice stepping in to take over our law enforcement and just make us the lowest rung of federal law enforcement. We oppose this. We can and will run our own law enforcement if we obtain legally required assistance and support.

Lisa Arrow for

Robert W. Cournoyer
Chairman
Yankton Sioux Tribe

6-1-07

Date

OFFICERS:

ROBERT COURNOYER, CHAIRMAN
STEPHAN COURNOYER, JR., VICE CHAIRMAN
LISA ARROW, SECRETARY
JOHN W. SULLY, SR., TREASURER

Business and Claims Committee 457

MEMBERS:

TERRY BRUGUIER, SR.
DARRELL E. DRAPEAU
DENNIS RUCKER
EVERDALE SONG HAWK
BRENDA ZEPHIER

May 31, 2007

Honorable Stephanie Herseth-Sandlin
United States Congress
District of South Dakota

Written Testimony of Yankton Sioux
John W. Sully, Sr.
Treasurer
Yankton Sioux Tribe
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Honorable Herseth-Sandlin: In regards to our Law Enforcement Contract with the Office of Law Enforcement Services. The Yankton Sioux Tribe has a 638 Contract with (5) five positions since 2003,2004,2005,2006,and currently 2007. Theoretically, the process for 638 is: The Tribe identifies the program(s) it wishes to contract thru Tribal Resolution(s). 2. Positions, Budgets, Equipment are formalized thru data collected by the Contractor. This information is packaged and sent to either the Bureau of Indian Affairs or Indian Health Hospital, H.U.D, or other Federal or State Agency that provides a service to the Tribe. These Agencies, under the 638 Law, have to respond to the Tribal Request within a certain period of time. Whether to approve or disapprove of the Tribes Request to Contract. Once the Federal or State Agency agree's to the conditions for a Tribe to Contract. There is an Award Letter, issued to the Tribe, stating, that said Contract is hereby Awarded to Tribe. In this Award Letter the budgeted amount of the contract is also identified and supplied to the Tribe. Off of this Award Letter, the Tribal Contracting Officer develops the direct costs budget, and a Indirect Costs based on what the tribes Indirect cost rates are.

The above process for 638 contracting of a program by a tribe has never been followed. This is the first time that I, as a Treasurer and past Contract Specialist for the Yankton Sioux Tribe have ever witnessed such a blatant disregard for the contents of the 638 Law. The Yankton Sioux Tribe has Never received a (Award Letter) never from the Agency that we are contracting these five positions from. Even if we only filled three positions within this program, the program we contracted, was 5 positions. The money that was unspent therefore should revert back to tribe to be allowed to be carried over to the