

**STATEMENT OF
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ASSISTANT SECRETARY FOR INDIAN AFFAIRS
UNITED STATES DEPARTMENT OF THE INTERIOR
BEFORE THE
UNITED STATES SENATE
COMMITTEE ON INDIAN AFFAIRS**

May 1, 2024

Good afternoon, Chairman Schatz, Vice Chairman Murkowski, and members of the Committee. My name is Bryan Newland, and I am the Assistant Secretary for Indian Affairs at the Department of the Interior (Department). Thank you for the opportunity to present testimony on S. 465, “*Bridging Agency Data Gaps and Ensuring Safety (BADGES) for Native Communities Act*,” and S. 2695, “*Parity for Tribal Law Enforcement Act*.”

S. 465, Bridging Agency Data Gaps and Ensuring Safety (BADGES) for Native Communities Act

Section 102 would amend the annual reporting requirements concerning unmet BIA and Tribal staffing needs under the Indian Law Enforcement Reform Act, as amended by the Tribal Law and Order Act (25 U.S.C. § 2802(c)(16)(C)), to include criminal investigators, medical examiners, coroners, and forensic investigators. Section 102 would also add infrastructure and capital needs for Tribal police and court facilities, including evidence storage and processing, to the required data for the annual report.

Section 201 would establish a five-year demonstration program that allows the Secretary, in coordination with the Director of BIA, to conduct or adjudicate personnel background investigations and security clearances for BIA law enforcement officers (LEOs). The BIA OJS currently assists Indian Tribes in conducting background investigations for Tribal LEOs and welcomes the demonstration program as it would assist BIA in eliminating one of the biggest obstacles to recruitment – the lengthy background investigation process – and result in the expedited hiring of qualified LEOs. The Department strongly supports this provision.

Section 204, titled “BIA and Tribal Law Enforcement Officer Counseling Resources Interdepartmental Coordination,” would require the Secretary of Health and Human Services, the Attorney General, and the Director of BIA OJS to ensure that Federal training materials and mental health wellness programs are available for Indian Country LEOs. These much-needed resources would help ensure that BIA and Tribal LEOs have access to the mental health resources they need when they experience occupational stress.

The Department supports the goals of S. 465 as they align with important Administration priorities of improving public safety and justice in Indian Country. The Department defers to the Department of Justice on provisions pertaining to its programs.

S. 2695, Parity for Tribal Law Enforcement Act

S. 2695 would amend the Indian Law Enforcement Reform Act to provide that Tribal LEOs acting under a Tribe's contract or compact under the Indian Self Determination and Education Assistance Act would have the authority to enforce Federal law within the Tribe's jurisdiction provided they complete training and background requirements that are equivalent to the requirements that apply to employees of the BIA OJS. Additionally, under the bill, the Tribe would have to have adopted policies and procedures that meet or exceed those of the BIA OJS for the same compacted or contracted program, service, function, or activity.

Importantly, the bill would also provide that Tribal LEOs acting under a contract or compact are eligible for benefits applicable to Federal LEOs, including Federal death and injury, retirement, and pension benefits. Tribes often struggle to recruit and retain LEOs across Indian Country, particularly in remote areas. The provision of Federal benefits to Tribal LEOs will help immensely with Tribes' ability to recruit and retain LEOs and provide for the overall safety of their communities.

Under the leadership of Secretary Haaland, improving public safety in Indian Country and addressing the Missing and Murdered Indigenous Peoples crisis is a top priority for the Department. The Department supports S. 2695 as a means to strengthen public safety and justice in Indian Country.

Conclusion

Chairman Schatz, Vice Chairman Murkowski, and members of the Committee, thank you for the opportunity to provide the Department's views.