

Prepared Remarks by Senator Ben Nighthorse Campbell
Vice Chairman - Committee on Indian Affairs
To the National Tribal Summit on Homeland Security
Organized by the National Native American Law Enforcement Association

Reno, Nevada — October 23, 2002

I. Introduction.

Good afternoon and thank you for your kind introduction President Wooten.

I am happy to be here and see many friends in the audience.

I first want to congratulate the National Native American Law Enforcement Association (“NNALEA”) on its Tenth Annual Conference and applaud you for organizing this Summit on Homeland Security which is timely and critically important.

As many of you know, NNALEA has taken the lead on many issues relating to law enforcement in Indian country including working with Indian youth and combating gangs and a whole host of other issues and they are to be congratulated for coming so far in such a short period of time.

In addition to being a U.S. Senator, Chairman, and now Vice Chairman of the Indian Affairs Committee, I am fortunate to have had many “real life” jobs and experiences as well — father; husband; teacher; member of the U.S. Air Force; Judo champion; rancher; jeweler; and many others.

I am also privileged to have been a member of the law enforcement community and because of those experiences I have a special place in my heart for law enforcement and can appreciate the dedication of the law enforcement community and the great job you do every day to protect our lives, our property, and our way of life.

It is sad, but often true, that it sometimes takes brutal and horrific acts like those of September

11th to remind us of how vulnerable we are in the modern world and also of the invaluable job done by law enforcement across this great nation.

The dedication shown every day by tribal, Federal and other officials provides us with great inspiration and comfort.

II. Indian Country Law Enforcement

Traditionally, law enforcement in Indian country has focused on fighting violent crime, domestic violence, theft, and a host of problems that stem from alcohol and substance abuse.

In recent years we have seen a dramatic and disturbing rise in the types of crime on reservations normally associated with urban areas and inner-cities: drug-trafficking, gang violence, even illegal immigrant smuggling.

As in years past, in Fiscal Year 2003 tens of millions of dollars are slated for Indian tribal law enforcement agencies and for BIA and DOJ law enforcement as well. The activities made possible by these funds include law enforcement personnel hiring and training; law enforcement equipment purchasing; the operation of tribal courts, including drug courts; and lab work, crime technicians and high technology capabilities.

As you know first-hand, Indian tribal law enforcement officers are often the first and only responders to crimes committed against Indians and non-Indians on Indian lands and we are recognizing that more every day.

One item the Indian Affairs Committee has held hearings on and will be reviewing again next year is the practical effect of recent Supreme Court decisions on the ability of tribes to enforce the law on their lands. I encourage NNALEA and everyone here today to take part in those discussions.

For its part, the United States government is stepping up in significant ways. Let me give you just a few examples.

Since the late 1990s, as Chairman and now Ranking Member of the Treasury and General Government Appropriation Subcommittee, I have worked to strengthen the “Gang Resistance Education and Training” (GREAT) Program on Indian reservations.

The Subcommittee is funding the GREAT Program at \$13 million for Fiscal Year 2003 and it has also set \$1 million aside for the gang-related work of the National Congress of American Indians (NCAI) to work in tandem with the BIA and Indian tribes in starting Boys and Girls Clubs in Native communities across the United States.

These collective efforts of the tribes and the United States must continue to combat the kinds of crime we have seen in the recent past.

Just as we are gathered here today, our attention must now shift to include Homeland Security and Anti-Terrorism.

III. “9-11” and the Need for Greater Homeland Security

September 11th brought out the need for coordinated and cohesive delivery of law enforcement, medical response, and security services for all Americans.

Not since Pearl Harbor has America been attacked the way that we were with such tragic consequences to our fellow Americans.

The President has been proactive and has taken the fight to the terrorists themselves in Afghanistan and elsewhere around the world.

The President has also named Tom Ridge, who many of you know is a Vietnam Veteran, former congressman and Governor of Pennsylvania, to be his Director of Homeland Security — a position within the White House.

The enemies of our great nation have demonstrated that they have the capability and the desire to strike Americans on American soil.

Just like state and local governments, Indian tribes have a vital role in defending our country, and our way of life.

I am encouraged that various Federal agencies are already undertaking the kind of coordination with Indian tribes that is key in my mind. Let me just mention a few:

1. under the leadership of Assistant Secretary Neal McCaleb, the BIA has formed a “National Indian Country Telecom Infrastructure Consortium” to work with tribes to coordinate enhance Indian Country’s telecommunications capacity. This will have an obvious and positive effect on the tribes’ ability to work with law enforcement agencies for Homeland Security purposes.

2. the Federal Emergency Management Agency (FEMA) is now distributing \$200 million in FY2002 Supplemental Funds for state and local hazards emergency planning; development of local Emergency Operations Centers; and the development of Community Emergency Response Team Training.

3. U.S. Customs Service: one of the main agencies associated with Homeland Security is the U.S. Customs Service which controls the movement of goods across our borders. Customs has intensely stepped up its efforts since 9-11, and one of the critical areas that required Customs immediate attention was the 4,000-mile “undefended” Northern Border. For generations, this region,

from Maine to Washington State, has been home to a great number of indigenous peoples, and for generations, admittedly, the Northern Border has not received the same level of attention in terms of security as its Southern counterpart.

There is no question that the terrorists attacks in September brought to light the vulnerability of our Northern Border as a potential opportunity for terrorists to introduce weapons of mass destruction and other articles and instruments used in support of terrorist activities.

In response, the Customs Service adopted a \$100 million “Northern Border Strategy” combining hundreds of new personnel, the use of technology, improved infrastructure, plus industry and international partnerships to secure the border.

Prior to 9-11, Customs had almost 70 ports and stations across the Northern Border that historically were not open or staffed 24 hours per day. Some of these locations were “secured” by orange cones in the road when the port was “closed.” The improvements include barriers, gates, or bollard systems at each location; security lighting and communications; signage addressing operational security at the border; and video security systems at all of the Northern Border ports.

While Federal efforts on the Northern Border have provided an increased level of security there, the U.S. also realized that our Southern Border has been an avenue for the drug trade for years and would be a ready entrance point for the passage of drugs, illegal immigrants and even weapons of mass destruction and other articles and instruments used in support of terrorist activities.

To help meet the additional security requirements, over 100 additional Customs agents will be deployed to high volume and high-risk ports of entry on the Southwest Border, as part of a \$10 million

security upgrade.

As part of the “Shadow Wolf” initiative, Native American Customs agents are instrumental in tracking and apprehending smugglers and criminals in parts of the American Southwest that no one else can penetrate. They represent a large number of tribes including the Tohono O’Odham, Pima, Omaha, Lakota, Navajo, Sac and Fox, Yurok, and Otoe- Missouri.

These Native officers are responsible for patrolling almost three million acres of isolated real estate that straddles 70 miles of the international border with Mexico. The geographic isolation and rough desert terrain requires the use of four-wheel drive vehicles, ATVs, and even horses to get the job done.

Though the Wolves number only 21, they are responsible for about 70 percent of the 40,000 to 60,000 pounds of drugs seized each year by this Customs section – an area that includes more than 60 miles of Arizona-Mexico border, as well as the Tohono O’odham Reservation, birthplace of many of the Wolves.

Their skills are so valued that they’ve been dispatched to several former Soviet states and the Baltics, where they train officers there to identify and track people who cross international borders on foot, often smuggling weapons.

The Federal Law Enforcement Training Center (FLETC) has also been very active in helping Indian country ramp up its personnel and capacities. FLETC has trained over 350 law enforcement officers each year for the past 10 years; developed an Outreach Training Program on Indian Country Jurisdiction, which has been delivered to thousands of State and Local Law Enforcement Departments across the United States; and currently trains over 2000 Indian Country Law Enforcement Officers

annually in Basic Training, Detention, Radio Communication, Criminal Investigators and In-Service training for Chiefs of Police and Criminal Investigators.

I mentioned this before --- the G.R.E.A.T Program --- and under the ATF's guidance, the BIA has trained 214 officers to date and the total number of Native American graduates of GREAT to date is a staggering 28,995.

Since 1998 ATF has entered into an Inter-agency Reimbursable Agreement with the Bureau of Indian Affairs (BIA) for funding the G.R.E.A.T. Program for BIA/Tribal Law Enforcement Agencies.

Since 1999, two G.R.E.A.T. officer trainings have been conducted for BIA/Tribal Officers. In 1999, the Southwest Region held a remote training was held in Phoenix, Arizona, which graduated 23 G.R.E.A.T. Officers. In 2002, the Northwest Region held a remote training was held in Rapid City, South Dakota, which graduated 28 G.R.E.A.T. Officers.

In 1999, 2000, and 2001, G.R.E.A.T. has been a co-sponsor of the NNALEA Annual Conference and is again this year. This exposure has led to an increase in BIA/Tribal G.R.E.A.T. Officers.

NNALEA and the Boys and Girls Club of America are piloting the G.R.E.A.T. program in six Native American Clubs with the following tribes:

1. Fort Peck Tribal Police Department, Polar, MT
2. BIA's Northern Cheyenne Agency, Lame Deer, MT
3. Cherokee Police Department, Cherokee, NC
4. White Earth Tribe, White Earth, MN
5. BIA's Fort Berthold Agency, New Town, ND
6. Oglala Sioux Tribe Department of Public Safety, Pine Ridge, SD

Finally, the BIA has requested 2 remote G.R.E.A.T. trainings for FY 2003 to be held at their Indian Police Academy at the Federal Law Enforcement Academy in Artesia, NM.

IV. Homeland Security Initiatives in Congress

With regard to Homeland Security, the agency activities I mentioned are encouraging but more is needed if we are going to build on what the Executive Branch is doing and involve Indian tribes.

By following the developments in Washington you know that the Congress has left town to campaign for the midterm elections that will take place two weeks from yesterday.

There are several legislative initiatives related to Homeland Security still unresolved and awaiting our return to Washington:

1. Bills to create the Homeland Security Department;
2. Bills to Provide a Federal Role in Terrorism Insurance;
3. Bills to improve and enhance the nation's medical and health care response capabilities; and
4. Bills to improve and enhance the nation's defense and intelligence capabilities.

The Terrorism Insurance Bill would provide a Federal "backstop" for commercial property and casualty insurers against claims arising from terrorism incidents.

The House and Senate are now in conference on the Terrorism Insurance Bill and it now appears likely that a Bill will be sent to the President sometime in November or December.

On the Homeland Security Department Bill, the House of Representatives passed its version of the Homeland Security Legislation before leaving town.

In the closely-divided Senate, we were unable to resolve differences related to workplace protections in the proposed Homeland Security Department and as a result the Senate failed to pass a bill.

When Congress returns on November 12th, this is one of many key issues the Senate is likely to take up and I believe that by the end of the year there will also be a new Homeland Security Department up and running.

For you gathered at this important Summit here in Reno I think the key theme as we move forward on Homeland Security Legislation is something I strongly believe is needed if we as a nation are to have an effective security plan: an integrated Homeland Security effort. The Indian Affairs Committee has received input from tribes across the country, many of them here today, such as the Lummi Nation from Washington State; the Navajo Nation; the St. Regis Mohawk Tribe from Upper New York State; the Prairie Band of Potawatomie from Kansas; the Prairie Island Indian Community from Minnesota; as well as from national Indian organizations such as NNALEA — the National Indian Health Board; and the National Congress of American Indians.

Indian people have always answered the call to serve and defend and tribal leadership around the country is gearing up for this fight which promises to last many years, perhaps even generations like the Cold War did.

It seems to me that it is now up to the U.S. Congress to acknowledge and accept that offer of service, and provide a significant role for Indian tribes in the activities of the new Department of Homeland Security.

I can see no practical way to secure the borders of the country, or protect all of the critical assets or provide a first-rate medical first response without tribal involvement.

Tribal lands not only span hundreds of miles of our international borders with Mexico and Canada, but also open to the great Atlantic and Pacific Oceans as well.

As I noted earlier, tribal law enforcement is on the ground and answering the call every day and we should incorporate them into the national security fabric.

Indian Health Service and tribal medical facilities are located throughout Indian Country and provide an asset that we should also incorporate into the larger framework.

To insure that the role of Indian tribes is properly cast in the Homeland Security legislation, I have been working with colleagues such as our friend Senator Dan Inouye and Senator Judd Gregg who have each sponsored Indian-related amendments to the Homeland Security Bill under discussion.

The Gregg Amendment establishes the “Office for Domestic Preparedness” within the “Directorate of Emergency Preparedness and Response”. The new Office would have primary responsibility for coordinating efforts with States, local governments, Indian tribes and the private sector on all aspects of terrorism-related activities.

The Inouye Amendment: is a broader amendment to ensure that Indian tribes are afforded full participation in the national effort to combat terrorism and protect our people and our Homeland.

These amendments would make sure that there are no gaps in our security framework along our borders or inside our nation because of jurisdictional differences between the Federal, state, tribal and local governments.

I thank you President Wooten for the efforts of NNALEA to provide information and insight to Indian tribes, Federal agencies and Members of the Congress and I strongly encourage you to carry on this work in the weeks ahead --- especially as Congress returns to these very important issues after the elections.

Thank you for the opportunity to come and share my thoughts today and very much look forward to working with you all as we work to strengthen our nation's Homeland Security.

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