

.....
(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Indian Law Enforcement Reform Act to provide for advancements in public safety services to Indian communities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. NEWHOUSE introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Indian Law Enforcement Reform Act to provide for advancements in public safety services to Indian communities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Parity for Tribal Law
5 Enforcement Act”.

1 **SEC. 2. TRIBAL LAW ENFORCEMENT OFFICERS.**

2 The Indian Law Enforcement Reform Act is amend-
3 ed by inserting after section 4 (25 U.S.C. 2803) the fol-
4 lowing:

5 **“SEC. 4A. TRIBAL LAW ENFORCEMENT OFFICERS.**

6 “(a) IN GENERAL.—Notwithstanding any other pro-
7 vision of Federal law, law enforcement officers of an In-
8 dian tribe that have contracted or compacted any or all
9 Federal law enforcement functions through a contract or
10 compact entered into pursuant to the Indian Self-Deter-
11 mination and Education Assistance Act (25 U.S.C. 5301
12 et seq.) (referred to in this section as ‘Tribal officers’)
13 shall have the authority to enforce Federal law within the
14 area under the jurisdiction of the Indian tribe if—

15 “(1) the applicable Tribal officers have—

16 “(A) completed training that is comparable
17 to that of an employee of the Office of Justice
18 Services of the Bureau who is providing the
19 same services in Indian country, as determined
20 by the Deputy Bureau Director of the Office of
21 Justice Services of the Bureau (or a designee);

22 “(B) passed an adjudicated background in-
23 vestigation equivalent to that of an employee of
24 the Office of Justice Services of the Bureau
25 who is providing the same services in Indian
26 country; and

1 “(C) received a certification from the Of-
2 fice of Justice Services of the Bureau, as de-
3 scribed in subsection (c); and

4 “(2) the Indian tribe has adopted policies and
5 procedures that meet or exceed those of the Office
6 of Justice Services of the Bureau for the same pro-
7 gram, service, function, or activity.

8 “(b) DEEMED TO BE FEDERAL LAW ENFORCEMENT
9 OFFICERS.—Subject to the guidance issued by the Sec-
10 retary pursuant to subsection (c)(1)(B) and notwith-
11 standing any other provision of law, while acting under
12 the authority granted by the Secretary through a contract
13 or compact entered into pursuant to the Indian Self-De-
14 termination and Education Assistance Act (25 U.S.C.
15 5301 et seq.), a Tribal officer shall be deemed to be—

16 “(1) a Federal law enforcement officer for the
17 purposes of—

18 “(A) sections 111 and 1114 of title 18,
19 United States Code;

20 “(B) chapters 83 and 84 of title 5, United
21 States Code; and

22 “(C) chapter 171 of title 28, United States
23 Code (commonly known as the ‘Federal Tort
24 Claims Act’); and

1 “(2) an eligible officer under subchapter III of
2 chapter 81 of title 5, United States Code.

3 “(c) CERTIFICATION.—

4 “(1) IN GENERAL.—Not later than 2 years
5 after the date of enactment of the Parity for Tribal
6 Law Enforcement Act, the Secretary shall—

7 “(A) notwithstanding section 5, develop
8 procedures for the credentialing of Tribal offi-
9 cers under this section to provide confirmation
10 that Tribal officers meet minimum certification
11 standards and training requirements for Indian
12 country peace officers, as prescribed by the Sec-
13 retary; and

14 “(B) notwithstanding any other provision
15 of law, issue guidance, in consultation with In-
16 dian tribes, to otherwise implement this section,
17 ensuring that, in implementing subsection
18 (b)(1)(B), the guidance—

19 “(i) provides for the voluntary partici-
20 pation by Tribal officers, on a position-by-
21 position basis;

22 “(ii) allows Tribal officers to purchase
23 service credit for prior years of service con-
24 sistent with the guidance issued by the
25 Secretary under this subparagraph;

1 “(iii) allows for the participation of
2 Tribal officers, the salaries of which are
3 funded in whole or in part by grants from
4 the Office of Community Oriented Policing
5 Services of the Department of Justice or
6 any other agency in the Department of
7 Justice; and

8 “(iv) recognizes that Tribal officers
9 may participate if the Indian tribes of
10 those Tribal officers have a mandatory re-
11 tirement age that exceeds the applicable
12 Federal mandatory retirement age for Fed-
13 eral law enforcement officers.

14 “(2) IPA BRIDGE PROGRAM.—Tribal officers
15 who choose to attend a State or other equivalent
16 training program approved by the Deputy Bureau
17 Director of the Office of Justice Services of the Bu-
18 reau (or a designee) rather than attend the Indian
19 Police Academy shall be required to attend the
20 Bridge Program of the Indian Police Academy, or
21 an equivalent program, prior to receiving a certifi-
22 cation under this subsection.”.

1 **SEC. 3. OVERSIGHT, COORDINATION, AND ACCOUNT-**
2 **ABILITY.**

3 The Attorney General, acting through the Deputy At-
4 torney General, shall coordinate and provide oversight for
5 all Department of Justice activities, responsibilities, func-
6 tions, and programs to ensure a coordinated approach for
7 public safety in Indian communities, accountability, and
8 compliance with Federal law, including—

9 (1) the timely submission of reports to Con-
10 gress;

11 (2) robust training, as required under Federal
12 law and as needed or requested by Indian Tribes or
13 Federal and State officials relating to—

14 (A) public safety in Indian communities;
15 and

16 (B) training outcomes demonstrating a
17 better understanding of public safety ap-
18 proaches in Indian communities;

19 (3) the updating of, and improvements to,
20 United States Attorney operational plans;

21 (4) comprehensive evaluation and analysis of
22 data, including approaches to collecting better data,
23 relating to public safety in Indian communities; and

24 (5) other duties or responsibilities as needed to
25 improve public safety in Indian communities.