

117TH CONGRESS  
2D SESSION

# H. R. 8387

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

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2022

Mr. NEWHOUSE (for himself and Mr. KILMER) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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 (25 U.S.C.  
3 2801 et seq.) is amended by inserting after section 4 the  
4 following:

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

6 “(a) Notwithstanding any other provision of Federal  
7 law, law enforcement officers of any Indian Tribe that has  
8 contracted or compacted any or all Federal law enforce-  
9 ment functions through the Indian Self-Determination  
10 and Education Assistance Act (25 U.S.C. 5301 et seq.)  
11 shall have the authority to enforce Federal law within the  
12 area under the Tribe’s jurisdiction, if—

13 “(1) the Tribal officers involved have—

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

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

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

4           “(2) the Tribe has adopted policies and proce-  
5           dures that meet or exceed those of the Office of Jus-  
6           tice Services of the Bureau of Indian Affairs for the  
7           same program, service, function, or activity.

8           “(b) While acting under the authority granted by the  
9           Secretary through an Indian Self-Determination and Edu-  
10          cation Assistance Act (25 U.S.C. 5301 et seq.) contract  
11          or compact, a Tribal law enforcement officer shall be  
12          deemed to be a Federal law enforcement officer for the  
13          purposes of—

14               “(1) sections 111 and 1114 of title 18, United  
15          States Code;

16               “(2) consideration as an eligible officer under  
17          subchapter III of chapter 81 of title 5, United  
18          States Code;

19               “(3) subchapter III of chapter 83 and sub-  
20          chapter III of chapter 84 of title 5, United States  
21          Code; and

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

1 “(c)(1) Not later than 12 months after the date of  
2 enactment of this section, the Secretary shall—

3 “(A) develop procedures for the credentialing of  
4 Tribal officers under this section, independent of  
5 section 5, to provide confirmation that Tribal offi-  
6 cers meet minimum certification standards and  
7 training requirements for Indian country peace offi-  
8 cers, as prescribed by the Secretary; and

9 “(B) promulgate guidance, in consultation with  
10 Indian Tribes, to otherwise implement the provisions  
11 of this section.

12 “(2) Tribal law enforcement officers who choose to  
13 attend a State or other equivalent training program ap-  
14 proved by the Director of the Office of Justice Services  
15 of the Bureau of Indian Affairs, or the Director’s des-  
16 ignee, rather than attend the Indian Police Academy, shall  
17 be required to attend the IPA Bridge Program, or an  
18 equivalent program, prior to receiving a certification under  
19 this subsection.”.

20 **SEC. 3. OVERSIGHT, COORDINATION, AND ACCOUNT-**  
21 **ABILITY.**

22 The Attorney General, acting through the Deputy At-  
23 torney General, shall coordinate and provide oversight for  
24 all Department of Justice activities, responsibilities, func-  
25 tions, and programs to ensure a coordinated approach for

1 public safety in Indian communities, accountability, and  
2 compliance with Federal law, including—

3 (1) the timely submission of reports to Con-  
4 gress;

5 (2) robust training, as required under Federal  
6 law and as needed or requested by Indian Tribes or  
7 Federal and State officials relating to—

8 (A) public safety in Indian communities;  
9 and

10 (B) training outcomes demonstrating a  
11 better understanding of public safety ap-  
12 proaches in Indian communities;

13 (3) the updating and improvements to United  
14 States attorney operational plans;

15 (4) comprehensive evaluation and analysis of  
16 data, including approaches to collecting better data,  
17 relating to public safety in Indian communities; and

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

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