

118TH CONGRESS  
1ST SESSION

# S. 2695

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 SENATE OF THE UNITED STATES

JULY 27, 2023

Ms. CANTWELL (for herself and Mr. MULLIN) introduced the following bill;  
which was read twice and referred to the Committee on Indian Affairs

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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”.

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

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

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

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

11               “(1) the applicable Tribal officers have—

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

18                       “(B) passed an adjudicated background in-  
19 vestigation equivalent to that of an employee of  
20 the Office of Justice Services of the Bureau  
21 who is providing the same services in Indian  
22 country; and

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

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

5           “(b) DEEMED TO BE FEDERAL LAW ENFORCEMENT  
6 OFFICERS.—While acting under the authority granted by  
7 the Secretary through a contract or compact entered into  
8 pursuant to the Indian Self-Determination and Education  
9 Assistance Act (25 U.S.C. 5301 et seq.), a Tribal officer  
10 shall be deemed to be—

11           “(1) a Federal law enforcement officer for the  
12           purposes of—

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

15           “(B) subchapter III of chapter 83 and  
16           subchapter III of chapter 84 of title 5, United  
17           States Code; and

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

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

23           “(c) CERTIFICATION.—

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

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

11           “(B) issue guidance, in consultation with  
12 Indian tribes, to otherwise implement this sec-  
13 tion.

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.

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