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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

August 23, 1974

*Received
Aug 23
file
Answer
Indians*

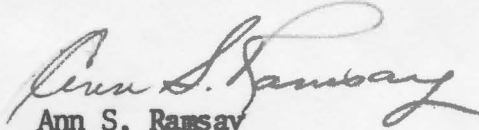
MEMORANDUM FOR NORM ROSS

Subject: Law Enforcement Problems on Indian Reservations

- ° Frank Zarb is aware of the law and order problems on reservations, particularly in South Dakota. He plans to meet with a Justice Department Official to discuss this matter shortly. (See attachment but note the letter has not gone out yet).
- ° Mr. Zarb will also pull the Bureau of Indian Affairs into the discussion to assure a well coordinated effort.
- ° OMB is now awaiting completion of a BIA study on law and order which the Commissioner assures me will be ready within the next two weeks.
- ° I understand that Governor Kneip is worried because of the following situations:
 - In some instances recent Indian court victories have established that tribal law enforcement officials have jurisdiction over non-Indians on the reservations.
 - If a non-Indian violates a tribal ordinance he appears before a tribal court.
 - If the above individual is found guilty, he has no further appeal and can be fined or jailed.
 - If a non-Indian violates a non-Indian law (in other words, one that is not a tribal ordinance) such as murder, Indian law officers must remove the Individual to a facility off the reservation to be charged with the crime committed on reservation grounds.
 - Additionally, the tribal councils, the Commissioner of BIA, and Governor Kneip agree that tribal police officers are not in a position to implement enforcement of law and order because of lack of manpower, resources and facilities.



- ° As soon as the BIA submits its report to Mr. Zarb we will move ahead to address this issue on a long range basis.
- ° Commissioner Thompson has told me that he will provide you with an additional fact sheet on this issue today or tomorrow.


Ann S. Ramsay
Management Associate

cc:
Frank Zarb
Harry McKittrick



Lawrence Silberman
U.S. Department of Justice
Room 4109
10th and Pennsylvania Ave.
Washington, D.C. 20530

Dear Larry:

During a recent visit to several Indian reservations I had an opportunity to discuss law enforcement programs and the problems of escalating crime facing many of the reservations.

A number of complaints involved law and order programs funded through LEAA/Justice either separately or in co-ordination with the Bureau of Indian Affairs. Crisis funding from year to year, legislative requirements that tribal councils apply through states, and underfunding of programs are among the complaints voiced by the tribes.

Before I can respond to their concerns, I think it will be helpful for us to meet and discuss the long range plans of the Justice Department vis-a-vis reservation law and order programs.

My office will be in touch with you shortly to schedule such a meeting.

Sincerely,

Frank G. Zarb
Associate Director

cc:
Official File--MD/NRES
Mr. Zarb (2)

MD/NRES:ARamsay:djh,x5626,7/29/74

