

United States Senate

August 12, 2024

The Honorable Gene L. Dodaro
Comptroller General of the United States
Government Accountability Office
441 G St. NW
Washington, DC 20541-0001

Dear Comptroller General Dodaro:

I write today because I am deeply concerned that the United States is not living up to its trust and treaty obligations to help Tribal governments meet public safety demands on reservations in Montana. In recent weeks, I have had direct conversations with leaders from nearly all of the Tribes in Montana to discuss the public safety challenges facing Indian Country. The message is loud and clear that the Bureau of Indian Affairs (BIA) must do more to execute its mission to help tribes maintain safe living environments.

The status quo of BIA's public safety efforts in Montana is unacceptable and simply cannot continue. It is time for an outside agency to review BIA's current practices, examine its use of funds and make recommendations on how the agency can improve its ability to deliver public safety resources. That's why I urge the Government Accountability Office (GAO) to begin this important oversight work without any delay. Between the ongoing Missing and Murdered Indigenous Persons (MMIP) crisis, a fentanyl and substance abuse epidemic, rising cartel activity, lack of adequate detention facilities and overall increase in crime, the initiative to improve the BIA should be the top priority of the GAO.

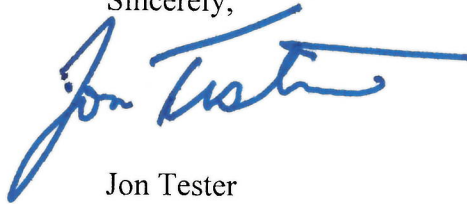
While there are many shortcomings to discuss, none are more clear than the extreme lack of trained law enforcement officers on each reservation. The insufficient staffing levels have a severe impact in states like Montana with large land-based Tribes. Tribal law enforcement officers are being asked to patrol reservations the size of some U.S. states while consistently being understaffed. These officers are putting their lives on the line and working every day to keep their communities safe, but BIA must ensure they have the staffing and resources they need to do their job.

The lack of officers is not limited to those out on the beat. The lack of sufficient detention facilities and detention officers must also be reviewed. Because of BIA's failure to properly manage and staff the jails across Montana, criminals who commit serious misdemeanors, like those arrested for DUI or assault, are being released back into the community. Additionally, Tribes have raised serious concerns about Tribal members being sent to out-of-state detention facilities and the BIA's lack of cooperation with Tribal courts.

Through my seat on the Senate Appropriations Committee, I am working to ensure that the BIA has sufficient resources to hire officers and bolster other public safety activities. In fact, I recently secured substantial increases to several BIA accounts in the Fiscal Year 2025 Senate appropriations bills. I will keep fighting for these critical funds, but it is clear that more oversight is required to make sure these funds are being used effectively.

Should you need any assistance contacting tribal leaders in Montana to conduct this oversight over the BIA, please do not hesitate to ask. I stand ready to assist your efforts in any way I can because there is nothing more important than keeping people safe. Thank you of your attention to this critical issue.

Sincerely,

A handwritten signature in blue ink that reads "Jon Tester". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Jon Tester