



THE SENECA NATION OF INDIANS

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March 23, 2026

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Hon. Jeff Hurd, Chairman
U.S. House of Representatives
Subcommittee on Indian and Insular Affairs
Washington, D.C. 20515

Re: *Responses to QFR*

Dear Chairman Hurd:

Per your request, please find attached the Seneca Nation's answers to the Questions for the Record submitted by Chairman Westerman that are included in your letter of March 9, 2026.

- 1. Your written testimony says that Section 232 has stunted the development of the Seneca Nation's own law enforcement. What specific authorities or capacities have been limited as a result?**

The primary limitation created by Section 232 is that the Seneca Nation has not developed a criminal law enforcement agency and thus does not exercise its inherent jurisdiction over criminal activity by Senecas and other Indians occurring within our territories. Pursuant to its Constitution of 1848, the Nation has long had an elected Chief Marshal for each of its Allegany and Cattaraugus Territories. These officials are responsible for enforcing civil regulations, court orders, and general peacekeeping. However, the Chief Marshals and deputy marshals are not certified law enforcement officers and do not carry firearms.

The Nation believes that Section 232 has stunted the Nation's law enforcement development process by virtue of the dependency that it places on New York State law enforcement agencies.

- 2. H.R. 7065 is the first step in restoring tribal sovereignty back to the Seneca Nation government to prosecute crimes that are committed on your lands. What other clear and actionable steps does the Seneca Nation plan to implement to bolster their law enforcement presence on their land if H.R. 7065 is enacted?**

a. What role would the federal government play?

Under Section 232, the federal government retains criminal jurisdiction over all crimes committed by both Indians and non-Indians in Indian Country as defined by existing law. However, the federal law enforcement engagement is limited as the federal government has relied upon State criminal law enforcement since 1948. (See U.S. Attorney's Office, Western District of New York, Indian Country Operational Plan, Mar. 12, 2026 at <https://www.justice.gov/usao-wdny/media/1429941/dl?inline>).

If Section 232 is nullified in the future, the federal government would be expected to elevate its direct involvement in responding to crimes committed by Indians within Seneca Nation territories. This could involve a direct role for BIA law enforcement, as well as elevated engagement by the FBI and DEA, for major crimes occurring in Nation territories.

The federal government also retains a treaty and trust responsibility to support the development of the Seneca Nation's own law enforcement agency. The Nation would expect to participate in existing DOI, DOJ, and DHS programs that support tribal law enforcement agencies.

b. What increased role does the Seneca Nation see itself taking on?

The Seneca Nation expects to develop its own law enforcement agency, including development of its own code of offenses, bill of rights, court system, and related institutional developments.

The Nation is committed to funding these developments with its own funds, with federal program support available through existing appropriated funds.

c. What role would New York State law enforcement play?

Under federal common law, New York State retains criminal jurisdiction over crimes committed by non-Indians occurring within Seneca Nation lands. If Section 232 is nullified, that jurisdiction would remain.

d. How will the Seneca Nation continue to coordinate with New York State law enforcement?

If Section 232 is nullified, the Nation is also committed to working cooperatively with New York State law enforcement agencies, including the State police, the County sheriffs, and local police (e.g. City of Salamanca, City of Buffalo, and City of Niagara Falls).

The Seneca Nation is also willing to enter into formal law enforcement agreements as need be. In 2025, the Seneca Nation successfully pursued amendments to New York State Indian law to formally authorize State and local

law enforcement agencies to enter into such agreements (*see* N.Y. Indian Law §79 at <https://www.nysenate.gov/legislation/laws/IND/79>).

Conclusion. If you have any further questions, please do not hesitate to contact me.

Sincerely,

/s/ J. Conrad Seneca, President