



March 3, 2022

U.S. House Committee on Oversight and Reform  
Subcommittee on Civil Rights and Civil Liberties  
2157 Rayburn House Office Building  
Washington, D.C. 20515

**RE: *The Neglected Epidemic of Missing BIPOC Women and Girls***

Dear Chair Raskin, Ranking Member Mace and Members of the Committee:

Thank you for holding a hearing on this very important topic. By way of background, my name is Tara M. Sweeney and I am the principal & CEO of Tack 71 Strategies. I formerly served in the Trump Administration as the 13<sup>th</sup> Assistant Secretary for Indian Affairs at the U.S. Department of the Interior (Indian Affairs), the second woman and first Alaska Native to hold this position.

My comments are informed by the work previously performed as Assistant Secretary, and my personal support for raising awareness and desire for more action focused on Native American communities.

### **BACKGROUND**

Throughout my first 100 days at Indian Affairs, I met with Bureau of Indian Affairs (BIA) leadership, including the Office of Justice Services (OJS) to better understand the BIA's resources, needs, and challenges. During that time the OJS continued to raise the needs and challenges related to the crisis of missing and murdered Native American women and children throughout Indian Country and Alaska Native communities.

Based on those discussions, we engaged in Tribal roundtable listening sessions across the country titled, "*Reclaiming our Native Communities.*" Those sessions informed the recommendations made by the U.S. Department of the Interior (DOI) to the White House on actions necessary to combat this crisis. It was also during those sessions we heard Tribal and community leaders stress that this crisis also affected Native

American ***men and boys***, which is why our efforts focused on the larger Native American community.

Thankfully in November 2019, President Trump (POTUS) signed Executive Order 13898 (E.O. 13898), which created a task force (Task Force) co-chaired by the DOI and the U.S. Department of Justice (DOJ). The Task Force and its directives were known as *Operation Lady Justice*. In summation, E.O. 13898 directed the Task Force to:

- Conduct appropriate consultations with tribal governments on the nature of missing and murdered American Indians and Alaska Natives;
- Develop model protocols and procedures to apply to new and unsolved missing and murdered persons in Native American communities;
- Establish cold case review teams;
- Clarify multi-jurisdictional roles that comprise the fabric of law enforcement within Native American communities; and
- Submit a status report no later than November 2020, and a final report in November 2021.

A copy of the Federal Register Notice of E.O. 13898 is enclosed with my comments. In November 2020, the Task Force submitted its status report to the White House titled, "*Activities and Accomplishments of the First Year of Operation Lady Justice*." That report contained a roadmap of activities scheduled for 2021. A copy of that report, too, is enclosed with my comments.

### **BI-PARTISAN ISSUE**

I draw your attention to these documents as reference points and materials to guide your oversight functions and discussions as the fiduciaries for Native American peoples and communities.

This is a bipartisan crisis.

The crisis of missing and murdered Native Americans continues to warrant heightened attention and resources. I remain concerned. The National Missing and Unidentified Persons System (NamUs), administered by the DOJ's National Institute of Justice, reports that as of August 2021, there remains 734 American Indian and Alaska Native unresolved missing persons cases in 36 states across the country. From that same report, my home state of Alaska accounts for nearly 40% of those cases. In Alaska there are 292 unresolved cases published in NamUs, as of August 2021. There are additional statistics provided by NamUs on their website.<sup>1</sup> If your staff is unfamiliar with this national reporting database or would like additional information on data sources and reports, they can also visit the Operation Lady Justice website.<sup>2</sup>

## **RECOMMENDATIONS**

1. Exercise your authority by conducting an oversight hearing and invite DOI and DOJ to provide an update on the actions and outcomes they have taken to combat this crisis. Specifically:
  - a. In April 2021 Secretary Haaland announced the creation of the "Missing and Murdered Unit" within the OJS. To understand the breadth of the crisis and progress, I recommend asking for an update on the activities, outreach and outcomes from this unit. It is important to understand the extent of interagency collaboration and where within the White House this initiative is supported; how the DOI is strengthening existing law enforcement resources, especially for services provided directly by Tribal law enforcement; a regional breakdown of unsolved cases under review; and, finally an update on the strategic partnerships with appropriate stakeholders and their outcomes.

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<sup>1</sup> <https://namus.nij.ojp.gov/missing-indigenous-persons>

<sup>2</sup> <https://operationladyjustice.usdoj.gov>

- b. Building upon the efforts of President Trump, in November 2021 President Biden signed E.O. 14053. Invite DOI, DOJ and U.S. Department of Health and Human Services (HHS) to update the Subcommittee on the reports required within the E.O. 14053. The E.O. 14053 calls for the following reports to be issued within 240 days:
  - i. Together, DOJ and DOI shall report to the POTUS their strategy and needed resources to assess and develop a coordinated and comprehensive Federal law enforcement strategy that focuses on prevention and response to violence against Native Americans.
  - ii. Together, DOJ, DOI and HHS shall report to the POTUS their analysis and recommendations on data collection efforts and challenges.
  - iii. DOJ shall assess the current use of DNA testing and database services, and report to the POTUS with recommendations to improve the accessibility and use of these services.
  - iv. HHS, in consultation with DOI, shall report to the POTUS its recommended plan to strengthen prevention, early intervention and victim and survivor services for Native American victims of violence.
- c. Invite DOI, DOJ and HHS to update the Subcommittee on the reports required within the E.O. 14053 that must be submitted within 180 days:
  - i. HHS shall evaluate the accuracy of the data collection efforts by certain agencies that measure prevalence and effects of violence against Native Americans and their strategy to improve those practices.

- ii. Together, HHS and DOI shall review of procedures for, and barriers to, reporting child abuse and neglect; streamlining processes to make it easier to report child abuse and neglect; conduct an assessment of, and provide for, improved access to critical services for Native American children; and, actions taken to date, findings from their assessments and planned actions to expand access along with necessary resources to successfully achieve this mandate;
  - iii. DOI, in consultation with DOJ and HHS, shall evaluate the effectiveness of existing technical assistance and judicial support for Tribes to carry out important trauma-related strategies. Both reports shall be submitted after consulting DOJ and HHS.
- d. Inquire about and support efforts to fund programs that assist Tribes with their local-focused efforts. Tribes need financial and training resources. Authorizations are needed to share information across all jurisdictions. It is important to understand whether those authorizations should be mandated through Congressional action or can be executed within the executive branch.
- e. Seek recommendations from DOI and DOJ on whether any, or additional, legislation is needed to authorize DOJ databases to share information within DOJ, with other law enforcement agencies inside DOI, or appropriate agencies within HHS.
- f. Seek recommendations from DOJ and DOI on how best to identify and address institutional inertia, and where within the executive branch the inertia most prevalent.

## **CONCLUSION**

The crisis of Missing and Murdered Native Americans is a bellwether for the larger BIPOC epidemic. The actions and outcomes executed by the Federal Government can serve as a roadmap for other communities of color. However, if the Federal Government cannot make progress within America's communities of First Peoples, how can it effectively tackle this on a larger scale?

Building upon the foundation of collective efforts within Native American communities with focus and purpose is a strong start. I also urge the Subcommittee to be more inclusive when hearing from Native American community leaders. Consider the National Congress of American Indians' Violence Against Women Task Force, the Missing and Murdered Diné Relatives, Red Ribbon Skirt Society, or the Alaska Native Women's Resource Center, among many others that can provide insight into the decades of work they have pursued to bring justice for the victims and closure to their families.

Respectfully,



Tara Sweeney  
Principal & CEO