

## U.S. Senator Maria Cantwell

### U.S. Senate Committee on Indian Affairs Oversight Hearing “Restoring Justice: Addressing Violence in Native Communities through VAWA Title IX Special Jurisdiction”

**Witnesses:** Allison Randall, Principle Deputy Director, Office on Violence Against Women, U.S. Department of Justice; Wizipan Little Elk, Principal Deputy Assistant Secretary, Indian Affairs, U.S. Department of the Interior; The Honorable J. Michael Chavarria, Governor, Santa Clara Pueblo; The Honorable Fawn Sharp, President, National Congress of American Indians (NCAI); Elizabeth A. Reese, Professor, Stanford Law School; Michelle Demmert, Director, Law & Policy Center, Alaska Native Women’s Resource Center

December 8, 2021

#### Question and Answer with the Witnesses

[\[AUDIO\]](#) [\[VIDEO\]](#)

**Cantwell:** Thank you, Mr. Chairman. I definitely want to thank you and Senator Murkowski both for holding this important hearing. Washington State has one of the highest numbers of murdered and missing Indigenous women. And definitely always applaud the Seattle Indian Health Board for their work on this, and my colleagues who are here today who fought so hard on this getting legislation implemented.

I think we're here because we still see the crisis and we still see that we are, I think, the issue is short of resources. I think that what we're saying is, we've identified this problem, we want to do something about it, we've put some resources on the table, but I think we're now finding that the resources are not enough.

So I would like to hear from Ms. Randall, definitely would want you to come to Washington State, if you will, and meet with our various law enforcement communities. But I would like to hear from you and NCAI Chair, President Fawn Sharp, about what is the real crisis at hand? Is it resources? Is it the Tribal court system? What is it that we need at this moment to further accelerate helping to protect women in Indian country?

**Randall:** Thank you, Senator. And I would be honored to visit and sit with folks. The Department of Justice sees the need for really broad response to MMIP. And after the Tribal Nation Summit, our Deputy Attorney General set up a steering committee across DOJ that will include both grant making and prosecution, because we need that holistic response.

It's also important that when we're talking about Tribal problems, that we are meeting them with Tribal solutions, and so consulting with the Tribes has got to be a really key part of making important and strategic decisions going forward.

We are coordinating, of course, with the Not Invisible Commission, and bringing, I think, significant resources to bear. The department has requested additional funding in the President's budget, and we look forward to our work together to identify strategic specific resources.

**Cantwell:** President Sharp?

**Sharp:** Yes, good to see you virtually. Senator, thank you for the question. I think you raised an important connection, when you consider missing and murdered Indigenous women, and that the boarding school crisis that we're seeing, as well as these issues of violence against our women and girls. It's all related. It's generation after generation of Tribal Nations, not only not securing the resources that the United States should uphold, pursuant to treaties and its trust responsibility, but our own inability to raise revenues through systems of taxation.

And as we are entering a sort of a post COVID time of redefining our economies and trying to restore our economies, it's critically important that Congress consider not only supporting and honoring our treaty and trust responsibility, but the economic agenda that Tribal nations seek for providing the resources that we should be doing as an attribute of our inherent sovereignty.

And we have all kinds of recommendations related to tax policy, economic policy, international trade related to green and renewable energy. Indian countries are a target rich environment to unlock an economy, but we just need the support of Congress. Thank you.

**Cantwell:** Thank you. And I'm assuming you're referring to the issues of, you know, prosecution on Tribal reservations, but there's nothing that's holding us back from larger prosecutions of these crimes involving, that aren't actually occurring on the reservation land. Is that correct?

**Sharp:** That's absolutely correct. Yes.

**Cantwell:** Ms. Randall, do you have a comment about that?

**Randall:** Well, I can't comment on any ongoing prosecutions. I know that my colleagues at the Executive Office of the U.S. Attorneys have been investing significant resources into these cases.

**Cantwell:** Well, I think the reason, I'm just, I haven't drilled down on every detail, but I'm pretty sure the reason why the Seattle Indian Health Board did this study and analysis is because, and we have one of the highest rates of missing an Indigenous women, is because it's right there in Puget Sound. And they just happened to be, a very large percentage of them, Alaskan Natives. So this is a population that doesn't live on Tribal land. And yet they have become victims of these horrific crimes.

And so I would love you to come to Seattle, maybe Senator Murkowski and I will join you, and we'll do something to bring focus to this. But separate, we definitely get the separate issue

because we've all been involved with VAWA and the more empowering of DOJ working with Indian country on Tribal courts in that process to make sure that federal law is enforced on Indian country land we get that. But for us this is, you know, is a multi-pronged issue and again, obviously impacting non-Native American women as well and being on a corridor like I-5 helps accelerate some of these problems. So we would love to figure out ways to go take the next step here and get the enforcement of this law.

Thank you, Mr. Chairman.