



PENOBSCOT - PASSAMAQUODDY

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4/11/78

Mr. Forrest Gerard
Assistant Secretary for Indian Affairs
Bureau of Indian Affairs -
U.S. Department of the Interior
18th and C Street, N.W.
Washington, D.C. 20240

Dear Mr. Gerard:

The Passamaquoddy and Penobscot Tribes require your assistance to resolve the problem of funding their police departments in Fiscal Year 1979.

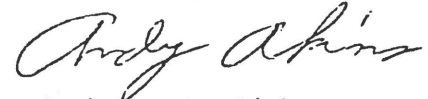
Since early 1974, the Law Enforcement Assistance Administration has funded the Penobscot and the two Passamaquoddy Law Enforcement Programs. LEAA's policies allows them to fund police departments for only three years. Because we have no other funding source, they have agreed to continue their support through this fiscal year.

In attempting to resolve this problem, we have been informed by LEAA, and the BIA's Eastern Area Office and Law Enforcement Division that no funds are allocated or will be forthcoming in Fiscal Year 1979. The State of Maine will also, not fund the total cost of our police services. With no funding sources in sight for Fiscal Year 1979 for our police, we intend to request, next week, of the Senate Subcommittee on the Department of Interior, and Related Agencies an add-on appropriation of \$180,000 to fund the Passamaquoddy and Penobscot Police Departments. As a matter of policy, the BIA does not normally provide funds for law enforcement on reservations which are subject to state criminal jurisdiction. We feel, however, that the BIA has authority to make such expenditures under the Johnson-O'Malley Act.

By the terms of our Joint Memorandum of Understanding with the White House Work Group on our land claim, the criminal jurisdiction over our Tribes will remain with the State of Maine for at least the next two years. Given this situation, by all appearances, the BIA is unwilling to provide funds under the normal policy. In light of the extraordinary situation that we are in, we feel

that a special add-on appropriation specifically providing funds for our police, through the BIA is both appropriate and essential and we ask that you support our request. Thank you.

Sincerely,



Andrew X. Akins

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