

# The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

## *A Resolution to Support the Equal Treatment of Tribal Law Enforcement Agencies Under Federal Law*

### Resolution No. 18-02



Bill John Baker  
Principal Chief

**WHEREAS,** the Inter-Tribal Council of the Five Civilized Tribes (ITC) is an organization that unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing approximately 750,000 Indian people throughout the United States; and



Bill Anoatubby  
Governor

**WHEREAS,** tribal law enforcement agencies are critical protectors of public safety in many communities; and

**WHEREAS,** tribal law enforcement agencies, like non-tribal law enforcement agencies, require appropriate equipment to properly do their jobs and protect their citizens; and



Gary Batton  
Chief

**WHEREAS,** the National Firearms Act of 1934, the Gun Control Act of 1968 and the Firearms Owners Protection Act of 1986 exempt non-tribal law enforcement agencies from onerous transfer taxes and prohibitions against the interstate shipment of firearms and the possession of certain weapons; and

**WHEREAS,** the exemption contained in the Firearms Owners Protection Act of 1986 is written to encompass "the United States or any department or agency thereof, or a State or a department, agency, or political subdivision thereof"; and



James R. Floyd  
Principal Chief

**WHEREAS,** because tribes and their law enforcement agencies are not part of, or agencies of, the United States government, or of a state government or a political subdivision of a state, tribal law enforcement agencies generally do not qualify for these exemptions; and



Greg P. Chilcoat  
Chief

**WHEREAS,** in order to obtain this equipment, tribal law enforcement agencies depend on a palliative fix that was put in place by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) that requires tribal law enforcement agencies to take additional steps to become a federal subdivision that are not required of any other law enforcement agency; and

**WHEREAS,** these steps are burdensome and create inequity between tribal and non-tribal law enforcement agencies; and

**WHEREAS,** tribal law enforcement agencies should not be required to take steps that non-tribal law enforcement agencies are not required to take; and



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**WHEREAS**, a permanent fix is needed to ensure tribal law enforcement agencies have swift and proper access to this life-saving equipment; and

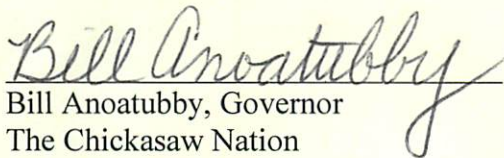
**WHEREAS**, the Inter-Tribal Council of the Five Civilized Tribes previously endorsed the need for a permanent fix in 2014 through Resolution No. 14-12.

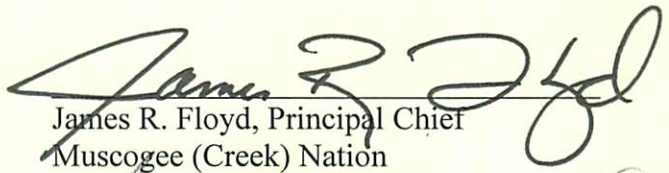
**NOW, THEREFORE LET IT BE RESOLVED THAT**, the Inter-Tribal Council of the Five Civilized Tribes strongly supports any and all legislative and administrative efforts to remedy this unequal treatment of tribal law enforcement agencies.


**BE IT FURTHER RESOLVED THAT**, the Inter-Tribal Council of the Five Civilized Tribes requests that our Congressional delegation work to develop legislation that would permanently place tribal law enforcement agencies on equal footing with non-tribal law enforcement agencies.

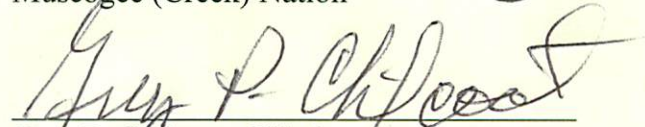
## CERTIFICATION


The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Thackerville, Oklahoma on this 12<sup>th</sup> Day of January, 2018 by a vote of 5 for 0 against and 0 abstentions.

  
Bill Anoatubby, Governor  
The Chickasaw Nation

  
James R. Floyd, Principal Chief  
Muscogee (Creek) Nation

  
Gary Batton, Chief  
Choctaw Nation of Oklahoma

  
Greg P. Chilcoat, Chief  
Seminole Nation of Oklahoma

  
FOR Bill John Baker, Principal Chief  
Cherokee Nation