



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, DC 20240

MAY 17 2012

IN REPLY REFER TO:

The Honorable Lamar Smith
Chairman, House Judiciary Committee
United States House of Representatives
Washington D.C. 20510

Dear Chairman Smith:

I understand H.R. 4970, the Violence Against Women Reauthorization Act of 2012, as passed by the United States House of Representatives on May 16, 2012, does not include provisions strongly supported by the Department of the Interior, including a provision that would authorize Indian tribes to prosecute non-Indians who perpetrate crimes of domestic violence against Native women in Indian Country. While the Administration has already voiced its opposition to the exclusion of these provisions, I write to set the record straight on statements in House Report No. 112-480, May 15, 2012, which accompanies H.R. 4970, regarding the rate of domestic violence perpetrated by non-Indians on Indian women.

Without any citation or footnote, the Report asserts that:

[i]t is the BIA's opinion that non-native domestic violence offenders represent a very small percentage of domestic violence-reported crimes in Indian Country.

This is not true.

As the Director, Bureau of Indian Affairs (BIA), I oversee the BIA's Office of Justice Services, which has primary responsibility for investigating crimes that occur in Indian Country. Accordingly, I write simply to clarify that contrary to House Report No. 112-480, it is *not* the opinion of the BIA that non-Indian domestic violence offenders represent a very small percentage of domestic violence crimes in Indian Country.

To the contrary, the BIA recognizes that over half of all Indian married women have non-Indian husbands and that Indian women experience some of the highest domestic-violence victimization rates in the country. There can be no doubt that there is a very real problem of non-Indian on Indian domestic violence in Indian Country today.

Nonetheless, and regardless of any arguments over the verifiability of statistics in any studies or reports, we should not lose sight of the simple fact that there is *no acceptable rate* of domestic violence by non-Indian men on Indian women. To argue otherwise is an assault on our national conscience.

Sincerely,

Acting Director, Bureau of Indian Affairs

cc: Ranking Member John Conyers, Jr.
Chairman Patrick J. Leahy
Ranking Member Charles Grassley