



TRIBAL COUNCIL RESOLUTION 2023-RES-062

AUTHORIZATION TO INCORPORATE AND ESTABLISH LAW ENFORCEMENT PROGRAM WITHIN PUBLIC LAW 96-638 CONSOLIDATED TRIBAL GOVERNMENT PROGRAM

WHEREAS, the Mashpee Wampanoag Tribe (“Tribe”), is a federally recognized Indian Tribe with duly-enacted Constitution and the governing body of the Tribe is known as the Mashpee Wampanoag Tribal Council (“Tribal Council”); and

WHEREAS, the Tribal Council, deems it essential under Article VI, § 2.A of the Mashpee Wampanoag Tribal Constitution (“Constitution”) to promote and protect the health, peace, morals, education, political integrity, economic security and general welfare of the Tribe and members of the Tribe; and

WHEREAS, Pursuant to Article VI, § 2 of the Constitution, the Tribal Council is empowered to exercise certain powers, including the power to promote and protect the economic security and general welfare of the Tribe and its members, and the power to negotiate and enter into contracts with other governments and with private persons and corporate entities; and

WHEREAS, the Tribe is a recipient of funds through *P.L. 93-638, the Self Determination and Education Assistance Act* to operate the Tribal Government and serve its tribal community (the “638 Contract”); and

WHEREAS, the Tribe’s geographic service area is located within the Commonwealth of Massachusetts and the number of tribal members currently enrolled and who are eligible to receive benefits and services is 2,951; and

WHEREAS, the Tribe has significant law enforcement needs and cannot adequately serve its tribal community and protect its Tribal lands; and

WHEREAS, the Tribe has received notice of additional funding available under the Fiscal Year 2023 Consolidated Appropriations Act to offer law enforcement funding to Tribes not currently receiving direct services or funds from the Department of the Interior, Bureau of Indian Affairs (“BIA”); and

WHEREAS, the Tribe desires to submit a request to secure such funding to establish a new law enforcement element in their 638 Contract (the “Funding Request”); and

WHEREAS, the Funding Request shall include a proposed annual budget for law enforcement to ensure adequate services are provided to the Tribe including any necessary start-up costs; and

WHEREAS, because of the Tribe’s urgent law enforcement needs, the Tribal Council desires to submit the Funding Request and Annual Budget to the BIA and acknowledge the Tribal Council’s authorization to incorporate and establish a law enforcement program within the Tribe’s 638 Contract; and

WHEREAS, by consensus approval, the Tribal Council desires to approve and authorize the submittal of the Funding Request and Annual Budget to the BIA for prompt review and consideration.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council by consensus hereby approves and authorizes the submittal of the Funding Request and Annual Budget to the BIA for prompt review and consideration.

BE IT FINALLY RESOLVED, that the Tribal Council by consensus hereby authorizes the Tribal Chairman, or in his absence, other Tribal Council Officer, the requisite authority and power for an on behalf of the to take all necessary action to ensure the submission of the Funding Request and Annual Budget to the BIA.

Effective immediately and until revoked or modified by the Tribal Council, pursuant to the authority vested in the Tribal Council pursuant to Article VI, Sections 2.A. and D. of the Constitution of the Mashpee Wampanoag Tribe.

All resolutions or parts of resolutions inconsistent with this resolution are repealed. This resolution is effective immediately and shall continue pursuant to the authority vested in the Tribal Council pursuant to Article VI, §§ 2.A. and D. of the Constitution.

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CERTIFICATION

We, the undersigned duly elected Chairman and Secretary of the Tribal Council do hereby certify that the above Resolution was approved on June 6, 2023 by consensus approval of the Mashpee Wampanoag Tribal Council which is composed of 13 members, of whom 9 constituting a quorum, approved by consensus on June 6, 2023 the foregoing Resolution by the affirmative vote of 8 members, with 0 opposing, and with 0 not voting and that said Resolution has not been rescinded or amended in any way.

Dated this 6th day of June, 2023



Brian Weeden, Chairman
Mashpee Wampanoag Tribal Council

ATTEST:



Cassie Jackson, Secretary
Mashpee Wampanoag Tribal Council



Mashpee Wampanoag Tribe

483 Great Neck Road, South
Mashpee, MA 02649
Phone 508.477.0208 Fax 508.477.1218

June 6, 2023

VIA E-MAIL TRANSMITTAL

Bryan Newland
Office of the Secretary
United States Department of the Interior
Washington D.C. 20240
consultation@bia.gov

Re: Request for Law Enforcement Funding – FY 2023 Consolidated Appropriations Act

Dear Honorable Assistant Secretary Newland:

On behalf of the Mashpee Wampanoag Tribe, we thank you for the April 11, 2023 notification of law enforcement funding available under the *FY 2023 Consolidated Appropriations Act*. The Tribe is in dire need of law enforcement services to adequately serve its Tribal community and police its Tribal lands. With limited funding available and no direct services, the Tribe welcomes a funding opportunity that supports the Tribe's sovereign rights to protect its peoples and lands. The Tribe desires to promptly incorporate a law enforcement program into its self-determination 638 contract, if funding is available.

In accordance with the April 11, 2023 Tribal Leader Letter, please consider this the Tribe's *written request* for law enforcement funding, which includes (1) a Tribal Council Resolution authorizing such a request and the establishment of a law enforcement element in the Tribe's 638 contract; and (2) an estimated annual budget for providing such law enforcement services.

The Tribe has reviewed the proposed parity funding level and agrees that requesting tribes should be provided funding levels that are comparable to those BIA-funded law enforcement programs. Furthermore, the Tribe's certified enrollment data and service area is an appropriate set of data to determine law enforcement needs for each tribe. We appreciate the opportunity to offer written comments and participate in the consultation process as well as the offer to seek technical assistance when funding is released.

Should you need anything further to consider our request, please let me know. Thank for your time and consideration.

Ahâpây.



Brian Weeden

Chairman, Mashpee Wampanoag Tribe

Budget Categories	Fund #	GL #	Grant #	MIP Dept #	Tribal Dept #	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Annual Amount	Off Cape Additions	Total Request
Revenue												
Tribal Government	0		#REF!	0	0					768,881.71	886,194.40	1,655,076.11
Grant Funds										145,842.05		
Expenses												
Salary & Wages	0		#REF!	0	0	41,990.00	140,920.00	140,920.00	140,920.00	464,750.00		
fringe Benefits	0		#REF!	0	0	7,140.30	29,891.20	29,891.20	29,891.20	96,822.90		
Total Personnel						49,130.30	170,811.20	170,811.20	170,811.20	561,572.90	490,253.40	1,051,826.30
Police Officer Training						0.00						
Flight expenses	0		#REF!	0	0	13,800.00	8,000.00	0.00	0.00	21,800.00		
Conference fees	0		#REF!	0	0	0.00	6,000.00	0.00	0.00	6,000.00		
Meals	0		#REF!	0	0	0.00	3,000.00	0.00	0.00	3,000.00		
Lodging	0		#REF!	0	0	0.00	6,400.00	0.00	0.00	6,400.00		
Total Travel						4,800.00	11,700.00		0.00	16,500.00	6400	22,900.00
										0.00		
Equipment Total						158,000.00	241,907.98	17,000.00	0.00	416,907.98	286450	703,357.98
										0.00		
Supplies												
Office Supplies	0			0	0	6,000.00	0.00	0.00	0.00	6,000.00		
Program Supplies	0			0	0	0.00	0.00	0.00	0.00	0.00		
Data Proc Supplies	0			0	0	0.00	0.00	0.00	0.00	0.00		
Printing	0			0	0	1,500.00	0.00	0.00	0.00	1,500.00		
Miscellaneous Oper	0			0	0	1,000.00	1,000.00	900.00	0.00	2,900.00		
Total Supplies						8,500.00	1,000.00	900.00	0.00	10,400.00	6,000.00	15,400.00
										0.00		
Contractual						0.00	0.00	6,303.77	0.00	6,303.77		
Professional Service	0			0	0	0.00	0.00	21,000.00	0.00	21,000.00		
Overtime + Forge	0			0	0	0.00	0.00	18,050.87	18,050.87	36,101.74		
Total						0.00	0.00	45,354.64	18,050.87	63,405.51	34,351.00	97,756.51
										0.00		
On Call Pay						9,100.00	9,100.00	4,550.00	4,550.00	27,300.00		
Cell Phone	0			0	0	372.84	372.84	372.84	372.84	1,491.36		
PD Trailer	0			0	0	3,500.00	3,500.00	3,500.00	3,500.00	14,000.00		
Fuel	0			0	0	1,650.00	1,650.00	1,650.00	1,650.00	6,600.00		
Annual Trainings	0			0	0	0.00	1,500.00	0.00	1,500.00	3,000.00		
Crusher Maint	0			0	0	500.00	500.00	500.00	500.00	2,000.00		
Total Other						15,122.84	16,622.84	10,572.84	12,072.84	54,391.36	2,890.00	57,281.36
										0.00		
										0.00		
Total Expense										0.00		
										0.00		
Surplus/(Deficit)										0.00		

Salary & Wages	Hly. Rt.	Hrs.	Weekly Amount	Annual Amount	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	2023 Cost
Staff Positions									
Chief of Police	40.50	40	1,620.00	84,240.00	21,060.00	21,060.00	21,060.00	21,060.00	\$84,240.00
Captain	40.25	40	1,610.00	83,720.00	20,930.00	20,930.00	20,930.00	20,930.00	\$83,720.00
Sgt (Full-time)	34.00	40.00	1,360.00	70,720.00	0.00	17,680.00	17,680.00	17,680.00	\$53,040.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	0.00	16,250.00	16,250.00	16,250.00	\$48,750.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	0.00	16,250.00	16,250.00	16,250.00	\$48,750.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	0.00	16,250.00	16,250.00	16,250.00	\$48,750.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	0.00	16,250.00	16,250.00	16,250.00	\$48,750.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	0.00	16,250.00	16,250.00	16,250.00	\$48,750.00
Total Salaries & Wages				563,680.00	41,990.00	149,920.00	140,920.00	140,920.00	464,750.00

Chief of Police	0.17			14,328.80	3,582.20	3,582.20	3,582.20	3,582.20	14,328.80
Captain	0.17			14,232.40	3,558.10	3,558.10	3,558.10	3,558.10	14,232.40
Sgt. (Full-Time)	0.23			16,255.60	0.00	4,066.40	4,066.40	4,066.40	12,199.20
Officer (Full-Time)	0.23			14,950.00	0.00	3,737.50	3,737.50	3,737.50	11,212.50
Officer (Full-Time)	0.23			14,950.00	0.00	3,737.50	3,737.50	3,737.50	11,212.50
Officer (Full-Time)	0.23			14,950.00	0.00	3,737.50	3,737.50	3,737.50	11,212.50
Officer (Full-Time)	0.23			14,950.00	0.00	3,737.50	3,737.50	3,737.50	11,212.50
Officer (Full-Time)	0.23			14,950.00	0.00	3,737.50	3,737.50	3,737.50	11,212.50
Total Fringe				119,576.80	7,140.30	29,894.20	29,894.20	29,894.20	96,822.90
Total Salary				563,680.00	41,990.00	149,920.00	140,920.00	140,920.00	464,750.00
Total Salary & Fringe				683,256.80	49,130.30	170,814.20	1,770,814.20	170,814.20	561,572.90

Equipment	Annual Amount	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Police Portable Radios (9) Model 8000	46,800.00	0.00	46,800.00	0.00	0.00
(1) Police cruisers fully marked and equipped	67,000.00	67,000.00	0.00	0.00	0.00
Firearms (6) Sig P320's, (1) M4 long gun, (1) 870 shot gun, (1)) less than lethal shot gun, (8) Tasers, (1) gun safe, ammo	38,153.99	38,153.99	0.00	0.00	0.00
Computer Cruisers	8,500.00	0.00	0.00	8,500.00	0.00
Uniforms/Badges/Patches	48,000.00	12,000.00	36,000.00	0.00	0.00
total	208,453.99	117,153.99	82,800.00	8,500.00	0.00

Salary & Wages	Hrly. Rt.	Hrs.	Weekly Amount	2023 Annual	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	2023 Cost
Staff Positions									
Sgt (Full-Time)	34.00	40	1,360.00	70,720.00	17,680.00	17,680.00	17,680.00	17,680.00	\$70,720.00
Sgt (Full-Time)	34.00	40	1,360.00	70,720.00	17,680.00	17,680.00	17,680.00	17,680.00	\$70,720.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	16,250.00	16,250.00	16,250.00	16,250.00	\$65,000.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	16,250.00	16,250.00	16,250.00	16,250.00	\$65,000.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	16,250.00	16,250.00	16,250.00	16,250.00	\$65,000.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	16,250.00	16,250.00	16,250.00	16,250.00	\$65,000.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	16,250.00	16,250.00	16,250.00	16,250.00	\$65,000.00
Officer (Full-Time)	31.25	40.00	1,250.00	65,000.00	16,250.00	16,250.00	16,250.00	16,250.00	\$65,000.00
Total Salaries & Wages				531,440.00	132,860.00	132,860.00	132,860.00	132,860.00	531,440.00
Sgt. (Full-Time)	0.23			16,265.60	4,066.40	4,066.40	4,066.40	4,066.40	16,265.60
Sgt. (Full-Time)	0.23			16,265.60	4,066.40	4,066.40	4,066.40	4,066.40	16,265.60
Officer (Full-Time)	0.23			14,950.00	3,737.50	3,737.50	3,737.50	3,737.50	14,950.00
Officer (Full-Time)	0.23			14,950.00	3,737.50	3,737.50	3,737.50	3,737.50	14,950.00
Officer (Full-Time)	0.23			14,950.00	3,737.50	3,737.50	3,737.50	3,737.50	14,950.00
Officer (Full-Time)	0.23			14,950.00	3,737.50	3,737.50	3,737.50	3,737.50	14,950.00
Officer (Full-Time)	0.23			14,950.00	3,737.50	3,737.50	3,737.50	3,737.50	14,950.00
Officer (Full-Time)	0.23			14,950.00	3,737.50	3,737.50	3,737.50	3,737.50	14,950.00
Total Fringe				122,231.20	30,557.80	30,557.80	30,557.80	30,557.80	122,231.20
Total Salary				531,440.00	132,860.00	132,860.00	132,860.00	132,860.00	531,440.00
Total Salary & Fringe				653,671.20	163,417.80	163,417.80	163,417.80	163,417.80	653,671.20

Equipment	Annual Amount	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Police Portable Radios (9) Model 8000	72,000.00	0.00	72,000.00	0.00	0.00
(1) Police cruisers fully marked and equipped	67,000.00	0.00	67,000.00	0.00	0.00
Firearms (8) Sig P320's, (1) M4 long gun, (1) 870 shot gun, (1) less than lethal shot gun, (8) Tasers, (1) gun safe, ammo	73,950.00	5,600.00	68,350.00	0.00	0.00
Computer for cruiser	8,000.00	0.00	8,000.00	0.00	0.00
Uniforms/Badges/Patches	65,500.00	11,000.00	54,500.00	0.00	0.00
total	286,450.00	16,600.00	269,850.00	0.00	0.00

Budget Categories	Annual Amount	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Revenue					
Off Cape	886,194.40				
Total Revenue	0.00				
Expenses					
Salary & Wages	398,580.00	0.00	132,860.00	132,860.00	132,860.00
Fringe Benefits	91,673.40	0.00	30,557.80	30,557.80	30,557.80
Total Personnel	490,253.40	0.00	163,417.80	163,417.80	163,417.80
Police Officer Training					
Flight expense	6,400.00	6,400.00	0.00	0.00	0.00
Conference fees		0.00	0.00	0.00	0.00
Meals		0.00	0.00	0.00	0.00
Lodgings		0.00	0.00	0.00	0.00
Total Travel	6,400.00	6,400.00	0.00	0.00	0.00
Total Equipment	286,450.00	16,600.00	269,850.00	0.00	0.00
Supplies					
Office Supplies	2,000.00	0.00	2,000.00	0.00	0.00
Program Supplies	0.00	0.00	0.00	0.00	0.00
Data Proc Supplies	0.00	0.00	0.00	0.00	0.00
Printing	1,500.00	0.00	1,500.00	0.00	0.00
Miscellaneous Other	2,500.00	0.00	1,000.00	1,000.00	500.00
Total Supplies	6,000.00	0.00	4,500.00	1,000.00	500.00
Contractual					
Professional Service					
Overtime	34,351.00	2,500.00	2,500.00	14,675.50	14,675.50
Other Categories		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
Training	3,000.00	0.00	0.00	1,500.00	1,500.00
Cell Phone/aircards	1,080.00	0.00	0.00	540.00	540.00
Office Trailer	55,000.00	55,000.00	0.00	0.00	0.00
Fuel	2,400.00	600.00	600.00	600.00	600.00
Cell Property line App	200.00	0.00	0.00	200.00	0.00
Cruiser Maint.	1,000.00	250.00	250.00	250.00	250.00
Total Other	62,680.00	55,850.00	850.00	3,090.00	2,890.00
Total Expense	886,134.40	81,350.00	441,117.80	182,183.30	181,483.30