



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation
Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-
Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation • Sisseton Wahpeton Sioux Tribe
Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

COLT Party Platform Priorities for the 2024 Presidential Election

The Coalition of Large Tribes (“COLT”) is a national tribal organization representing the interests of the more than 50 federally recognized Indian tribes that have reservations of 100,000 acres or more—encompassing more than 95% of the Indian Country lands and more than half the Native American population. COLT’s member tribes span Washington, Oregon, Idaho, Montana, North Dakota, South Dakota, Utah, Wyoming, Colorado, Nevada, Arizona, New Mexico and Oklahoma. COLT votes may make all the difference in key elections.

COLT Priority Issues for the Platform and Candidates:

- (1) Public Safety;**
- (2) Trauma Healing to Address the Legacy of Boarding Schools, including Behavioral Health Resources, Enforcement of Federal Land-Back Statutes, and Investments in Tribal Languages and Land Acquisition as the Foundation of Tribal Cultures and Healing; and**
- (3) Creating a More Level Playing Field for Tribal Economic Development**

1. Dramatically Bolster Public Safety on Indian Reservations

a. Restore and Preserve Tribal Jurisdiction

- i. In 1978, a United States Supreme Court decision declared Tribal Nations could no longer exercise jurisdiction over non-Indians who commit crimes on tribal lands. Since then, violent crimes against Native women on tribal lands have skyrocketed. Today, Native women experience rates of domestic violence, sexual assault, and murder rates higher than any population in the United States. It is no surprise that the majority of these crimes, according to statistics from the U.S. Department of Justice, are committed by non-Indians, but because of the Supreme Court’s decision in *Oliphant v. Suquamish Indian Tribe*, Tribal Nations are now unable to protect their women living on their own lands.
- ii. There is unanimity in Indian Country about the legislative solution COLT developed. *See, e.g., [National Congress of American Indians Resolution #SAC-22-043, Calling on Congress to Enact the Legislative Proposal to Improve Public Safety in Indian Country.](#)* Advancing that legislative proposal should be a top priority. This includes an *Oliphant* fix, reduction of tribal court sentencing limitations to actually deter on-reservation crimes, and a modest change to Public Law 280 providing clarity for tribal consent requirements.



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation
Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-
Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation • Sisseton Wahpeton Sioux Tribe
Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

b. Lead Substantial Budget Formulation Process Reforms.

- i. The DNC Platform should embrace the Tribal Interior Budget Council’s (TIBC) recommendations of mandatory funding, forward funding, full funding of DOI Indian Affairs according to the TIBC’s recommendation of approximately \$22 billion. This is basic fulfillment of the United States’ Trust and Treaty obligations, which tribes have already paid for. A sea-change in approach is needed to meet the chronic under-funding in Indian Country, including particularly with respect to law enforcement and public safety, transportation and water infrastructure. Abandon the “incremental increases” approach and ask for the Budget that is actually needed, not what you think you can get within other spending deals that don’t impact services to people.

c. Adequate Public Safety Funding Should Be the Absolute Top Priority.

- i. Unmet need as to public safety is right up front in the [Tribal Law and Order Report released by BIA-OJS in March 2024](#) (three years after the reporting year, 2021!!!):

This report fulfills the Bureau of Indian Affairs (BIA) reporting requirements (see Appendix C) in the Tribal Law and Order Act of 2010 regarding existing and needed spending, staffing, and estimated costs for BIA-funded Public Safety and Justice Programs in Indian Country for 2021. **Overall, Indian country BIA public safety and justice is funded at just under 13% of total need and an additional 25,655 personnel are required to adequately serve Indian country.** The need estimates are driven by scalable budget models applying operational benchmarks such as the Department of Justice benchmark of 2.8 officers per thousand members of the service population.

- ii. As of the 2021 budget, we are \$3 billion short on public safety and justice. **87% of Indian Country’s need is completely unmet.** One week after the TLOA report came out, the President published his proposed FY 2025 Budget, which includes just \$651.2 million for Public Safety and Justice programs. **UNMET NEED, PER THE TLOA REPORT IS \$3 BILLION AND THE BUDGET ASK IS STARTING AT \$651.2 MILLION?** What is the point of starting – not what Indian Country will end up with out of the totally broken budget process—but starting at just 20% of need? We know we will end up with much less.¹

¹ The 2021 total estimated public safety and justice need for Indian country was \$3.509 billion, broken down as follows: Law Enforcement, including Public Law 83-280 (P.L. 280) States: \$1.7 billion; Detention/Corrections,



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation
Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-
Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation • Sisseton Wahpeton Sioux Tribe
Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

- iii. **Follow the recommendations that have been written about ad nauseum.** In April 2024, [DOJ released yet another Not Invisible Report at 231 pages](#). How much did it cost to produce this report that tells us our people are dying and suffering because of the gross underfunding and jurisdictional disempowerment of tribal nations? That money would be better spent on actually funding tribal law enforcement at full need at \$3 billion+ annually.
- iv. **Create Political Accountability Within DOJ.** We need a high-ranking political appointee who directly reports to the Attorney General, an Office of Treaty Rights Enforcement, and someone with real budgetary and decision-making authority, which is currently diffuse within the Justice Department, which has had no Native political appointee in the Biden-Harris Administration. That appointee should also have authority to settle tribal torts and injunctive and declaratory relief claims against the United States so that USDOJ stops taking [positions antithetical to tribal sovereignty](#) and [Native civil rights](#), as is routine. Hire Native Solicitors!
- v. **Coordinate funding sources whenever possible.** Such as including Border Patrol positions as tribal positions, opening additional funding streams. competitive and small grants are virtually useless. Direct funding is the only modality that will make a difference for COLT tribes. Grants are cumbersome and compliance is a nightmare. We simply don't have the capacity or resources for the lengthy application processes or matching requirements. To the extent grants are used at all, they should be managed like the 477 workforce training programs, with a single stop for an audit and compliance.

2. Address the Legacy of Indian Boarding Schools

- a. Indigenous communities have been subjected to trauma at every scale and dimension imaginable – individual, collective, historical, intergenerational, and more – with physical, mental, spiritual and systemic violence intending to destroy them as tribal nations and individuals through centuries of federal policies (e.g., colonialism, assimilation, boarding schools, etc.) intending to take away their beliefs, culture, and relationships with the natural world. DOI's Boarding Schools Reports have laid bare this trauma and it feels very fresh

existing programs only: \$284.2 million; and Tribal Courts, including P.L. 280 States: \$1.5 billion. But in 2021 the BIA spent \$446.7 million on public safety and justice, broken down as follows: Law Enforcement: \$256.4 million
Detention/Corrections: \$125.0 million; *Tribal Courts: \$65.3 million, including court assessments and technical assistance.* (Emphasis added). Tribal Court funding (at a mere \$65.3 million of needed \$1.5 billion) lags even further behind than the other two categories of safety issues. And court construction costs & personnel are often not within funding allowable through court assessments when that is often most needed. If we don't have adequately funded and staffed court systems, restored jurisdiction would be hamstrung.



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation
Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-
Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation • Sisseton Wahpeton Sioux Tribe
Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

to many Natives today. The social ills from boarding schools persist pervasively in Indian Country.

- b. Adequate mental and behavioral health services are not available in tribal communities and when such services are available, they often do not recognize cultural knowledge and practices; as a result, current mental health services remain ineffective in reaching Indigenous people to resolve their individual and collective trauma.
- c. The unique trauma history indigenous people have experienced requires a unique approach to psychoeducation that is adequate to this context; for instance, indigenous peoples have, despite their cultural practices being criminalized, maintained their cultural knowledge and practices as an integral part of their survival, resilience, and ways of being in the world.
- d. Indigenous cultural knowledge and practices should be made available for trauma healing and mental health services should be indigenous lead, with peer learning and support spaces, and be provided with tailored training for practitioners and communities.
- e. Health care and mental health resources lie in the existing systems, and safe and respectful integration must include changes in recognition of traditional actors and practices, licensing and resource distribution, and the indigenization of existing therapy models; further, there are opportunities to integrate Western and indigenous ways of understanding (i.e., the neuroscience of stress and trauma) to develop psychoeducational content that is culturally relevant and to support experiential group work with Indigenous mental health and psychosocial support practitioners together with traditional knowledge keepers and practitioners.
- f. **Begin Intensive Investments in Trauma Healing Policy and Programs.** Recognizing this background, the Platform should call for dramatic investments in direct funding to tribes and organizations to implement culturally-informed healing modalities to maximize the trauma healing resources available in tribal communities.
- g. **Meaningfully Address Preservation of Tribal Languages and Tribal Education.**
 - i. COLT would like to see a combined \$100 million between DOI Living Language Grant, ANA Esther Martínez Grants, and Department of Education Native American Language grant program at \$33.3 million each.
 - ii. COLT supports funding for Tribal Colleges and Universities commensurate with the \$500 million invested in HBCUs. This is a matter of equity.



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation
Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-
Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation • Sisseton Wahpeton Sioux Tribe
Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

- h. Support H.R. 7227 and S. 1723**, the Truth and Healing Commission on Indian Boarding School Policies Act, and any other Federal act or policy that would provide trauma healing resources to address the inter-generational impacts of Indian Board Schools.

- i. Enforce Federal Land Reversion Statutes and Advance International Relationships as Recommended by DOI.** The lands wrongfully taken from Tribes in support of Indian Boarding Schools are valuable and should be returned to Tribes to help us address the many intergenerational social ills from which we still suffer caused by the Indian Boarding Schools.

[Boarding Schools Report II](#), *see* pp. 48-49 which incorporates COLT’s legal analysis and the recommendation at p. 103:²

² And also note the recommendation at p. 104, which COLT strongly supports, in addition to implementation of the United Nations Declaration on the Rights of Indigenous People and the doctrine of Free, Prior and Informed Consent:

8. Advance International Relationships. The U.S. Government could strengthen engagement with other countries with their own histories of boarding schools or other assimilationist policies, including Canada, Australia, and New Zealand to exchange best practices for healing and redress between Federal governments and Indigenous governments for Indigenous child removal through boarding schools and predatory foster care and adoption practices. To further this goal, the U.S. should expand capacity, including through the Department’s Bureau of Indian Affairs (BIA), to support engagement on international Indigenous issues. To strengthen the U.S. Government’s expertise on Indigenous issues globally and connections with other countries, the U.S. Government should establish an ambassador position focused on engagement on international Indigenous issues.

The rights of federally-recognized tribes have global implications that must be respected in the realms of human rights, religious freedoms, water, climate change, repatriation, and remedies for Indian Boarding Schools. In 2007, the United Nations General Assembly voted overwhelmingly to adopt the UNDRIP, recognizing baseline rights of tribal nations and others in the realms of self-determination, equality, property, religion, culture, economic wellbeing, freedom from violence, and others. The United States declared support for the UNDRIP in 2010 and, in 2014, the United States committed to “take measures... to achieve the ends of the Declaration.” However, progress has been slow in the U.S., as compared to other countries that are developing national action plans and other actions to implement the UNDRIP. To change this, COLT recommends the Platform call on the next Administration to:

- (1) Develop a national action plan for achieving the ends of UNDRIP and apply it to US law and policy, including an immediate call for all federal departments and agencies to issue policies and internal guidance to achieve the ends of UNDRIP, and to report annually on their progress;
- (2) Appoint an Ambassador (or Special Envoy) for Global Indigenous Affairs to serve as head of mission and coordinate all international engagements by the United States in matters regarding Indigenous Affairs, including at the United Nations, the Organization of American States, and in bilateral and multilateral diplomacy with other national governments;



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation
Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-
Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation • Sisseton Wahpeton Sioux Tribe
Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

5. Return Former Federal Indian Boarding School Sites. The Department should conduct reviews, upon request of Tribes, of property and title documents for former Indian boarding school sites, including land patents provided to religious institutions and organizations or states, including during territorial status. When required by patent, deed, statute, or other law, including reversionary clause activation, the Department should work to facilitate the return of those Indian boarding school sites to U.S. Government or Tribal ownership. This includes reversionary clauses under the Indian Appropriation act of September 21, 1922, 42 Stat. 994, 995 (“1922 Act”) and Tribal-specific legislation. Where former boarding school sites revert to U.S. Government ownership or remain in U.S. Government ownership, the Department should engage with Indian Tribes in government-to-government consultation when asked, to address the ownership and management of those sites, including the protection of burial sites and cultural resources.

- j. **Invest in Land and Water as the Foundation of Tribes with an LWCF 10% Set-Aside and Eligibility for PILT.** Platform should include a 10% tribal set aside in the Land and Water Conservation Fund (\$900 million annually, thus \$90 million to tribes annually). That should be a floor.
- i. **LWCF Background.** Conservation groups that have historically utilized the LWCF funding have a long history of lacking diversity and tribes have frequently been deterred from participating because of the inequitable and unfair match requirements which are simple not within many tribes’ capacity

-
- (3) Support the full and effective participation of Indigenous Peoples, through their own tribal nations, in all United Nations bodies, including but not limited to the General Assembly, Human Rights Council, UN Educational, Scientific, and Cultural Organization, World Intellectual Property Organization, World Health Organization, UN Framework Convention on Climate Change, Permanent Forum on Indigenous Issues, Expert Mechanism on the Rights of Indigenous Peoples, and other international and regional forums, including the Organization of American States.
- (4) Protect Indigenous Peoples’ traditional plant knowledge, medicines, and economic innovation from theft by taking immediate measures to conform US intellectual property policy and law with the World Intellectual Property Organization’s new Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge, GRATK/DC/7 (May 24, 2024); sign and ratify the GRATK treaty; and ensure that Indigenous Peoples’ rights are protected in WIPO’s upcoming treaty negotiations on Indigenous Peoples’ traditional cultural expressions and traditional knowledge.



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation
Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-
Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation • Sisseton Wahpeton Sioux Tribe
Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

to meet. The data tells the story: between 1965 and 2016, only 92 out of 41,999 LWCF grants were awarded for projects on reservations, albeit not directly to tribal nations.³ That's .002 percent. Tribes have not been able to access these dollars historically, even though our reservations offer premium opportunities for land and water conservation. That is outrageous, especially when you consider that Indian reservations encompass millions of acres land and water essential to our regional ecosystems.

- ii. The \$12 million in the LWCF budget for tribes should go up to at least \$100 million. This is an equity issue, a catch-up issue from historic exclusion.
- iii. Tribes do more with less on conservation dollars. Imagine the conservation objectives that could be achieved if tribes were adequately funded.
- iv. Additionally, a PILT (payment in lieu of taxes) type program for new lands taken into tribal trust should be established. If we had a budget for this, it would dramatically reduce state and local opposition to land-into-trust applications. Inclusion of tribes in the PILT program to ensure equity and to make it easier to take land into trust on behalf of tribes.⁴

3. Increasing Certainty and Opportunities for Tribal Economic Development

- a. In 1804, when Lewis and Clark first set out to “discover” the West, the largest American economic center of trade was not New York. It was not Boston. It was the

³ <https://naturalresources.house.gov/download/sharp-testimony-wow-ov-hrg-101520>.

⁴ The PILT program was created in 1976 to offset costs incurred by counties for services provided to federal employees and families, the public and to the users of public lands. Services include education, solid waste disposal, law enforcement, search and rescue, healthcare, environmental compliance, firefighting, parks and recreation and other important community services. The FY 2022 Omnibus appropriations package (P.L. 117-103), enacted in March 2022, ensured full, mandatory funding for PILT at \$549.4 million to over 1900 counties nationwide. In FY 2021, public lands counties received \$529.7 million from PILT.

Counties often oppose land-into-trust applications because it cuts off the PILT monies they receive for basically doing next to nothing. New fee-to-trust and federal land transactions for tribes should be included in a separate tribal PILT program to ensure that PILT monies are continued for counties so they will be incentivized to work with tribal governments in their efforts to restore their tribal homelands instead of obstructing those efforts to protect the counties' PILT habits.



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon
Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation
Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Shoshone-
Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Indian Reservation • Sisseton Wahpeton Sioux Tribe
Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

Mandan Village, in the heart of the Mandan Nation, in what is now present day North Dakota. Hundreds of years of United States federal Indian policy have worked to almost entirely eliminate tribal economic development and commerce.

- b. Native communities have the highest rates of poverty—and the lowest rates of graduating high school seniors—in the United States today. Federal agencies have stripped tribal control over the mineral resources and other assets on tribal lands, and have instead managed those assets to the benefits of non-tribal corporate interests. For instance, today in the Great Plains, the BLM leases tribal lands for ¼ their market rate. Despite all this, there remains a vibrancy in the Native sector that reflects their entrepreneurial genius and respect for their past. From solar and wind generation, to a burgeoning return to traditional foods and forms of agriculture, from the return to traditional water management on reservations in Arizona, and from tribal adaption to new economic modalities like e-commerce.
- c. **Right the Tax Wrongs.** As we mark the 100th anniversary of the Indian Citizenship Act of 1924, there is an important opportunity to right historic wrongs that trapped Native Americans in classic cases of taxation without representation for decades and that have unjustly crippled Native economies since because of the litany of legally-baseless, results-oriented federal court decisions and agency interpretations that drifted far afield from the sovereign-to-sovereign relationship between tribes and the United States enshrined in the Constitution and our treaties. *See Haaland v. Brackeen*, 599 U.S. __ (2023) (Gorsuch, J., concurring, Slip Op. 13-36) (detailing the legal history, steadfast persistence of tribal sovereignty and limited powers of the federal government, and virtually non-existent powers of state governments, with respect to tribal sovereign entities). Taxation of tribal entities is far off the “doctrinal trail.” Enactment of IRS guidance holding that wholly-owned tribal entities are not subject to taxation is the [single-most transformative thing the Democratic Party could achieve for tribal economies](#).⁵ This guidance would dramatically increase tribal governments’ access to credit and reduce their costs of capital.

Learn More: www.largetribes.org

Contact: OJ Semans, Executive Director (605) 828-1422, tateota@hotmail.com

⁵ In connection with the [Spring 2024 Unified Agenda](#) released by the White House July 5, which details rules to be drafted agency by agency in the coming months, that the Department of the Treasury indicated that it would publish a Notice of Proposed Rulemaking on the taxability of tribal corporations in July. No guidance has as yet been published. In a July 25, 2024 meeting with COLT, Deputy Secretary Adeyemo said issuing the guidance was a top Treasury priority, as he had stated publicly previously. This guidance is essential for Indian Country and would help ALL TRIBES.