



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
San Carlos Apache 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

Resolution: January 29, 2025, 2025-Resolution #01-2025 (Virtual)

EMERGENCY RESOLUTION OF COLT SUPPORT FOR TRIBAL EXEMPTION FROM ANY FEDERAL FUNDING FREEZE OR REEVALUATION OF SERVICES TO TRIBAL GOVERNMENTS AND TRIBAL CITIZENS

WHEREAS, the Coalition of Large Tribes (COLT) was formally established in early April 2011, and is comprised of Tribes with large land base, including the Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation • 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 • San Carlos Apache Tribe • Sisseton Wahpeton Sioux Tribe • Shoshone Bannock Tribes • Shoshone-Paiute Tribes of the Duck Valley Reservation • Spokane Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe and is Chaired by J. Garret Renville of the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota; and

WHEREAS, COLT was organized to provide a unified advocacy base on all issues affecting Tribes that govern large trust land bases and that strive to ensure the most beneficial use of those lands for Tribes and individual Indian landowners; and

WHEREAS, COLT further advocates for legislative, regulatory, and policy reforms that impact large land base Tribes and our citizens; and

WHEREAS, in Treaties, the United States pledged to protect Indian Tribes, guaranteed the right of Tribal self-government, protection, safety and economic development, and has undertaken a Trust responsibility to promote the viability of Indian reservations and lands as permanent homelands for Tribes. Our Treaties are binding contracts in perpetuity entered into in exchange for the lands that make our United States of America great; and

WHEREAS, COLT believes it is imperative we remind the U.S. Government that Treaties are the Law of the Land and that Treaties and Sovereignty are “cornerstones” of the Budget process and Federal Indian policy to effectuate the nation-to-nation agreements between us. Congress and the President are vested with Treaty authority and the Budget process must follow the Treaties to protect those intergovernmental agreements; and



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WHEREAS, the policy determinations of the Administration are a separate matter and the United States’ solemn Treaty obligations for adequate Indian Country budgets persist regardless of the scope of the general, widely-recognized Trust responsibility of the United States to Tribal Nations; and

WHEREAS, under the U.S. Constitution, “all Treaties made” are “the supreme Law of the Land.” Art. VI, cl. 2. Congress can pass laws to implement those treaties, *see, e.g., Bond v. United States*, 572 U. S. 844, 851, 855 (2014), and the Executive Branch must act in accordance with them, *see, e.g., Fok Yung Yo v. United States*, 185 U. S. 296, 303 (1902). A Treaty is “essentially a contract between two sovereign nations.” *Washington v. Washington State Commercial Passenger Fishing Vessel Assn.*, 443 U. S. 658, 675 (1979). COLT Tribes’ Treaties with the United States contain numerous obligations for the United States to provide healthcare, law enforcement, economic development and other supports that manifest in modern form the Federal Budget. The United States must honor its Treaty obligations and emphasize them in the Budget process per the intergovernmental contracts between us; and

WHEREAS, Congress has chronically underfunded the Bureau of Indian Affairs (BIA) resulting in insufficient funding for Tribes, including for COLT-member Tribes and their Tribal citizens that rely on programs implemented by the BIA and have vast needs for Tribal government resources and services for their citizens ; and

WHEREAS, a cause of the BIA’s chronic underfunding is that Congress has not appropriated funding at the true level of need at the BIA and has also subjected BIA’s funding to discretionary funding through the annual appropriations process as opposed to mandatory funding; and

WHEREAS, adequate funding is essential to public safety and yet unmet need as to public safety is right up front in the Tribal Law and Order Report released by BIA-OJS in March 2024:

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**



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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.

(Emphasis supplied).

As of the 2021 budget, we are \$3 billion short on public safety and justice. 87% of Indian Country's need is completely unmet; and

WHEREAS, many of our Treaties contain promises as to agriculture, housing and education and the United States fulfills these promises to Tribes and Tribal citizens today through the Departments of Agriculture, Housing and Urban Development, and Education, among other Departments; and

WHEREAS, neither Tribes nor the United States can fulfill their mission of Tribal self-determination if Tribal governments have only one quarter or one third of the resources that the Department of the Interior has determined are the minimum needed to maintain the status quo, let alone support Tribal progress. This is true across Federal departments; and

WHEREAS, on January 27, 2025, Matthew J. Vaeth, Acting Director of the Office of Management and Budget ("OMB"), issued a memorandum ("M-25-13") directing Federal agencies to "complete a comprehensive analysis of all of their Federal financial assistance programs to identify programs, projects, and activities that may be implicated by any of the President's executive orders;" and

WHEREAS, the memorandum further required agencies to "temporarily pause **all** activities related to [the] obligation or disbursement of all Federal financial assistance, and other relevant agency acti[vities] that may be implicated by the executive orders, **including, but not limited to**, financial assistance for foreign aid, nongovernmental organizations, DEI, woke gender ideology, and the green new deal." Id. ¶ 16 (emphasis supplied); Off. of Mgmt. & Budget, Exec. Off. of the President, Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs (Jan. 27, 2025), <https://perma.cc/69QB-VFG8>; and



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WHEREAS, the memorandum defines “Federal financial assistance” as: “(i) all forms of assistance listed in paragraphs (1) and (2) of the definition of this term at 2 [C.F.R. §] 200.1; and (ii) assistance received or administered by recipients or subrecipients of any type except for assistance received directly by individuals.” Id. ¶ 17. This includes all Federal assistance in the form of grants, loans, loan guarantees, and insurance. Id. ¶ 18; see 2 C.F.R. § 200.1. As relevant executive orders, it lists:

- Protecting the American People Against Invasion (Jan. 20, 2025);
- Reevaluating and Realigning United States Foreign Aid (Jan. 20, 2025);
- Putting America First in International Environmental Agreements (Jan. 20, 2025);
- Unleashing American Energy (Jan. 20, 2025);
- Ending Radical and Wasteful Government DEI Programs and Preferencing (Jan. 20, 2025);
- Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government (Jan. 20, 2025); and
- Enforcing the Hyde Amendment (Jan. 24, 2025).

Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs, at 1-2; and

WHEREAS, the OMB memorandum was accompanied by instructions to Federal agencies to complete a spreadsheet as to more than 2,700 Federal entities and programs by February 7, 2025 with the following information:

- **Column B:** Sub-Agency or component.
- **Column C-G:** These columns contain pre-populated information on each Assistance Listing program.
- **Column H:** Identify the email of the senior political appointee responsible for overseeing this program.
- **Column I:** Indicate if the program has any pending funding announcements.
- **Column J:** Indicate if this program has any anticipated obligations or disbursement of funds through 3/15/2025.



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- **Column K:** Indicate if this program has any statutory requirements mandating the obligation or disbursement of funds through 3/15/2025.
- **Column L:** Provide the estimated date of the next obligation or disbursement of funds.
- **Column M-T:** Provide responses to each of the questions (Yes/No).
- **Column U:** Provide any additional relevant information on program or project activities.

WHEREAS, since January 23, 2025, Tribal governments and Tribal organizations that serve Tribal citizens have encountered escalating problems with Federal accounts suddenly and without explanation “zeroed out” and our access to Federal payment systems shut-off. These freezes were not limited in any way, and included everything—public safety funds, healthcare funds, waste management funds, child protective service funds, etc. Most COLT Tribes are more than fifty percent funded by Federal dollars, meaning our Tribal governments will have to shut down in days or weeks if the broad freeze persists, which would be devastating to our Tribal citizens; and

WHEREAS, Tribes do not receive Federal funds as part of any DEIA initiative. Rather, Tribal receipt of Federal monies is rooted in our government-to-government relationships with the United States memorialized in our Treaties and enshrined in the Trust responsibility, as described succinctly in [President Reagan’s January 24, 1983 Statement on Indian Policy](#):

This administration believes that responsibilities and resources should be restored to the governments which are closest to the people served. This philosophy applies not only to State and local governments but also to federally recognized American Indian tribes.

When European colonial powers began to explore and colonize this land, they entered into treaties with sovereign Indian nations. Our new nation continued to make treaties and to deal with Indian tribes on a government-to-government basis. Throughout our history, despite periods of conflict and shifting national policies in Indian affairs, the government-to-



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government relationship between the United States and Indian tribes has endured. The Constitution, treaties, laws, and court decisions have consistently recognized a unique political relationship between Indian tribes and the United States which this administration pledges to uphold.

... In support of our policy, we shall continue to fulfill the Federal trust responsibility for the physical and financial resources we hold in trust for the tribes and their members.

NOW THEREFORE BE IT RESOLVED, that the Coalition of Large Tribes (COLT) formally supports the Trump-Vance embracing the Reagan Statement on Indian Policy and showing the same respect for the government-to-government relationships with Tribes that characterized President Trump's first term; and

BE IT FURTHER RESOLVED, OMB issuing a broad Tribal exemption from any funding freeze, covering any account paying to Tribal governments or entities serving Tribal citizens.

BE IT FURTHER RESOLVED, that COLT calls upon OMB to state a presumption that any Federal funding going to Tribal governments or entities serving Tribal citizens is a legitimate Federal expense and need not be the subject of any further justification or paperwork by any Federal agency; and

BE IT FURTHER RESOLVED, that COLT calls upon OMB to effectuate the immediate restoration of all monies in any accounts zeroed out as to Tribal governments or entities serving Tribal citizens; and

BE IT FURTHER RESOLVED, that COLT calls for immediate restoration of electronic account access to any Federal payment account for Tribal governments or entities serving Tribal citizens; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of COLT until it is withdrawn or modified by subsequent resolution.



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Attest:

DocuSigned by:

Chairman J. Garret Renville

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J. Garret Renville, Chairman, Coalition of Large Tribes

Signed by:

Lisa White Pipe

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Lisa White Pipe, Secretary / Treasurer, Coalition of Large Tribes

CERTIFICATION

This resolution was enacted at virtual meeting of the Coalition of Large Tribes held January 29, 2025 at which a quorum was present, with the resolution approved unanimously.

Dated this January 29, 2025