



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Warm Springs Indian Reservation of Oregon • Crow Creek Sioux Tribe • Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation • Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Northern Cheyenne 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 • Spirit Lake Nation • Spokane Tribe • Standing Rock Sioux Tribe • Ute Indian Tribe • Ute Mountain Ute Tribe • Walker River Paiute Tribe

Resolution: February 18, 2025, 2025-Resolution #07-2025 (Virtual)

EMERGENCY RESOLUTION CALLING FOR BROAD TRIBAL EXEMPTION FROM ANY FEDERAL AUSTERITY DIRECTIVE, INCLUDING CREDIT AND PURCHASE CARD LIMITS AND ACROSS-THE-BOARD PERCENTAGE CUTS TO FEDERAL CONTRACTS AND GRANTS

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 Creek Sioux Tribe • Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation • Muscogee (Creek) Nation • Navajo Nation • Northern Arapaho Tribe • Northern Cheyenne 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 • Spirit Lake Nation • Spokane Tribe • Standing Rock Sioux 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, economic development, and education 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, 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



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

WHEREAS, a cause of the BIA’s and BIE’s chronic underfunding is that Congress has not appropriated funding at the true level of need at the BIA and BIE and has also subjected BIA’s and BIE funding to discretionary funding through the annual appropriations process as opposed to mandatory funding; 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, Articles IV and VII of the 1868 Treaty of Fort Laramie and the Navajo Treaty of 1868 specifically establish a treaty right to schools located on the Reservations of the signatories to that Treaty, and establish the right to one teacher for every 30 students served on the reservation in those schools; and

WHEREAS, the United States District of South Dakota Court ruled that similar language regarding the treaty obligation to provide a physician on the Reservations established the United States’ “duty to the Tribe under the 1868 Treaty of Fort Laramie expressed in treaty language as furnishing “to the Indians the physician” requires Defendants to provide competent physician-led health care to the Tribe’s members.” *Rosebud Sioux Tribe v. United States*, 450 F. Supp. 3d 986, 1005 (D.S.D. 2020), *aff’d*, 9 F.4th 1018 (8th Cir. 2021). Indeed, COLT Tribes’ Treaties between



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the United States and our Tribal Nations provide the original legal foundation for the Federal government’s obligation to provide health care for Tribal citizens; and

WHEREAS, the modern Federal statutory framework by which Congress fulfills its Treaty and Trust obligations to provide health care to Tribal citizens is found in the Indian Health Care Improvement Act, codified at 25 U.S.C. § 1601 *et seq.* Its statutory language describes the ongoing legal basis for requiring provisions for the health care of Indians, and shows that Congress found that these requirements are for the highest possible level of quantity and quality of health care, with the maximum participation of Indians in health care services. *Id.* The statute further declares that U.S. policy, “in fulfillment of its special trust responsibilities and legal obligations” to Native Americans, is to “ensure the highest possible health status for Indians and urban Indians and to provide all resources necessary to effect that policy.” 25 U.S.C. § 1602(1); and

WHEREAS, the administration of IHS services occurs at 12 area offices and 170 IHS- and Tribally-managed local service units. Delivery of health care services to Native Americans is provided by 46 hospitals, 344 health centers, 105 health stations, and 150 Alaska village clinics. These facilities are operated either directly by IHS or by Tribes that make self-determination contracts or self- governance compacts with IHS. Today, over half of the IHS budget is directly allocated to Tribes for the self-management of their own health care programs. In addition to reservation-based health care services, there are 34 Urban Indian Organizations that serve urban Indians with services ranging from outreach and referral to comprehensive ambulatory care. **Many of these services are delivered by contract;**

WHEREAS, the efforts of the Federal government have been insufficient to meet the promises of providing for the health and wellbeing of Tribal citizens, as a vast health disparity exists today between Native Americans and other population groups;

WHEREAS, President Trump and Secretary Kennedy recognize the shortcomings of IHS, and are working to correct these wrongs, as Secretary Kennedy recently explained to Indian Country Today: “The Indian Health Service has always been treated as the redheaded stepchild at HHS,” HHS Secretary Robert F. Kennedy Jr. in a written statement to ICT. “My father often complained that IHS was chronically understaffed and underfunded. President Trump wants me to rectify this sad history. Indians suffer the highest level of chronic disease of any demographic. IHS will be a priority over the next four years. President Trump wants me to end the chronic disease epidemic beginning in Indian country;” and



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WHEREAS, inconsistent with the Trump-Vance Administration’s goals to improve conditions for Tribal citizens, including with respect to education and healthcare, COLT has learned of impending potential Federal austerity measures that would have serious and dramatic consequences if applied to Tribal programs and services. This includes all Federal credit cards and purchase cards being reduced immediately to a \$1 limit, which we understand is slated to be announced and effective February 25, 2025; and massive budget cuts to all contracts and grants at DOI and HHS of 40% and 50% across-the-board, respectively. We have heard these figures from multiple Federal sources, but are uncertain as to their accuracy. Given the magnitude of the implications for Tribes, COLT believes immediate action and engagement with the Trump Administration is necessary; and

WHEREAS, any such limits and reductions would be devastating to service delivery. Some examples are: BIE schools use purchase cards to pay for school lunches and gas for school buses, residential schools use them to pay for all meals, and BIA-OJS uses them to pay for meals for those in detention; and

WHEREAS, in another series of examples; many Tribal leaders rely on GSA credit cards for their governmental travel; IHS relies on cards to purchase fuel for ambulances and patients; BIA law enforcement and Federal firefighters rely on cards to access training and, for COLT Tribes, to often drive long distances each way (3 to 9 hours) to testify in Federal courts. Limiting credit cards and purchase cards to \$1 would make service delivery impossible; and

WHEREAS, Indian Country is already orders of magnitude short its full needs with respect to Treaty obligations to public safety, health care and education. COLT Tribes paid in advance for these services in our Treaties, in exchange for the lands that now make our country great. There is no basis to decrease funding or take any other actions that makes service delivery even more difficult and ineffective than it already is. Any reductions violate our Treaties; and

WHEREAS, only Tribal exemptions from these sorts of measures will protect lives that will be endangered by their application to Federal programs serving Tribal governments and Tribal citizens; and

WHEREAS, COLT Resolution #04-2025 (Rapid City), *RESOLUTION OF COLT SUPPORT FOR UPHOLDING TREATIES, THE FEDERAL TRUST RESPONSIBILITY, AND TRIBAL SOVEREIGNTY BY WAY OF MEANINGFUL TRIBAL CONSULTATION* (Feb. 18, 2025), called upon the Trump Administration and all relevant Federal agency offices to **engage in meaningful Tribal**



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consultation before any Federal decisions are made that impact Tribal Nations in order to meet the Treaty obligations of the United States, Federal statutes, other Federal laws and Federal court decisions, and to fulfill its longstanding Trust responsibilities to Tribal Nations and our citizens;

NOW THEREFORE BE IT RESOLVED, that the Coalition of Large Tribes (COLT) requests a Tribal exemption from any Federal credit card or purchase card limits or cancellations for any cardholder who serves a Tribal government or provides services to Tribal citizens; and

BE IT FURTHER RESOLVED, that COLT requests a Tribal exemption from any across-the-board budget cuts, including contracts or grants, of any percentage; and

BE IT FURTHER RESOLVED, that COLT calls upon OMB to issue a blanket waiver of the application of any austerity directives as to any Federal program serving Tribal governments or entities serving Tribal citizens; and

BE IT FURTHER RESOLVED, that if the OMB does not issue a blanket Tribal exemption from austerity directives, COLT calls for an immediate pause of at least one week to allow for further Secretarial review of any information related to how such directives would impact any Federal program serving Tribal governments or entities serving Tribal citizens; and

BE IT FURTHER RESOLVED, that because Tribal-Federal treaties often expressly guaranteed education, health, and protection (public safety), among many other promises, in exchange for peace and vast amounts of land cessions that now make America great; and executive orders, memos, and agency policies all require Tribal consultation before any Federal agency action that negatively impacts Tribal Nations and their citizens. Consequently, the proposed unilateral austerity directives violate hundreds of Federal-Tribal treaties, ignore Tribal consultation, and is a violation of our longstanding Trust relationship. As such, and at a minimum, we request an immediate pause in any austerity directive affecting Tribal Nations and ask for a week to consult about the devastating impacts that this will have on Tribal Nations and our citizens and on what we know to be the Trump-Vance Administration's many positive and important goals to help Indian Country to improve Tribal health, bolster Tribal economic development, unleash American energy, including on Tribal lands, and other priorities—all of which would be crushed by such across-the-board cuts; and



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BE IT FURTHER RESOLVED, that Tribal Nations must be respected and empowered to lead our communities. Tribal Nations are in the best position to serve and govern our own communities; and Federal policy must include Tribal leaders’ voices and perspectives with any Federal decision impacting our Tribal communities; and

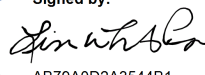
BE IT FINALLY RESOLVED, that this resolution shall be the policy of COLT until it is withdrawn or modified by subsequent resolution.

Attest:

Signed by:

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J. Garret Renville, Chairman, Coalition of Large Tribes

Signed by:

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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 February 24, 2025 at which a quorum was present, with the resolution approved unanimously.

Dated this February 24, 2025