COLT

COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Colville Reservation • 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

July 7, 2025

The Honorable Doug Burgum, Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

RE: Coalition of Large Tribes' Comments on Indian Affairs' Implementation of Executive Order 14210

Dear Mr. Secretary:

I write as Chairman of the Coalition of Large Tribes (COLT)—an intertribal organization representing the interests of the more than 50 tribes with reservations of 100,000 acres or more, encompassing more than 95% of the Indian Country lands and more than half the Native American population—to address the questions posed[1] in the Department's recent consultations. We focus our comments in two areas: (1) funding and budgeting; and (2) public safety through BIA-OJS.

[1] Restructuring of Indian Affairs:

- What recommendations would you make to Indian Affairs to improve efficiency through staffing changes, resource sharing, process improvements, and potential consolidation of programs and offices?
- Addressing current funding structures:
- Indian Affairs is seeking input on how to better support Tribes by reducing the administrative burden to access and administer funding, improving communications with Tribes on funding opportunities, and improving technical assistance and direct support to Tribes to obtain and administer funding.
- Increasing Indian Affairs support for Tribal self-governance and self-determination:
- How can Indian Affairs optimize its functionality and effectiveness to provide Tribes with improved flexibility to foster economic growth, address the specific local needs of their communities, and increase pathways to self-determination and self-governance?

The budget issues are addressed herein. Attached hereto is testimony by Troy Eid, the country's leading expert on tribal public safety who served as Chair of the Indian Law and Order Commission and as U.S. Attorney for Colorado 2006-2009. We have tried to be very specific. We hope you find our ideas helpful. COLT leaders stand ready to work with the Administration as you implement President Trump's important policy objectives to achieve the highest and best for Indian Country.

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. "From the commencement of our government, congress has passed acts to regulate trade and intercourse with the Indians; which treat them as nations, respect their rights, and manifest a firm purpose to afford that protection which treaties stipulate." *Worcester v. The State of Georgia*, 31 U.S. 515, 556-57 (1831). These are fundamental principles rooted in the separation of powers and the authority of Indian tribes as sovereign states. *Washington v. Washington State Commercial Passenger Fishing Vessel Ass'n*, 443 U.S. 658, 675, *modified sub nom. Washington v. United States*, 444 U.S. 816 (1979) ("A treaty, including one between the United States and an Indian tribe, is essentially a contract between two sovereign nations."). Our Treaties are binding contracts in perpetuity entered into in exchange for the lands that make our United States of America great.

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.

Funding and Budget Issues

We appreciate the Administration's recognition of the importance of advancing self-determination and self-governance. However, to achieve this shared goal there are several areas COLT needs the Administration's support through policy and budget actions. Two key areas which are impediments to effective contracting and compacting under the Indian Self Determination and Education Assistance Act (ISDEAA) are (1) new review actions which are making it harder to obligate funding in a timely fashion; and (2) potential lack of transparency of funding information in budget materials.

Obligating funding in a timely fashion

There are several factors which are slowing down obligation of funding within Indian Affairs bureaus. First, the hiring freeze established at the beginning of the Administration is resulting in lower spending rates on salaries and expenses. The second area is the new grant review process required by the Office of Management and Budget for awards of over $2 million. Third, the Department of the Interior's Office of Policy, Management and Budget's required review of all acquisition actions above $50,000. These actions combined with lower staffing levels to implement program activities means there is more risk that a larger amount of Indian Affairs funding will expire at the end of this fiscal year. We recommend the following to avoid expiration of funding and ensure timely and effective expenditure of funding:

- DOI and OMB expedite their review processes of any Indian Affairs cooperative agreements or grants pending approval.
- Expedite the acquisition review process for any pending requests.
- Approve hiring freeze waivers for BIA to hire additional awarding officials, these staff are critical to getting tribal funds allocated in a timely and accurate fashion and BIA was understaffed before the hiring freeze went into place.
- Ensure DOI's Office Policy Management and Budget and OMB support Indian Affairs in reprogramming any remaining expiring FY 2024 balances into Tribal Priority Allocation funding lines for BIA to quickly award them to Tribes.

Ensuring transparency for budget data

At the heart of effective contracting and compacting is the assumption that Indian Affairs will conduct services BIA used to provide on behalf of the Secretary. Part of achieving an effecting contracting relationship is ensuring Tribes have access to the same information regarding funding as Indian Affairs bureaus. Based on the significantly reduced level of detail of funding information in the Department of the Interior's FY 2026 Budget in Brief (BIB), we are concerned that the FY 2026 Budget Justifications may also contain less detail.

The BIB stops providing detail on funding at the Budget Activity Level, such as "Human Services" or "Public Safety and Justice." Typically, Budget materials report a level deeper. For example, budget information for Human Services includes more detailed funding for programs such as Social Services or Welfare Assistance. The addendum to this letter makes clear the change

in detail available in the BIB. The BIA, BIE, and BTFA FY 2026 budget justifications are not publicly available yet, so we are basing our feedback on the BIB.

Like any business, Tribes who contract and compact need to be able to project how much funding will be available to maintain proper levels of staff and other operational needs. Additionally, transparency of information is critical to the ongoing consultation process with Tribes regarding the budget. We cannot adequately analyze the administration's proposal and provide feedback without sufficient detail. We recommend the following to ensure adequate transparency of budget information for the BIA, BIE and BTFA FY 2026 budget justifications:

- Provide levels of funding typical in past budget years (Example 2 in Addendum) down to subactivity and program element levels, as necessary.

- Include the budget justification appendix tables published in the past for BIA and BIE which make clear the funding levels for Tribally contracted and compacted programs and Tribally operated schools funded by BIE:

    - Tribal Priority Allocations by Location Table (Example 3 in Addendum).
    - Consolidated Tribal Government Program funding by Tribe (Example 4 in Addendum)

    - Public Safety and Justice funding for Law Enforcement and Detention and Corrections programs by location and Tribe (Example 5 in Addendum)

    - Operation of Indian Education Programs Funding Distributions (Example 6 in Addendum)

- If the budget data identified above are not included in the FY 2026 budget justifications, we recommend they are published on the Indian Affairs website.

Next, Secretary Burgum, we write in support of a strong budget for Indian Country as the Department of the Interior begins to develop the FY 2027 President's budget. You and other members of the Administration have stated the importance of critical goals such as advancing self-

determination and self-governance and facilitating energy production; we believe the FY 2027 budget is a critical opportunity to take the right actions to advance these goals together.

Under our 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). 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 in the Federal Budget. The United States must honor its Treaty obligations and emphasize them in the Budget process.

Getting the appropriate level of funding for FY 2027 is especially critical because the Indian Affairs budget was reduced or held flat in FY 2024 and FY 2025, and the Trump Administration is proposing significant cuts for FY 2026. These reduced funding levels are particularly challenging given the costs of inflation and the increase in funding required for other legally required payments like 105(l) tribal leases, Contract Support Costs and Indian Water Rights Settlements. This is the year to begin to move in the right direction to ensure the Federal Government can meet its Trust and Treaty Requirements. Below are highlights of the Coalition of Large Tribes' Budget Priorities to inform your decisions on the FY 2027 budget.

Budget Priorities

Redirection of savings from workforce efficiencies to Tribal programs: FY 2027 will be the first year the Trump Administration will start to realize savings from Workforce Efficiency actions initiated in FY 2025. The cost of the Deferred Resignation Program and other workforce planning actions for Indian Affairs will last through the end of FY 2026. For the FY 2027 budget, we recommend the Administration redirect any savings from reduced staffing levels to Tribal contracts and compacts.

Supporting self-governance and self-determination: To support the Administration's goal to increase Self-Governance and Self-Determination it is necessary to increase funding for Tribal Priority Allocation budget lines. Any cuts to this funding discourage additional contracting and compacting of funding.

We appreciate the Administration's request for additional 105*(l)* tribal lease funds in FY 2026. However, the Administration also needs to allocate additional funding for staff needed to process the quickly growing number of leases. Currently, Tribes wait a significant amount of time

for these leases to be completed due to insufficient staff. A handful of staff and contractors are not sufficient to process over 1,000 lease requests a year.

Increasing public safety and justice: The FY 2026 President's budget proposes to reduce BIA public safety and justice programs by over $80 million. These cuts are particularly troubling given that BIA's most recent Tribal Law and Order Act Report estimated an additional $3 billion is needed to meet law enforcement needs and the fact that crime rates in Indian Country are higher than national averages, and this cannot persist. We recommend a significant increase in FY 2027 for law enforcement. Additionally, the FY 2026 budget indicated that BIA and Indian Country could leverage programs in the Department of Justice. We've yet to see any evidence, technical assistance or outreach from the Administration showing how DOJ funding sources would come remotely close to making up for the proposed reductions to BIA funded programs.

Facilitating energy production and Infrastructure permitting: Sufficient realty staff and investments in information technology are necessary to ensure that BIA can process leases, rights of way and environmental permits in a timely fashion to enable energy production and distribution and infrastructure development. We encourage you to prioritize BIA realty programs and related areas of support in the FY 2027 budget.

Advancing economic development: Investments in programs like the Indian Guaranteed Loan Program, Housing Improvement, Road Maintenance, and Buffalo Management broaden the resources Tribes have available beyond federal funding, and we recommend increased funding for these areas. We appreciate your stated support in appropriations hearings to reduce the Probate backlog. The number of open probate cases significantly impedes effective use of land in Indian Country. Process improvements will be an important part of reducing the Probate case backlog, but additional resources for staff and technology are necessary.

Improving education. All the COLT member Tribes combined have a significant percentage of BIE funded schools, as a result proper levels of funding for BIE are critical for ensuring our children and youth receive a quality education. Reductions to BIE funding for core school operational costs limit the ability of our schools to provide quality education, especially given the schools are also facing increased costs for transportation and other areas due to inflation.

All our children should be in high quality, modern facilities to improve education attainment. Currently, this is not the case. Elimination of funding for school and facility replacement construction will halt or significantly diminish projects such as Cheyenne Eagle Butte, and reduction of Facility Improvement and Repair funding will result in a larger deferred

maintenance backlog. We need to do better for our children and fund these facility programs appropriately.

With the advances of AI and interest in expanding manufacturing in the United States, proper investment in Tribal Colleges and Universities and Tribal Technical Colleges is more important than ever to ensure Indian Country has a competitive workforce. The FY 2026 budget proposals to eliminate about 90% of postsecondary educational investments is a move in the wrong direction for the future. We recommend increased investments in postsecondary education to ensure Tribes have a competitive workforce to advance entrepreneurship, innovation, self-governance, and self-determination.

Funding to support Indian Country in Bureaus outside of Indian Affairs: Interior bureaus outside of Indian Affairs play a critical role in supporting Indian Country. For example, we recommend Interior reverse course on the significant reductions proposed in FY 2026 to the Historical Preservation Program at the National Park Service. The reductions proposed in FY 2026 appear to eliminate all funding for Tribal Historical Preservation Officers need to ensure timely processing of permits for energy and infrastructure and to protect the cultural heritage of Tribes. As Interior reduces the size of its bureaucracy and identifies strategies to eliminate red tape, we also recommend the Department explore expanded use of ISDEAA contracting and compacting in bureaus outside of Indian Affairs to rely more on Tribes to deliver critical services. **We suggest starting with areas where multiple bureaus work on related topics such as buffalo management because buffalo are MAHA and economic development for tribes—an area of policy synergy that will have broad positive impacts for Tribes**.

COLT calls on the Trump Administration to honor the contractual obligations the United States made in Treaties with Tribes, including with dramatic funding increases and mandatory funding in the federal Budget process for the Bureau of Indian Affairs. Our Treaties require nothing less. We look forward to meeting with you both to discuss our budget priorities in more detail.

Lastly, but certainly note least, we refer you to Addendum 2, Troy Eid's testimony which he delivered on COLT's behalf on June 12, 2025 at the Bismarck, North Dakota consultation. As you know, public safety is COLT's number one priority. That cannot be achieved if BIA-OJS continues to be abysmally funded.

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 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)(noting the 2.8 officer standard is inadequate in communities like large land base tribes which face much more significant jurisdictional challenges than other rural governments).

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

COLT and other tribal organizations have long proposed solutions to address public safety gaps in Indian Country. *See* Oversight Hearing "Opportunities and Challenges for Improving Public Safety in Tribal Communities" | Coalition of Large Tribes; COLT-Resolution-04-2022.pdf (largetribes.org); SAC-22-043-FINAL-SIGNED-WITH-ATTACHMENT.pdf (largetribes.org). This includes budgetary measures to recruit, train, and retain law enforcement officers, build and maintain adequate detention facilities on reservations, and invest in behavioral health and healthcare services to support detention population rehabilitation and wellness.

Fentanyl is a crisis on many COLT Member Tribes' reservations. Conditions exist that incentivize omni-present criminal activity by non-Indians on our reservations, which criminals use in their drug distribution networks because they know they will not be prosecuted, with little investigative or prosecutorial efforts by the FBI and U.S. Attorneys' offices. *See, e.g.,* Tribal Leaders Warn Biden's Menthol Ban Will Only Further Empower Cartels | National Review ("The cartels have a 'big presence' in his community, where tribal police don't have authority over nonmembers. They pretty much feel unmatchable; they're just brazen, out in the open. It's almost

like it's raining fentanyl on our community"); Mexican drug cartels are targeting America's 'last best place.'

Criminal elements who target reservations are empowered by tribes' lack of criminal jurisdiction over non-Indians. They know they can get away with anything—that little to no law enforcement presence is available and prosecution is exceedingly unlikely even if they are arrested because of federal declination rates. Congress has known this for decades. Indeed, a generation after the U.S. Supreme Court's decision in *Oliphant v. Suquamish Tribe*, finding that tribes had been implicitly divested of criminal jurisdiction over non-Indians because of tribes' status as "conquered peoples," then-United States Senator Ben Nighthorse Campbell questioned the impact of *Oliphant* and observed that "the word is out that people can get off the hook, so to speak, if they are not Indian and they do something on Indian land." S. Hrg. 107-605.

The Trump-Vance Administration has taken steps to address the public safety and border emergencies, including the fentanyl crisis, facing the United States, such as President Trump's January 20, 2025 Executive Order, *Protecting the American People Against Invasion*.

Fully funded Tribal law enforcement could be cross-deputized as Customs & Border Patrol agents; detention facilities could efficiently and quickly be sited on large land base reservations; Tribes need community-based officer training facilities, particularly in the Great Plains Region, to support the additional 25,655 officers that are needed at a minimum to support our reservations' rural law enforcement; and Tribal governments can best provide IDs to Tribal citizens who need identification to prove their citizenship status, whether on or off reservations—and all of these initiatives would further support public safety broadly. Tribal governments can be critical partners to the United States in addressing the border and public safety crises facing the nation, if funded at the same rate as comparable off-reservation facilities and officer salaries.

Mr. Eid's testimony explores this topic in much greater detail.

Thank you to you and your team, Mr. Secretary, for considering our views. As I stated at the outset, COLT stands ready to work with you to make the Trump Administration's positive vision for Indian Country a reality.

With utmost respect,

Signed by:
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J. Garret Renville, Chairman
Coalition of Large Tribes; Chairman, Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota

Addendum 1

Example 1 – Comparing more detailed provided in past to less detail in FY 2026 Interior Budget in Brief: More Detail: FY 2025 and previous year Interior Budget in Brief table for BIA at the Budget Activity and Subactivity level. There is enough detail in this table to allow Tribes to plan for funding levels for key programs like law enforcement, road maintenance, social services. Versus: **Less Detail FY 2026 Interior Budget in Brief table for BIA at the Budget Activity level.** There is considerably less detail than usual in FY 2026 BIB. With funding amounts aggregated it is not possible to know funding amounts for key budget lines that support Tribal contracts and compacts.

HIGHLIGHTS OF BUDGET CHANGES
By Appropriation Activity/Subactivity

APPROPRIATION: Operation of Indian Programs

	2023 Actual	2024 CR	2025 Request	Change
Tribal Government				
Aid to Tribal Government	29,037	29,037	33,024	+3,987
Consolidated Tribal Government Program *(TPA)*	82,467	82,467	89,499	+7,032
Self-Governance Compacts *(TPA)*	200,398	200,398	251,158	+50,760
New Tribes *(TPA)*	480	480	0	-480
Small Tribes Supplement *(TPA)*	7,002	7,002	1,734	-5,268
Road Maintenance *(TPA)*	39,190	39,190	50,084	+10,894
Tribal Government Program Oversight	10,414	10,414	13,180	+2,766
Subtotal, Tribal Government	368,988	368,988	438,679	+69,691
Human Services				
Social Services *(TPA)*	54,934	54,934	79,282	+24,348
Welfare Assistance *(TPA)*	78,494	78,494	78,494	0
Indian Child Welfare Act *(TPA)*	17,848	17,848	25,730	+7,882
Housing Improvement Program *(TPA)*	12,219	12,219	17,981	+5,762
Human Services Tribal Design *(TPA)*	218	218	226	+8
Human Services Program Oversight	3,272	3,272	3,442	+170
Subtotal, Human Services	166,985	166,985	205,155	+38,170

HIGHLIGHTS OF BUDGET CHANGES
By Appropriation Activity

APPROPRIATION: Operation of Indian Programs

	2024 Actual	2025 Notional [1/]	2026 Request
Tribal Government	[398,987]	401,296	252,988
Human Services	[163,747]	163,453	65,640
Trust—Natural Resources Management	[322,349]	320,369	101,196
Trust—Real Estate Services	[165,887]	170,008	86,284
Public Safety and Justice	[555,559]	560,263	476,078
Community and Economic Development	[30,546]	30,524	9,764
Executive Direction and Administrative Services	[260,634]	251,796	225,433
TOTAL APPROPRIATION	1,898,550	1,897,709	1,217,383

[1/] Resource levels included are estimates. The President reserves his authority under the "Full-Year Continuing Appropriations and Extensions Act, 2025" (P.L. 119-4) to revise spending within the amounts provided by Congress.

Example 2 – Budget Justification table with Budget Activity, Subactivity and Program element levels – Public Safety and Justice sample. The FY 2025 Congressional Budget justification and the previous justifications for at least the last 3 decades included the budget Activity (Public Safety and Justice), the Subactivity (Law Enforcement) and Program Elements (Criminal Investigations and Police Services. This information is necessary for Tribes to assess the Administration's proposal and understand the level of funds their will receive to conduct contracted and compacted activities.

PUBLIC SAFETY AND JUSTICE
(Dollars in thousands)

Subactivity Program Element	2023 Enacted	2024 Annual-ized CR	2025 Fixed Costs	2025 Internal Transfers	2025 Program Change	2025 President's Budget	Change from 2024 Annualized CR
Law Enforcement	506,290	506,290	+6,208	+555	+66,104	579,157	+72,867
FTE	*751*	*751*			*+136*	*887*	*+136*
Criminal Investigations & Police Services	274,152	274,152	+3,570		+41,942	319,664	+45,512
FTE	*398*	*398*			*+87*	*485*	*+87*
Detention/Corrections	136,324	136,324	+1,933	+555	+17,584	156,396	+20,072
[Juvenile Detention Center Education]				[+555]		[555]	[+555]
FTE	*203*	*203*			*+40*	*243*	*+40*
Inspections/Internal Affairs	3,751	3,751	+76		+140	3,967	+216
FTE	*19*	*19*				*19*	
Law Enforcement Special Initiatives	25,094	25,094	+253		+347	25,694	+600
FTE	*49*	*49*				*49*	
Indian Police Academy	5,163	5,163	+80		+169	5,412	+249
FTE	*20*	*20*				*20*	
Tribal Justice Support	34,836	34,836	+20		+1,883	36,739	+1,903
FTE	*5*	*5*				*5*	
Law Enforcement Program Management	7,391	7,391	+120		+1,724	9,235	+1,844
FTE	*26*	*26*			*+9*	*35*	*+9*
Facilities Operations & Maintenance	19,579	19,579	+156		+2,315	22,050	+2,471
FTE	*31*	*31*				*31*	
Tribal Courts (TPA)	71,770	71,770	+484	-26,461	+24,669	70,462	-1,308
[Courts O&M]	[2,000]	[2,000]			[+3,000]	[5,000]	[+3,000]
FTE	*16*	*16*				*16*	
Fire Protection (TPA)	1,665	1,665	+71	-210	+64	1,590	-75
Total Requirements	**579,725**	**579,725**	**+6,763**	**-26,116**	**+90,837**	**651,209**	**+71,484**
FTE	*767*	*767*			***+136***	***903***	***+136***

Example 3 – BIA and BIE Congressional Justification Budget Appendix Tribal Priority Allocation Table by Location. This table is critical for Tribes to confirm the TPA funding levels they are receiving and understand the direct services funding amounts by location. For example, in the table below, the amount for the Rosebud Agency is the amount of funding BIA provided for direct services for Rosebud Sioux Tribe such as $263,000 for Probate. Rosebud Sioux Tribe could opt to contract for probate for these funds. The table also shows that Rosebud received $466,000 for its contracted activity for Social Services. There is a similar Tribal Priority Allocation Table by Location in the Bureau of Indian Education for the two TPA programs they distribute, Scholarships and Adult Education and Johnson O'Malley.

FY 2023 ENACTED TPA - BASE FUNDING
Dollars in Thousands ($000)

ACTIVITY SubActivity	FORT TOTTEN AGENCY	Spirit Lake Tribe	PINE RIDGE AGENCY	Oglala Sioux Tribe of Pine Ridge	ROSEBUD AGENCY	Rosebud Sioux Tribe	YANKTON AGENCY	Yankton Sioux Tribe	Ponca Tribe of Nebraska
TRIBAL GOVERNMENT									
Aid to Tribal Government (TPA)		42		452				50	
Consolidated Tribal Gov't Program (TPA)						1,797			1,131
Road Maintenance (TPA)		0				0			
HUMAN SERVICES									
Social Services (TPA)	318	1,544	618	410	167	466	377	142	21
Indian Child Welfare Act (TPA)		678		166		116		80	12
Housing Program (TPA)		295		39		0			
Human Services Tribal Design (TPA)									
TRUST-NATURAL RESOURCES MANAGEMENT									
Natural Resources (TPA)		4		137				0	
Agriculture Program (TPA)	108		529	13	498		59	2	
Forestry Program (TPA)			18		0				
Water Resources Program (TPA)				109					
Wildlife & Parks Program (TPA)		65		250				59	
Energy & Minerals Program (TPA)									
TRUST-REAL ESTATE SERVICES									
Trust Services (TPA)			116		0				
Probate (TPA)	84		326		263		143		
RES Program (TPA)	395		793		890		144	2	
EQ Program (TPA)									
Rights Protection (TPA)									
PUBLIC SAFETY AND JUSTICE									
Tribal Courts (TPA)		312		1,878		1,426		145	79
Fire Protection (TPA)		51						4	
COMMUNITY & ECONOMIC DEVELOPMENT									
Job Placement & Training (TPA)		5		386		197		112	
Economic Development (TPA)				221				3	195
EXECUTIVE DIRECTION AND ADMIN SERVICES									
Executive Direction (TPA)	245		370		1,027		388		
Administrative Services (TPA)	59		294		0		111		
TOTAL, TPA BASE FUNDING	**1,210**	**2,996**	**3,065**	**4,063**	**2,845**	**4,002**	**1,223**	**597**	**1,438**

Appendix-2-2

Example 4 - Consolidated Tribal Government Program (CTGP) Breakout. Under the CTGP line item, Tribes can merge and consolidate several programs into a single contract activity to engage in a simpler and more flexible method for setting priorities, goals, and objectives. The combination of activities of similar character gives Tribes the most effective means of setting priorities and operating programs consistent with Tribal goals and objectives, as well as with Federal laws and regulations. It is critical for Tribes to have access to this table to be on the same page with BIA regarding what program funding is merged into CTGP.

CTGP Breakout
FY 2023 Enacted
(Dollars)

ACCOUNT ACTIVITY Sub Activity Program Element	GREAT PLAINS TOTAL	Flandreau Santee Sioux	Cheyenne River Sioux	Three Affiliated Tribes of Fort Berthold	Rosebud Sioux	Ponca (NE)	Lake Traverse Reservation	Standing Rock Sioux Tribe	Omaha (NE)	Winnebago
TOTAL CTGP	14,304,966	351,525	2,680,160	2,763,796	1,797,391	1,130,724	688,958	2,823,877	1,164,916	903,619
BUREAU OF INDIAN AFFAIRS										
OPERATION OF INDIAN PROGRAMS	11,565,971	316,525	2,132,160	2,218,796	1,797,391	901,910	688,958	1,961,696	899,916	648,619
TRIBAL GOVERNMENT	2,804,571	11,525	670,160	343,296	361,171	621,878	275,000	397,408	104,535	19,598
Aid to Tribal Government (TPA)	2,587,731	11,525	670,160	343,296	361,171	621,878	275,000	180,568	104,535	19,598
New Tribes (TPA)	0									
Small Tribes Supplement (TPA)	0									
Road Maintenance (TPA)	216,840							216,840		
HUMAN SERVICES	1,094,033	78,000	92,000	528,000		280,033		30,000	86,000	
Social Services (TPA)	845,187	70,000		455,500		233,687			86,000	
Indian Child Welfare Act (TPA)	248,846	8,000	92,000	72,500		46,346		30,000		
Housing Program (TPA)	0									
Human Services Tribal Design (TPA)	0									
TRUST - NATURAL RESOURCES MANAGEMENT	2,931,552	37,000	340,000	590,000	999,497		104,000	685,534	91,000	84,521
Natural Resources (TPA)	333,651				305,651		28,000			
Agriculture Program (TPA)	381,136	37,000		130,000				214,136		
Forestry Program (TPA)	348,650				348,650					
Water Resources Program (TPA)	766,479			130,000	345,196			291,283		
Wildlife & Parks Program (TPA)	1,101,636		340,000	330,000			76,000	180,115	91,000	84,521
Energy & Minerals Program (TPA)	0									
TRUST - REAL ESTATE SERVICES	463,000			220,000				100,000	48,000	95,000
Trust Services (TPA)	0									
Probate (TPA)	0									
RES Program (TPA)	363,000			220,000					48,000	95,000
EQ Program (TPA)	100,000							100,000		
Alaskan Native Programs (TPA)	0									
Rights Protection (TPA)	0									
PUBLIC SAFETY & JUSTICE	3,430,593	190,000	1,030,000	455,000			309,958	682,754	427,381	335,500
Tribal Courts (TPA)	3,379,712	190,000	1,030,000	455,000			309,958	682,754	382,000	330,000
Fire Protection (TPA)	50,881								45,381	5,500
COMMUNITY & ECONOMIC DEVELOPMENT	842,223			82,500	436,723			66,000	143,000	114,000
Job Placement & Training (TPA)	76,000								76,000	
Economic Development (TPA)	766,223			82,500	436,723			66,000	67,000	114,000
EXECUTIVE DIRECTION & ADMINISTRATIVE SERVICES										
Administrative Services (TPA)	0									
BUREAU OF INDIAN EDUCATION										
OPERATION OF INDIAN EDUCATION PROGRAMS	2,738,995	35,000	548,000	545,000		228,814		862,181	265,000	255,000
Johnson-O'Malley Assistance Grants (TPA)	45,181		33,000					12,181		
Tribal Colleges & Universities Supplements (TPA)	35,000	35,000								
Scholarships & Adult Education (TPA)	2,658,814		515,000	545,000		228,814		850,000	265,000	255,000

Example 5 – Public Safety and Justice funding for Law Enforcement and Detention and Corrections programs by location and Tribe. This table is critical for Tribes to confirm the funding levels they are receiving from BIA Public Safety and Justice for direct service and contracted programs for law enforcement and detentions and corrections.

Base Public Safety and Justice Funding

Bureau Location / Tribe	Program Operation	LE Program Count	State	FY 2023 Enacted Base Funding
Criminal Investigations & Police Services:				
NAGPRA Implementation	Bureau		National	1,495,369
CLEO Program (All $ To Tribes)	Bureau		National	1,000,000
FY 2023 Increase for New LE Programs	Bureau		National	7,000,000
McGirt Funds - Reserve	Bureau		National	1,000,000
Nationwide Body-worn Camera System	Bureau		National	4,000,000
Nationwide Drug Enforcement Unit	Bureau		National	12,633,081
Nationwide School Resource Officer Program	Bureau		National	1,295,677
Nationwide K-9 Officer Unit	Bureau		National	1,611,604
Nationwide Background Investigations Unit	Bureau		National	1,995,369
Nationwide Missing & Murdered Unit	Bureau		National	3,443,215
National Oversight - Law Enforcement	Bureau		National	7,044,042
District 1				
D1 - District 1 LE Office - OJS	Bureau	N/A	SD	1,613,340
D1 - Crow Creek Agency OJS	Bureau	1	SD	1,506,272
D1 - Ft. Berthold Agency OJS	Bureau	2	ND	594,334
D1 - Ft. Totten Agency OJS	Bureau	3	ND	2,103,618
D1 - Lower Brule Agency OJS	Bureau	4	SD	1,478,684
D1 - Pine Ridge Agency OJS	Bureau	5	SD	0
D1 - Standing Rock Agency OJS	Bureau	6	ND	3,309,950
D1 - Turtle Mountain Agency OJS	Bureau	7	ND	2,457,771
D1 - Winnebago Agency OJS	Bureau	8	NE	1,028,004
D1 - Yankton Agency OJS	Bureau	9	SD	90,147
D1 - Cheyenne River Sioux Tribe	Tribe	10	SD	2,331,033
D1 - Flandreau Santee Sioux Tribe	Tribe	11	SD	362,915
D1 - Oglala Sioux Tribe of Pine Ridge	Tribe	12	SD	5,678,013
D1 - Omaha Tribe of Nebraska	Tribe	13	NE	1,787,388
D1 - Rosebud Sioux Tribe	Tribe	14	SD	3,387,926
D1 - Santee Sioux Tribe	Tribe	15	NE	487,629
D1 - Sisseton Wahpeton Sioux Tribe	Tribe	16	SD	1,034,725

Example 6 – BIE Congressional Justification Budget Appendix Tribal Priority Allocation Table by Location. About 150 of the 183 BIE funded schools are Tribally operated. It is critical for Tribes to have access to formula distributions to ensure proper payments and understand BIE's distribution methodology.

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN EDUCATION

Appendix 3 - Operation of Indian Education Programs Funding Distributions

Indian School Equalization Program (ISEP) funding distribution. The Indian School Equalization Program (ISEP) funds most operating costs for BIE schools.

Distribution of ISEP Funds for School Year 2023-2024					
	School Name	**State**	**Three Year Average ADM**	**Three Year Average WSU**	**ISEP Funding**
1	Black Mesa Community School	AZ	70.36	91.36	$682,160
2	Blackwater Community School	AZ	355.22	413.14	$3,084,900
3	Casa Blanca Day School	AZ	353.24	403.42	$3,012,320
4	Chilchinbeto Community School Inc.	AZ	142.60	162.08	$1,210,270
5	Cottonwood Day School	AZ	199.72	223.31	$1,667,450
6	Cove Day School	AZ	46.16	65.05	$485,750
7	Dennehotso Boarding School	AZ	182.13	234.68	$1,752,370
8	Dilcon Community School	AZ	196.13	299.31	$2,234,960
9	Dishchii'bikoh Community School	AZ	711.19	826.02	$6,167,860
10	First Mesa Elementary School	AZ	146.45	164.34	$1,227,100
11	Gila Crossing Day School	AZ	489.90	544.15	$4,063,170
12	Greasewood Springs Community School	AZ	178.29	285.58	$2,132,440

Distribution of SY 2023 -2024 Transportation Funds

This table provides distribution of Student Transportation Funds to each school for the most recent school year.

Distribution of Student Transportation Funds for School Year 2023-2024							
	School Name	State	Per Day Miles	Boarding Miles Per Trip	Charter/ Commercial Costs	Annual Air Costs	Total Transportation Funds
1	Black Mesa Community School	AZ	982.60	0.00	0	0	868,944.42
2	Blackwater Community School	AZ	272.33	0.00	0	0	240,830.08
3	Casa Blanca Day School	AZ	485.00	0.00	0	0	428,900.92
4	Chilchinbeto Community School Inc.	AZ	110.47	0.00	1,892	0	97,688.60
5	Cottonwood Day School	AZ	615.20	0.00	0	0	544,040.92
6	Cove Day School	AZ	138.80	0.00	0	0	122,745.25
7	Dennehotso Boarding School	AZ	170.80	167.80	0	0	154,341.45
8	Dilcon Community School	AZ	486.27	266.20	0	0	435,255.34
9	Dishchii'bikoh Community School	AZ	457.00	0.00	0	0	404,139.63
10	First Mesa Elementary School	AZ	214.00	0.00	0	0	189,247.00
11	Gila Crossing Day School	AZ	192.00	0.00	0	0	169,791.71
12	Greasewood Springs Community School	AZ	298.00	238.00	0	0	268,208.01
13	Greyhills High School	AZ	560.60	191.00	0	0	499,509.90

Distribution of FACE funds for School Year 2023-2024

This table provides school level funding allocations for the 54 schools that are part of the Family and Child Education (FACE) program. This program seeks to narrow the educational achievement gap for Indian children, particularly those in rural.

Number of FACE Participants at Sites During SY 2023-2024						
	Site	**State**	**Adults**	**Children**	**Total Unduplicated Participants[1]**	**Funds[2]**
1	Alamo Navajo Community School	NM	44	44	88	297,300
2	American Horse School	SD	43	52	95	297,300
3	Aneth Community School	UT	28	31	59	297,300
4	Atsa' Biya azh Community (Shiprock Elem.) School	NM	41	34	75	297,300
5	Baca/Dlo'Ay Azhi Community School	NM	28	35	63	297,300
6	Beclabito Day School	NM	16	13	29	297,300
7	Blackwater Community School	AZ	34	38	72	297,300
8	Bread Springs Day School	NM	46	38	84	297,300
9	Casa Blanca Day School	AZ	17	17	34	297,300
10	Cherokee Central Elementary School	NC	27	43	70	297,300
11	Chief Leschi School System (Puyallup)	WA	36	40	76	297,300
12	Ch'ooshgai Community School	NM	6	6	12	297,300
13	Cove Day School	AZ	13	14	27	297,300
14	Dishchii'bikoh Elementary School[1]	AZ	TBD	TBD	TBD	297,300
15	Dunseith Day School	ND	42	50	92	297,300

Distribution of Safe and Secure Funds for School Year 2023-2024

This table highlights funding provided to school programs identified as having high safety and security issues. These schools utilize the funds to support police and security services at off-reservation boarding schools with unique at-risk student populations and proximity to urban centers.

Distribution of Safe and Secure Funds for School Year 2023-2024					
	School Name	**State**	**Three Year Average ADM**	**Three Year Average WSU**	**Funding**
1	Sherman Indian High School	CA	461.38	919.16	200,000
2	Riverside Indian School	OK	576.42	1059.16	200,000
3	Chemawa Indian School	OR	399.83	775.83	200,000
4	Flandreau Indian School	SD	256.80	528.47	200,000
	TOTAL				**800,000**

Addendum 2

COLT

COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Confederated Tribes of the Colville Reservation • 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

Testimony of Troy A. Eid

On behalf of the Coalition of Large Tribes (COLT)

Before the

United States Department of the Interior – Native American Tribal Consultation

Bismarck, North Dakota

June 12, 2025

Good morning and thank you for the opportunity to testify on behalf of the Coalition of Large Tribes (COLT) regarding law enforcement and criminal justice budgeting and funding for Indian Country. My name is Troy Eid. I served as the 40th United States Attorney for Colorado, appointed by President George W. Bush, and chaired the Indian Law and Order Commission – the national advisory board to the President and Congress – created in 2010 by the Tribal Law and Order Act. I currently co-chair the American Indian Law Practice Group for Greenberg Traurig LLP and am an Adjunct Professor in Native American Tribes and Federal Law at the University of Denver-Sturm College of Law. I am also the President Emeritus of the Navajo Nation Bar Association.

In his Executive Order entitled "Strengthening and Unleashing America's Law Enforcement to Pursue Criminals and Protect Innocent Citizens," dated April 28, 2025, President Donald J. Trump states that his Administration "is steadfastly committed to empowering State and local law enforcement." Local law enforcement emphatically includes Native American tribal nations. Our President speaks for Indian Country in recognizing, in this same executive order, that "[s]afe communities rely on the backbone and heroism of a tough and well-equipped police force."

COLT represents the shared interests, concerns and aspirations of the more than 50 tribal nations whose land bases each exceed 100,000 acres. COLT members tribes encompass 95 percent of all tribal lands and one-half the Native American population of the United States. Nearly all these tribes operate their own police departments, prosecutor's offices, and court systems.

According to the Department's own data, Indian Country is served by an average of just 1.9 police officers per 1,000 community residents, versus 3.5 officers per 1,000 off-reservation. COLT wholeheartedly supports the Administration's efforts to strengthen public safety and the rule of law. This will require increased federal resources to reinvigorate community-based law

enforcement and criminal justice services, including throughout Indian Country and in surrounding state and local jurisdictions.

For the past 18 months, I have served as an expert witness for the Oglala Sioux Tribe of the Pine Ridge Indian Reservation in South Dakota. Tribal leaders asked me to help them assess the relationship between federal law enforcement funding, community-based policing, and public safety on a rural Reservation that is about the same size as Connecticut. The Bureau of Indian Affairs' Office of Justice Services finances law enforcement services at Pine Ridge and elsewhere in Indian Country in accordance with the Indian Law Enforcement Reform Act, 25 U.S.C. § 2801. In using the Oglala Sioux Tribe as a case study for these remarks, I do not intend to overlook or minimize the similarly challenging outlook that likewise prevails elsewhere in Indian Country. Rather, I am focusing on Pine Ridge as a case study to help explain the facts on the ground. During the course of work for the Oglala Sioux Tribe, I have conducted dozens of interviews with Tribal, state and federal officials as well as numerous crime victims and their families. And I have participated in extensive police ride-along visits across the Reservation, day and night – some for more than 400 miles at time and 22 hours straight.

A. Case Study: Public Safety on the Pine Ridge Indian Reservation

Back in 1999, the Pine Ridge Indian Reservation was protected by 140 police officers. Today just 33 officers perform the same job, yet the population has grown from about 20,000 to perhaps 40,000 residents. Violent crime rates have risen dramatically as a result. To give just one example, in July and August 2022 alone, Oglala Tribal Police responded to five deaths, all of them suspected homicides. This included the beating death of a fifteen-year-old girl found dumped in a ravine.

In Fiscal Year 2021, the Tribe's police department received 133,755 emergency calls, included 794 calls involving an assault, 1,463 domestic violence calls, 522-gun related calls, 541 drug/narcotic calls, and calls reporting 541 missing persons. During roughly the same period, the City of Rapid City Police Department received about 115,000 emergency calls. Rapid City has 176 sworn law enforcement officers, compared to just 33 at Pine Ridge.

Tribal police officers have frequently told me during interviews that they must triage their own 911 calls and respond to what they deem to be the greatest emergency – with little or no expectation of backup. On a given night, there are sometimes as few as four officers on duty to serve the entire Pine Ridge Reservation. Response times are typically measured in hours, not minutes.

A police ride-along at Pine Ridge must be experienced to be believed, and I say this after visiting more than three-quarters of the tribal homelands in the United States over the past 20 years. During my last ride-along, which lasted 16 consecutive hours, the lone police lieutenant and I patrolled more than 300 miles. Responding to a reported aggravated sexual assault, the lieutenant exceeded 130 miles per hour in a poorly maintained vehicle whose tires had already logged more than 50,000 road miles. As we passed within a few feet of hitting a horse on the open range at about 2 am, the lieutenant mentioned that two other vehicles had been totaled hitting horses in just the past few months. That night was also memorable because the entire police dispatch system

went down – this happens not infrequently; it is old and poorly maintained – which means that police are sometimes responding to emergencies using their personal cell phones. While police vehicles are supposed to use cameras to ensure greater accountability, there is currently no technical ability to download vehicle or officer camera footage on the antiquated computer systems used at Pine Ridge Agency, so officers and the community must do without.

The first rule of being a guest on a police ride-along is to stay in the car. Yet with just one officer per vehicle, and backup uncertain at best, I have learned to make the most of my extensive time outside the patrol car or "unit" as the officers call them. In my experience as a former U.S. Attorney, the extent of substance abuse at Pine Ridge, especially home-made methamphetamine, is astounding. Young people in particular walk around drugged or stoned or both, often in groups, and display little or no visible concern about being stopped by law enforcement. If an officer does stop to question and detain a suspect, it usually means stopping for a medical clearance at the Indian Health Service – a process that effectively removes that officer from patrol for an average of two hours. Witness after witness has explained to me that whenever an officer picks someone up and leaves, the bad guys are emboldened to commit more crimes. They know that the thin blue line just became even thinner.

On another ride-along, the officer had just responded to an attempted suicide. She explained that suspects or victims with suicidal ideation, and other serious mental health issues, must be transported off the Reservation to Yankton, South Dakota for evaluation. This process can take up to two days and further cannibalizes available boots on the ground law enforcement back on the Reservation. As a practical matter, arresting a single mentally ill suspect necessitates removing, from active patrol duty, between one-eighth to one-fourth of currently available law enforcement patrol officers for the entire Reservation.

With just eight criminal investigators, comparatively few cases investigated by the Oglala Sioux Tribal Police result in either tribal court or federal prosecutions. Lisa Adams, the Tribe's former Attorney General, whom I interviewed several times, reports that in July 2022 alone, her office handled 261 arraignments; 161 depositions; 117 reviews of sentence compliance; and 590 incoming calls – with a staff of only seven. Declaration of Attorney General Lisa Adams ("Adams Decl."), Dkt. 25-6 at ¶ 4. That is more than 20 depositions per attorney, advocate or staff member. The Tribe's corrections facility, the Pine Ridge Detention Center, is likewise understaffed and is memorable for the sign hanging at its entrance: "Notice of Unsafe and Unhealthful Working Conditions."

B. The Way Forward

As experiences at Pine Ridge and elsewhere in Indian Country attest, there is no substitute for increasing public safety funding that translates into more and better boots on the ground. Making Indian Country Great Again will require a federal commitment to law enforcement, including community-based policing, which hasn't been seen in decades. It is refreshing to see the Trump Administration's reinvigorated commitment to making our country safer and more just for all Americans. Increased federal support for tribal law enforcement, and for the FBI's Indian Country Unit and United States Attorney's Offices serving Indian Country, is essential to achieving the President's mission.

I know from direct personal experience that adding more tribal and BIA-OJS police officers, and strengthening federal investigative and prosecution resources, can dramatically reduce violent crime in Indian Country. In August 2006, as I was taking office as Colorado's U.S. Attorney, the lack of a functioning criminal justice system on the Ute Mountain Ute Reservation in Southwestern Colorado led to a record number of homicides there. This included 13 murders and two unexplained deaths, which our office also presumed to be homicides, out of a population of only about 2,000 people. This was the highest murder rate in Colorado at the time.

The Ute Mountain Ute Tribe includes the poorest zip code in Colorado in terms of individual and household income and was reliant on BIA-OJS for direct operations and personnel. During a three-year period from about 2004-2007, the Ute Mountain Ute Tribe went without a federally funded prosecutor for more than two years, struggled to fill its federally public defender. As I testified to the U.S. Senate Committee on Indian Affairs in June 2009, "On any given day or night, there are just one or two BIA law enforcement officers on duty to patrol the entire reservation, which extends into three states and is bigger than Rhode Island. The entire BIA Police Department for Ute Mountain usually consists of just five officers who often work 12-hour shifts for days at a time. Nationally, the average police response time in the United States is about six minutes. On Ute Mountain Ute, response times of an hour or more are the norm."

However, during my service as U.S. Attorney and subsequently as the Tribe's outside legal counsel since April 2009, the BIA-OJS substantially increased federal funding to the Ute Mountain Ute Tribe for policing and other criminal justice services. By 2011, the murder rate at Ute Mountain had fallen dramatically as the number of BIA-OJS patrol officers more than doubled and federal funding for the courts increased. During several years in the 2010s, the Reservation experienced no reported homicides.

The lessons learned from the experience at Ute Mountain echo the reported experience of several tribes which BIA-OJS selected during the Presidential administrations of George W. Bush and Barack Obama to receive grants from the U.S. Department of Justice to temporarily expand the number of available law enforcement officers in what was described as a "surge" of federal funding on reservations with high violent crime rates, including the Standing Rock Sioux Reservation in South Dakota, the Wind River Reservation in Wyoming, and Mescalero Apache Reservation in New Mexico. As the Indian Law and Order Commission reported to Congress in 2014: "For approximately 24 months spanning 2009-2011, the Office of Justice Services (OJS) in the Bureau of Indian Affairs (BIA) increased staffing levels on four Indian reservations to achieve such parity[,] … [and] [o]n average, violent crime rates across the four reservations [] fell 35 percent over 2 years—by 68 percent at Mescalero [Apache Reservation] alone." Simply put, public safety must be the overriding priority, and this President is leading the way.

Thank you for your consideration and COLT looks forward to continuing to work with you to enhance governmental efficiency by making Indian Country safer for all Americans.