



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

August 25, 2025

The Honorable Brooke Rollins
Secretary
United States Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

VIA EMAIL: reorganization@usda.gov; tribal.relations@usda.gov

RE: Comments of the Coalition of Large Tribes (COLT) regarding [Reorganization Plan No. 2 of 1953 \(5 U.S.C. app.; 7 U.S.C. 2201 note\)](#) and [The Department of Agriculture Reorganization Act of 1994 \(Pub. L. 103-354\)](#)

Dear Secretary Rollins,

Thank you for the opportunity to comment on the USDA Reorganization. The Coalition of Large Tribes (COLT) is an intertribal organization comprised the largest land base sovereign tribal nations in the country, more than 50 with reservations of 100,000 acres or more. We provide full governmental jurisdiction and services over our nations. COLT members include tribes such as the Navajo Nation, the Tribes that make up the Great Sioux Nation, and the Blackfeet Nation.

We are the voice for the Tribes with the most agriculture, the most farming, the most ranching, the most Treaty rights with US Forest Service and National Grasslands lands, and the tribes to which the USDA has the most legal obligations.

We have significant legal and historical interest in the reorganization of USDA and welcome the opportunity to provide feedback on the proposed Reorganization. We would also welcome an opportunity for formal nation-to-nation intergovernmental diplomatic consultation on the Reorganization as is statutorily vested in the Secretary's Office of Tribal Relations.

We appreciate the aims of the Reorganization to improve efficiency and delivery of services, but have some concerns with respect to two tribal-specific "Principles" components of the proposal.

CONCERN 1 – PRINCIPLE 4: CONSOLIDATE SUPPORT FUNCTIONS. *"Consolidate tribal relations functions within mission areas and ensure the Office of Tribal Relations delivers all statutorily required tribal relations functions."*



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TREATY OBLIGATIONS ARE A CORE USDA LEGAL RESPONSIBILITY – NOT A “SUPPORT FUNCTION.” Of all USDA’s important constituents, tribal nations are the only ones to which USDA has legally binding obligations – through the Constitution, Treaties, statutes, and Supreme Court case law.

- **Legal Responsibilities to Tribes are Bigger than “Statutory” Requirements.** Only “statutorily required” tribal relations functions are mentioned. This is legally incorrect and misses the full set of legal obligations USDA has to tribes:
 - **Treaties.** *“Treaties...shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, anything in the Constitution or Laws of any State to the Contrary notwithstanding.”* U.S. Constitution, Article VI.
 - **USDA Has Specific Obligation in over 226 Treaties.** Many turn to DOI regarding Treaty responsibilities, but of all the provisions contained in all the various Treaties—specific provisions regarding growing agriculture and rural economies are included dramatically more than any other provision. **Over 226 Treaties contain agriculture specific provisions.**¹ In addition, much of USFS lands falls under various Treaty agreements. Arguably, USDA has more Treaty responsibilities than any other agency.
 - **Trust Responsibility.** USDA has a general common law trust responsibility to tribal nations, to act in our best interest – an affirmative responsibility to protect and support tribes.
 - “[Tribes] owe no allegiance to the States and receive from them no protection. Because of the local ill feeling, the people of the States where they are found are often their deadliest enemies. From their very weakness and helplessness, so largely due to the course of dealing of the federal government with them, and the treaties in which it has been promised, there arises the duty of protection, and with it the power.” *United States v. Kagama*, 118 U.S. 375 (1886).
 - **Supreme Court Cannons of Construction – Statutory Ambiguities Must Be Interpreted in Favor of Tribes.** Because of the unique trust relationship with tribes, the Supreme Court has made clear that a basic canon of Indian law is that ambiguities in federal law should be construed in favor of the Tribes. Therefore, if in reading a statute applicable to Tribes, should there be any ambiguities, each ambiguity should be read in favor of the Tribes.
 - “[A]mbiguities in federal law should be construed generously” in favor of the tribes. *Ramah Navajo School Board v. Bureau of Revenue*, 458 U.S. 832 (1982).

¹ <https://treaties.okstate.edu>



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- “[S]tatutes are to be construed liberally in favor of the Indians, with ambiguous provisions interpreted to their benefit,” *Montana v. Blackfeet Tribe*, [471 U.S. 759](#), 766 (1985).

COLT RECOMMENDATION #1 – DON’T CONSOLIDATE TRIBAL EXPERTISE – TRIBAL EXPERTISE IS HIGHLY SPECIALIZED AND VARIES SIGNIFICANTLY BY USDA PROGRAM. Every department/program within USDA requires a different type of expertise regarding empowering and serving tribal nations. With 574 Tribal governments, each region and each tribe is unique. While there is great benefit in strengthening the Secretary’s Office of Tribal Relations, we need expertise throughout USDA.

- **Lack of USDA Tribal Expertise**
 - Tribal leaders have been advocating for decades for specialized tribal expertise.
- **Examples of unique expertise needed in each agency:**
 - **Office of General Counsel:** While USDA has one attorney with Indian Law experience, there are no attorneys including at USFS who are Treaty law experts.
 - **Forest Service:** Personnel need to understand the Treaties applicable to each Forest and develop relationships with the relevant Tribes locally to implement those trust and treaty obligations.
 - **FPAC/FSA/NRCS:** Staff needs expertise in the unique status of tribal Trust lands and know how to navigate the Bureau of Indian Affairs as they control agricultural leasing for tribes and tribal citizens on Indian Reservations. We have extensive farming and ranching on our reservations, and almost no FPAC staff who know how to help us because of how unique our land ownership is.
 - **Purchasing (ARS/FNS/FDPIR):** Tribes want indigenous foods and locally-purchased tribally-hunted, tribally-caught and tribally-raised foods in their Food Packages (FDPIR) and in their School Lunches. Staff need to know how to navigate the unique aspects of procurement in Indian Country, including “Indian preference” purchasing for tribal citizens for the Bureau of Indian Education Schools, and the “Promise to Purchase” agricultural products contained in some Treaties and statutes.
 - **Rural Development (RD).** Tribes have no tax base and participate in the private marketplace to generate revenue to run our governments. As such there are complex hybrid tribal corporate structures that RD staff must understand as some of RD’s programs are for governments and some are for corporations.
 - **NIFA/ARS:** We, as tribal governments, own and operate our own Tribal Colleges. They are tribal government-owned entities. They are unique structurally and culturally from



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private colleges. And we need more USDA staff that understand and support our colleges.

- **Indigenous Foods.** Highly invested in MAHA, tribes have long fought to bring back indigenous foods. USDA has lots of expertise in western row crops and western livestock, and very little expertise in indigenous animals like bison and salmon, or indigenous plants and berries. The Office of Tribal Relations has been our beacon in supporting us.

CONCERN 2 – PRINCIPLE 2. BRINGING USDA CLOSER TO ITS CONSTITUENTS


COLT RECOMMENDATION #2 – ENCOURAGE REMOTE WORK TO LIVE ON INDIAN RESERVATION OR FARM/RANCH: RURAL/RESERVATION REMOTE WORK PROGRAM. We appreciate the intent. We would also like to see more USDA employees closer to us. But this design does not achieve that. The employees are still being sent to cities, and cities not very close to tribes, especially COLT's large land base tribe members, which are typically hours from any airport.

- We have a hard time with USDA not understanding Indian Country and rural America.
- We need USDA employees to live on our Indian reservations and in rural America.
- There should be a "Rural/Reservation Remote Work Program" where folks are encouraged to live on Indian reservations or live on a farm/ranch.
- This will bring economic development to rural America by bringing federal salaries and health care to our communities and will ensure that USDA employees live and work in the communities they serve.

CONCLUSION

Thank you for the opportunity to provide comments. We formally request a tribal consultation with Secretary Rollins on the reorganization and on the role and needs of tribal nations within the USDA. We believe that, by working closely together in our rural communities, there is much we can accomplish. I can be reached any time at (605) 828-1422 or tateota@hotmail.com should you or your staff wish to follow up with COLT leadership.

Respectfully,

DocuSigned by:

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Oliver J. "OJ" Semans, Sr.
COLT Executive Director