

February 14, 2025

Russell Vought  
Director  
U.S. Office of Management and Budget  
Eisenhower Executive Office Building  
1650 Pennsylvania Ave. NW  
Washington, DC 20503  
*via email: OMBLegislativeAffairs@omb.eop.gov*

**RE: OMB Treatment of Tribal Nations in Implementation of Administration Priorities**

Dear Director Vought:

On behalf of the undersigned organizations that collectively serve the majority of sovereign Tribal Nations and their citizens and communities, we write to congratulate you on being confirmed to lead the U.S. Office of Management and Budget (OMB). We request a meeting with you as soon as possible to discuss implementing President Trump's priorities in a manner that recognizes the sovereign governmental status of Tribal Nations and the United States' longstanding trust and treaty obligations.

Tribal Nations and Tribal-serving organizations are ready to work with the Trump Administration on a government-to-government basis to further multiple shared priorities, such as reducing federal regulatory burdens, streamlining federal funding mechanisms, increasing public safety, and promoting economic development. In carrying out this work together, we look forward to ensuring that the path forged by the Administration includes Tribal Nation input and adheres to the trust relationship between our sovereign Tribal Nations and the federal government.

Tribal Nations are and always have been inherently sovereign governments that have strong political relationships with our Tribal citizens and community members. We govern and police our lands, and we provide services aimed at keeping our communities safe. Tribal Nations also have political, government-to-government relationships with the United States, and we prepaid with our lands and resources for trust and treaty obligations that the United States owes us. The U.S. Constitution singles out Tribal Nations and Native people as unique, and the U.S. Supreme Court has time and again affirmed the principle that United States actions that deliver on trust and treaty obligations to Tribal Nations, Tribal citizens, and Tribal communities do not run afoul of the U.S. Constitution's equal protection requirements.

The United States fulfills its trust and treaty obligations through both the direct delivery of Tribal programs and services and provision of federal funding to Tribal Nations and Tribal organizations serving Tribal Nations. Over time, the United States has created a web of different mechanisms it uses to deploy federal funding to serve Tribal Nations and Tribal communities. Essential services provided by Federal employees include healthcare services through the Indian Health Service, law enforcement and public safety through the Bureau of Indian Affairs, and educational services through the Bureau of Indian Education—not to mention countless other essential and legally mandated services. Any Tribal program or funding delivered to Tribal Nations—including through

Urban Indian Organizations and Tribal organizations serving Tribal Nations—is provided in furtherance of the United States’ trust and treaty obligations. The federal employees necessary for the functioning of those Tribal programs and the disbursement of those Tribal funds are also part of the trust and treaty obligations. The United States further has a duty to consult government-to-government with Tribal Nations on federal actions that may have Tribal implications, including implications on delivery of trust and treaty obligations. These actions are not discretionary; they are legal obligations rooted in treaties, trust obligations, the U.S. Constitution, and long-standing federal statutes.

It is critical, as the U.S. Department of the Interior (DOI) recently recognized in Secretarial Order No. 3416, that implementation of President Trump’s Executive Orders and priorities does not “eliminate, rescind, hinder, impair, or otherwise affect activities that implement legal requirements,” including “the statutory authorities, treaty, and/or trust obligations of the Department and its Bureaus/Offices to Tribal nations and the Native Hawaiian Community.” The U.S. Department of Health and Human Services (HHS), in a February 6 memorandum, also affirmed that the President’s diversity, equity, and inclusion Executive Order does not apply to “[Indian Health Service] programs that serve American Indians and Alaska Natives,” because “Tribes are separate sovereigns.” Furthermore, on February 4th, HHS announced that the Office of Personnel Management had granted the Indian Health Service a partial exclusion from the deferred resignation program.

We urge OMB to issue a similar mandate to *all* federal agencies to ensure that Tribal Nations and Tribal-serving entities are not further impacted by implementation of the President’s Executive Orders and policies, and that OMB ensures each federal agency follows through and implements the affirmative statements made about Indian Country. We urge OMB to exempt all Tribal programs across federal agencies from efforts to pause or reduce federal funding, and we call on OMB to exempt from any workforce reductions all employees serving in Tribal offices or whose role is to deliver services or funding to Tribal Nations or their citizens or communities.

President Trump recognized in his first Administration that Tribal Nation governments are essential to the economic, social, and political fabric of the United States. Our contributions extend far beyond reservation lands, impacting national energy supplies, economic development, law enforcement, healthcare access, and more. To name just a few examples:

1. In 2021, energy production from Tribal Nation lands accounted for nearly \$1 billion in revenue. This production strengthens the national energy supply, supports thousands of jobs in both Tribal and non-Tribal communities, and generates tax revenues for federal, state, and local governments.
2. Tribal Nation governments manage tens of millions of acres of farmland, ranchland, and other natural resources and generate millions of dollars in agricultural sales annually, both through direct production and land leasing to non-tribal farmers.
3. Many Tribal Nation governments engage in commercial fishing operations, providing employment opportunities and contributing to the seafood supply chain.

4. In Oklahoma, Tribal Nations significantly bolster the state's economy with an annual collective impact of more than \$16 billion, supporting more than 115,000 jobs.
5. More than 234 Tribal law enforcement agencies and 350 Tribal justice systems operate across the United States, protecting communities through policing, courts, and emergency response services.
6. Tribal Nation governments and Tribal-serving organizations operate hundreds of healthcare facilities that serve both Tribal and non-Tribal residents and provide significant jobs for health professionals, administrative staff, and support workers. These facilities provide critical healthcare access to Tribal citizens, including for many rural areas where Tribal providers are the *only* healthcare providers.

For decades, Tribal governments have implemented federal programs that facilitate self-determination, demonstrating that Tribal Nations optimize resources more effectively and efficiently than federal agencies, increase accountability, and deliver solutions based on local control that are tailored to our people's needs. We know best how to manage our resources and serve our people.

We ask that you and your staff work with us to ensure that the programs and funding that the federal government provides to Indian Country are protected and look for ways to better identify and separate out funding for Indian Country. This includes federal employees who deliver direct services in Tribal communities and facilitate the distribution of funds for the operation of Tribal programs. Each of the mandates issued by the Administration has acknowledged that it does not affect ongoing legal requirements, and Indian Country programs are legally required by trust and treaty obligations and associated implementing statutes. ***Tribal Nations' exercise of our sovereignty and the United States' delivery on its trust and treaty obligations must not become collateral damage in the Administration's implementation of its priorities.***

We look forward to partnering with the Administration on mutual policy priorities. We invite you to meet with us so that we may work together to ensure Indian Country's seat at the table during this Administration.

Sincerely,

Affiliated Tribes of Northwest Indians  
American Indian Higher Education Consortium  
Great Lakes Inter-Tribal Council  
Great Plains Tribal Chairman's Association  
Midwest Alliance of Sovereign Tribes  
National Association of Tribal Historic Preservation Officers  
National Congress of American Indians  
National Council of Urban Indian Health  
National Indian Child Welfare Association  
National Indian Education Association  
National Indian Health Board  
National Indigenous Women's Resource Center  
Self-Governance Communication & Education Tribal Consortium  
United South and Eastern Tribes Sovereignty Protection Fund