

**THE WHITE HOUSE  
TRIBAL NATIONS  
SUMMIT  
PROGRESS REPORT**

**2022**

**PREPARED BY THE DOMESTIC POLICY COUNCIL**



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President Biden’s relationship with Tribal Nations and their citizens is built on respect for Tribal sovereignty and self-governance, honoring federal trust and treaty responsibilities, protecting Tribal homelands, and conducting regular, meaningful, and robust consultation with Tribal Nations. This report documents progress the Biden-Harris Administration has made since the 2021 Tribal Nations Summit, including following through on commitments made at that Summit, developing new policies and initiatives, and announcing new commitments at the 2022 Tribal Nations Summit to continue delivering for Tribal communities and strengthening the Nation-to-Nation relationship.

## Strengthening the Nation-to-Nation Relationship

**New Tribal Consultation Policies and Guidance.** To advance the Administration’s goal of improving Tribal consultation across the federal government, nine agencies will implement new or updated Tribal consultation policies. These include: new policies announced at the White House Tribal Nations Summit in November 2022 by the Department of the Interior (DOI), the Department of Justice (DOJ), the Department of Transportation (DOT), and the National Oceanic and Atmospheric Administration (NOAA); and new policies to be released in the upcoming months from the Department of Homeland Security (DHS), the Department of Health and Human Services (HHS), the Department of the Treasury (Treasury), the U.S. Army Corps of Engineers (USACE), and the Advisory Council on Historic Preservation (ACHP).

**New Tribal Advisory Committees and Positions.** In 2022, DOI, DHS, the Department of Housing and Urban Development (HUD), and the Department of Agriculture (USDA) established new Tribal Advisory Committees to ensure that Tribal leaders have direct and consistent contact with federal agency decisionmakers and to institutionalize Tribal voices within policymaking.

**First-Ever Office of Tribal and Native Affairs at Treasury.** Treasury established its first-ever Office of Tribal and Native Affairs in September 2022. The Office is overseen by the newly appointed Treasurer of the United States, Chief Lynn Malerba of the Mohegan Tribe, and includes Treasury staff who have hosted 28 consultations and over 200 information sessions, one-on-one discussions, and training sessions to support an equitable and swift recovery from the challenges brought on by the COVID-19 pandemic.

**First-Ever OMB Tribal Advisor.** In September 2022, in response to requests from Tribal leaders, the White House Office of Management and Budget (OMB) announced its first-ever Tribal Advisor to the Director. The Tribal Advisor will be instrumental in coordinating Tribal priorities across OMB’s budgetary, management, and regulatory functions, while working with other key leaders at the White House and across the entire Administration.

**New Director of the Office of Native American Business Development at Commerce.** In October 2022, DOC announced the appointment of a new Director of its Office of Native American Business Development, a position that has remained vacant for over 10 years. This



office will be instrumental in ensuring the coordination of federal programs to increase business, expand trade, and increase economic development on Indian lands.

**DOD Senior Advisor and Liaison for Native American Affairs.** In 2022, the Department of Defense (DOD) established as a permanent position the role of Senior Advisor and Liaison for Native American Affairs within the Office of the Secretary. This position will provide more permanence and certainty to Tribal Nations working with DOD. The Senior Advisor and Liaison for Native American Affairs will be responsible for advising the Department on matters concerning interactions with Native Americans, including federally recognized Tribes and Native Hawaiian Organizations.

**FEMA's First-Ever National Tribal Affairs Advocate.** Following the release of its first-ever National Tribal Strategy in August 2022, the Federal Emergency Management Agency (FEMA) appointed its first-ever National Tribal Affairs Advocate in October 2022. The National Tribal Affairs Advocate will advise the FEMA Director on Tribal affairs and will play a lead role in driving the policy outlined in FEMA's new National Tribal Strategy.

**New Tribal Relations Positions at NOAA.** NOAA added two new Tribal Coordinators to its ranks in Alaska and the North Atlantic region. The Alaska Tribal Coordinator will focus on commercial fisheries and establish strong cross-cultural relationships with Tribes in Alaska. The North Atlantic Region Tribal Coordinator will engage with North Atlantic Tribes and affiliated Tribal organizations on ocean policy issues.

**NOAA's First Ever Senior Advisor on Tribal Engagement and New Tribal Relations Positions.** In 2022, NOAA appointed its first-ever Senior Advisor on Tribal Engagement and Fisheries. The Senior Advisor advises the NOAA Administrator on fisheries and Tribal engagement. Additionally, NOAA added two new Tribal Coordinators to its ranks in Alaska and the North Atlantic region. The Alaska Tribal Coordinator will focus on commercial fisheries and establish strong cross-cultural relationships with Tribes in Alaska; the North Atlantic Region Tribal Coordinator will engage with North Atlantic Tribes and affiliated Tribal organizations on ocean policy issues.

**Social Security Administration's Office of Native American Partnerships.** The Social Security Administration (SSA) established an Office of Native American Partnerships within its Office of the Commissioner. This office will direct and administer comprehensive SSA programs and policies related to American Indians and Alaska Natives and serve as the primary point of contact for internal and external stakeholders on Tribal affairs.

**AmeriCorps Strategic Advisor for Native American Affairs.** AmeriCorps—the federal agency for national service and volunteerism—announced that, for the first time in its almost 30-year history, it will create a new senior political appointee position for a Strategic Advisor for Native American Affairs. This position will lead the agency's engagement with Indian country; carry out the agency's Native American Action Plan to reduce barriers to service and increase investment in Tribes and Native communities; and develop, implement, and evaluate initiatives to further Native American participation in AmeriCorps' programs and endeavors.



**White House Council on Native American Affairs.** President Biden reinstated the White House Council on Native American Affairs (WHCNAA) in his first 100 days in office. In 2022, WHCNAA convened three engagements sessions with Tribal Leaders as well as three Principals meetings that included Cabinet secretaries and senior advisors to the President.

**White House Tribal Nations Summit.** The President hosted the second White House Tribal Nations Summit of the Biden-Harris Administration, and the first such gathering in person since the Obama Administration, on November 30 and December 1, 2022. The Biden-Harris Administration is deeply committed to honoring its trust and treaty responsibilities to federally recognized Tribes, and this Summit provided an opportunity for Tribal leaders to engage directly with officials in the highest levels of the Administration.

**Native Women Symposium Series.** In 2022, the White House launched a symposium series focused on Native women. The first session was held in April and focused on reauthorization of the Violence Against Women Act. The second session was held in August with a focus on health issues. The third session was held in October and focused on missing or murdered Indigenous people. The events included presentations by Vice President Kamala Harris, Secretary Deb Haaland, and Attorney General Merrick Garland; panels of Native women experts; and participation by hundreds of attendees throughout Indian country.

**Indigenous Peoples' Day Proclamation in 2022.** President Biden issued a proclamation declaring October 10, 2022, as Indigenous Peoples' Day, honoring the sovereignty, resilience, and immense contributions that Native Americans have made to this world and recommitting to upholding trust and treaty responsibilities to Tribal Nations.

**Native American Heritage Month Proclamation in 2022.** In November 2022, President Biden issued a presidential proclamation declaring the month of November as Native American Heritage Month.

**Executive Order on Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government.** In December 2021, the President signed an Executive Order directing federal agencies to improve the federal government's service delivery for the American people. Agencies committed to reducing administrative burden, enhancing transparency, and improving the customer experience. As part of the EO, OMB collaborated with agencies across the government to identify challenges Tribes faced in accessing grant programs and to propose ways to streamline processes and reduce administrative burdens on Tribal governments. OMB completed a multi-week "discovery sprint" to better understand Tribal experiences accessing federal grants. Drawing on its findings, OMB will work across federal agencies to further improve Tribal experience in accessing grants. OMB's findings are documented in a report to be released at the White House Tribal Nations Summit in November 2022.



## Native Americans in the Administration

**Appointing Native Americans Across the Federal Government.** President Biden has continued to appoint Native Americans to positions across the federal government, including:

- Charles “Chuck” F. Sams III, confirmed by the Senate in November 2021 to be Director of the National Park Service at DOI, the first Native American to serve in that position;
- Shelly C. Lowe, confirmed by the Senate in February 2022 to be Chair of the National Endowment for the Humanities, the first Native American to serve in that position;
- Amy Loyd, confirmed by the Senate in June 2022 to be Assistant Secretary for Career, Technical, and Adult Education at the Department of Education (ED);
- Roselyn Tso, confirmed by the Senate in September 2022 to be the Director of the Indian Health Service (IHS); and
- Chief Lynn Malerba, appointed in July 2022 as Treasurer of the United States, the first Native American to serve in that position.

**Appointing Native Americans to Serve on Federal Boards and Commissions.** President Biden has also continued to prioritize the appointment of Native Americans to serve on federal boards, commissions, and independent agencies in 2022, including:

- Alvin Warren, confirmed by the Senate in March 2022 to be a Member of the Board of Directors of the Corporation for National and Community Service;
- Bidtah Becker, confirmed by the Senate in March 2022 to the National Foundation on the Arts and the Humanities;
- Vincent Logan, confirmed by the Senate in September 2022 to be a Member of the Farm Credit Administration Board with the Farm Credit Administration, the first Native American confirmed to the board and designated Chair;
- Donald Soctomah, appointed in September 2022 to the Roosevelt Campobello International Park Commission;
- Hoskie Benally, appointed in September 2022 to the National Council on Disability;
- Elmer Guy, appointed in October 2022 to the National Board for Education Sciences; and
- Phefelia Nez, noticed for appointment in October 2022 to serve on the John F. Kennedy Center for the Performing Arts Board of Trustees.

**Nominating Federal Judges Who Understand Federal Indian Law.** The President committed to nominating federal judges who understand Indian law and respect Tribal sovereignty. For example, in 2022, the United States Senate confirmed President Biden’s nominee Judge Sunshine Suzanne Sykes (Navajo) to the United States District Court for the Central District of California.

## Senior Administration Officials Visit Indian Country

High-ranking federal officials from the Biden-Harris Administration made official trips to Indian Country throughout 2022, including: First Lady Jill Biden; Domestic Policy Advisor Susan Rice; White House Infrastructure Coordinator Mitch Landrieu; Secretary of the Interior Deb Haaland; Secretary of Education Miguel Cardona; Secretary of Energy Jennifer Granholm; Secretary of Health and Human Services Xavier Becerra; Secretary of Labor Marty Walsh; Secretary of Transportation Pete Buttigieg; Treasury Secretary Janet Yellen; Secretary of Agriculture Tom



Vilsack; Secretary of Veterans Affairs (VA) Denis McDonough; Environmental Protection Agency (EPA) Administrator Michael Regan; Small Business Administration (SBA) Administrator Isabella Guzman; Council on Environmental Quality (CEQ) Chair Brenda Mallory; and SSA Commissioner Kilolo Kijakazi. During these visits, Tribal officials have educated federal officials on Tribal priorities, and federal officials have communicated the value of the Nation-to-Nation relationship. The Administration will continue to prioritize visits to Indian Country in 2023.

## Historic Investments in Native Communities

The Biden-Harris Administration's economic agenda for Indian country includes historic levels of funding to address the impacts of COVID-19, invest in infrastructure throughout Tribal Nations, and provide Tribes the tools they need to govern for generations into the future.

**The American Rescue Plan (ARP).** Seven weeks after entering office, President Biden signed the American Rescue Plan Act (ARP) into law, providing historic funding to address the devastating health, economic, and societal impacts of the COVID-19 pandemic. ARP provided historic support to Native American families, including the expanded Child Tax Credit. Those policies helped **cut Native American Child Poverty by more than half in 2021, to record lows.**

ARP also provided the largest direct federal investment in Indian Country in history – **more than \$32 billion specifically allocated for Tribal communities and Native people.** These resources are being used to help nearly 2.7 million Tribal members stay in their homes, support their families and businesses, access health and education services, and address other long-standing economic needs as part of the recovery from the pandemic. Funding includes:

- **\$20 billion** in Fiscal Recovery Funds quickly distributed directly to 579 Tribal governments in 2021 to stabilize Tribal economies devastated by the pandemic.
- **\$6 billion** in new resources for the Indian Health Service to support critical response activities, including \$2 billion for Tribal health systems due to lost reimbursements for care during the pandemic and \$1 billion to detect, diagnose, trace, monitor, and mitigate COVID-19 infections (including contact tracing and drive-through testing sites).
- **\$1.2 billion** in child care funding to Tribes, including a permanent increase of \$42 million in annual funding for Tribal governments' child care programs.
- **\$800 million** set aside for Tribal communities in Emergency Rental Assistance (ERA 1) funding, distributed to 301 Tribes and Tribally designated housing entities, providing assistance with rent, utilities, and other expenses related to housing.
- **\$714 million** in Indian Housing Block Grant–ARP and Indian Community Development Block Grant–ARP grants that were awarded by HUD to Tribes to support the continued fight against COVID-19.
- **\$600 million** from the State Small Business Credit Initiative (SSBCI) set aside for Tribal governments for capital program funding.
- **\$500 million** set aside for Tribal entities in Homeowner Assistance Funding (HAF), distributed to 349 Tribes and Tribally designated housing entities to prevent homeowner mortgage delinquencies and defaults, foreclosures, loss of utilities or home energy services, and homeowner displacement.



- **\$500 million** set aside for Tribal governments in Local Assistance and Tribal Consistency Fund (LATCF) payments available for any governmental purpose except lobbying activities.
- **\$489 million** in Economic Development Administration ARP funds across 128 grants to projects serving Native communities.
- **\$190 million** in Higher Education Emergency Relief Funds for Tribal Colleges and Universities to provide emergency financial aid to millions of students and ensure learning continues during the COVID-19 national emergency.
- **\$100 million** set aside for Tribal governments and the State of Hawaii in Capital Projects Fund (CPF) funding to carry out critical capital projects like those that expand the availability of high-speed internet, which directly enables work, education, and health monitoring.

**The Bipartisan Infrastructure Law (BIL).** Throughout 2022, the Administration implemented the Bipartisan Infrastructure Law (BIL), which will invest **more than \$13 billion directly into Tribal communities** across the country over the next five to ten years, in addition to hundreds of billions of dollars in other investments which Tribal communities are eligible to access. These funds will improve access to high-speed internet, clean drinking water, and good-paying jobs for Native communities. Major funding streams set aside for Tribes include:

- **\$3.5 billion** for the IHS Sanitation Facilities Construction Program.
- **\$3.0 billion** for the Tribal Transportation Program at DOT.
- **\$2.5 billion** for Indian water rights settlements.
- **\$2.0 billion** for high-speed internet through the Tribal Broadband Connectivity Program (TBCP) at the Department of Commerce (DOC).
- **\$900 million** (approx.) in drinking water grants at EPA.
- **\$800 million** (approx.) in Tribal Transportation Facility Bridge funding at DOT for roads, bridges, and major projects.
- **\$250 million** for dam safety, water sanitation, irrigation and power systems, and other facilities at DOI.
- **\$216 million** for climate adaptation and resilience at DOI.
- **\$150 million** for the Tribal Orphaned Wells Grant Program at DOI.

In 2022, the Administration announced more than **\$3 billion** in BIL funding so far for Tribal communities, including:

- More than **\$1 billion** in set-aside funds for high-speed internet, roads, bridges, and public transit. **Ninety-four Tribal entities** expanded high-speed internet deployment on Tribal lands through the TBCP, and the Administration will announce another **\$1 billion** in BIL funds for the program in the coming months.
- More than **\$2 billion** for clean water and sanitation improvements.
- Over **212,000 households** on Tribal lands enrolled in BIL's Affordable Connectivity Program, which cuts internet bills by up to \$75 per month.





**The Inflation Reduction Act (IRA).** In August 2022, the President signed the Inflation Reduction Act (IRA), which takes the most aggressive action on climate and clean energy in American history. It does so by providing funding specifically for Tribes to plan for and adapt to climate change, mitigate drought, support fisheries, and shift to clean energy production and use. The IRA provides more than **\$720 million for Tribes and Native communities** and makes available billions of dollars more through competitive grants, loans, loan guarantees, and contracts. Funding includes:

- **\$220 million** for Tribal climate resilience and adaptation programs at the Bureau of Indian Affairs (BIA);
- **\$12.5 million** to mitigate drought in Tribal communities;
- **\$10 million** for Tribal fish hatchery operations and maintenance programs;
- **\$225 million** for development of Tribal high-efficiency electric home rebate programs;
- **\$146 million** for Tribal home electrification and transitioning to renewable energy;
- **\$75 million** for the Tribal Energy Loan Guarantee Program, and an increase in allowable loan guarantees for Tribal energy development from \$2 billion to **\$20 billion**.

**Regulatory Flexibilities to Assist Tribes Applying For, Utilizing, and Reporting on Historic Levels of Funding.** To account for capacity challenges Tribal governments faced in quickly taking in and putting to use such historic sums across such a diverse number of programs, the Biden-Harris Administration implemented regulatory flexibilities such as: improving outreach; streamlining applications; authorizing joint applications for Tribes to pool funding for similar projects; using Tribal self-certified data in allocation methodologies; allowing certain Tribal funds to count toward private financing requirements; and tailoring reporting frequency for smaller or less-resourced grantees.

**President Biden’s Historic FY 2023 Budget Request.** The President’s FY 2023 Budget demonstrated the Biden-Harris Administration’s strong commitment to strengthening the Nation-to-Nation relationships and maximizing federal efforts to support Tribal Nations and Tribal communities. These historic proposals were developed in dialogue with Tribal Nations and include over **\$31 billion** in investments for Indian Country, including:

- A significant increase in IHS funding—**\$9.1 billion**, an increase of \$2.9 billion above 2021—and a shift from discretionary to mandatory funding.
- The largest annual investment in Tribal Nations in history through **\$4.5 billion for the DOI’s Tribal programs**, a \$1.1 billion increase above the 2021 enacted level, including:
  - **\$420 million** for BIE, a **\$156 million increase**, to support additional activities such as construction work at seven BIE schools;
  - **\$7 million for the Federal Boarding School Initiative**, which includes a comprehensive review of the troubled legacy of federal boarding school policies; and



- **\$632 million in Tribal Public Safety and Justice funding** at DOI, which collaborates closely with DOJ, including on continued efforts to address the crisis of missing or murdered Indigenous people.
- A **\$1 billion** investment in HUD to fund Tribal efforts to expand affordable housing, improve housing conditions and infrastructure, and increase economic opportunities for low-income families.
- **\$600 million** for the USDA ReConnect program, which provides grants and loans to deploy broadband to unserved rural areas—especially Tribal areas—and **\$25 million** to help rural telecommunications cooperatives refinance their Rural Utilities Service debt and upgrade their broadband facilities.
- **\$62 million** for agriculture research, education, and extension grants to Tribal institutions and **\$7 million** to support Tribal producers through the Inter-Tribal Assistance Network.
- **\$35 million** for culturally specific Violence Against Women Act program services, **\$5.5 million** to assist enforcement of Tribal special domestic violence jurisdiction, and **\$3 million** to support Tribal Special Assistant U.S. Attorneys. The Budget also provides the FBI with an additional **\$69 million** to address violent crime, including violent crime in Indian Country.

**OMB Crosscut Improvements.** OMB published the [FY 2023 Native American Crosscut](#) to provide further budget transparency to Tribal Governments and entities with Tribal equities such as Tribes, Tribal organizations, Tribal members, federal and Tribal policy officials, and Members of Congress and their staff.





# Restoring and Protecting Tribal Homelands

The Biden-Harris Administration is using all available authorities to protect Tribal treaty and reserved rights and Tribal sacred lands. Through WHCNA, the Administration is setting new standards for how Tribal treaty and reserved rights and Indigenous Knowledge are incorporated into federal agency decision-making. The Administration is finding new ways to increase Tribal participation in the stewardship of federal lands and waters that are significant to Tribes. In response to threats posed by climate change, the Administration is supporting Tribes in their efforts to respond to erosion, rising sea levels, drought, and—in extreme cases—the need to relocate entire communities.

## Protecting Tribal Treaty and Reserved Rights

**New Best-Practices Report for Tribal Treaty and Reserved Rights.** At the White House Tribal Nations Summit in November 2022, 17 federal agencies, coordinated through WHCNA, released a new best-practices report to assist federal field staff in integrating the consideration of Tribal treaty and reserved rights into agency decision-making processes. This best-practices report was developed in consultation with Tribal Nations and implements the agencies' Memorandum of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Tribal Treaty Rights and Reserved Rights. The agencies include ACHP, CEQ, DOC, DOD, Department of Energy (DOE), DOI, DOJ, Department of Labor (DOL), Department of State (DOS), DOT, DHS, ED, EPA, HUD, Office of Personnel Management (OPM), USDA, and VA.

**New Regulations to Protect Tribal Reserved Rights.** At the 2022 Tribal Nations Summit, EPA announced that it is developing proposed revisions to the federal water quality standards (WQS) rule, clarifying that, when developing new and revised WQS, states must evaluate Tribal reserved rights to an aquatic and/or aquatic-dependent resource in the area or downstream of the area. If a right exists, states must evaluate available data to inform the level of water quality necessary to protect that Tribal reserved right and, if necessary, revise their WQS to ensure protection.

**New Baseline Water Quality Standards Rule.** At the 2022 Tribal Nations Summit, EPA announced that it is developing a proposed rule to establish baseline WQS for Indian reservation waters that do not have Clean Water Act WQS in place. This action would narrow the Clean Water Act protection gap in Indian country and safeguard water quality until Tribes obtain authority to adopt Clean Water Act WQS themselves.

**EPA Pacific Northwest Geographic Programs Protecting Tribal Treaty Rights.** EPA is providing leadership across federal agencies and working with Tribal leaders to align Puget Sound and Columbia River protection and recovery efforts to support the protection of treaty rights. EPA is also providing up to \$100 million of funding over the next five years for Puget Sound and Columbia River Tribes. Tribes will manage these funds to support water quality, salmon, and shellfish habitat recovery.

**Salish Sea Nearshore Programmatic Biological Opinion.** In June 2022, USACE and NOAA Fisheries developed a new regulatory tool for efficient permitting of nearshore development in



Puget Sound to halt the net loss of some of the most important but imperiled habitat for threatened salmon and steelhead. This programmatic biological opinion supports Tribal fisheries and the rights of Tribes to harvest treaty fish.

**Tribal Treaty Rights Database.** The DOD Legacy Program, within the Office of the Secretary of Defense, provided \$50,000 in funding to support indexing of the Tribal Treaty Rights Database hosted by the Oklahoma State University, in partnership with DOI and USDA.

## Protecting Sacred Places

**Camp Hale – Continental Divide National Monument.** In October 2022, President Biden designated the “Camp Hale – Continental Divide National Monument” in north-central Colorado within the ancestral homelands of the Ute Tribes. This was the President’s first new national monument designation pursuant to the Antiquities Act of 1906 and establishes important protections for Tribal cultural resources. In recognition of the importance of these lands and objects to Tribal Nations, and to ensure that management decisions affecting the monument reflect Tribal expertise and Indigenous Knowledge, the President’s proclamation establishing the monument directed the Secretary of Agriculture to meaningfully engage with Tribal Nations with cultural ties to the area, including the Ute Tribes, in the development of the management plan and to inform subsequent management of the monument. The President also directed the Secretary to pursue opportunities for co-stewardship through management planning and implementation, including entering into cooperative agreements with Tribes that have cultural ties to the monument, and to explore opportunities for Tribes to participate in the planning and management of the monument.

**National Park Service Historic Preservation Fund Grants.** In May 2022, the National Park Service (NPS) awarded \$16 million in Historic Preservation Fund grants to more than 200 Tribal historic preservation offices. These awards fund programs at Tribal offices to ensure preservation of Tribal sites and cultural traditions.

**NPS Tribal Heritage Grants.** In July 2022, NPS awarded \$537,005 in Tribal Heritage Grants to 11 projects across the country to support the protection of America’s Indigenous cultures. Projects funded by these grants will locate and identify cultural resources, preserve historic properties listed in the National Register of Historic Places, support comprehensive preservation planning, preserve cultural traditions, provide training for building a historic preservation program, and support cultural and historic preservation interpretation and education.

**Honoring Chaco Initiative.** DOI initiated the Honoring Chaco Initiative in 2022, in conjunction with analyzing a proposed mineral withdrawal in an approximately 10-mile area around Chaco Canyon National Historical Park in New Mexico. Through this initiative, the Bureau of Land Management (BLM) and BIA are conducting a broader assessment of the Greater Chaco cultural landscape and the impacts of oil and gas development, ensuring that public land management better reflects respect for the sacred sites, stories, and cultural resources in the region.

**Native American Graves Protection and Repatriation Act Regulations.** In October 2022, following extensive Tribal consultation, DOI proposed new revisions to the Native American Graves Protection and Repatriation Act (NAGPRA) regulations. The revised regulations will



eliminate unnecessary burdens to the repatriation process and allow Tribal Nations and Native Hawaiian Organizations greater access to their ancestors' remains and cultural items.

**Policy Statement on Burial Sites, Human Remains, and Funerary Items.** In December 2022, ACHP will release a new policy statement regarding treatment of burial sites, human remains, and funerary objects in the Section 106 process. Among other considerations, ACHP's policy statement will: (1) recognize the expertise of Indigenous Peoples in identifying and considering their burial sites, human remains, and funerary objects; (2) include consideration of impacts from climate change; (3) clarify that burial sites are often sacred sites; and (4) recognize the right of descendants to request repatriation consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

## Co-Stewardship of Federal Lands and Waters

**Implementing Tribal Co-Management and Co-Stewardship of Federal Lands and Waters.** President Biden has recognized the importance of increasing Tribal participation in the management and stewardship of federal lands and waters of significance to Tribal communities. In 2021, USDA and DOI signed Joint Secretarial Order 3403, committing to Tribal co-stewardship, including through written co-stewardship agreements with Tribal Nations. In 2022, they delivered on this commitment: in total, USDA Forest Service and DOI signed over 20 new co-stewardship agreements with Tribes to further co-stewardship goals, and they have more than 60 additional agreements under various stages of review.

At the White House Tribal Nations Summit in November 2022, DOC announced that it will formally join in these co-stewardships efforts by signing onto Joint Secretarial Order 3403. This commitment furthers an all-of-government approach to co-stewardship and ensures that additional agencies—like NOAA—will further co-stewardship goals in their management of waters, fisheries, and other resources of significance and value to Tribes.

## Indigenous Knowledge (IK)

**Indigenous Knowledge (IK) Initiative and New Guidance for Federal Agencies.** At the White House Tribal Nations Summit in November 2022, the White House Office of Science and Technology Policy (OSTP) and CEQ announced first-of-its-kind guidance for federal agencies to consider and apply Indigenous Knowledge (IK) in federal agency decision-making. This guidance was developed in consultation with federal agencies and Tribes. The new guidance includes best practices to: (1) consider IK during research, policy development, planning, and implementation; (2) ensure that IK is protected, recognized, valued, and included in federal grantmaking; (3) consider IK when promulgating regulations, issuing guidance, or adopting policies; and (4) consider IK as a valid form of evidence in other policy and scientific contexts.

**Agency Implementation of the IK Initiative.** In support of the Administration's IK initiative, DOI and ACHP announced commitments at the 2022 Tribal Nations Summit to publish new IK guidance. DOI is instituting Departmental guidance for its bureaus to support collaborative engagement with Tribes and the use and protection of IK. ACHP is developing a policy regarding the role IK has in historic preservation to advance greater incorporation of and consideration for IK throughout the review process under Section 106 of the National Historic



Preservation Act. USDA's National Institute of Food and Agriculture (NIFA) has begun encouraging IK in many of the agency's Requests for Applications (RFAs) as a method to increase applications benefiting Tribal communities.

**USDA to Fund IK Research Track at AISES.** In further support of the Administration's IK Initiative, USDA will partner with the American Indian Science and Engineering Society (AISES) to fund an IK research track at the annual AISES conference for students who conduct science and engineering research at the intersection of western science and IK.

## Trust Land Acquisitions

**New Regulations and Process for Fee-to-Trust Land Acquisitions.** DOI will publish a Notice of Proposed Rulemaking on proposed amendments to 25 C.F.R. Part 151, which governs fee-to-trust land (or "land into trust") acquisitions that transfer land title to the United States to be held in trust for the benefit of an individual Indian or Tribe, including in Alaska. The process is critical for Tribal sovereignty, self-determination, preservation of history and culture, economic development, and well-being of Tribal citizens. This process is also helping right the wrongs of past policies like allotment, which removed millions of acres of land from Tribal ownership and federal protection. In line with President Biden's promise to make it easier for Tribes to place land into trust, DOI's proposed amendments provide for a more efficient, less cumbersome, and less expensive fee-to-trust process, including for conservation purposes. The Notice of Proposed Rulemaking incorporates feedback from Tribal consultations earlier in the year, and DOI will hold Tribal consultations on the Notice of Proposed Rulemaking in December 2022.

**Fee-to-Trust in Alaska.** In November 2022, Indian Affairs at DOI approved an application from the Central Council of Tlingit and Haida Indian Tribes of Alaska to take land into trust. This was the second fee-to-trust decision ever approved by the Department in Alaska. Last year, DOI announced actions to honor the Nation-to-Nation relationship with Tribes and improve the ability of Tribes to establish and consolidate their homelands, including the issuance of [Solicitor's Opinion M-37069](#), which eliminated uncertainty over the authority to take land in Alaska into trust for the benefit of Alaska Tribes. In November 2022, the Solicitor of the Interior issued [Solicitor's Opinion M-37076](#), elaborating on the Secretary's trust land acquisition authority in Alaska.

## Climate Resilience

**Tribal Climate Resilience and Community-Driven Relocation.** DOI launched three new community-driven relocation demonstration projects in 2022. This funding represents a vital investment to address the growing risks faced by many Tribes as a result of climate change. DOI, FEMA, the Denali Commission, and partnering federal agencies will coordinate with these Tribes to support their relocation efforts and address the numerous and costly aspects of relocating entire communities. BIL funding will also support Tribal climate resilience through increased funding for the BIA Annual Awards Program that is available to all Tribes facing climate-related risks.



**Additional Support for Community-Driven Relocation.** USDA’s Natural Resources Conservation Service (NRCS) Watershed and Flood Prevention Operations Program is allocating \$40 million from BIL to assist with community-driven relocation of Alaska Native Villages due to climate change, erosion, and flooding. Seven villages have been chosen from a set of the highest-risk villages. This funding will cover feasibility studies, watershed planning and National Environmental Policy Act (NEPA) compliance, and move design. USDA will coordinate with DOI’s community-driven relocation program in providing this funding.

**New Director of Alaska Native Climate Change Initiatives.** NOAA is using Climate and Equity Pilot Project funds to establish a director of Tribal climate change initiatives position at the Alaska Native Tribal Health Consortium (ANTHC), a non-profit Tribal health organization serving Native people in Alaska. The director will lead a landscape assessment of Tribal climate change adaptation activities in Alaska and establish a baseline understanding of Tribal climate change challenges and responses. In addition, the director will lead the formulation and launch of an Alaska Tribal Climate Change Advisory Group to ensure that Tribal climate change efforts across the state are led and prioritized by Alaska Native people.

**HUD Technical Assistance Funding for Responding to Climate Change.** HUD is using technical assistance funding to develop a needs assessment for up to 15 Native Alaska Village facing climate threats. HUD’s technical assistance provider will work with ANTHC to implement the recommendations to build the capacity of the Tribes to respond to climate change.

**Climate and Economic Justice Screening Tool Adds Tribal Nations.** CEQ launched its Climate and Economic Justice Screening Tool to help agencies implement the President’s Justice40 Initiative to deliver 40 percent of the overall benefits of certain Federal investments to disadvantaged communities. After meaningful and robust consultation with Tribal Nations on the beta version of the tool, it now identifies all lands within the boundaries of Federally Recognized Tribes and the locations of Alaska Native Villages as disadvantaged communities.

**Map Customization Feature on Drought.gov.** NOAA developed a new map customization feature for Tribal Nations that allows users to display reservation boundaries on any map on Drought.gov. NOAA’s National Integrated Drought Information System (NIDIS) and National Center of Environmental Information (NCEI) launched the new feature in direct response to the NIDIS Tribal Drought Engagement Strategy, which NIDIS developed in close consultation with 22 Tribal natural resource managers across the Missouri River Basin and Midwest. The strategy aims to integrate Indigenous perspectives into NIDIS’s work to foster a culturally appropriate engagement practice and to collaborate with Tribal Nations as equal partners in preparing for and responding to drought.

**ACHP Action Plan for Climate Impacts to Tribal and Native Hawaiian Sacred Sites and Historic Properties.** In 2022, ACHP developed and implemented an Action Plan recognizing climate change and its potential to adversely affect or destroy sacred sites and historic properties of religious and cultural significance. This Action Plan was developed in response to requests from Tribal Nations and Native Hawaiians and seeks to elevate the role of IK in federal decision-making related to climate change’s impacts on historic properties, sacred sites and cultural landscapes, and other important cultural places.





## Other Tribal Homelands Actions

**Alaska Subsistence Policy.** Alaska Natives depend heavily on subsistence practices for their nutritional, social, economic, and traditional cultural needs. In June 2022, DOI and USDA released a Federal Subsistence Policy Consultation Report that summarized recommendations received from subsistence users, Alaska Native Villages, Tribal Consortia, Alaska Native Organizations, and Alaska Native Corporations. The Report was based on formal comments received during a listening session and government-to-government consultations held in January 2022.

**Alaska Subsistence Fisheries Restoration and Protection.** In October 2022, DOI and DOC co-hosted the first-ever in-person and virtual consultations with Alaska Native Villages, Tribal Consortia, and Alaska Native Organizations and Corporations on Alaska subsistence fisheries restoration and protection. The consultations provided an opportunity to discuss and receive formal feedback on subsistence users and fisheries restoration and protection issues.

**Alaska Native Relations Policy.** In November 2022, DOI's Fish and Wildlife Service published draft Alaska Native Relations Policy to ensure that its work in Alaska honors Tribal trust responsibilities and embraces opportunities for co-stewardship and collaboration.

**Removal of Derogatory Names from Federal Lands.** In September 2022, the United States Board on Geographic Names (BGN), operating under the Secretary of the Interior, voted to replace names for nearly 650 geographic features featuring the word "sq\_\_\_." The final vote completes the last step in the historic efforts to remove from federal use a term historically used as a racist and sexist slur for Indigenous women.

**Historic New Forest Service Tribal Relations Action Plan.** In November 2022, USDA Forest Service implemented a new Tribal Relations Action Plan on Tribal Consultation and Strengthening Nation-to-Nation Relationships. This tool will ensure that the Forest Service is managing lands and waters in a manner that seeks to protect treaty, religious, spiritual, subsistence, and cultural interests of federally recognized Tribes. The tool also enhances restoration work across the landscape to restore ecological function and health, shift the paradigm of stewardship and management, and reduce the risk to communities from wildfire and climate driven disasters.

**America the Beautiful Challenge Grants.** In April 2022, the Administration, in coordination with the National Fish and Wildlife Foundation (NFWF), issued the [America the Beautiful Challenge](#), a new public-private partnership creating a one-stop shop for grant applicants, making it easier for communities to access grants that will deliver landscape-scale impacts. The effort coordinates funding from a partnership between DOI, USDA, and DOD with private funds into one application process. The first awards for these grants were announced in November 2022, totaling over \$91 million. Approximately one-third of the projects were awarded to, or will involve engagement with, Tribal Nations. In addition, with philanthropic support, all Tribal projects were able to be fully funded with no cash match required.



**DOD Environmental Mitigation Awards.** DOD entered into FY 2022 Cooperative Agreements with 13 Indian Tribes under the DOD Native American Lands Environmental Mitigation Program (NALEMP) and will provide \$20 million—the most ever awarded under the NALEMP Program—to address environmental effects on Indian lands from past DOD activities. These projects will enable the Tribes to resume traditional and cultural subsistence activities and remediate threats to human health and the environment.

**Elimination of Cost Share Requirements for Performance Partnership Grants.** EPA’s Office of Grants and Debarment waived the cost share requirements for Tribal and Intertribal Consortia Performance Partnership Grants (PPGs). The elimination of the cost share requirements will ensure equitable financial assistance to Tribes, encourage greater Tribal participation in the PPG program, and increase flexibilities for Tribes and Tribal Consortia to direct resources where they are needed most to address environmental and public health priorities.

**Native Hawaiian Cultural Communications and Consultation Course.** Staff from DOD’s Office of the Secretary delivered this course in August 2022 at Joint Base Pearl Harbor–Hickam, Hawai’i. Course topics covered DOD policy on Consultation with Native Hawaiian Organizations, Hawaiian history, key elements of Native Hawaiian culture, practical strategies for effective engagement with the Native Hawaiian community, and federal laws that contain consultation requirements.

**Appendix C Rulemaking Effort.** The U.S. Army has historically used USACE Appendix C for actions affecting historic properties under Section 106 of the National Historic Preservation Act. Tribal Nations and Native Hawaiian communities have, for many years, complained that Appendix C does not comply with Section 106 procedures. USACE announced a new rulemaking effort at the White House Tribal Nations Summit in November 2022, proposing to rescind Appendix C. USACE would instead rely upon ACHP’s regulations and joint USACE/ACHP guidance for implementation of Section 106. The Army intends to coordinate closely with Tribal Nations and ACHP throughout this rulemaking effort.

**New Regulations to Consider Tribal Benefits in Water Resources Development Projects.** At the White House Tribal Nations Summit in November 2022, USACE announced that it will establish new agency procedures to consider a wider range of Tribal and public benefits of water resource development projects. USACE is the nation’s largest water resource developer. Under the new procedures, the agency will take into account additional public benefits of water resources investments, including whether an investment achieves social and environmental benefits for a Tribe.

**Tribal Partnership Program Guidance.** In November 2022, Army Civil Works issued interim guidance for the USACE Tribal Partnership Program (TPP). This new guidance provides that environmental, social, and economic benefits be considered in project development, including those identified by Tribal Nations to deliver projects that substantially benefit Tribal Nations. The guidance also provides that USACE will use Tribal expertise and IK to the maximum extent. The interim guidance will be incorporated into the broader effort of developing comprehensive



guidance for the TPP to ensure transparency and a common understanding of the TPP and the benefits it can provide to Tribal Nations.

**Espanola, Rio Grande, and Tributaries Project to Protect Cultural Resources.** In November 2022, USACE finalized a design agreement with the Santa Clara Pueblo and Ohkay Owingeh for the Espanola, Rio Grande, and Tributaries Project, a major Civil Works project, which will restore and protect approximately 1,000 acres of aquatic and riparian habitat in the Rio Grande and its tributaries and protect cultural resources on Tribal lands. These habitats are an integral part of maintaining the social identity and the transmission and retention of IK for both Santa Clara and Ohkay Owingeh.

**NOAA Fisheries Equity and Environmental Justice Strategy.** In May 2022, NOAA announced a new Fisheries Equity and Environmental Justice Strategy to increase coordination, communication, and engagement with underserved and underrepresented groups and to better serve Tribal Nations.

**Enhanced Air Quality Monitoring for Communities Grant Competition.** As part of the Enhanced Air Quality Monitoring for Communities grant competition, EPA awarded grants to 23 Tribes to conduct ambient air monitoring of pollutants across the United States. These projects are made possible by ARP and IRA. Grants are awarded to support Tribal efforts to monitor their own air quality and promote air quality partnerships between communities and tribal, state, and local governments.

**Issuance of New Indian Environmental General Assistance Program (GAP) Guidance.** In September 2022, EPA's Office of International and Tribal Affairs issued the 2022 GAP Guidance with significant input from Tribal partners. The 2022 GAP Guidance provides a national framework for building Tribal environmental program capacity and implementing Tribal solid and hazardous waste programs.

**Alaska Native Claims Settlement Act (ANCSA) Contaminated Lands Initiative.** In June 2022, EPA joined other senior federal officials with the White House Arctic Executive Steering Committee to launch a collaborative initiative leveraging collective resources to expedite cleanup progress at ANCSA contaminated sites. EPA is co-leading the ANCSA Contaminated Lands Initiative in partnership with DOI and DOD with the support from other agencies. The initiative strengthens collaboration between the federal government, the State of Alaska, and Tribal and local partners to clean up those contaminated sites.

**2023 Environmental Justice Convening.** Next year, DOJ will host an Environmental Justice Convening with federal officials and Tribal leaders to develop strategies to prevent and address harms caused by environmental crimes, pollution, and climate change in Indian country. The convening will incorporate recommendations from Tribal leaders gathered during Tribal listening sessions in late 2022 and early 2023.





# Economic Development, Energy, and Infrastructure

**Access to Capital in Indian Country.** SBA—in coordination with WHCNAA and with involvement from DOC, DOE, DOI, Treasury, USDA, OMB, and the White House Council of Economic Advisers—launched an access to capital initiative at this year’s White House Tribal Nations Summit with the goal of increasing awareness, access, and utilization of financing opportunities for Tribal Nations. Implementing part one of the plan—awareness—will entail identifying and summarizing all loan and financing programs available to Tribes, including through ARP, BIL, IRA, and the CHIPS and Science Act. Part two of the plan—access—will involve identifying barriers to capital and summarizing policy, regulatory, and statutory solutions to increase access to federal financing programs. Part three of the plan—utilization—will involve seeking to increase utilization of federal capital programs by establishing baselines of use and setting metrics to improve the utilization rate of the programs.

**Implementation of the Buy Indian Act.** President Biden committed to strengthening implementation of the Buy Indian Act, which provides for special federal contracting preferences by DOI and HHS to procure supplies, services, and construction from Native-owned businesses. The federal government is the largest purchaser of goods and services in the country, buying everything from software and building construction to financial and asset management—making its procurement a powerful tool to advance equity and build wealth in underserved communities.

At the White House Tribal Nations Summit in November 2022, DOI announced its goal of awarding **75%** of contract dollars from Indian Affairs (including BIA, BIE, and Bureau of Trust Funds Administration) to Native-owned businesses and **10%** of contract dollars across the rest of the Department. IHS announced its goal of **20%**. These targets will raise Buy Indian Act utilization rates at the agencies, result in hundreds of millions of dollars being spent in Indian country, and advance the President’s effort to increase the share of government-wide contract dollars going to small disadvantaged businesses (SDBs) by 50% by 2025.

**Electric Vehicle (EV) Initiative for Tribal Nations.** BIL includes funding to secure an American EV supply chain and build out the first-ever nationwide public EV charging network of 500,000 EV chargers. At the White House Tribal Nations Summit in November 2022, the Administration announced an EV Initiative for Tribal Nations to ensure that Tribal Nations and Native communities are part of the EV future of the country. Ten federal agencies (DOT, DOE, DOI, DOL, ED, EPA, HHS, HUD, the General Services Administration (GSA), and USDA), coordinated through WHCNAA, are supporting this effort, which will include:

- mapping the proposed deployment of EV infrastructure;
- prioritizing projects that serve rural and underserved areas, including Tribal lands and communities;
- providing technical assistance to take advantage of funding opportunities;
- prioritizing Tribal, BIE-funded, and other schools on Indian lands for replacing diesel school buses with low or zero emission school buses within EPA’s Clean School Bus Program;
- providing assistance to Tribes for the purchase or lease of EV fleet vehicles;



- consulting with Tribes to consider updates to the state certification process to improve Tribal input into state plans;
- releasing a new Toolkit that will provide Tribes information they need to start planning and implementing EV infrastructure projects;
- expanding training, teaching, and employment opportunities for Tribal members within the EV market; and
- supporting Tribal Nations' roles in the EV battery supply chain.

**2022 Clean School Bus Rebate Program.** Under the EPA 2022 Clean School Bus Rebate Program funded by BIL, EPA awarded more than \$60 million to 27 applicants that will replace nearly 200 old school buses with new zero- or low-emission buses that serve students who reside on Indian land.

**Rural EV Infrastructure Toolkit.** DOT coordinated with WHCNAA to develop *Charging Forward: A Toolkit for Planning and Funding Rural Electric Mobility and Infrastructure*. This toolkit is a comprehensive resource to help rural and Tribal communities scope out, plan, and fund EV charging infrastructure so that they have the tools and information necessary to realize the benefits of electric mobility.

**Establishment of an Office of Strategic Partnerships at Interior.** DOI is establishing a new Office of Strategic Partnerships within Indian Affairs to build partnerships, leverage resources, and promote innovative solutions for Indian country. The new office will also work to bring awareness of the needs and unique status of Tribes. With support from a partnership with Native Americans in Philanthropy, the office will work in close coordination with WHCNAA to serve Tribes and Tribal organizations to develop and build long-term sustainable public-private partnerships and further conservation, education, and economic development in Indian country.

**New Gaming Regulations.** DOI will publish a Notice of Proposed Rulemaking on proposed amendments to regulations governing the review and approval of Tribal-state gaming compacts (found at 25 C.F.R. Part 293). Indian gaming is a vital economic and community development tool that has funded strong Tribal governments and significantly advanced Tribal self-determination. The proposed amendments seek to improve the negotiation process for Tribal-state compacts by clarifying boundaries as to allowable topics of negotiation, better defining key terms, and clearly outlining when the Department must review a gaming compact. The Notice of Proposed Rulemaking incorporates feedback received during Tribal consultations, and DOI will hold additional Tribal consultations on the Notice of Proposed Rulemaking in December 2022.

**Consultation on Treasury Tribal Advisory Committee's Dual Taxation Report.** Dual taxation (i.e., taxes levied by both state and Tribal governments on the same persons, properties, or transactions) on Tribal lands inhibits Tribal economic development and economic sustainability because it diverts tax revenue from Tribes to non-Tribal governments and inhibits private sector capital investment in Indian country. In recognition of this issue, the Treasury Tribal Advisory Committee (TTAC) issued a report in 2021 that documented the effects of dual taxation and provided recommendations for federal partners. Due to increased Tribal leader interest, and to ensure a robust evaluation of these recommendations, Treasury will commence a



second consultation on this report and address feedback during the first public TTAC meeting in 2023.

**105(l) Tribal Facility Leases.** Section 105(l) of the Indian Self-Determination and Education Assistance Act (ISDEAA) provides that Tribes and Tribal organizations carrying out federal functions under a self-determination contract or self-governance compact may enter into a lease agreement with DOI or HHS for the Tribally owned or rented facility used to carry out those functions. This is not a traditional lease, but an agreement to reimburse the Tribe or Tribal organization for its facility costs. In 2022, DOI expanded the use of Section 105(l) Tribal Facility leases by holding 27 technical assistance sessions with Tribes and releasing a [\*Technical Assistance Guidebook\*](#) to provide a step-by-step walkthrough for establishing a 105(l) lease. These efforts resulted in an additional 50 leases totaling \$40 million, bringing the total number of leases to 122. By comparison, in 2020, there were just six leases worth \$10 million.

## Supporting Small Businesses and Jobs

**Native Lending Initiative.** To address longstanding inequalities and persistent barriers, and to increase access to capital, SBA launched the Native Lending Initiative to build on the agency's commitment to inclusive entrepreneurship and providing Native small businesses access to critical resources. The two goals of this initiative are to: (1) ensure that every Native American entrepreneur has equal access to capital for small business financing with regards to existing SBA lending products, and (2) increase the number of Native-led and focused SBA lenders who serve Native American small businesses.

**SBA Funding for Native American Serving Organizations.** SBA announced \$1.2 million in funding for seven organizations providing community-level training and technical assistance for Native American small businesses and entrepreneurs across the country. SBA now has more Native American-focused partners than ever before, thanks in part to the Community Navigators Pilot Program, an ARP initiative designed to reduce barriers faced by underrepresented and underserved entrepreneurs.

## Providing Community Development Support

**DOI-FCC-DOC Electromagnetic Spectrum Memorandum of Understanding.** In November 2022, DOI, DOC, and the Federal Communications Commission (FCC) announced a new MOU to advance consistent interagency coordination to promote electromagnetic spectrum access and deployment of broadband and other wireless services on Tribal lands. The MOU will provide a framework for exploring new opportunities for Tribal policy development for wireless services, including spectrum access and data exchange, in support of Tribes' political and economic self-determination.

**Increased Broadband Access and Self-Determination on Infrastructure Projects for Tribes.** USDA's ReConnect Broadband Program made historic changes with a significant amount of set-aside grant funding, with no matching funds required, for Tribal projects serving Tribal lands. These considerations increased applications from Tribes and Tribal entities and resulted in additional grant awards to Tribal applicants. The program also clarified that applicants are



required to receive Tribal permissions to be eligible to use ReConnect funding to provide broadband service on Tribal lands.

**2022 National Tribal Broadband Summit.** In September 2022, DOI and federal partners hosted their annual National Tribal Broadband Summit with Tribes, industry experts, representatives of Tribal organizations, and policymakers to share innovations in expanding broadband access and adoption for Tribal communities.

**National Policy Memorandum to Streamline Rights-of-Way.** In April 2022, BIA issued a National Policy Memorandum (NPM), “*Streamlining the Rights-of-Way (ROW) and Business Lease Application Process for Bipartisan Infrastructure Law, Telecommunication, and Renewable Energy Projects.*” The NPM streamlines the ROW and Business Lease Application Process for telecommunication and other areas and expedites Indian country projects using BIL funding.

**BIA-NTIA Memorandum of Understanding to Streamline Environmental Reviews.** In July 2022, the National Telecommunications and Information Administration (NTIA) and BIA announced the signing of an MOU to facilitate the timely deployment of high-speed internet service on Tribal lands by streamlining environmental reviews. Under NTIA’s Tribal Broadband Connectivity Program, broadband technology may be installed in ROWs that cross Tribal trust lands. Doing so requires that both agencies comply with NEPA by preparing environmental documents that analyze the environmental impacts of broadband deployment. The MOU addresses NEPA reviews for both NTIA, as the lead federal agency for high-speed internet grant programs, and BIA, as the agency authorized to approve ROWs over Tribal lands.

**Establishment of a DOI Office of Indigenous Communications & Technology (OICT).** This new office will assist Tribal Nations and Tribal entities with broadband infrastructure development and management, electromagnetic spectrum leasing, and technical assistance for wireless, digital, and technological projects on Tribal lands. The office will also focus on the development of new technological services to facilitate new partnerships between Tribes and the tech industry for the advancement of Tribal self-governance initiatives, including electric vehicles, light detection and ranging (LiDAR) used for mapping, surveying and other services, and opportunities for Indigenous participation in data science, coding, and software engineering.

**Renegotiation of the PL477 Memorandum of Agreement.** In October 2022, 12 federal agencies signed a [new Memorandum of Agreement \(MOA\)](#) to implement the Tribal “PL477 Program,” named for Public Law 102-477. PL477 allows Tribal governments to consolidate important federal funding for job training, workforce development, and other economic development purposes into single plan, with a single reporting requirement, administered by DOI. PL477 eases the burden on Tribes and makes it easier to provide federally funded employment and job training services based on unique Tribal goals. DOI and DOL will develop guidance to assist Tribes using the new 477 MOA to boost their employment, job training, and related services. This guidance will help Tribes identify eligible funding and develop 477 plans for approval.



**Tiwahe Initiative.** DOI's Tiwahe Initiative began in 2015 and provides flexible funding to Tribes to develop individualized programming in six areas: social services; the Indian Child Welfare Act; recidivism reduction; Tribal courts; job placement and training; and housing. In response to the success of the program as outlined in the 2021 Congressional Report, Congress appropriated an additional \$3 million to expand Tiwahe Demonstration Projects - the first expansion since 2017. As of 2022, the demonstration project is comprised of six Tribes with funding to expand to two additional Tribes. To improve access, DOI's Indian Affairs developed an updated application process for interested Tribes based on feedback received during formal Tribal consultation.

**DOL Workforce Grants.** DOL provided \$69 million in formula workforce grants to Tribal Nations in 2022, as well as another \$30 million in Quality, Jobs, Equity, Strategy, Training (QUEST) grants intended to support more training partnerships and place-based planning for workforce needs.

**AmeriCorps State and National Federal Funding.** AmeriCorps provided 13 federally recognized American Indian and Alaska Native Tribes more than \$4.2 million in funding to support more than 140 AmeriCorps members. This funding will prioritize the investment of national service resources into work on COVID-19 response, economic opportunities, education including traditional knowledge and Indigenous language, civic and social engagement, environmental stewardship, healthy futures, and veterans and military families.

**SSA's Native American Precedent and Resource Center.** In response to consultation with Tribal leaders, SSA has established a Native American Precedent and Resource Center (NAPR) to address concerns about the treatment of Tribal income for Supplemental Security Income (SSI) payment purposes. The NAPR includes a repository of case precedents with information about Tribal income programs, documentation of income, and potential exclusions under SSI policy.

## Supporting Clean Energy Development

**Tribal Clean Energy Transition Initiative.** At the White House Tribal Nations Summit in November 2022, DOE launched a new interagency initiative to support Tribes transitioning from conventional to clean energy development. DOE will enter into MOUs with interested Tribes to establish frameworks for collaboration. DOE will coordinate and collaborate with WHCNA and the Interagency Working Group on Coal Power Plant Communities and Economic Revitalization. Active involvement from DOI, DOT, USDA, DOC, ED, and DOL will support and strengthen this initiative.

**Implementation of the Indian Energy Purchase Preference at Federal Facilities.** The Biden-Harris Administration is committed to reaching 100 percent carbon pollution-free electricity (CFE) by 2030 with an eye towards energy and environmental justice in accordance with Executive Order 14057, *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability*. One component of this strategy is renewed effort toward CFE procurement from Tribes and Tribal majority-owned businesses.





To ensure that investments in the clean energy economy reach Tribal lands, DOE—in coordination with WHCNA and with involvement from DOD and GSA—launched a new initiative at the 2022 White House Tribal Nations Summit to increase federal agencies’ use of Tribal energy through purchasing authority established by statute. Section 2602(d) of the Indian Tribal Energy Development and Self-Determination Act of 2005 (Title V of the Energy Policy Act of 2005) established for federal agencies a preference for purchasing electricity and other energy products from Indian Tribes and Tribal enterprises. That authority has been unused for over 17 years. The Administration will hold listening sessions with Tribal Nations to better understand the market conditions for Tribes and Tribal majority-owned businesses developing CFE; DOD will integrate the Indian Energy Purchase Preference into electricity procurement strategies; GSA will lead a pilot focused on Tribal energy production to develop procurement strategies; and agencies will develop training and resources for Tribes and Tribal majority-owned businesses to foster technical expertise in the development of CFE projects, improve awareness of the Preference, and encourage partnerships for CFE development.

**Renewable Energy Accelerated Deployment Initiative for Indian Country.** DOI announced the Renewable Energy Accelerated Deployment Initiative for Indian Country (READI) to centralize Native renewable energy expertise and expedite renewable energy resource development on Indian lands. The initiative will: streamline and advance renewable energy development in departmental policies, procedures, and regulations including leasing; solicit and receive Tribal government advice on renewable energy resource needs and priorities; and incentivize renewable energy development on Indian lands through technical assistance and consensus-based updates to regulations and other legal authorities.

**DOE Tribal Clean Energy Summit.** In October 2022, 46 Tribal leaders joined the Secretary of Energy and DOE’s Office of Indian Energy for a Nation-to-Nation discussion to explore how DOE can be a stronger partner in pursuing Tribal energy sovereignty, addressing climate resilience, and building stronger economies. Thirty-three key Tribal energy advisors and 213 other energy professionals representing 61 Tribal and Alaska Native governments also participated.

**DOE Tribal Clean Energy Funding Announcements.** In March 2022, DOE’s Office of Indian Energy announced nearly \$9 million in funding to 13 American Indian and Alaska Native communities for 14 projects that will harness their vast undeveloped solar, hydro, and geothermal energy resources, reduce or stabilize energy costs, and increase energy security and resilience on Tribal lands. In November 2022, the Office announced \$35 million in new funding opportunities [to deploy clean energy technology on Tribal lands](#) and [power unelectrified Tribal buildings](#).

## Responding to Transportation Needs

**Tribal Transportation Program (TTP).** DOT’s Federal Highway Administration (FHWA) issued \$462 million in FY 2022 to help Tribes address the transportation needs of their communities. Tribes use these funds for eligible transportation activities such as planning, design, and construction of transportation facilities, as well as addressing maintenance and transportation safety issues.



**TTP Bridge Program.** In FY 2022, FHWA and BIA approved 49 Bridge Program applications for BIA-owned, Tribally-owned, and other eligible bridges for preliminary engineering and construction projects funded by BIL.

**Transportation Funding for Tribal Nations Brochure.** The FHWA developed a brochure titled [\*Transportation Funding Opportunities for Tribal Nations\*](#). This brochure contains funding opportunities for Tribes and information on how to access funding.

**Tribal Transit Competitive Program Grant Awards.** In January 2022, DOT's Federal Transit Administration (FTA) announced \$10.3 million in TTP grant awards to 36 Tribal governments for projects that support transit services for American Indian Tribes and Alaska Native Villages in rural areas. In October 2022, FTA announced approximately \$8.6 million in TTP grant awards to 25 Tribal governments for projects that support transit services for American Indian Tribes and Alaska Native Villages.

**Improving Highway Safety in Indian Country.** DOT's National Highway Traffic Safety Administration (NHTSA) is leading a multi-agency effort to address highway safety in Indian country. Motor vehicle crashes are a leading cause of death for American Indians and Alaska Natives. This campaign will bring awareness to the higher rates of fatal crashes in Indian country and will include safety strategies for Tribes. NHTSA will partner with BIA's Office of Public Safety and Justice to conduct outreach to Tribes for the campaign.

**Tribal Aviation Symposium.** DOT hosted its first-ever Tribal Aviation Symposium in 2022. The symposium provided information and technical assistance to Tribal government airport sponsors (entities that own, operate, or lease public-use airports) on applying for and using federal airport funding for infrastructure improvements, protecting sacred sites from overflights, and preparing future generations for careers in aviation.

**Tribal Transit Symposium.** DOT announced its first-ever Tribal Transit Symposium, which will be held in 2023. This symposium will provide Tribes the opportunity to meet with FTA leadership; get technical assistance; and learn about BIL funding opportunities and learn about the TTP, which funds planning, capital, and operating assistance for Tribal public transit services.

**Tribal Maritime Roundtable.** DOT is announcing that its Maritime Administration (MARAD) will host the first ever Tribal Maritime Roundtable in 2023 to update Tribes on the Port Infrastructure Development Program, the America's Marine Highway Program, and workforce development opportunities in the maritime sector.

## Water Infrastructure in Tribal Communities

**Rural Water Projects for Tribal Communities.** In FY 2022, DOI's Bureau of Reclamation invested more than \$550 million in the construction, operations, and maintenance of rural water projects, with over \$100 million of that benefitting Tribal communities. Moreover, BIL's Indian Water Rights Settlements Completion Fund is accelerating progress on the Navajo-Gallup Water



Supply Project, which is delivering water to more than 6,000 Navajo Nation Tribal citizens. In September 2022, BOR's Native American Technical Assistance program announced the award of \$10.3 million in FY 2022 funds to 26 Tribes.

**New DOI Water Sanitation Program.** In 2022, DOI successfully developed its first water sanitation program to address critical drinking water and wastewater needs at Indian Affairs owned facilities. An investment of \$20 million from BIL and annual appropriations will begin tackling major known water sanitation challenges in areas like the Columbia River In-Lieu Treaty fishing sites, as well as developing a long-term plan to address remaining challenges.

**EPA Investments in Critical Water Infrastructure and Basic Sanitation in Indian Country.** In FY 2022, EPA provided more than \$230 million from annual appropriations and BIL funding to improve access to safe drinking water and sanitation and protect health in Indian country. In FY 2022, EPA also worked to increase access to technical assistance for Tribal communities and utilities. This included the launch of the EPA-USDA Closing America's Wastewater Gap pilot project in June 2022. Through this initiative, EPA and the USDA Rural Development will jointly leverage technical assistance to help 11 historically underserved communities (three of which support Tribal communities) identify and pursue federal funding opportunities to address their wastewater needs.

**EPA Cross-Federal Coordination to Improve Access to Safe Drinking Water and Basic Sanitation to Tribal Communities.** In February 2022, partner agencies renewed the Federal Tribal Infrastructure Task Force (ITF) to improve federal government coordination efforts to deliver water infrastructure and financial assistance to American Indian Tribes and Alaska Native Villages, including providing a focused platform for coordination and communication as BIL initiatives are implemented. The ITF is comprised of USDA, EPA, HHS, HUD, and DOI components. In March 2022, the ITF published the [\*Federal Water and Wastewater Resources for Tribes\*](#), which summarizes available funding opportunities and technical assistance support provided by federal agencies.

**IHS Funding for Sanitation Facilities Construction Projects.** In May 2022, IHS announced \$700 million for critical sanitation facilities construction projects in Indian country, providing 71,000 American Indian and Alaska Native homes with critical water and wastewater services.

## Access to Safe, Affordable Housing

**Over \$1 Billion in HUD Grant Funding.** HUD's Office of Native American Programs awarded over \$1 billion in FY 2022, including \$772 million in Indian Housing Block Grants, \$95 million in Indian Housing Block Grant Competitive Grants, and \$52 million in Indian Community Development Block Grants.

**USDA Native American Re-lending Pilot Program.** In September 2022, USDA contributed \$4 million in additional funding to its Native Community Development Financial Institutions (CDFI) Re-lending Pilot, which will help approximately 50 families become homeowners. Additionally, in September 2022, USDA's Office of Tribal Relations and USDA Rural Development entered into a 2-year cooperative agreement with the Native CDFI Network to





build an electronic resource toolkit (NCN e-toolkit) to empower Native CDFIs and promote awareness of and access to Rural Development programming.

**Tribal Housing and Related Infrastructure Interagency Task Force.** In April 2022, HUD led the Tribal Housing and Related Infrastructure Interagency Task Force and finalized an implementation plan with action items and timeframes to coordinate environmental reviews. The Task Force developed a website in February 2022 with guidance and best practices to coordinate environmental reviews among Tribes and federal agencies. The website also includes a tool that identifies environmental requirements by funding source, allowing Tribes or federal agencies to develop one comprehensive environmental review for projects with multiple funding sources or federal actions. HUD will conduct Tribal consultation on the website and tool in early 2023.

**New Section 184 Regulations to Increase Home Ownership.** At the White House Tribal Nations Summit in November 2022, HUD committed to publishing a new Section 184 Indian Home Loan Guarantee Program proposed rule that modernizes the program and provides more homeownership opportunities in Indian country. The rule will: (1) codify program requirements governing underwriting, loan origination, and claims; and (2) introduce much needed certainty into the program to attract more participating lenders. The proposed rule would, among other things, authorize HUD to establish a minimum level of lending on trust land.

**New Housing for Skilled Workers.** At the White House Tribal Nations Summit, HUD committed to implement a new Section 184 demonstration program that specifically targets Tribes and Tribally designated entities to use Section 184 financing for the construction of rental housing for skilled workers in Tribal communities. HUD will issue guidance outlining programmatic requirements and begin to make this loan product available to Tribes in 2023.



# Improving Health Care for Tribal Citizens

**Investing in Health Services for American Indians and Alaska Natives.** The Biden-Harris Administration is committed to promoting health equity by investing significantly in services for American Indians and Alaska Natives. The President’s FY 2023 Budget included mandatory funding for IHS—with \$9.1 billion for the first year of the proposal, and automatically growing each year for 10 years to keep pace with health care costs and population growth—to provide stable and predictable funding to improve access to high quality health care, rectify historical underfunding of the Indian health system, eliminate existing facilities backlogs, address health inequities, and modernize IHS’ electronic health record system.

**New Strategy for Tribes to Access the Strategic National Stockpile.** At the White House Tribal Nations Summit in November 2022, HHS shared next steps for its draft strategy for Tribes to access the Strategic National Stockpile. HHS will initiate Tribal consultation on a strategy that describes how IHS, Tribal health departments, and urban Indian organizations can access the lifesaving federal repository of drugs and medical supplies to support Native communities, prevent supply shortages, and reduce health disparities.

**New Policy Clarifying Data Sharing with Tribal Epidemiology Centers for HHS Agencies.** HHS will announce a new Tribal Data Sharing Policy in 2023 that will include guidance and a streamlined process for Tribal Epidemiology Centers to request and access critical health data at HHS components. This policy responds to recommendations by the U.S. Government Accountability Office as well as requests from Tribal leaders to improve data sharing at IHS and Centers for Disease Control and Prevention (CDC). In development of this new policy, HHS will examine the broader impact of Tribal access to health data as well.

**Strong Focus on Improving Mental Health.** The Biden-Harris Administration is committed to increasing equitable access to mental and behavioral health services for those in need, especially those in crisis. In September 2022, HHS announced a new \$35 million grant opportunity, enabled by the Bipartisan Safer Communities Act, to better support the 988 Suicide and Crisis Lifeline services in Tribal communities. The funding will be used to recruit, train, and hire more culturally competent crisis counselors to connect with people in need within Tribal nations, as well as to ensure that they have follow-up care.

**Alzheimer’s Disease Response Resources.** In 2022, IHS announced \$5 million in funding to target resources directly to Tribes, Tribal organizations, urban Indian organizations, and IHS direct service facilities to address Alzheimer’s disease within Tribal communities. This is the first time IHS is allocating funds to specifically address Alzheimer’s disease. The funds will improve awareness, diagnosis, and management of Alzheimer’s disease as well as support for caregivers.

**Opioid Epidemic Response Efforts.** In May 2022, HHS, through the Substance Abuse and Mental Health Services Administration (SAMHSA), announced \$55 million in funding for its Tribal Opioid Response (TOR) grant program. This program reflects HHS’s commitment to addressing opioid use disorder in and outside of Tribal communities—one of the four Unity Agenda priorities of the Biden-Harris Administration.



**Behavioral Health Grant Awards.** In FY 2022, IHS announced \$46.4 million in grant awards to address: substance use prevention, treatment, and aftercare; suicide prevention, intervention, and postvention; domestic violence prevention; forensic health care; behavioral health integration; and the Zero Suicide Initiative. These resources will help create critical capacity to address behavioral health needs in Tribal communities.

**Supporting Organizational Transformation to Focus on Trauma-Informed Care.** IHS developed and published a new Trauma-Informed Care Policy. IHS requires all its federal employees, contractors, and volunteers to complete annual training on new trauma-informed care requirements. These efforts will help ensure safe, supportive, welcoming, non-punitive, respectful, and healing environments for patients and staff.

**Ending the HIV Epidemic.** In 2022, IHS announced \$5 million in funding to target resources directly to Tribes, Tribal organizations, urban Indian organizations, and IHS direct service facilities to address HIV and hepatitis C virus in Indian country.

**Radiation Exposure Compensation Act (RECA) Program and Extension Act.** The Radiation Exposure Compensation Act (RECA) Program provides lump sum cash benefits to those who sacrificed their health during employment in the uranium industry or due to fallout from atomic weapons testing during the Cold War. The geographic focus of the law is the American southwest, including numerous Tribal lands, particularly the Navajo Nation. Since December 1, 2021, the RECA Program, administered by DOJ, has provided direct assistance to Tribal agencies and hundreds of individual Native American claimants while delivering \$11.7 million in compensation to over 300 eligible beneficiaries and their survivors. On June 7, 2022, the President signed into law the RECA Extension Act of 2022, extending termination of the RECA Trust Fund and the filing deadline for all claims for two years from its date of enactment.

**Innovative Readiness Training (IRT) Program.** In 2022, DOD's Innovative Readiness Training (IRT) program reserve units responded to requests for assistance from dozens of Tribal communities in Alaska, California, Idaho, and Oklahoma. The units staffed mobile medical clinics, which provided over 6,000 no-cost medical/dental procedures and screening services, shared engineering expertise and support to one Tribe, and assisted another Tribe with construction of housing units for Tribal veterans.

**Hall of Tribal Nations at HHS.** HHS is unveiling its plans for a new Hall of Tribal Nations at HHS headquarters in Washington, D.C. to increase visibility of Tribal Nations as Nation-to-Nation partners in providing health and human services in their communities. The Hall of Tribal Nations will be complete in early 2023 with inaugural Tribal flags representing the members of the Secretary's Tribal Advisory Committee.



# Food, Agriculture, and Rural Prosperity

**White House Conference on Hunger, Nutrition, and Health.** The Biden-Harris Administration hosted the White House Conference on Hunger, Nutrition, and Health—the first of its kind in over 50 years—to accelerate progress and drive significant change to end hunger, improve nutrition and physical activity, and reduce diet-related diseases. The Administration announced a National Strategy outlining actions the federal government will take and issuing calls to action across all sectors to bring transformative changes to the food and physical environment. The National Strategy was developed in consultation with Tribal Nations and includes a variety of actions to support Tribal communities, including new Indigenous Food Hubs for BIE schools and BIA detention centers.

**USDA Rural Partners Network.** In 2022, the Biden-Harris Administration launched the Rural Partners Network (RPN), a new whole-of-government effort led by USDA to transform the way federal agencies partner with rural places to create economic opportunity. The first cohort of RPN communities included the San Carlos Apache Tribe, Tohono O'odham Nation, and Cocopah Indian Tribe. The second cohort, which launched in November 2022, includes the Greater Menominee Community Network and Western Alaska Native communities in the Bering Strait, Kashunamiut, Lower Kuskokwim, and Lower Yukon areas.

**Indigenous Food Hubs.** DOI announced Indigenous Food Hubs for BIE-operated schools and BIA-operated detention centers at the White House Conference on Hunger, Nutrition, and Health, in September 2022. To further this work, DOI is committed to adopting Indigenous-based land and agricultural management practices and metrics for BIA-managed lands. Additionally, USDA will promote the use of traditional foods in school meals and work with state agencies and schools to overcome food safety, accrediting, or other barriers to serving traditional foods in school meals programs.

**Bison Initiative to Further Food Sovereignty.** At the White House Tribal Nations Summit in November 2022, USDA and DOI announced new efforts to help restore bison populations and promote the conservation of the species. A new USDA initiative will include cooperative agreements with the InterTribal Buffalo Council to prepare and release: (1) a handbook to provide best practices for humane handling and harvesting of bison in the field; and (2) a hands-on curriculum and training focused on food sovereignty and food safety. USDA will also consider actions to remove barriers to serving Tribally produced bison in child nutrition programs. BIA's Office of Trust Services will create a Branch of Bison Restoration to assist Tribes in developing new bison herds.

**Bison Transfers.** In October 2022, Badlands National Park completed the largest bison gathering operation in park history. Excess young bison are distributed through partnerships with Tribes and other government agencies to help develop strong conservation herds and to support traditional uses of bison. In coordination with the Oglala Sioux Tribe and InterTribal Buffalo Council, approximately 655 animals were distributed to Tribes (Cheyenne River Sioux Tribe, Rosebud Sioux Tribe, Oneida Nation, and Oglala Sioux Tribe). Over the years, Badlands National Park has distributed more than 6,000 bison, helping to restore the animals to their native homelands.



**Distressed Borrower Assistance Provided for Farmers & Ranchers.** USDA provides access to credit to approximately 115,000 producers who cannot obtain sufficient commercial credit through direct or guaranteed farm loans. Our nation's farmers and ranchers have faced incredibly tough circumstances over the last few years. With the funds from President Biden's IRA, USDA swiftly provided relief to qualifying distressed borrowers whose operations were at financial risk. Distressed borrowers with qualifying USDA farm loans have already received nearly \$800 million in assistance, as part of the \$3.1 billion in assistance.

**Expanded Support for Indigenous Food Sovereignty Through Increasing Local Tribal Purchasing.** Through the Local Food Purchase Assistance Cooperative Agreement Program, the USDA Agricultural Marketing Service partnered with Tribal governments to distribute locally produced Tribal foods to Tribal populations. As of the end of October 2022, 17 agreements for over \$14 million have been awarded to Tribal governments, and an additional 14 applications from Tribal governments are currently under review.

**Historic Food Distribution Program on Indian Reservations (FDPIR) Tribal Self-Determination Pilot Project.** USDA's Food and Nutrition Service (FNS) has successfully implemented the historic FDPIR Self-Determination Demonstration Project authorized by the 2018 Farm Bill. The demonstration project recognizes Tribal food sovereignty by allowing Tribes to enter into contracts with farmers, growers, and producers to procure their own foods to feed their people. USDA has awarded approximately \$6 million to eight participating Tribes to purchase local, traditional foods, including bison, ground beef, Alaskan halibut, Alaskan cod, wild rice, and a variety of fresh fruits and vegetables from local farms. In October 2022, USDA announced the solicitation for a second round of proposals to join the demonstration project, which will remain open through January 2023.

**Tribal Consultation Training for State SNAP Programs.** In September 2022, USDA's FNS issued new guidance and is training states on Tribal consultation requirements related to implementation of the Supplemental Nutrition Assistance Program (SNAP). FNS is incorporating feedback from Tribal leaders about the need for stronger federal involvement to ensure that Tribal needs are met through the SNAP program.

**Indigenous Food Sovereignty Initiative.** USDA has taken several steps to implement its Indigenous Food Sovereignty Initiative in 2022. In partnership with Native American Food Sovereignty Alliance – Indigenous Seed Keepers Network (ISKN), USDA helped establish six regional Indigenous seed hubs in the Midwest and Southwest/Western regions. USDA also partnered with Native experts and the North American Traditional Indigenous Food Systems (NATIFS) to produce recipes and instructional cooking videos on ways to integrate foraged and Indigenous foods with foods available through USDA's FDPIR. To further expand the initiative, USDA is announcing new cooperative agreements with Tribal-serving organizations to: engage Native youth in food sovereignty and gardening; create additional recipes and videos on foraging and cooking Indigenous foods; and partner with two tribal land grant colleges (Nueta Hidatsa Sahnish College and United Tribes Technical College) on research related to Indigenous seeds, plants, and other IK.



# Ensuring Safety and Justice in Indian Country

## Addressing Crime and Improving Law Enforcement

**New Memorandum of Understanding to Improve Law Enforcement Coordination in Indian Country.** The Federal Bureau of Investigation (FBI) and DOI's Assistant Secretary for Indian Affairs, on behalf of the BIA's Office of Justice Services (BIA-OJS), announced a new MOU between the agencies at the Tribal Nations Summit in November 2022, which will be the first update of the agencies' MOU since the early 1990s. The new MOU clarifies investigative roles, defines best practices, recommends training for personnel working in Indian Country, and improves coordination between the two law enforcement agencies that share responsibility for investigating Indian Country crimes, including missing or murdered Indigenous people (MMIP).

**Safe Trails Task Forces.** The Safe Trails Task Force (STTF) Program is a partnership between the FBI and federal, state, local, and Tribal law enforcement that works to combat the growth of crime in Indian country. Founded in 1994, STTFs allow participating agencies to increase investigative coordination in Indian country to target violent crime, drugs, gangs, and gaming violations. This year, the FBI expanded the program by adding an additional task force in Oklahoma, as well as numerous officers to the existing task forces throughout Indian country. The FBI currently maintains 23 STTFs and employs over 150 full-time and 350 part-time STTF officers.

**Tribal Justice, Safety and Wellness Summit.** BIA-OJS partnered with the DOJ's National Indian Country Training Initiative (NICTI) to host the 2022 Tribal Justice, Safety and Wellness Summit. To improve workforce retention and support field services to Tribes, the Summit featured four training tracks: (1) Criminal Justice Personnel; (2) Records Collection and Data Sharing; (3) Tribal Courts and Corrections; and (4) MMIP.

**Shadow Wolves Enhancement Act.** In April 2022, President Biden signed the Shadow Wolves Enhancement Act, paving the way for reclassifying Shadow Wolves from tactical officers to special agents for U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI). This elite unit of 8 officers, based out of the Tohono O'odham Nation, covers 2.8 million acres, including a 75-mile stretch of border shared with Mexico. The new law allows these officers to patrol the desert and to investigate, interdict, and disrupt criminal activity on their land as HSI special agents. The Shadow Wolves Enhancement Act will increase agency effectiveness in targeting and disrupting human and drug smugglers throughout the rugged terrain of the Sonoran Desert and across Tribal lands. The reclassification of the Shadow Wolves broadens the authority of an elite law enforcement program while preserving the unit's historic legacy and augments critical state and federal partnerships while furthering our broad national security missions.





## Addressing the MMIP Epidemic

**Implementing Executive Order on Improving Public Safety and Criminal Justice for Native Americans and Addressing the Crisis of Missing or Murdered Indigenous People (MMIP).** On November 15, 2021, President Biden issued an [Executive Order](#) directing DOJ, DOI, and HHS to create a strategy to improve public safety and justice for Native Americans and to address the epidemic of MMIP. Pursuant to the Executive Order, these Departments have been working jointly with other agencies and in coordination with WHCNA to address the MMIP epidemic, including reviewing current policies to identify needed changes, addressing jurisdictional challenges, and improving coordination among state, Tribal, and federal entities. In November 2022, the Departments released a new [comprehensive federal law enforcement strategy](#).

**Improving Case Intake for MMIP Cases.** The FBI and BIA-OJS announced at the 2022 Tribal Nations Summit that they will embed a criminal investigator and program analysts from DOI's Missing and Murdered Unit (MMU) into the FBI headquarters unit in charge of Indian Country to facilitate MMIP case intake. Having MMIP-experienced staff involved at inception will expedite and enhance law enforcement's approach to MMIP cases from the outset.

**FBI Regional MMIP Initiatives.** FBI field offices have established regional MMIP initiatives to understand the MMIP issues within their areas of responsibility and better assist the family members of victims. For example, the FBI Albuquerque Office established a publicly available list, updated monthly, of Native Americans identified as missing within New Mexico and the Navajo Nation. The FBI Phoenix Office, along with BIA's Missing or Murdered Unit, Tribal law enforcement, and NamUs, held multiple events in Indian country for family members to report missing or murdered persons to law enforcement.

**Updated U.S. Attorney's Offices Operational Plans.** DOJ announced that U.S. Attorney's Offices within Indian Country will finalize their operational plans to better promote public safety in Tribal communities. On July 13, 2022, the Deputy Attorney General issued a [directive](#) to all U.S. Attorneys and law enforcement agencies that made it a priority to address the disproportionately high rates of violence experienced by American Indians and Alaska Natives, and relatedly, the high rates of Indigenous persons reported missing. Consistent with that directive and Savanna's Act, U.S. Attorneys Offices have, in consultation with Tribes located in their districts, worked to develop guidelines for cases involving missing or murdered Indigenous persons and to update their operational plans to improve coordination, better support victims, and address other pressing public safety issues.

**DOJ and DOI MMIP Webpages.** To improve transparency regarding MMIP efforts and better support access to resources and information sharing, [DOJ](#) and [DOI](#) rolled out dedicated MMIP Webpages in 2022. The Departments will continue to build content on those sites as they make progress in this area.

**Expanded Outreach of the National Human Trafficking Hotline to address MMIP.** To address the MMIP epidemic and reduce risk factors for victimization, HHS committed at the 2022 Tribal Nations Summit to ensuring that the National Human Trafficking Hotline is able to make referrals to mental health organizations and health care providers with the appropriate



expertise to work with human trafficking victims, including those who have cultural competency for working with Indigenous people. It will do so by: (1) consulting with the National Human Trafficking Hotline on the status of referrals with cultural competencies, and (2) expanding outreach to providers with trauma-informed training and culturally and linguistically appropriate competencies for inclusion in the Hotline referral directory.

**Missing and Murdered Unit Achievements.** The MMU within BIA’s Office of Justice Services (BIA-OJS) provides leadership and direction for cross-departmental and interagency work involving missing and murdered Indigenous people. As of today, the MMU has investigated a total of 503 missing and murdered persons cases and has solved 68 missing persons cases and 5 murder cases since its inception in April 2021.

**Not Invisible Act Commission (NIAC).** On May 5, 2022, the Secretary of the Interior and the Attorney General announced the members of the Not Invisible Act Commission (NIAC), a cross jurisdictional advisory committee composed of law enforcement, Tribal leaders, federal partners, service providers, family members of missing and murdered individuals, and—most importantly—survivors. The 40-member NIAC will make recommendations to DOI and DOJ to improve intergovernmental coordination and establish best practices for state, Tribal, and federal law enforcement; bolster resources for survivors and victim’s families; and combat the MMIP epidemic.

**MMIP Proclamation.** The White House declared May 5, 2022, as Missing or Murdered Indigenous Persons Awareness Day to remember victims and their families, and to express the Biden-Harris Administration’s commitment to working with Tribal Nations and Native communities to achieve justice and healing.

## Improving Crime Data & Reporting

**Tribe and Territory Sex Offender Registry System.** In February 2022, DOJ launched the Tribe and Territory Sex Offender Registry System (TTSORS)-National Sex Offender Registry (NSOR) second generation interconnection tool to enable Tribal registries to submit directly to the NSOR. The TTSORS-NSOR second generation interconnection tool has significantly increased Tribal submissions in NSOR and enhanced accuracy, completeness, and timeliness of Tribal sex offender data.

**Tribal Access Program (TAP) Expansion.** In September 2022, DOJ announced the selection of an additional 16 federally recognized Tribes to participate in the Tribal Access Program for National Crime Information (TAP). TAP provides Tribal governments with means to access, enter, and exchange data with national crime information systems, including those maintained by the FBI Criminal Justice Information Services Division. Using TAP, Tribes have shared information about missing persons; registered convicted sex offenders; entered domestic violence orders of protection for nationwide enforcement; run criminal histories; identified and arrested fugitives; entered bookings and convictions; and completed fingerprint-based record checks for non-criminal justice purposes such as screening employees or volunteers who work with children. This expansion brings the total number participating Tribes to 123.





**New Cybersecurity Grant Program.** In August 2022, FEMA and the Cybersecurity & Infrastructure Security Agency (CISA) hosted a virtual Tribal consultation to introduce and receive input on policies and procedures under development to deliver funding to Tribal Nations for the Tribal Cybersecurity Grant Program. This new grant program aims to address cybersecurity risks and threats to information systems owned or operated by, or on behalf of, Tribal Nations. Tribal governments will receive \$6 million in FY 2022 funding under the grant program; additional funding will be available in FY 2023-2025.

**NamUs.** Since December 2021, NamUs, managed by the Office of Justice Program's (OJP) National Institute of Justice (NIJ), has prioritized Tribal cases and has facilitated a combined total of 35 Tribal forensic service requests received for fingerprints, odontology, and forensic genetic genealogy. In that same timeframe, NamUs has provided 19 trainings for Tribal communities, reaching more than 1,650 attendees consisting of law enforcement, attorneys, victim advocates, task force members, government agencies, and members of the public. Furthermore, the NamUs program has hired a former criminal investigator from the Navajo Nation Police Department to serve as a Tribal Program Specialist to participate in NamUs outreach events and to provide in-person and virtual training to all Tribal professional and public stakeholders.

## Improving Outreach and Coordination

**New National Native American Outreach Services Liaison.** At the White House Tribal Nations Summit in 2022, DOJ announced its first-ever National Native American Outreach Services Liaison. This position was created as part of the President's Executive Order on Improving Public Safety and Criminal Justice and Addressing the Crisis of Missing and Murdered Indigenous People. The Liaison will build on and enhance existing protocols for effective, consistent, and culturally and linguistically appropriate communication with families of victims and work to ensure that victims of crime have a voice during every step of the criminal justice process where the federal government has jurisdiction.

**Native American Issues Subcommittee Reconvening.** In July 2022, the newly reconvened Native American Issues Subcommittee (NAIS) of the Attorney General's Advisory Committee held its first meeting. Currently, NAIS is made up of U.S. Attorneys from districts that include Indian country or one or more federally recognized Tribes. NAIS focuses exclusively on Indian country issues, both criminal and civil, and is responsible for making policy recommendations to the Attorney General regarding public safety and legal issues that impact Tribal communities.

**FEMA's First-Ever National Tribal Strategy.** In August 2022, FEMA released the *2022-2026 FEMA National Tribal Strategy* (National Tribal Strategy) as a nationwide roadmap to support Tribal Nations, aligning FEMA actions to build and deliver preparedness and resilience capabilities in Tribal communities. The National Tribal Strategy incorporates comments and recommendations by Tribal Nations through extensive outreach and consultation sessions. Key FEMA actions in the National Tribal Strategy include: initiating a national study on Tribal emergency management capacity and capabilities; developing a comprehensive FEMA guide of programs; developing Tribal-specific technical assistance resources; convening an annual



meeting of national and regional Tribal liaisons; expanding training opportunities for Tribal Nations; and other related objectives.

**FEMA National Tribal Affairs Work Group.** As outlined in the National Tribal Strategy, in September 2022 the FEMA Office of External Affairs created the FEMA Tribal Affairs Work Group to enhance FEMA’s approach to Tribal engagement across program areas. The work group will meet regularly and is comprised of members of the FEMA Tribal Employee Resource Group (FERG), regional Tribal liaisons, and other FEMA staff with expertise on Tribal issues.

## Expanding Victim Services

**Expanding Tribal Special Criminal Jurisdiction in the Violence Against Women Act (VAWA).** In March 2022, President Biden signed into law the VAWA Reauthorization Act of 2022. The law builds upon the successes of the 2013 VAWA reauthorization by reaffirming inherent Tribal authority to prosecute certain non-Indian offenders. The law extends the same protections from domestic violence and dating violence to Native American victims of sexual violence, stalking, trafficking, child abuse, elder abuse, and assault against law enforcement or justice personnel when crimes are committed on Tribal lands. It also authorizes a pilot project to enhance access to safety for survivors in Alaska Native Villages.

**Revised Attorney General’s Guidelines for Victim and Witness Assistance.** In October 2022, the Attorney General issued Revised Guidelines for Victims and Witness Assistance, which will take effect on March 31, 2023. The revisions include specific considerations for victims of crime in Indian country. These revisions include additional privacy protections for child victims, mandatory training for reporting incidents of child abuse, and guidance for DOJ personnel to provide culturally appropriate responses to victims and witnesses.

**Trilateral Working Group on Violence Against Indigenous Women and Girls.** In July 2022, the White House convened the Fourth Trilateral Working Group on Violence Against Indigenous Women and Girls. This convening between the United States, Canada, and Mexico addressed the high rates of violence against women and girls from Indigenous communities as a cross-boundary concern. This year, Indigenous women leaders and advocates from all three countries participated. Participants discussed strategies to: address root causes that increase vulnerability to gender-based violence; improve access to safety, justice, and accountability; and provide enhanced access to trauma-informed services and support for survivors.

**DOJ’s 17th Annual Violence Against Women Government-to-Government Tribal Consultation.** DOJ’s Office of Violence Against Women (OVW) held this consultation for the first time in Alaska, with a historic number of nearly 600 participants, including a record 55 Tribal leaders, who offered 70 testimonies, both orally and in writing. The consultation solicited recommendations from Tribal government leaders on: (1) administering Tribal funds and programs; (2) enhancing the safety of Indian women from domestic violence, dating violence, sexual assault, homicide, stalking, and sex trafficking; (3) strengthening the federal response to such crimes; and (4) improving access to local, regional, state, and federal crime information databases and criminal justice information systems.



**DOJ Grants to Improve Public Safety and Serve Victims.** In September 2022, DOJ announced more than \$246 million in grants to American Indian and Alaska Native communities to improve public safety and serve crime victims. These grants are designed to: enhance Tribal justice systems and strengthen law enforcement responses; improve the handling of child abuse cases, combat domestic and sexual violence; support Tribal youth programs; and fund an array of services for American Indian and Alaska Native crime victims. The awards are administered through OVW, OJP, and the Office of Community Oriented Policing Services (COPS).



# Education, Native Languages, and Youth Engagement

**Launching of Indian Youth Service Corps.** In June 2022, DOI launched the Indian Youth Service Corps, a new partnership-based program that will provide meaningful education, employment, and training opportunities to Indigenous youth through conservation projects on public and Indian lands, putting young people on a path to good-paying jobs while working to tackle the climate crisis.

**Indian Child Welfare Act (ICWA) Manual.** In July 2022, DOI finalized updates to its Indian Affairs Manual (IAM) regarding ICWA, which had been pending since the prior Administration. The updated IAM clarifies the roles and responsibilities of child protection workers employed by BIA. In September 2022, to address longstanding staffing and training issues, Indian Affairs restarted a child protection training modality for BIA and Tribal workers through the Center for Excellence. In addition, DOI reinstated the tuition reimbursement program for social workers to increase recruitment and retention. DOI has also collected data on staffing levels and funding for child protection both within BIA and from participating Tribes to develop additional recruitment and retention strategies going forward.

## Early Childhood

**New Tribal Early Learning Initiative.** In support of the Administration's goal to increase the percentage of Native American children and families who participate in high-quality early childhood programs and services, the Administration for Children and Families (ACF) at HHS is launching a new Tribal Early Learning Initiative (TELI). The TELI will help Tribes improve collaboration and coordination across early childhood programs (including Head Start, child care, home visiting, and preschool) to support stronger Tribal early childhood systems. ACF initiated the TELI in response to feedback from Tribal leaders during Nation-to-Nation consultation. Forty-nine Tribes will participate in a network to coordinate their programs (the TELI Network), and eight Tribes will participate in a more intensive peer learning community (the TELI Collaborative).

## K-12 Education

**BIE Schools Mental and Behavioral Health Services.** In 2022, BIE participated in a CDC initiative to advance emotional well-being and health equity across BIE-funded schools and residential programs. Going forward, nine BIE-operated and Tribally controlled schools will participate in a collaborative known as the Whole School, Whole Community, Whole Child (WSCC) Emotional Well-Being Learning Collaborative to improve student mental health and emotional well-being.

**Advancing Use of Technology in BIE Schools.** In 2022, DOI, through Indian Affairs, established the first Indian Education Technology office to help address the growing technology



needs of the BIE. Indian Affairs installed and operationalized an E-Learning Management System curriculum and classroom management capability for 12 BIE-operated schools.

**Improving Physical Educational Environment.** In 2022, DOE worked with DOI’s BIE to improve indoor environmental quality at bureau-operated schools. The DOE Federal Energy Management Program, in conjunction with the Efficient and Healthy Schools Campaign, is helping BIE initiate a set of pilot assessments in Tribal schools for energy efficiency and indoor air quality projects. In 2022, the initiative conducted audits at three schools to evaluate the indoor air quality, lighting, and outdoor air quality of the sites. These assessments resulted in recommendations to reduce thermal discomfort, noise, and indoor pollution to provide a safer and healthier learning environment.

**Native Summer Youth Science Camp.** In June 2022, the U.S. Geological Survey (USGS) worked with Tuba City Unified School District in Arizona to deliver a one-week summer enrichment program serving Navajo and Hopi students. The students learned about the lands, water, and ecosystems of their homelands and the effects of climate change on these natural systems. USGS scientists and Tribal elders co-taught the students in the mostly field-learning program, weaving together Indigenous and western culture and science.

**Education Partnerships.** In November 2022, DOI announced that BIE will partner with the Trust for Public Lands’ Community Schoolyards Project to create outdoor educational spaces to support healthy Tribal communities. The partnership will initially identify six to nine BIE schools for such “Community Schoolyard” projects. The schoolyards will be designed in collaboration with students and community members to reflect the values and culture of each community.

**National Fund for Excellence in American Indian Education.** In November 2022, DOI announced that it is renewing the National Fund for Excellence in American Indian Education, a congressionally chartered, but long unused, non-profit organization to support educational opportunities for American Indian students attending BIE schools. DOI is working to reinvigorate the organization to support Tribally led education initiatives, including the Department’s work on Native language revitalization.

## Higher Education

**Haskell Indian Nations University and EPA Region 7 MOU.** In October 2022, EPA Region 7 signed a renewed MOU with Haskell Indian Nations University to pilot a new on-campus outreach program. EPA now has dedicated office space on Haskell’s campus. An EPA employee is present at least one day per week to support students, including by assisting them with applications for future employment.

**ACHP MOU with Salish Kootenai College.** Salish Kootenai College (SKC), ACHP, and the ACHP Foundation extended their MOU to support the College’s Tribal Historic Preservation and Tribal Governance and Administration programs through the 2024-2025 academic year. The updated MOU is intended to support Tribal members pursuing careers in cultural and historical preservation. It also includes a series of amendments aimed at advancing education related to



sacred sites, climate change, IK, Tribal treaty and reserved rights, Native language, and the UNDRIP.

**OPM Early Career Talent Outreach.** OPM hosted an inaugural Tribal roundtable in December 2021 to gain a deeper understanding of the issues facing Native communities relating to careers in the federal workforce. OPM also published a Hiring Guide in November 2022, which explains Indian Preference and provides information for students and recent graduates to apply for OPM’s Pathways Program and other student programs. Additionally, OPM began recruiting Tribal educators to become USAJobs mentors. OPM aims to train these mentors on some of the common issues and strategies on using USAJobs; mentors, in turn, can guide students and early career individuals toward USAJobs.

## Preserving Indigenous Languages

**Expanding and Implementing the Native Languages MOA.** In November 2021, 10 federal agencies, coordinated through WHCNAA, signed a Native Languages MOA to promote collaboration on programming, resource development, and policy related to Native languages. At the White House Tribal Nations Summit in November 2022, the number of agencies more than doubled, with 13 additional agencies joining the MOA and committing to advance its Native languages objectives. These additional agencies include ACHP, DOC, DOE, DHS, DOJ, DOL, EPA, OPM, SBA, DOS, VA, SSA, and OMB. Implementation of the MOA is coordinated through the WHCNAA Education Committee and the White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Native Americans and Strengthening Tribal Colleges and Universities, established by President Biden’s Executive Order 13592.

**10-Year National Plan on Native Language Revitalization.** At the White House Tribal Nations Summit in November 2022, the WHCNAA Education Committee released a draft 10-Year National Plan on Native Language Revitalization. The Administration will consult with Tribal Nations on the draft and finalize the plan in 2023. This plan will be built upon four pillars: (1) Awareness—creating national awareness on the importance of Native languages, the current crises of Native language loss, and the urgency for immediate action; (2) Recognition/Affirmation—establishing a formal policy recognizing the role of that the United States government played in erasing Native languages and affirming the need for federal resources and support for Native language revitalization; (3) Integration—integrating Native language revitalization in mainstream society, including in federal policies, and outlining the need to create Native language revitalization ecosystems; and (4) Support—identifying funding, including federal and philanthropic sources for Native language revitalization.

**New Resources Guide for Native Languages.** The National Endowment for the Arts, in coordination with the WHCNAA Education Committee, released an updated resources guide at the Tribal Nations Summit in November 2022 that provides a comprehensive overview of federal funding sources, including agency contacts and program descriptions, that can be used to support Native arts and cultural activities, including Native language revitalization.





**New Research on Native Language Retention and Revitalization.** The White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Native Americans and Strengthening Tribal Colleges and Universities will prepare a summary of research that explores educational attainment and Native language retention and revitalization to identify evidence-based approaches that will inform the National Plan on Native Language Revitalization.

**National, Comprehensive Study of Native American Education.** In 2023, ED will launch a national, comprehensive study of Native American education in both public and BIE settings in accordance with the National Plan on Native Language Revitalization. This national study will examine the educational landscape from birth through lifelong learning and provide baseline data from which the National Plan on Native Language Revitalization will derive measurable outcomes.

**National Native American Language Resource Center.** ED will launch the National Native Language Resource Center and conduct Tribal consultation and targeted listening sessions with Tribal Nations and language communities, beginning in early 2023, to ensure its meaningful design. The center will serve as a comprehensive online resource to support American Indian, Alaska Native, and Native Hawaiian schools, language programs, and individuals engaged in the reclamation, revitalization, preservation, and instruction of American Indian, Alaska Native, and Native Hawaiian languages.

**Native Language Grant Requirements.** ED and DOI will review federal grant requirements and suggest mechanisms to award additional grant points for applications that integrate, support, and promote Native language revitalization.

**“Speaking Sovereignty” Native Languages Summit.** In 2022, the Administration hosted the “Speaking Sovereignty” Native Languages Summit to provide support to Indigenous communities seeking to protect, revitalize, and reclaim Indigenous languages. Topics included: mentoring and developing teachers; amplifying family and community engagement; sharing best practices and learned experiences from Native language revitalization in Native communities; and honoring Native people for their contribution to Native languages within Indigenous communities.

## **Federal Indian Boarding School Initiative**

**Publication of Vol. 1 of the Federal Indian Boarding School Report.** In June 2021, the Secretary of the Interior launched the [Federal Indian Boarding School Initiative](#) (BSI) to shed light on the troubled history of federal Indian boarding school policies and their legacy for Indigenous Peoples. In May 2022, the Assistant Secretary for Indian Affairs released Volume 1 of an [investigative report](#) detailing available historical records relating to federal Indian boarding schools and the first official list of sites. Following the release of the report, DOI launched its “Road to Healing” tour, a year-long commitment to travel across the country to allow American Indian, Alaska Native, and Native Hawaiian survivors of the federal Indian boarding school system the opportunity to share their stories.



**Federal Indian Boarding School Oral History Project.** DOI’s May 2022 report lays the groundwork to address the intergenerational trauma created by historical federal Indian boarding school policies. The report recommended the collection of a permanent oral history. With new funding announced by the National Endowment for the Humanities in November 2022, DOI will begin the first-ever oral history project for survivors in 2023. Indigenous communities requested such a project as a way to tell the stories of their citizens.



## Serving Native Veterans

**Millions of Acres of Land Opened for Alaska Native Veterans.** In August 2022, DOI issued a new Public Land Order, opening approximately 27 million acres of public lands in Alaska to eligible Alaska Native veterans for selection and conveyance. These Alaska Native veterans were enlisted and serving abroad in the Vietnam War during the time that other Alaska Natives were entitled to select federally managed lands for allotment. Through the Alaska Native Vietnam Era Veterans Land Allotment Program, BLM provides eligible individuals the opportunity to select an allotment of up to 160 acres from available federal lands. The new Public Land Order significantly increases the amount of available federal land that is open to allotment from approximately 1.2 million acres to approximately 28.3 million acres.

**Bipartisan Bills Delivering on Promises to Veterans.** Since taking office, President Biden signed into law more than 25 bipartisan bills honoring and improving care for America's veterans. These bills address some of the most important issues facing veterans today, including education, housing, and health care.

**PACT Act.** In August 2022, Congress answered President Biden's call to strengthen health care and benefits for America's veterans and their survivors by passing the bipartisan Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act. The PACT Act is the most significant expansion of benefits and services for toxic exposed veterans in more than 30 years. It will substantially increase the numbers of Native American veterans receiving VA compensation benefits and increases Native veteran eligibility for Veterans Health Administration (VHA) health care.

**Honoring Native Veterans.** On July 5, 2022, President Biden honored Specialist Five Dwight Birdwell, a citizen of the Cherokee Nation, with the Medal of Honor for acts of gallantry and intrepidity above and beyond the call of duty while serving in the Vietnam War. President Biden noted during the ceremony that Native American communities serve at a higher percentage rate in the United States Armed Forces than any other cohort in America.

**First-Ever Native Veteran Service Organization.** In June 2022, the Secretary of Veterans Affairs recognized the Navajo Nation as a Veteran Service Organization (VSO), the first ever for a Tribal Nation. VSOs provide services for veterans, servicemembers, dependents, and survivors.

**VHA's Office of Tribal Health.** In July 2022, VHA established a new Office of Tribal Health and hired its director and deputy director. The Office of Tribal Health will continue to engage Tribal Nations, Native veterans, and other partners in the coming year as the Office becomes fully staffed.

**Veterans Benefits Administration Claims Clinics.** VA consulted with Tribal governments to develop partnerships that enhance access to services and benefits by Native veterans who live in rural areas and their families. In response, the Veterans Benefits Administration (VBA), in collaboration with the VA's Office of Tribal Government Relations (OTGR) and Regional Offices, committed to hosting Tribal claims clinics in Indian country. In FY 2022, VBA conducted 17 claims clinics, reaching over 350 Native American veterans. These events



connect veterans and their families with VA benefits, including health care coverage, housing, and educational assistance.

**Expanded Allowance for Qualifying Burials in Tribal-Owned Cemeteries.** President Biden signed the Burial Equity for Guards and Reserves Act on March 15, 2022. The new law expands VA’s authority to pay a plot allowance for qualifying burials in cemeteries owned by a Tribal organization on trust land or held in trust for a Tribal organization. Previously, only state veterans cemeteries could receive the burial plot allowances for eligible veterans interred at their locations.

**VA Veterans Cemetery Grants Program.** In July 2022, the Metlakatla Veterans Memorial Cemetery in Alaska was officially dedicated. This two-year project was the first VA grant-funded Tribal veterans cemetery in Alaska and was the 14th Tribal veterans cemetery established through VA’s Veterans Cemetery Grants Program.

**VA Native American Direct Loan Program (NADL).** The NADL program makes home loans available to eligible Native American veterans who wish to purchase, construct, or improve a home on federal trust land or to reduce their interest rate. The program awarded 40 loans to veterans in FY 2022. The program also conducted 38 outreach events, established a new corporate email address ([NADL@va.gov](mailto:NADL@va.gov)) to prevent processing delays, and established a toll-free number (888-349-7541) for Native veterans to have direct access to NADL.

**Native American Veteran Homelessness Initiative.** At the White House Tribal Nations Summit in November 2022, VA, HHS, and HUD, through the WHCNA Health Committee, announced an interagency initiative to increase access to care and services for American Indian and Alaska Native Veterans experiencing or at risk of homelessness in urban areas. The initiative will involve partnerships with Urban Indian Organizations (UIOs) and focus on intake and referral services to ensure that Native veterans are aware of and have access to available resources.



## Native American Right to Vote

**Native Voting Rights Report.** In March 2022, an Interagency Steering Group on Native American Voting Rights published its report in response to the President’s Executive Order on Promoting Access to Voting. The report was published after extensive nationwide Tribal consultations with Tribal Nations and voting rights advocates and an additional listening session with Native Hawaiians. It presents best practices and recommendations to mitigate and eliminate the barriers Native voters encounter. To increase access, DOI funded the translation of the report into six different Native languages (Cherokee, Lakota, Native Hawaiian, Navajo, Ojibwe, and Yup’ik).

**First-Ever Federal Voter Registration Agencies at Haskell and SIPI.** As part of the Administration’s commitment to promoting access to voting, the DOI requested designation under the National Voter Registration Act (NVRA) for Haskell Indian Nations University by Kansas and Southwestern Indian Polytechnic Institute (SIPI) by New Mexico. In May 2022, Kansas formally responded to DOI’s request, designating Haskell as a voter registration agency. This designation will ensure that Haskell students get the integrated opportunity to register to vote in one step—smoothly, accurately, and securely—whenever they enroll or change their address. This is the first time that *any* state has designated *any* federal program as a voter registration agency under the NVRA. In July 2022, followed by a formal proclamation in September, New Mexico made SIPI the second federal program ever designated by a state as a voter registration agency under the NVRA.

**Voting Access for Native Americans with Disabilities.** In September 2022, President Biden signed into law the bipartisan Protection and Advocacy for Voting Access Program Inclusion Act, authorizing funding for voting access for the American Indian Consortium, which serves Native Americans with disabilities in the Four Corners region of New Mexico, Utah, Arizona, and Colorado.



## International and Border Issues

**Reciprocal Indigenous Mobility for Tribal Nations and Alaska Native Villages.** In March 2022, DHS worked cooperatively with the Pascua Yaqui Tribe and DOS to successfully parole 73 Mexican Rio Yaqui Tribal members into the United States to enable them to participate in the Pascua Yaqui Tribe's annual Lenten season Tribal ceremonies. The Rio Yaqui Tribal members serve a critical role in these sacred ceremonies. DHS will continue to identify and remove barriers that impede the access of Tribal Nations and Alaska Native Villages to border-crossing and immigration rights and benefits, including those needed to revitalize, strengthen, and sustain their familial, Tribal, linguistic, cultural, and religious and spiritual ties. DHS will provide a report to the White House Domestic Policy Council within 180 days of the 2022 Tribal Nations Summit describing its progress and recommending any new operational procedures or legal authorities necessary to support these efforts.

**White House National Strategy for the Arctic Region.** In October 2022, the White House released its second National Strategy for the Arctic Region. The strategy elevated consultation, coordination, and co-management with Alaska Native communities as among the leading principles of U.S. engagement with Alaska Native Tribes and Native communities.

**Ongoing Support for Tribal Representation on the Arctic Council.** In September 2022, DOS awarded a new cooperative agreement to Alaska-based Permanent Participants (Indigenous peoples organizations) to facilitate their participation in the Arctic Council. In addition to this recurring annual award, DOS provided \$50,000 to the Indigenous Peoples' Secretariat (IPS) of the Arctic Council Secretariat to broadly support Indigenous engagement across the Council's working group projects. This contribution, which prioritizes projects focused on community health and resilience, builds upon a similar contribution in 2021 to support Indigenous participation in the Council's projects on wildland fires. DOS is also partnering with the University of Alaska, Fairbanks, to support international Indigenous communities at the One Health, One Future conference in 2023, with participation anticipated from across the Arctic region.

**U.S. Tribal Delegate to COP27 and Indigenous Peoples Side Event.** DOS included a representative from the National Congress of American Indians as part of its delegation to COP27 in November 2022. This represents sustained commitment to enhanced engagement with domestic and international Indigenous peoples. DOS also conducted a pre-brief for U.S. Tribal representatives and a global Indigenous peoples side event, building on similar engagements at COP26.

**Indigenous Affairs in the United Nations.** DOS's Bureau of International Organization Affairs (IO), with its U.S. Missions to the United Nations in Geneva and New York, made advancements in Indigenous rights through engagement in UN human rights bodies. For example, at the March 2022 UN Commission on the Status of Women, the United States focused on the disproportionate impact of climate change on Indigenous women and girls, as well as U.S. efforts to implement culturally appropriate and innovative solutions. During the April/May 2022 Session of the UN Permanent Forum on Indigenous Issues (PFII), and July 2022 Session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), the U.S. delegation outlined





U.S. accomplishments on Indigenous peoples' participation, prosperity, health, safety, natural resources, languages, and culture. In UN General Assembly negotiated documents, the United States successfully inserted language on protecting Indigenous peoples from discrimination and promoting their resilience. The United States also co-sponsored and joined consensus on three resolutions advancing the rights of Indigenous peoples, including one renewing the mandate of the UN Special Rapporteur on the rights of Indigenous peoples.

**107th Session of the United Nations Committee on the Elimination of Racial Discrimination (CERD).** In August 2022, the United States sent a delegation to a meeting of the Committee on the Elimination of Racial Discrimination (CERD) to discuss U.S. implementation of measures to combat racial discrimination and human rights obligations. The delegation highlighted the Biden-Harris Administration's efforts and commitment to support and partner with Indian country.

**New Special Representative for Racial Justice and Equity at the State Department.** In June 2022, the Secretary of State introduced DOS's first-ever Special Representative for Racial Equity and Justice (SRREJ). The mandate of the Special Representative is to protect and advance the human rights of people belonging to marginalized racial and ethnic communities, including Indigenous communities globally.

**Indigenous Peoples' Conservation Advisory Network (IPCAN).** DOS and EPA, with guidance from DOI, announced this new interagency initiative at the White House Tribal Nations Summit in November 2022. IPCAN will support and uplift the leadership of Indigenous peoples and their knowledge in conservation, restoration, and sustainable management efforts in terrestrial, coastal, and ocean ecosystems. IPCAN will be developed through robust consultation with global Indigenous stakeholders and will facilitate a global, Indigenous-led network supporting Indigenous peoples' stewardship of lands and waters to address the climate and biodiversity crises.

**First-Ever U.S. Science Envoy Focusing on IK.** DOS, in support of the Biden-Harris Administration's commitment to elevate Indigenous Knowledge in federal agency decision-making, has included among its 2023 cohort of U.S. Science Envoys the first U.S. Science Envoy to focus on the nexus of environmental science and Indigenous Knowledge. The U.S. Science Envoy Program leverages the expertise and networks of eminent U.S. scientists that forge connections and identify opportunities for sustained international cooperation.

**International Repatriation Museum Exchange.** In October and November 2022, the WHCNAA International Indigenous Issues Committee conducted an innovative exchange program, led by DOS, that brought international museum representatives from New Zealand, Finland, the United Kingdom, and Germany to the United States to meet with Tribal representatives about how international institutions and the federal government can more effectively work with Tribes on the repatriation of Native American ancestral remains and other cultural heritage items held in international museums.

**Tribal Engagement to Inform U.S. Trade Policy.** In October 2022, the U.S. Trade Representative hosted Tribal consultations to inform the President's 2023 Trade Policy



Agenda. Last year, USTR requested an unprecedented, independent investigation by the U.S. International Trade Commission on the availability and scope of trade-related data to inform future trade policy. The resulting report [released](#) in November 2022 calls for further study of the effects of trade and trade policy on Tribal communities and workers. USTR will use the report to inform the development of future trade policy, including with respect to Tribal nations and Indigenous workers, consumers, and businesses.

NOVEMBER 30, 2022

## FACT SHEET: Biden-Harris Administration Announces New Actions to Support Indian Country and Native Communities Ahead of the Administration's Second Tribal Nations Summit

This week, President Biden is hosting the second Tribal Nations Summit of his Administration to help foster Nation-to-Nation relationships and provide Tribal leaders with an opportunity to engage directly with senior Administration officials. Since taking office, President Biden has prioritized relationships with Tribal Nations that are built on respect for Tribal sovereignty and self-governance, honoring federal trust and treaty responsibilities, protecting Tribal homelands, and conducting regular, meaningful, and robust consultation. The President has also advanced an economic agenda that includes historic levels of funding specifically for Tribal communities and Native people, including \$32 billion in the American Rescue Plan (ARP), \$13 billion in the Bipartisan Infrastructure Law (BIL), and \$700 million in the Inflation Reduction Act (IRA).

As Tribal leaders gather in Washington at the Department of the Interior for the first in-person Summit of this Administration, the President and members of the Cabinet will be announcing a number of new actions that will build on the progress that has already been made, create new opportunities for Tribal consultation and input, and produce lasting changes that will impact the lives of Tribal leaders and their citizens for generations to come.

- **Presidential Memorandum on Uniform Standards for Tribal Consultation.** The President will sign a new Presidential Memorandum establishing uniform standards to be implemented across all federal agencies regarding how Tribal consultations are conducted. These standards respond to input received from Tribal Nations regarding Tribal consultation and ensure more consistency in how agencies initiate, provide notice for, conduct, record, and report on Tribal consultations. The Presidential Memorandum will also require annual training regarding Tribal consultation for federal employees who work with Tribal Nations or on policies with Tribal implications.
- **New Tribal Consultation Policies.** To align with the new Presidential Memorandum on Uniform Standards for Tribal Consultation, and to

advance the Administration's goals of improving Tribal consultation across the federal government, nine agencies will implement new or updated Tribal consultation policies. These include: (1) new policies announced today by the Department of the Interior (DOI), Department of Justice (DOJ), Department of Transportation (DOT), and the National Oceanic and Atmospheric Administration (NOAA); and (2) new policies to be released in the coming months from the Department of Homeland Security (DHS), Department of Health and Human Services (HHS), Department of the Treasury, the U.S. Army Corps of Engineers (USACE), and the Advisory Council on Historic Preservation (ACHP).

- **New Best-Practices Report for Tribal Treaty and Reserved Rights.**

Today, 17 federal agencies, coordinated through the White House Council on Native American Affairs (WHCNA), are releasing a new best-practices report to integrate Tribal treaty and reserved rights into agency decision-making processes. This best-practices report was developed in consultation with Tribal Nations and implements the agencies' Memorandum of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Tribal Treaty Rights and Reserved Rights. The agencies include ACHP, Council on Environmental Quality (CEQ), Department of Commerce (DOC), Department of Defense (DOD), Department of Energy (DOE), DOI, DOJ, Department of Labor (DOL), Department of State (DOS), DOT, DHS, Department of Education (ED), Environmental Protection Agency (EPA), Department of Housing and Urban Development (HUD), Office of Personnel Management (OPM), Department of Agriculture (USDA), and Department of Veterans Affairs (VA).

- **Implementing Tribal Co-Management and Co-Stewardship of Federal Lands and Waters.**

President Biden has recognized the importance of increasing Tribal participation in the management and stewardship of federal lands and waters of significance to Tribal communities. In 2021, USDA and DOI signed Joint Secretarial Order 3403, committing to Tribal co-stewardship, including through written co-stewardship agreements with Tribal Nations. In 2022, they delivered on this commitment: in total, USDA Forest Service and DOI signed over 20 new co-stewardship agreements with Tribes to further co-stewardship goals, with more than 60 additional agreements under various stages of review.

Today, the Department of Commerce is announcing that it will formally join in these co-stewardship efforts by signing onto Joint Secretarial Order 3403. This commitment furthers an all-of-government approach to co-stewardship, and ensures that additional agencies—like NOAA—will further co-stewardship goals in their management of waters, fisheries, and other resources of significance and value to Tribes.

- **New Indigenous Knowledge Guidance for Federal Agencies.** The White House Office of Science and Technology Policy (OSTP) and CEQ are announcing first-of-its-kind government-wide guidance for federal agencies to recognize and include Indigenous Knowledge in federal research, policy, and decision-making. Initiated at the 2021 Tribal Nations Summit, the new White House guidance was developed with federal agencies, in consultation with Tribes and engagement with Indigenous peoples, to elevate Indigenous observations, oral and written knowledge, practices, and beliefs that promote environmental sustainability and the responsible stewardship of natural and cultural resources in federal policymaking.
- **Access to Capital in Indian Country.** The Small Business Administration (SBA), in coordination with WHCNA and with involvement from DOC, DOE, DOI, Treasury, USDA, OMB, and the White House Council of Economic Advisers, is announcing a new access to capital initiative with the goal of increasing awareness, access, and utilization of financing opportunities for Tribal Nations. Implementing part one of the plan—awareness—will entail identifying and summarizing all loan and financing programs available to Tribes, including through ARP, BIL, the CHIPS and Science Act, and the IRA. Part two of the plan—access—will involve identifying barriers to capital and summarizing policy, regulatory, and statutory solutions to increase access to federal financing programs. Part three of the plan—utilization—will involve increasing utilization of federal capital programs by establishing baselines of use and setting metrics to improve the utilization rate of the programs.
- **Implementation of the Indian Energy Purchase Preference at Federal Facilities.** To ensure that investments in the clean energy economy reach Tribal lands, DOE—in coordination with WHCNA and with involvement from DOD and the General Services Administration (GSA)—will launch a new initiative to increase federal agencies’ use of Tribal energy through purchasing authority established by statute. Title V of the Energy Policy Act of 2005 established for federal agencies a preference for purchasing electricity and other energy products from Indian Tribes and Tribal enterprises. That authority has been unused for over 17 years. The Administration will hold listening sessions with Tribal Nations to better understand the market conditions for Tribes and Tribal majority-owned businesses developing carbon pollution-free electricity (CFE). DOD will integrate the Indian Energy Purchase Preference into electricity procurement strategies. GSA will lead a pilot focused on Tribal energy production to develop procurement strategies. Agencies will develop training and resources for Tribes and Tribal majority-owned businesses to foster technical expertise in the development of CFE

projects, improve awareness of the Preference, and encourage partnerships for CFE development.

- **Electric Vehicle (EV) Initiative for Tribal Nations.** BIL includes funding to secure an American EV supply chain and to build out the first-ever nationwide public EV charging network of 500,000 EV chargers. Today, the Administration is announcing an EV Initiative for Tribal Nations to ensure that Tribal Nations and Native communities are part of the EV future of the country. Ten federal agencies, including DOT, DOE, DOI, DOL, ED, EPA, HHS, HUD, GSA, and USDA, coordinated through WHCNA, are supporting this effort, which will include:
  - mapping the proposed deployment of EV infrastructure;
  - prioritizing projects that serve rural and underserved areas, including Tribal lands and communities;
  - providing technical assistance to take advantage of funding opportunities;
  - prioritizing Tribal, Bureau of Indian Affairs (BIA)-funded, and other schools on Indian lands for replacing diesel school buses with low or zero emission school buses within EPA's Clean School Bus Program;
  - providing assistance to Tribes for the purchase or lease of EV fleet vehicles;
  - consulting with Tribes to consider updates to the state certification process to improve Tribal input into state plans;
  - releasing a new Toolkit that will provide Tribes the information they need to start planning and implementing EV infrastructure projects;
  - expanding training, teaching, and employment opportunities for Tribal members within the EV market; and
  - supporting Tribal Nations' roles in the EV battery supply chain.
- **Implementation of the Buy Indian Act.** President Biden committed to strengthening implementation of the Buy Indian Act, which provides for special federal contracting preferences by DOI and HHS to procure supplies, services, and construction from Native-owned businesses. The federal government is the largest purchaser of goods and services in the country, buying everything from software and building construction to financial and asset management—making its procurement a powerful tool to advance equity and build wealth in underserved communities.

Today, DOI is announcing its goal of awarding 75% of contract dollars from Indian Affairs (including BIA, Bureau of Indian Education, and



Bureau of Trust Funds Administration) and 10% of contract dollars across the rest of the Department to Native-owned businesses, using its authority under the Buy Indian Act. The Indian Health Service (IHS) is announcing its goal of 20%. These targets will raise Buy Indian Act utilization rates at the agencies, result in hundreds of millions of dollars being spent in Indian country, and advance the President's effort to increase the share of government-wide contract dollars going to small disadvantaged businesses (SDBs) by 50% by 2025.

- **10-Year National Plan on Native Language Revitalization.** The WHCNA Education Committee is releasing a draft 10-Year National Plan on Native Language Revitalization. The Administration will consult with Tribal Nations on the draft and finalize the plan in 2023. This plan will be built upon four pillars: (1) Awareness—creating national awareness on the importance of Native languages, the current crises of Native language loss, and the urgency for immediate action; (2) Recognition/Affirmation—establishing a formal policy recognizing the role that the United States government played in erasing Native languages and affirming the need for federal resources and support for Native language revitalization; (3) Integration—integrating Native language revitalization in mainstream society, including in federal policies, and outlining the need to create Native language revitalization ecosystems; and (4) Support—identifying funding, including federal and philanthropic sources for Native language revitalization.

Other announcements that are being made at the Summit this year are included below. Additionally, the White House is releasing a comprehensive [Progress Report](#) that details actions that have been taken across the Administration over the past two years. The full report can be read [here](#).

### **Additional Announcements That Will Be Made During the Tribal Nations Summit**

#### **Strengthening and Standardizing Tribal Consultation**

New Tribal Advisory Committees and Positions. USDA and HUD will establish their first-ever Tribal Advisory Committees to ensure that Tribal leaders have direct and consistent contact with federal agency decisionmakers and to institutionalize Tribal voices within policymaking.

DOD is establishing a permanent position to serve as the Senior Advisor and Liaison for Native American Affairs within the Office of the Secretary of Defense. This position will provide more permanence and certainty to Tribal Nations working with DOD. The Senior Advisor and Liaison for Native American Affairs will be responsible for advising the Department on matters concerning interactions with Native Americans, including federally recognized Tribes and Native Hawaiian Organizations.

NOAA will add two new Tribal Coordinators to its ranks in Alaska and the North Atlantic region. The Alaska Tribal Coordinator will focus on commercial fisheries and establish strong cross-cultural relationships with Tribes in Alaska. The North Atlantic Region Tribal Coordinator will engage with North Atlantic Tribes and affiliated Tribal organizations on ocean policy issues.

For the first time in its almost 30-year history, AmeriCorps—the federal agency for national service and volunteerism—will create a new senior political appointee position for a Strategic Advisor for Native American Affairs. This position will lead the agency’s engagement with Indian country; carry out the agency’s Native American Action Plan to reduce barriers to service and increase investment in Tribes and Native communities; and develop, implement, and evaluate initiatives to further Native American participation in AmeriCorps’ programs and endeavors.

These agency efforts build upon this year’s successes of establishing new Tribal Advisory Committees at DOI and DHS; establishing a new Office of Tribal and Native Affairs at Treasury; and appointing the first-ever Tribal Policy Advisor at OMB.

New Consultation Trainings and Guidebooks. The Economic Development Administration (EDA) at DOC will launch a new staff training series on working with Tribal communities. The training will ensure that EDA staff recognize and respect Tribal self-government and sovereignty, honor Tribal treaty and reserved rights, and strive to meet the federal government’s trust responsibility toward Tribes. In December 2022, DOD will publish a Tribal Protocols Guidebook, which will serve as a resource guide for DOD components on how to build and enhance relationships with Tribal governments.

### **Tribal Homelands**

New Regulations and Process for Fee to Trust Land Acquisitions. DOI will publish a Notice of Proposed Rulemaking on proposed amendments to 25 C.F.R. Part 151, which governs fee-to-trust land (or “land into trust”) acquisitions that transfer land title to the United States to be held in trust for the benefit of an individual Indian or Tribe, including in Alaska. The process is critical for Tribal sovereignty, self-determination, preservation of history and culture, economic development, and the well-being of Tribal citizens. This process is also helping right the wrongs of past policies like allotment, which removed millions of acres of land from Tribal ownership and federal protection. In line with President Biden’s promise to make it easier for Tribes to place land into trust, Interior’s proposed amendments to the fee-to-trust regulations provide for a more efficient, less cumbersome, and less expensive fee-to-trust process, including for conservation purposes. The Notice of Proposed Rulemaking incorporates feedback from Tribal consultations

earlier in the year, and DOI will hold Tribal consultations on the Notice of Proposed Rulemaking in December 2022.

New Regulations to Protect Tribal Reserved Rights. EPA will propose revisions to the federal water quality standards (WQS) rule, clarifying that, when developing new and revised WQS, states must evaluate Tribal reserved rights to an aquatic and/or aquatic-dependent resource in the area or downstream of the area. If a right exists, states must evaluate available data to inform the level of water quality necessary to protect that Tribal reserved right, and, if necessary, revise their WQS to ensure protection.

New Baseline Water Quality Standards Rule. EPA is developing a proposed rule to establish baseline WQS for Indian reservation waters that do not have Clean Water Act WQS in place. This action would narrow the Clean Water Act protection gap in Indian country and safeguard water quality until Tribes obtain authority to adopt Clean Water Act WQS themselves.

Appendix C Rulemaking Effort. The U.S. Army has historically used USACE Appendix C for actions affecting historic properties under Section 106 of the National Historic Preservation Act. Tribal Nations and Native Hawaiian communities have, for many years, complained that Appendix C does not comply with Section 106 procedures. USACE is announcing a rulemaking effort proposing to rescind Appendix C. USACE would instead rely on ACHP's regulations and joint USACE/ACHP guidance for implementation of Section 106. The Army intends to coordinate closely with Tribal Nations and ACHP throughout this rulemaking effort.

New Regulations to Consider Tribal Benefits in Water Resources Development Projects. USACE will establish new agency procedures to consider a wider range of Tribal and public benefits of water resource development projects. USACE is the nation's largest water resource developer, and the agency's current procedures for development projects focus primarily on achieving national economic development benefits. Under the new procedures, the agency will take into account additional public benefits of water resources investments, including whether an investment achieves social and environmental benefits for a Tribe.

Domestic Mining Law Reform– Improving Tribal Engagement. This year, DOI launched an interagency working group to reform hardrock mining laws and policies to ensure that mining activities are conducted using strong environmental, sustainability, safety, Tribal consultation, and community engagement standards. Today, DOI and USDA are implementing a number of recommendations that will be part of a forthcoming report from the Interagency Working Group on Mining Regulations, Laws, and Permitting, including (1) recommendations on ways to ensure Tribes are engaged earlier during the development of mining proposals on public lands; (2) providing Tribes a seat at the table in discussions regarding mining proposals; and (3)

improving consideration and protection of Tribal interests and resources as mining decisions are being made. Several steps will be implemented by DOI's Bureau of Land Management, such as notifying Tribes when exploration work is about to occur and inviting Tribes to join pre-application meetings with mine developers. Complimentary to the efforts described above, the U.S. Federal Permitting Improvement Steering Council (Permitting Council) will set aside \$5 million for Federally recognized Tribes in order to enhance Tribal engagement in the permitting review and authorization process for FAST-41 covered projects. The Permitting Council will issue a Dear Tribal Leader Letter to initiate consultations starting in February to design the program.

Agency Implementation of Indigenous Knowledge (IK). In support of the Administration's IK initiative, DOI and ACHP are publishing new IK guidance. DOI is instituting Departmental guidance for DOI bureaus to support collaborative engagement with Tribes and the use and protection of IK. ACHP is developing a policy regarding the role IK has in historic preservation to advance greater incorporation of and consideration for IK throughout the review process under Section 106 of the National Historic Preservation Act.

USDA to Fund IK Research Track at AISES. In further support of the Administration's IK Initiative, USDA will partner with the American Indian Science and Engineering Society (AISES) to fund an IK research track at the annual AISES conference for students who conduct science and engineering research at the intersection of western science and IK.

## **Climate Change**

Tribal Climate Resilience and Community-Driven Relocation. DOI is announcing new community-driven relocation demonstration projects. This funding represents a vital investment to address the growing risks faced by many Tribes as a result of climate change. DOI, the Federal Emergency Management Agency (FEMA), the Denali Commission, and partnering federal agencies, will coordinate with these Tribes to support their relocation efforts and address the numerous and costly aspects of relocating entire communities. BIL funding will also support Tribal climate resilience through increased funding for the BIA Annual Awards Program that is available to all Tribes facing climate-related risks.

Additional Support for Community-Driven Relocation. USDA's Natural Resources Conservation Service (NRCS) Watershed and Flood Prevention Operations Program will allocate \$40 million from BIL to assist with community-driven relocation of Alaska Native Villages due to climate change, erosion, and flooding. Seven villages have been chosen from a set of the highest-risk villages. This funding will cover feasibility studies, watershed planning and National Environmental Policy Act (NEPA)

compliance, and move design. USDA will coordinate with DOI's community-driven relocation program in providing this funding.

New Director of Alaska Native Climate Change Initiatives. NOAA is using Climate and Equity Pilot Project funds to establish a director of Tribal climate change initiatives position at the Alaska Native Tribal Health Consortium (ANTHC), a non-profit Tribal health organization serving Alaska Native and American Indian people in Alaska. The director will lead a landscape assessment of Tribal climate change adaptation activities in Alaska and establish a baseline understanding of Tribal climate change challenges and responses. In addition, the director will lead the formulation and launch of an Alaska Tribal Climate Change Advisory Group to ensure that Tribal climate change efforts across the state are led and prioritized by Alaska Native people.

### **Economic Development, Energy, and Infrastructure**

Tribal Clean Energy Transition Initiative. DOE is launching a new inter-agency initiative to support Tribes transitioning from conventional to clean energy development. DOE will enter into memoranda of understanding (MOUs) with interested Tribes to establish frameworks for collaboration. DOE will coordinate and collaborate with WHCNA and the Interagency Working Group on Coal Power Plant Communities and Economic Revitalization. Active involvement from DOI, DOT, USDA, DOC, ED, and DOL will support and strengthen this initiative.

Renewable Energy Accelerated Deployment Initiative for Indian Country (READI). DOI is announcing the Renewable Energy Accelerated Deployment Initiative for Indian Country (READI) to centralize Native renewable energy expertise and expedite renewable energy resource development on Indian lands. The initiative will: streamline and advance renewable energy development in departmental policies, procedures, and regulations, including leasing; solicit and receive Tribal government advice on renewable energy resource needs and priorities; and incentivize renewable energy development on Indian lands through technical assistance and consensus-based updates to regulations and other legal authorities.

New Gaming Regulations. DOI will publish a Notice of Proposed Rulemaking on proposed amendments to regulations governing the review and approval of Tribal-state gaming compacts (found at 25 C.F.R. Part 293). Indian gaming is a vital economic and community development tool that has funded strong Tribal governments and significantly advanced Tribal self-determination. The proposed amendments seek to improve the negotiation process for Tribal-state compacts by clarifying allowable topics of negotiation, better defining key terms, and clearly outlining when DOI must review a gaming compact. The Notice of Proposed Rulemaking incorporates feedback

received during Tribal consultations, and DOI will hold additional Tribal consultations on the Notice of Proposed Rulemaking in December 2022.

Enhancing Tribal Participation in the 477 Program. Last month, 12 federal agencies signed a new Memorandum of Agreement (MOA) to implement the Tribal “PL477 Program,” named for Public Law 102-477. PL477 allows Tribal governments to consolidate important federal funding for job training, workforce development, and other economic development purposes into a single plan, with a single reporting requirement, administered by DOI. PL477 eases the burden on Tribes and makes it easier to provide federally funded employment and job training services based on unique Tribal goals. DOI and DOL will develop guidance to assist Tribes in using the new 477 MOA to boost their employment, job training, and related services. This guidance will help Tribes (1) identify funding eligible for consolidation and (2) develop and submit 477 plans for approval.

SBA Funding for Native American Serving Organizations. SBA is announcing \$1.2 million in funding for seven organizations providing community-level training and technical assistance for Native American small businesses and entrepreneurs across the country. SBA now has more Native American-focused partners than ever before, thanks in part to the Community Navigators Pilot Program, an ARP initiative designed to reduce barriers faced by underrepresented and underserved entrepreneurs.

Consultation on Treasury Tribal Advisory Committee’s Dual Taxation Report. Dual taxation on Tribal lands (i.e., taxes levied by both state and Tribal governments on the same persons, properties, or transactions) inhibits Tribal economic development and economic sustainability because it diverts tax revenue from Tribes to non-Tribal governments and deters private sector capital investment in Indian country. The Treasury Tribal Advisory Committee (TTAC) issued a report in 2021 that documented the effects of dual taxation and provided recommendations for federal partners. Due to increased Tribal leader interest, and to ensure a robust evaluation of these recommendations, Treasury will commence a second consultation on this report and address feedback during the first public TTAC meeting in 2023.

Tribal Transit Symposium. Today, DOT is announcing its first-ever Tribal Transit Symposium, which will be held in 2023. This symposium will provide Tribes the opportunity to: meet with Federal Transit Administration leadership; receive technical assistance; learn about funding opportunities under BIL; and learn about the Tribal Transit Program, which funds planning, capital, and operating assistance for Tribal public transit services.

Tribal Aviation Symposium. Today, DOT is announcing that it will join the Federal Aviation Administration in co-hosting its second Tribal Aviation Symposium in 2023. This symposium will be open to all 574 Tribes and will cover grant applications, Tribal access to airports, commercial sea plan



access, drone usage, and Tribal youth engagement and education. Technical assistance will be provided to Tribal airport owners and operators on airport improvement plans and financial reimbursement and reporting procedures.

Improving Highway Safety in Indian Country. Motor vehicle crashes are a leading cause of death for American Indians and Alaska Natives DOT's National Highway Traffic Safety Administration (NHTSA) is leading a multi-agency effort to address highway safety in Indian country. In 2023, NHTSA will expand the initiative. This campaign will bring awareness to the higher rates of fatal crashes in Indian country and will include safety strategies for Tribes. NHTSA will partner with BIA's Office of Public Safety and Justice to conduct outreach to Tribes for the campaign.

Tribal Maritime Roundtable. DOT is announcing that its Maritime Administration (MARAD) will host its first-ever Tribal Maritime Roundtable in 2023 to update Tribes on the Port Infrastructure Development Program, the America's Marine Highway Program, and workforce development opportunities in the maritime sector.

### **Tribal Broadband and Spectrum**

DOI-FCC-DOC Electromagnetic Spectrum MOU. DOI, the Federal Communications Commission (FCC), and DOC are announcing a new MOU to advance consistent interagency coordination to promote electromagnetic spectrum access and deployment of broadband and other wireless services on Tribal lands. The MOU will provide a framework for exploring new opportunities for tribal policy development for wireless services, including spectrum access and data exchange, in support of Tribes' political and economic self-determination.

Establishment of a DOI Office of Indigenous Communications & Technology (OICT). The new office will assist Tribal Nations and Tribal entities in managing, developing and maintaining broadband infrastructure, new electromagnetic spectrum leasing mechanisms, and in providing technical assistance for the establishment of wireless, digital, and technological projects on Tribal lands. The office will also focus on the development of new technological services to facilitate new partnerships between Tribes and the tech industry for the advancement of Tribal self-governance initiatives, including EV; light detection and ranging (LiDAR) used for mapping, surveying and other services; and opportunities for Indigenous participation in data science, coding, and software engineering.

### **Public Safety and Justice**

New Memorandum of Understanding to Improve Law Enforcement Coordination in Indian Country. The Federal Bureau of Investigation (FBI) and DOI's Assistant Secretary for Indian Affairs, on behalf of the BIA Office

of Justice Services (BIA-OJS), will sign a new Memorandum of Understanding, which will be the first update of the agencies' MOU since the early 1990s. The new MOU will clarify investigative roles, define best practices, and recommend training for personnel working in Indian Country, a significant reform to improve coordination between the two law enforcement agencies that share responsibility for investigating Indian Country crimes, including missing or murdered Indigenous people (MMIP) investigations.

Improving Case Intake for MMIP Cases. The FBI and BIA-OJS will embed a criminal investigator and program analysts from DOI's Missing and Murdered Unit into the FBI headquarters-level unit in charge of Indian country to facilitate MMIP case intake. Having MMIP-experienced staff involved at inception will expedite and enhance law enforcement's approach to MMIP cases from the outset.

New National Native American Outreach Services Liaison. DOJ is announcing its first-ever National Native American Outreach Services Liaison. This position was created as part of the President's Executive Order on Improving Public Safety and Criminal Justice and Addressing the Crisis of Missing and Murdered Indigenous People. The Liaison will build on and enhance existing protocols for effective, consistent, and culturally and linguistically appropriate communication with families of victims and work to ensure that victims of crime have a voice during every step of the criminal justice process where the federal government has jurisdiction.

Updated U.S. Attorney's Offices Operational Plans. DOJ is announcing that U.S. Attorney's Offices within Indian country will finalize their operational plans to better promote public safety in Tribal communities. On July 13, 2022, the Deputy Attorney General issued a [directive](#) to all U.S. Attorneys and law enforcement agencies that made it a priority to address the disproportionately high rates of violence experienced by American Indians and Alaska Natives, and relatedly, the high rates of Indigenous persons reported missing. Consistent with that directive and Savanna's Act, U.S. Attorneys Offices have, in consultation with Tribes located in their district, worked to develop guidelines for cases involving missing or murdered Indigenous persons and to update their operational plans to improve coordination, better support victims, and address other pressing public safety issues.

2023 Environmental Justice Convening. Next year, DOJ will host an Environmental Justice Convening with federal officials and Tribal leaders to develop strategies to prevent and address harms caused by environmental crimes, pollution, and climate change in Indian country. The convening will incorporate recommendations from Tribal leaders gathering during Tribal listening sessions in late 2022 and early 2023.

Expansion of the National Human Trafficking Hotline to address MMIP. To address the MMIP epidemic and reduce factors for victimization, HHS will ensure that the National Human Trafficking Hotline is able to make referrals to mental health organizations and health care providers with the appropriate expertise to work with human trafficking victims, including those who have cultural competency for working with Indigenous peoples of North America and the Pacific. It will do so by: (1) consulting with the National Human Trafficking Hotline on the status of referrals with cultural competencies; and (2) expanding outreach to providers with trauma-informed training and culturally and linguistically appropriate competencies for inclusion in the Hotline referral directory.

### **Education and Native Languages**

Expanding and Implementing the Native Languages MOA. In November 2021, 10 federal agencies, coordinated through WHCNAA, signed a Native Languages MOA to promote collaboration on programming, resource development, and policy related to Native languages. The number of agencies will more than double, with 13 additional agencies now joining the MOA and committing to advance its Native languages objectives. These additional agencies include ACHP, DOC, DOE, DHS, DOJ, DOL, EPA, OPM, SBA, DOS, VA, the Social Security Administration, and OMB. Implementation of the MOA will be coordinated through the WHCNAA Education Committee and the White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Native Americans and Strengthening Tribal Colleges and Universities.

New Resources Guide for Native Languages. Today, the National Endowment for the Arts, in coordination with the WHCNAA Education Committee, is releasing an updated Resources Guide that provides a comprehensive overview of federal funding sources, including agency contacts and program descriptions, that can be used to support Native arts and cultural activities, including Native language revitalization.

New Research on Native Language Retention and Revitalization. The White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Native Americans and Strengthening Tribal Colleges and Universities—established by President Biden’s Executive Order 13592—will prepare a summary of research that explores educational attainment and Native language retention and revitalization to identify evidence-based approaches that will inform the 10-Year National Plan on Native Language Revitalization.

National, Comprehensive Study of Native American Education. In 2023, ED will launch a national, comprehensive study of Native American education in both public and BIE settings in accordance with the 10-Year National Plan on Native Language Revitalization. This national study will examine the

educational landscape from birth through lifelong learning and provide baseline data from which the National Plan will derive measurable outcomes.

National Native American Language Resource Center. ED will launch the National Native Language Resource Center and conduct Tribal consultation and targeted listening sessions with Tribal Nations and language communities beginning in early 2023 to ensure its meaningful design. The center will serve as a comprehensive online resource to support American Indian, Alaska Native, and Native Hawaiian schools, language programs, and individuals engaged in the reclamation, revitalization, preservation, and instruction of American Indian, Alaska Native, and Native Hawaiian languages.

Native Language Grant Requirements. ED and DOI will review federal grant requirements and suggest mechanisms to award additional grant points for applications that integrate, support, and promote Native language revitalization.

Federal Indian Boarding School Oral History Project. In June 2021, the Secretary of the Interior launched the Federal Indian Boarding School Initiative (BSI) to shed light on the troubled history of federal Indian boarding school policies and their legacy for Indigenous peoples. In May 2022, the Assistant Secretary for Indian Affairs released Volume 1 of the investigative report called for by the Initiative. To implement one of the recommendations of that report, and with new funding announced today from the National Endowment for the Humanities, DOI will begin the first-ever oral history project for survivors in 2023. Indigenous communities requested this project as a way to tell the stories of their citizens.

Native Language Voting Rights Reports. Today, DOI published translations of the landmark report of the Interagency Steering Group on Native American Voting Rights. The report followed consultations with Tribal Nations and listening sessions with Native Hawaiians, organizations advocating for improved Tribal voting rights, and state and local election officials in jurisdictions with sizable Native populations. Those sessions revealed recurring, unnecessary, and unacceptable impediments to the franchise. The steering group's subsequent report chronicled the barriers Native voters face and recommended actions for policymakers at every level to help break these barriers down. Further, the Department took the unique step of translating the report itself into six Native languages, in writing and by audio, reflecting the regional consultation structure: Navajo, Yup'ik, Ojibwe, Cherokee, Lakota, and Native Hawaiian.

New Tribal Early Learning Initiative. In support of the Administration's goal to increase the percentage of Native American children and families who participate in high-quality early childhood programs and services, the

Administration for Children and Families (ACF) at HHS will launch a new Tribal Early Learning Initiative (TELI). TELI will enable Tribes to improve collaboration and coordination across Tribal early childhood programs (including Head Start, child care, home visiting, and preschool) to support stronger Tribal early childhood systems. ACF initiated TELI in response to feedback from Tribal leaders during Nation-to-Nation consultation. Forty-nine Tribes will participate in a broad network of Tribes working to coordinate their programs (the TELI Network) and eight Tribes will participate in a more intensive peer learning community (the TELI Collaborative).

Education Partnerships. Today, DOI is announcing that BIE will partner with the Trust for Public Lands' Community Schoolyards Project to create outdoor educational spaces to support healthy Tribal communities. The partnership will initially identify six to nine BIE schools for such "Community Schoolyard" projects. The schoolyards will be designed in collaboration with students and community members to reflect the values and culture of each community.

National Fund for Excellence in American Indian Education. Today, DOI is renewing the National Fund for Excellence in American Indian Education, a congressionally chartered, but long unused, non-profit organization to support educational opportunities for American Indian students attending BIE schools. DOI is working to re-invigorate the organization to support Tribally led education initiatives, including the Department's work on Native language revitalization.

## **Health**

New Strategy for Tribes to Access the Strategic National Stockpile. Today, HHS is sharing its next steps in its draft strategy for Tribes to access the Strategic National Stockpile. HHS will initiate Tribal Consultation on a strategy that describes how IHS, Tribal health departments, and Urban Indian Organizations (UIOs) can access the lifesaving federal repository of drugs and medical supplies to support Native communities, prevent supply shortages, and reduce health disparities.

New Policy Clarifying Data Sharing with Tribal Epidemiology Centers for HHS Agencies. HHS will announce a new Tribal Data Sharing Policy in 2023 that will include guidance and a streamlined process for Tribal Epidemiology Centers to request and access critical health data at HHS components. This policy responds to recommendations by the U.S. Government Accountability Office (GAO) as well as requests from Tribal leaders to improve data sharing at IHS and the Centers for Disease Control and Prevention (CDC). In development of this new policy, HHS will be examining the broader impact of Tribal access to health data as well.

**Bison Initiative to Further Food Sovereignty.** USDA and DOI are announcing new efforts to help restore bison populations and promote species conservation. A new USDA initiative will include cooperative agreements with the InterTribal Buffalo Council to prepare and release: (1) a handbook to provide best practices for humane handling and harvesting of bison in the field; and (2) a hands-on curriculum and training focused on food sovereignty and food safety. USDA will also consider actions to remove barriers to serving Tribally produced bison in child nutrition programs. BIA's Office of Trust Services will create a Branch of Bison Restoration to assist Tribes in developing new bison herds.

**Nutrition and Agriculture.** DOI announced Indigenous Food Hubs for BIE-operated schools and BIA-operated detention centers at the White House Conference on Hunger, Nutrition, and Health in September 2022. To further this work, DOI is committed to adopting Indigenous-based land and agricultural management practices and metrics for BIA-managed lands. Today, USDA and DOI are announcing that they will hold listening sessions to receive feedback on such practices, and on barriers and solutions to inform guidance on improving sustainability for flora and fauna biodiversity and sound Indigenous agricultural practices. Additionally, USDA will promote the use of traditional foods in school meals and work with state agencies and schools to overcome food safety, crediting, or other barriers to serving traditional foods in school meals programs.

**Hall of Tribal Nations at HHS.** HHS is unveiling its plans for a new Hall of Tribal Nations at HHS headquarters in Washington, D.C. to increase visibility of Tribal Nations as Nation-to-Nation partners in providing health and human services in their communities. The Hall of Tribal Nations will be complete in early 2023 with inaugural Tribal flags representing the members of the Secretary's Tribal Advisory Committee.

## **Housing**

**New Section 184 Regulations to Increase Home Ownership.** HUD will publish a new Section 184 Indian Home Loan Guarantee Program proposed rule that modernizes the program and provides more homeownership opportunities in Indian country. The rule will: (1) codify program requirements governing underwriting, loan origination, claims, and more; and (2) introduce much needed certainty into the program to attract more participating lenders. The proposed rule would, among other things, authorize HUD to establish a minimum level of lending on trust land.

**New Housing for Skilled Workers.** Skilled workers are vital to any community's overall well-being and ability to achieve sustainable economic growth. Unfortunately, some Tribal communities—particularly those located in very remote areas—have historically struggled to attract skilled workers because of a lack of available housing. To address this issue, HUD will begin

to implement a new Section 184 demonstration program that specifically targets Tribes and Tribally Designated Entities to use Section 184 financing for the construction of rental housing for skilled workers in Tribal communities. HUD will issue guidance outlining programmatic requirements and begin to make this loan product available to Tribes in 2023.

Native American Veteran Homelessness Initiative. VA, HHS, and HUD, through the WHCNAA Health Committee, are announcing an interagency initiative to increase access to care and services for American Indian and Alaska Native Veterans experiencing or at risk of homelessness in urban areas. The initiative will involve partnerships with UIOs and focus on intake and referral services to ensure that Native veterans are aware of and have access to available resources.

### **International and Border Issues**

Reciprocal Indigenous Mobility. DHS will work to identify and remove barriers that impede the access of Tribal Nations and Alaska Native Villages to border-crossing and immigration rights and benefits. These rights and benefits are needed to revitalize, strengthen, and sustain their familial, Tribal, Native language, cultural, and religious and spiritual ties. Achieving reciprocal Indigenous mobility will directly support the aims of the Native Language MOA and the 10-Year National Plan on Native Language Revitalization. DHS will provide a report to the White House Domestic Policy Council within 180 days of the Tribal Nations Summit describing its progress and recommending any new operational procedures or legal authorities necessary to support these efforts.

Indigenous Peoples' Conservation Advisory Network. DOS and EPA, with guidance from DOI, will launch a new interagency initiative, the Indigenous Peoples' Conservation Advisory Network (IPCAN), to support and uplift the leadership of Indigenous peoples and their knowledge in conservation, restoration, and sustainable management efforts in terrestrial, coastal, and ocean ecosystems. IPCAN will be developed through robust consultation with global Indigenous stakeholders and will facilitate a global, Indigenous-led network supporting Indigenous peoples' stewardship of lands and waters to address the climate and biodiversity crises.

### **Public-Private Partnership Initiatives**

Establishment of an Office of Strategic Partnerships at Interior. DOI is establishing a new Office of Strategic Partnerships within Indian Affairs to build partnerships, leverage resources, and promote innovative solutions for Indian country. The new office will also work to bring awareness of the needs and unique status of Indian Tribes. With support from a partnership with Native Americans in Philanthropy, the office will work in close coordination with WHCNAA to serve Tribes and Tribal organizations to develop and build



long-term sustainable public-private partnerships and further conservation, education, and economic development in Indian country.

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