



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members
From: Indian and Insular Affairs Subcommittee staff, Ken Degenfelder
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Date: Tuesday, November 19, 2024
Subject: Tribal Roundtable on Self-Determination Contracting and Self-Governance
Compacting

The Subcommittee on Indian and Insular Affairs will host a roundtable with Republican members and tribal leaders to discuss self-determination contracts and self-governance compacts as they relate to health care, public safety, and economic development in tribal communities. The roundtable will be held on **Tuesday, November 19, 2024, at 10:15 a.m. in Longworth 1334.**

I. KEY MESSAGES

- The current federal policy of self-determination for tribes has enabled many tribes to take on programs, functions, services, and activities (PFSAs) previously provided by the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS) and, ultimately, provide services to tribal members in a better and uniquely local manner.
- Tribes that enter into self-determination contracts and/or self-governance compacts, collectively referred to as 638 contracts/compacts, can tailor the PFSAs they want to take on, allowing the tribe to build up capacity to take on larger and more complicated PFSAs, or slowly increase the scale of PFSAs provided to tribal members as well as the surrounding community.
- Despite the successes of many 638 contracts/compacts, tribes still face challenges related to financial resources, workforce resources, and governmental agencies' hesitance regarding tribes taking on certain federal functions.
- The most successful 638 contracts/compacts require tribes to provide additional tribal financial resources to be used alongside federal resources. Some tribes may highlight this funding gap as a barrier to taking on 638 compacts/contracts, even when the tribal community would be better served by local control over PFSAs.

II. BACKGROUND

This roundtable will highlight specific tribes who have assumed trust responsibilities from the BIA and the IHS for PFSAs through 638 contracting/compacting. The goal of this roundtable is to provide an open and informal dialogue between tribal leaders and Republican Members of Congress to discuss 638 contracting/compacting, including how tribes have been successful, the

resources tribes have used to ensure 638 contracts/compacts are successful, and how Congress can assist in improving the 638 contracting/compacting process.

Tribal Self-Determination Contracting and Self-Governance Compacting

Under President Nixon, the United States transitioned to a federal policy of self-determination with Indian tribes. In his July 8, 1970, message to Congress, President Nixon began this policy by stating: “We must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support.”¹ Congress then passed the Indian Self-Determination and Education Assistance Act (ISDEAA) in 1975,² which established a statutory framework by which tribes could assume responsibility for PFSAs typically run by the federal government for tribal members’ benefit.

As a result of ISDEAA and its amendments, tribes may take control of PFSAs in one of two ways—either through a self-determination contract (known as a 638 contract) or through a self-governance compact (known as a 638 compact).³ The self-determination authorities provided by ISDEAA are commonly referred to as “638 contracts” or “638 compacts” in reference to ISDEAA’s public law number, P.L. 93-638. Self-determination contracts and self-governance compacts are not one-size-fits-all and can differ depending on each tribe’s specific needs and approach.⁴ While both 638 contracts and 638 compacts authorize tribes to exercise greater control over the services provided to their tribal members, each has specific nuances.

Under Title I of ISDEAA, a tribe can enter into a 638 contract related to a BIA service.⁵ Each contract can last up to three years unless the Secretary of the Interior (Secretary) and the tribe agree to a longer term. However, the contracts can be renegotiated annually to account for cost increases and any changes in circumstances.⁶

Any federally recognized tribe may submit a 638 contract proposal for review to the Secretary.⁷ The proposal must contain all required information such as information about the tribe, the point of contact for the contract, a statement of the PFSAs the tribe wishes to assume, as well as the needs, funds, and information relating to whether the tribe intends to retain any federal employee assistance or federal resources.⁸ Once submitted, the Secretary has two days to acknowledge receipt and 15 days to notify the tribe of any missing materials and whether the proposal contains any aspect that prohibits the Secretary from approving it, such as the service provided would be

¹ President Richard Nixon, Special Message on Indian Affairs. 1970. <https://www.epa.gov/sites/default/files/2013-08/documents/president-nixon70.pdf>.

² P.L. 93-638. The “638” part is used as another name for self-determination contracting (638 contracting) and self-governance compacting (638 compacting).

³ Murray, Mariel. Indian Self-Determination and Education Assistance Act (ISDEAA) and the Bureau of Indian Affairs. CRS. 2021. <https://crsreports.congress.gov/product/pdf/IF/IF11877>.

⁴ 25 CFR Part 900 and Part 1001.

⁵ P. L. 93-638.

⁶ Murray, Mariel. *Indian Self-Determination and Education Assistance Act (ISDEAA) and the Bureau of Indian Affairs*. CRS. 2021. <https://crsreports.congress.gov/product/pdf/IF/IF11877>

⁷ 25 USC Sec. 5321 and Hobbs, Straus, Dean & Walker. Memorandum on PROGRESS Act Amendments to Titles I and IV of the ISDEAA <https://www.tribalselfgov.org/wp-content/uploads/2020/10/02-10-22-20-PROGRESS-Act-Title-I-and-Title-IV-Amendment-Final.pdf>.

⁸ 25 CFR Part 900.

unsatisfactory, or the PFSA cannot be contracted.⁹ In general, the Secretary has 90 days to approve or decline a proposal. If it is neither approved nor denied in that time frame, then the proposal is deemed approved. Once approved, the Secretary must award the contract and provide the available funds.¹⁰ Considering the few ways in which a contract proposal can be denied, in general, if a tribe wishes to contract out a PFSA, then they likely can.¹¹

Title IV of ISDEAA, added by the 1994 Tribal Self-Governance Act (TSGA), authorizes the BIA to enter into self-governance compacts with tribes.¹² Self-governance compacts are more expansive than self-determination contracts, providing more flexibility and allowing tribes to take control of more services and offerings. As a result, there is a higher threshold for approval, but tribes can negotiate more broadly with the Secretary to cover the costs associated with the compact.¹³

Because a self-governance compact is usually broader in scope, negotiations between the tribe and the Secretary are more complex. Formal negotiations are overseen by the Office of Self-Governance within the Office of the Assistant Secretary for Indian Affairs.¹⁴ To negotiate a compact, a tribe must demonstrate financial stability and management capabilities through an organization-wide audit under the Single Audit Act of 1984 covering the previous three years and have completed the planning phase for self-governance.¹⁵ A tribe must also initiate and request negotiations for a self-governance compact and an Annual Funding Agreement (AFA) with the Secretary.¹⁶ Only then may a tribe be entered into the applicant pool, of which only 50 additional tribes are authorized to enter into a compact per year, and begin negotiations.¹⁷ Self-governance compacts do not have a set mandatory model like self-determination contracts, and all parties involved must negotiate the terms of the self-governance compacts and any associated annual funding agreements (AFAs).¹⁸

Since their enactments, Congress has continued to improve the 638 contracting/compacting process. In 2020, Congress passed the Practical Reforms and Other Goals to Reinforce the Effectiveness of Self-Governance and Self-Determination for Indian Tribes Act (PROGRESS Act). The law was intended to streamline and standardize the self-governance process within the Department of the Interior (DOI) while providing tribes with more flexibility to tailor, consolidate, and administer 638 contracts and compacts.¹⁹ The final regulations implementing the PROGRESS Act are anticipated to be issued by December 21, 2024.

⁹ 25 CFR 900.145.

¹⁰ Id.

¹¹ 25 CFR 900.22, detailing the five narrow reasons why a Secretary can decline a self-determination contract proposal.

¹² P.L. 103-413.

¹³ 25 CFR Part 1001. And Washburn, Kevin. Tribal Self-Determination at the Crossroads. Connecticut Law Review 38-777. 2006. https://digitalrepository.unm.edu/law_facultyscholarship/511.

¹⁴ Murray, Mariel. Indian Self-Determination and Education Assistance Act (ISDEAA) and the Bureau of Indian Affairs. CRS. 2021. <https://crsreports.congress.gov/product/pdf/IF/IF11877>.

¹⁵ 25 CFR Part 1001.

¹⁶ Id.

¹⁷ Id.

¹⁸ Strommer, Geoffrey. The History, Status, and Future of Tribal Self-Governance Under the Indian Self-Determination and Education Act. American Indian Law Review. 2015.

<https://digitalcommons.law.ou.edu/cgi/viewcontent.cgi?article=1001&context=ailr>.

¹⁹ Senate Report on “A Bill to Amend The Indian Self-Determination and Education Assistance Act to Extend the Deadline For The Secretary Of The Interior to Promulgate Regulations Implementing Title IV Of That Act, and For Other Purposes” S. Rpt 118-38, p. 1 <https://www.congress.gov/118/crpt/srpt38/CRPT-118srpt38.pdf>.

638 Contracting/Compacting for Health Care

Indian tribes can also enter into 638 contracts/compacts for various healthcare programs provided by IHS, including, but not limited to, dental, laboratory services, audiology, obstetrics and gynecology, and inpatient services. As of July 1, 2024, the IHS had entered into 114 compacts and 141 AFAs with tribes and tribal organizations across all 12 IHS Service Areas.²⁰

The Winnebago Tribe is a prime example of 638 contracting/compacting benefits. Before 2018, the Winnebago Tribe was compacted with IHS to run the tribal public health system, but the then-Omaha Winnebago Hospital was managed by the IHS. While under IHS control, the hospital was reported to have “appalling conditions.”²¹ In August 2017, the hospital announced they may have accidentally infected up to 35 podiatry patients with diseases such as HIV and hepatitis.²² It was only after IHS failed to maintain the Centers for Medicare and Medicaid Services (CMS) certifications at the then-Omaha Winnebago Hospital that the Winnebago Tribe compacted to take over the hospital under a self-governance compact.²³ Renamed the “Twelve Clans Unity Hospital,” it regained CMS certifications and currently serves an estimated 10,000 American Indians and Alaska Natives (AI/ANs) on and around the Winnebago Reservation. The Winnebago tribe’s Public Health Department, alongside the hospital, offers services such as ambulatory care, inpatient care, express care, pharmacy, radiology, emergency care, medical laboratory, and more.²⁴

The Twelve Clans Unity Hospital continues to pursue avenues that support their patients’ needs, such as implementing flex appointments to allow patients to see a doctor day of, and increased sexual wellness services.²⁵ Tribally run hospitals and clinics may also be able to move quicker to adopt new technologies to expand access to healthcare, like telehealth. For example, the Winnebago Tribe offers telehealth services, which expands the reach of tribal health care, especially for rural and extra rural populations.²⁶

Tribally run healthcare facilities can offer quality care that is both specialized and tailored to the cultural experience of the tribal members. Having a cultural connection in their healthcare generally improves the experience of AI/ANs within the healthcare system and keeps them engaged and willing to return for follow-up care.²⁷

²⁰ Indian Health Service. Self-Governance Tribes. <https://www.ihs.gov/selfgovernance/tribes/>.

²¹ Senate Committee on Indian Affairs. *Testimony of Victoria Kitcheyan*. January 2016. <https://www.indian.senate.gov/wp-content/uploads/upload/files/2.3.16%20Victoria%20Kitcheyan%20Testimony.pdf>

²² Associated Press. “Winnebago Tribe Takes Over Troubled Hospital on Reservation.” July 2018. HYPERLINK “<https://apnews.com/general-news-40369e6cc82b46938fe5c13bd3f63ad3>”<https://apnews.com/general-news-40369e6cc82b46938fe5c13bd3f63ad3>.

²³ Associated Press. “Winnebago Tribe Takes Over Troubled Hospital on Reservation.” July 2018. <https://apnews.com/general-news-40369e6cc82b46938fe5c13bd3f63ad3>.

²⁴ Twelve Clans Unity Hospital. About Us. <https://twelveclanshospital.com/about-us/>

²⁵ The Win. Winnebago News. December 2023. <https://winnebago-tribe.com/wp-content/uploads/2023/12/120923WIN.pdf>.

²⁶ “Telemedicine Services” Twelve Clans Unity Hospital, <https://twelveclanshospital.com/telemedicine/> The Indian Health Service also offers telehealth services to AI/ANs. <https://www.ihs.gov/telehealth/>.

²⁷ American Psychological Association. The Healing Power of Native American Culture is Inspiring Psychologists to Embrace Cultural Humility. October 2023. <https://www.apa.org/monitor/2023/10/healing-tribal-communities-native-americans>.

638 Contracting/Compacting to Encourage Economic Development

Economic development is the process of influencing an economy's growth to enhance a community's economic well-being.²⁸ There are two main objectives: 1) creation of jobs and wealth and 2) improvement of quality of life by focusing on improving the business and, sometimes, social aspects of communities.²⁹

Because 638 contracts/compacts deal with government-provided PFSAs, tribes seek 638 contracts/compacts to encourage economic development and tribal sovereignty over economic enterprises. These include PFSAs that ensure tribal control over tribal resources like land, mineral resources, and other natural resources, and PFSAs that build supportive business environments, which can encourage businesses to establish themselves on reservation or tribal trust land.

Because tribal trust land is owned by the federal government for the benefit of an Indian tribe, it is subject to federal oversight regarding leasing, selling, or encumbering the land. If a tribe seeks to conduct activities on trust land, the Secretary of the Interior must approve the activity. The BIA has historically provided land valuation, leasing, and other services for tribal trust and restricted fee lands.³⁰ The bureaucratic approval process can hinder economic activity by creating uncertainty and roadblocks. For example, a tribe seeking to lease land for a business would need approval from the BIA, which can be lengthy, costly, and time-consuming.³¹

Tribal title records managed by the BIA are not always accurate—whether due to decades of federal mismanagement or the growing problem of fractionated land—leaving investors and prospective business partners wary of conducting business on tribal land.³² Access to correct land valuation and realty functions is critical for building residential and commercial buildings and enabling rights-of-way. Understanding what land is available is also essential for an individual or business to participate in economic activities like agriculture, grazing, timber, or energy development.

For example, the Agua Caliente Band of Cahuilla Indians compacted the BIA's Land Title and Records Office (LTRO) to provide title maintenance, verification, certification, and processing services, assisting with a broad range of sublease transactions and related curative measures and processing completed rights-of-way applications.³³ Tribes that have compacted these services provide them quicker than BIA does and enable tribes to move at the speed of business rather than wait several years for BIA to provide the needed information. Several other tribes, like the Confederated Salish and Kootenai Tribes (CSKT), the Confederated Tribes of the Colville Reservation, and the Morongo Band of Mission Indians, also have 638 compacted LTRO

²⁸ "Community Economic Development: Key Concepts" Mississippi State University Extension. Accessed Nov. 2024. <https://gcd.extension.msstate.edu/sites/gcd.extension.msstate.edu/files/resources/community-economic-development-key-concepts.pdf>

²⁹ Id.

³⁰ BIA Land Titles and Records Office. <https://www.bia.gov/regional-offices/great-plains/land-titles-records-office>.

³¹ 25 C.F.R. § 162.438. Alternatively, a Tribe could streamline that process by developing its own leasing code under the Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2012 (the HEARTH Act), Pub. L. 112-151, 126 Stat. 1150, although such codes are also subject to BIA review and approval.

³² Id. at 9.

³³ "Realty and Trust Services" Agua Caliente Band of Cahuilla Indians. <https://www.aguacaliente.org/realty-services>.

services as a direct result of BIA's failure to provide timely information. For CSKT, taking over LTRO services resulted in decreased document wait times, leading to decreased budgetary needs.

The Indian and Insular Affairs Subcommittee has previously held hearings on issues related to tribal energy development, particularly the benefits of oil and gas development for long-term growth and intergenerational benefits.³⁴ The House Committee on Natural Resources has also received testimony on the benefits of tribal control over tribal forests and federal forests adjacent to tribal land. Several tribes detailed how tribal connections to land enable tribes to conserve and economically benefit from their forest lands.³⁵

Land use restrictions can also translate into a lack of physical infrastructure on or near reservations, usually due to underinvestment and the area's rural or extra-rural character. Tribes and Native communities often lack sufficient or adequate facilities and related infrastructure to support prospective businesses.³⁶ Tribal roads, particularly in rural areas, can be underdeveloped, and tribal communities have limited access to public or private transportation options.³⁷ Despite recent federal investments, essential utilities, such as water, sewer, electricity, and broadband internet, remain underdeveloped.³⁸ Congress can strengthen tribes' capacity to take on these responsibilities by considering expanding Good Neighbor or 638 contracting authorities to other departments or agencies outside of DOI.

638 Contracting/Compacting for Public Safety and Justice

Ensuring adequate public safety and law enforcement in Indian country has been a long-standing issue. AI/ANs experience violence at a higher rate than other communities, with more than four in five AI/AN adults (83 percent) reporting that they have been a victim of some form of violence in their lifetime.³⁹ The House Natural Resources Committee has held several hearings on the issue of public safety in Indian country,⁴⁰ including how international drug cartels have targeted larger reservations where they know policing is minimal.⁴¹

Indian tribes can either choose to receive policing services from the BIA's Office of Justice Services (OJS),⁴² or the tribe can enter into a 638 contract/compact to use OJS funds to manage their tribal law enforcement program. Tribally operated law enforcement agencies in the U.S.

³⁴ "Prepared Statement of the Honorable Melvin J. Baker Chairman, Southern Ute Indian Tribal Council" IIA Sbcmt. Oversight Hearing "Tribal Autonomy and Energy Development: Implementation of the Indian Tribal Energy Development and Self-Determination Act," Sept. 28, 2023. <https://www.congress.gov/118/meeting/house/116420/witnesses/HHRG-118-II24-Wstate-BakerM-20230928.pdf>.

³⁵ Federal Lands Sbcmt. Oversight Hearing "Examining Opportunities to Promote and Enhance Tribal Forest Management" Dec. 5, 2023. <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=415219>.

³⁶ *Growing Economies in Indian country: Taking Stock of Progress and Partnerships*. At 9. <https://www.federalreserve.gov/newsevents/conferences/GEIC-white-paper-20120501.pdf>

³⁷ Id.

³⁸ Id.

³⁹ National Institute of Justice, "Five Things About Violence Against American Indian and Alaska Native Women and Men," U.S. Department of Justice, <https://www.ojp.gov/pdffiles1/nij/249815.pdf>.

⁴⁰ "Opportunities and Challenges for Improving Public Safety in Tribal Communities," Indian and Insular Affairs Subcommittee. Nov. 14, 2023. <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=415106>

⁴¹ "Biden's Border Crisis: Examining the Impacts of International Cartels Targeting Indian Country," Oversight and Investigations Subcommittee. Apr. 10, 2024. <https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=415813>.

⁴² The Indian Law Enforcement Act of 1990 (25 U.S.C. §2801) and its implementing regulations provide the main statutory and regulatory authority for the BIA's Office of Justice Services (OJS) to carry out law enforcement functions in Indian country.

increased from 178 in 2008 to 234 in 2018, increasing by 32 percent in 10 years, indicating that tribes want to have more involvement in policing their lands and populations.⁴³ However, Special Law Enforcement Commission (SLEC) agreements with BIA are required for tribal or local law enforcement officers to enforce federal criminal laws in Indian country,⁴⁴ and several tribes have had difficulty obtaining or renewing SLEC agreements, which has prevented tribal officers from responding in certain instances.⁴⁵ The Committee has also advanced the Parity for Tribal Law Enforcement Act, which would assist with the recruitment and retention of Tribal Law Enforcement Officers (Tribal LEOs) by allowing tribes that have entered into 638 contracts/compacts for public safety to opt into the federal retirement system and provide a coterminous process for federal law enforcement credentialing to Tribal LEOs.⁴⁶

Tribal law enforcement agencies also face challenges similar to those of BIA OJS in recruiting and retaining law enforcement officers, particularly with matching benefits and pay that public safety personnel would receive at either federal, state, or local law enforcement agencies. Tribal law enforcement agencies operating under a 638 compact/contract receive funds BIA would have otherwise spent if the agency had provided federally employed public safety personnel. Tribes then use those funds to fund their tribal law enforcement agencies, including, if they can, providing retirement and other non-salary benefits. Non-BIA funds can supplement that funding, but for many tribes, additional funding may not be available due to fewer economic development opportunities and a general lack of funding for tribal governments.

A 2001 Department of Justice, Office of Justice Programs research report found that “[o]nly those tribes that have acquired meaningful control over their governing institutions—that have increased their actual sovereignty—have experienced improved local economic and social conditions.”⁴⁷ Regarding the research findings, the report stated that:

The research has not found a single case of sustained economic development where the tribe is not in the driver’s seat. While tribal-BIA relationships in thriving Indian communities range from cooperative to contentious, they are all characterized by a demotion of the BIA (and of other Federal agencies) from decisionmaker to advisor and provider of technical assistance. The reason sovereignty is crucial to successful development is clear: As long as the BIA (or any other outside organization) has decision making authority, the actions, policies, and procedures of tribal government will reflect outsiders’ agendas.⁴⁸

⁴³ *Tribal Crime Data Collection Activities*, 2023. DOJ. Bureau of Justice Statistics. July 2023.

<https://bjs.ojp.gov/document/tcdca23.pdf>.

⁴⁴ “Training Fulfills Key Requirement of Tribal Law and Order Act, Makes Tribal Police Eligible to Enforce Federal Laws.” DOI, Mar. 21, 2011 <https://www.bia.gov/as-ia/opa/online-press-release/justice-and-interior-departments-launch-national-criminal-justice>.

⁴⁵ “Testimony before the Senate Committee on Indian Affairs: Tribal Law and Order Reauthorization Act of 2017,” Honorable Bryan Rice, Oct. 25, 2017,

<https://www.indian.senate.gov/sites/default/files/10.25.17%20Bryan%20Rice%20Testimony.pdf>.

⁴⁶ H.R. 4524, Parity for Tribal Law Enforcement Act. <https://www.congress.gov/bill/118th-congress/house-bill/4524>

⁴⁷ Policing on American Indian Reservations, A Report to the National Institute of Justice. July 2001.

<https://www.ojp.gov/pdffiles1/nij/188095.pdf>.

⁴⁸ Id.

For example, the Oneida Nation of Wisconsin “established the Oneida Police Department in the mid-1980s as a response to local law enforcement’s inability to respond timely to the Nation’s Reservation and to ensure the protection of the Nation’s new enterprises and assets.”⁴⁹ At that time, the tribe did not enjoy the strong, productive relationships with the local municipal governments and law enforcement agencies that the tribe has presently. Over time, the Oneida Nation worked diligently to establish relationships and parity with local law enforcement agencies through deputization and intergovernmental agreements. The Oneida Nation also contributes its own funding beyond BIA funds received annually to ensure the effectiveness of the Oneida Police Department to the tribal and surrounding community.⁵⁰

III. ROUNDTABLE PARTICIPANTS



Winnebago Tribe of Nebraska

The Hon. Victoria Kitcheyan, Chairwoman

- Headquarters are in Winnebago, NE, 72 miles north of Omaha, NE.
- The Winnebago Tribe’s reservation is 176 square miles of checkerboarded land types; 43 square miles are trust land, with the rest being tribally and individually owned.
- The tribe has approximately 5,829 enrolled members.
- The Tribe created Ho-Chunk, Inc., their tribe’s corporation, to diversify the tribe’s revenue, create job growth, and positively impact surrounding communities.
- Ho-Chunk, Inc. generates over \$380 million in revenue and has received the Harvard University Honoring Nations award four times.
- A significant portion of the tribe’s income comes from its agricultural sector, with Ho-Chunk Farms planting 7,000 acres of crops in 2023.
- Following years of below-standard healthcare provided by the Indian Health Service (IHS), the Winnebago Tribe took over management of the Omaha-Winnebago Hospital in July 2018. They renamed it to be the Twelve Clans Unity Hospital.
- Once the Winnebago Tribe took over operations of the Twelve Clans Unity Hospital, it regained a CMS certification previously revoked under IHS management.
- The Twelve Clans Unity Hospital serves an estimated 10,000 tribal members with inpatient care, social services, dental, optometry, and other services.

⁴⁹ Oneida Nation Written Response to March 2024 SCIA Public Safety Listening Session. April 12, 2024. On file with Committee Staff.

⁵⁰ Id.



Confederated Salish and Kootenai Tribes (CSKT)

The Hon. Michael Dolson, Chairman

- Headquarters are 62 miles northwest of Billings, MT, in Pablo, MT.
- CSKT is made up of several Bitterroot Salish, Kootenai, and Pend d'Oreilles tribes.
- CSKT's reservation is 1,938 square miles of checkerboarded land types comprising 8 districts, with 60% of the land owned by the tribes.
- CSKT has approximately 6,800 tribal members in total.
- The tribes operate and own eleven tribal corporations that spur economic development into a diverse portfolio.
- The tribes own and jointly operate the Séliš Ksanka Ql'ispé Dam, being the first Indian Nation to own a hydropower dam. The Séliš Ksanka Ql'ispé Dam generates \$18 million in profit annually.
- CSKT undertook the BIA's Safety of Dam's program, where they eliminated or remediated structural and/or safety concerns at 17 locations in their reservation.
- CSKT has several diverse examples of successful 638 program undertakings. In 1986, they took control of and managed electric utilities in the reservation via Misson Valley Power (MVP).
- In 1996, CSKT contracted out the Land and Title Records Office (LTRO), which resulted in decreased wait times for documents. Additionally, the tribe increased the efficiency of the LTRO's budget which was previously underfunded by the BIA. CSKT also took control over the National Bison Range in 2020, which is managed by its Natural Resource Department.



Agua Caliente Band of Cahuilla Indians

The Hon. Reid D. Milanovich, Chair

- Headquarters are in Palm Springs, CA, 100 miles east of Anaheim, CA.
- The Band's tribal membership is approximately 500 individuals, with their reservation being approximately 31,500 acres of land.
- 6,700 acres of the band's reservation are in Palm Springs, CA, collectively making the tribe the city's largest landowner.
- Agua Caliente's reservation is primarily composed of allotted land in a checkerboard pattern of land.
- The tribe oversees the Tahquitz, Palm, Murry, and Andreas Canyons, which are accessible for numerous outdoor activities.
- The tribe also operates and manages the Agua Caliente Fuel gas station.
- In 2000, the Santa Rosa and San Jacinto National Monument Act of 2000 established the first Congressionally designated national

monument to be jointly managed by the Bureau of Land Management (BLM) and the Forest Service (USFS). The act mandated that these agencies consult with the Aqua Caliente Band of Cahuilla Indians on any matters regarding the monument.

- Currently, the tribe, BLM, and USFS are negotiating a co-stewardship agreement, with a draft of the agreement expected to be finalized by the end of the year. The co-stewardship agreement would authorize the tribe to collaborate with the agencies' staff in cultural resource surveying, receive data on the national monument, and assist with day-to-day maintenance.



Tunica-Biloxi Tribe of Louisiana

The Hon. Marshall Pierite, Chair

- Headquarters are in Marksville, LA, 25 miles west of the Mississippi River.
- The tribe comprises descendants of the Tunica and Biloxi tribes.
- The tribe's membership is approximately 1,500, with their reservation being approximately 1,717 acres.
- Tunica-Biloxi's reservation is divided into tribally owned and individually owned trust lands and nontribally owned fee lands.
- The tribe owns and operates "Mobiloans," a Tribal Lending Enterprise (TLE) that operates as an online installment loan company.
- The tribe also operates and owns Acadia Entertainment, a finance and production company for films and other entertainment mediums.
- Tunica-Biloxi Holdings Inc. (TBHI) is the tribe's Section 17 holding company and investment vehicle. Through the diversification of tribal assets, TBHI has provided the Tribe with a stable economic environment.
- Tunica-Biloxi has a 638 contract for their police department, as flat funding seen through BIA funding agreements has continually strained their police department.



Oneida Nation of Wisconsin

The Hon. Tehassi Hill, Chairman

Roundtable Participant – Councilwoman Jennifer Webster

- Headquarters are in Oneida, WI, 12 miles east of Green Bay, WI.
- The Oneida Nation has approximately 16,560 members, with the Nation's reservation being approximately 65,400 acres of land.
- Of the Nation's land, the tribe owns 23,122 acres, 12,208 acres are fee land, and 10,904 acres are tribal trust land.
- The Nation is one of the largest employers of tribal and non-tribal members in northeastern Wisconsin.

- The Oneida Nation owns an Engineering-Science-Construction (ESC) group of small businesses and SBA 8(a) companies. The Oneida ESC group offers environmental, engineering, construction, and technology services on and off the reservation.
- Oneida is the sole owner of Bay Bank, which has over \$100 million in assets. Bay Bank offers financing opportunities under the Housing and Urban Development (HUD) Section 194 Indian Home Loan Guarantee Program.
- Bay Bank runs the Oneida Small Business Project, which has invested over \$5 million in over 100 Oneida small business owners.
- The Oneida Public Safety Department (OPSD) was established in 1985. The OPSD faced resistance from Federal agencies and surrounding counties, which disputed the Nation’s law enforcement powers. This led to the Oneida Nation entering into its first 638 contract/compact in 1994 to take sovereignty over its tribal law enforcement. The Oneida Nation now enjoys a good working relationship with surrounding counties, and the Oneida County Sheriff deputizes tribal police officers.
- Oneida Nation is the first tribal police department to receive accreditation from the Commission on Accreditation for Law Enforcement Agencies in the U.S.
- Oneida Nation also established the “Onedia Healing to Wellness Court” through its 638 compact/contract, which supports tribal members seeking to curb addiction.



Chairwoman Victoria Kitcheyan

Winnebago Tribe of Nebraska
Winnebago, NE

First elected to the Winnebago Tribal Council in 2015, Victoria “Tori” Kitcheyan has been serving as the Chairwoman of the Winnebago Tribe of Nebraska since 2020.

Kitcheyan is the former Chairwoman of the National Indian Health Board, the Secretary’s Tribal Advisory Committee (STAC) at the U.S. Department of Health and Human Services, and the Medicare, Medicaid and Health Reform Policy Committee (MMPC). In addition, Kitcheyan has served on various agency tribal technical advisory committees for the Great Plains area.

She has testified numerous times before the U.S. House of Representatives and the U.S. Senate on issues including health care disparities in Indian Country, tribal land consolidation, advance appropriations for Indian programs, tribal infrastructure needs, and the Winnebago Land Transfer Act, which was recently signed into law.

She holds a Bachelor of Science degree in Business Administration from Haskell University.



Chairman Michael Dolson

Confederated Salish and Kootenai Tribes
Pablo, MT

Michael Dolson is the Chairman of the Confederated Salish and Kootenai Tribes.

Chairman Dolson is serving his second term as a council member from the Hot Springs district, where he was born and raised.

After going to college and graduating from law school, Mike returned home and taught at Salish Kootenai College for 25 years before being elected on to Tribal council.



Chairman Reid D. Milanovich
Agua Caliente Band of Cahuilla Indians
Palm Springs, CA

Reid D. Milanovich was sworn in as Chairman of the Agua Caliente Band of Cahuilla Indians on April 5, 2022.

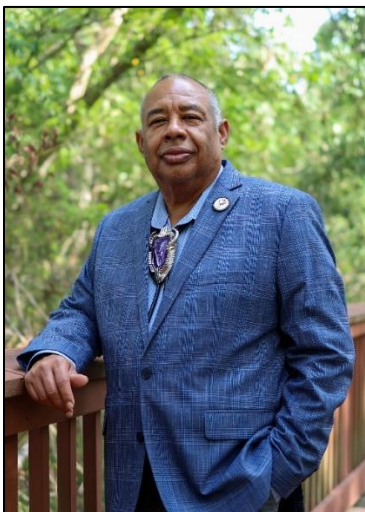
He served as Vice Chairman of the Tribal Council for nearly two and a half years after being sworn in on Nov. 5, 2019, to fulfill the remaining two-year term for the late Larry N. Olinger, Vice Chairman, who passed away in July 2019. Mr. Milanovich was first elected to the Tribal Council in April 2014 and served five consecutive terms as a Tribal Council Member.

Mr. Milanovich was named as one of Palm Springs Life's 40 Under 40, a group of impressive young professionals with promise to achieve greatness in the Coachella Valley. In addition, he was also recognized by The National Center for American Indian Enterprise Development with a Native 40 under 40 Award.

Prior to his service on the Council, Mr. Milanovich served as a Tribal Council Proxy in 2013 and served for more than two years on the Tribe's Scholarship Commission. In addition, he served for two years on the Board of Directors for the Agua Caliente Cultural Museum.

Mr. Milanovich earned his Bachelor's degree in Political Science from California Baptist University and resides in Palm Springs.

Mr. Milanovich's father, Richard M. Milanovich, served as Tribal Chairman for 28 years until his passing in 2012.



Chairman Marshall Pierite
Tunica-Biloxi Tribe of Louisiana
Marksville, LA

Marshall Pierite is the proud Chairman and CEO of the Tunica-Biloxi Tribe of Louisiana, whose reservation is located in Marksville, Louisiana. For more than 30 years, he has held several elected positions on the Tribal Council. Following his military service, he worked for the Tunica-Biloxi Tribe of Louisiana as a medical clerk. After receiving several promotions within the Tribe's Health Department, he was ultimately promoted to Director of the Social Services Department.

Over the course of his time on the Tribal Council, Chairman Pierite has worked on government operations, budgeting, infrastructure development, economic development, community development and tax policy development. He is currently serving in his second full term as Chairman of Tunica-Biloxi and through this position he has been able to establish unity and purpose throughout the Tribe, create wealth and jobs, and provide accessibility and accountability.

Concurrent to Chairman Pierite’s service in Tribal Government, he also excelled in several positions in corporate governance. He served as the Chief Executive Officer of MobiLoans, a financial services corporation. Under his leadership, MobiLoans grew from a small start-up company to a multi-million-dollar national financial service institution. As CEO, he oversaw the multi-million-dollar portfolio, all while creating workforce development opportunities for the citizens of Louisiana. Due to his outstanding service, he was named Chairman of the Board of Directors of MobiLoans, a position he currently holds.

In 2022, Chairman Pierite was selected as the Tribal Leader of the Year by the Native American Finance Officers Association (NAFOA) and awarded the 2024 George Nolan Award by the National American Indian Housing Council in recognition of his extraordinary service and dedication in American Indian Housing.

Chairman Pierite proudly serves on the first ever Tribal Intergovernmental Advisory Committee through the Housing Urban and Development (HUD) agency which was created to strengthen nation to nation relationship building between HUD and Tribal Nations. Recently, he was selected to serve as the Vice Chairman of the Intergovernmental Advisory Council for the Federal Communications Commission.



Councilwoman Jennifer Webster

Oneida Nation of Wisconsin
Oneida, WI

Jennifer “Jenny” Webster has been engaged in Oneida government for 33 years in various capacities. As an elected official she has served on the Oneida Judiciary for three consecutive terms as an Appellate Court Judicial Officer. The Judiciary serves to enhance and protect the self-government and sovereignty of the Oneida Tribe.

As an employee, she has worked in administrative positions, most recently as Travel Coordinator in the Oneida Purchasing Department.

Councilwoman Webster is serving her third term as an elected official on the Oneida Business Committee. Jennifer hopes to strengthen Nation efforts to preserve our language, culture and tribal identity, her priorities include protection of our tribal assets and assuring fiscal responsibility and accountability.

Jennifer also owns a business with her husband Don, for the past 20 years. Jenny and Don have two sons, Marcus and Zach, and one daughter, Olivia. They have three grandchildren: Raliaha, Oliver, and Wesson.

Councilwoman Webster has a mission to protect, preserve and exercise tribal sovereignty.