



AFFILIATED TRIBES OF NORTHWEST INDIANS

Dedicated to tribal sovereignty and self-determination since 1953

March 19, 2025

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The Honorable Russell Vought
Director
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

The Honorable Doug Burgum
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington DC 20240

The Honorable Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health & Human Services
200 Independence Ave SW
Washington, DC 20201

RE: Excluding Tribal Shares Contractable by Indian Tribes under ISDEAA from any Federal Workforce Reduction Actions

Dear Director Vought and Secretaries Burgum and Kennedy:

On behalf of the Affiliated Tribes of Northwest Indians and the Northwest Portland Area Indian Health Board, we respectfully request that ***you provide Indian Tribes sufficient opportunity and time to contract functions under the Indian Self-Determination and Education Assistance Act (ISDEAA)¹ before implementing any reductions in force or reorganization plans that may affect these functions.***

Collectively, our organizations represent fifty-seven (57) federally-recognized Tribes in the states of Washington, Oregon, Idaho, Montana, Northern California, and Alaska.

Since ISDEAA's enactment into law in 1975, Indian Tribes have made enormous strides in providing services both for their communities and non-Indian neighbors alike. Our member Tribes are often the largest employers in their counties and may be the only providers of healthcare in many rural areas. Tribes affect these functions more efficiently and with less government bureaucracy. Under ISDEAA, Indian Tribes decide for themselves whether to contract federal functions from the Bureau of Indian Affairs, Bureau of Indian Education, or the Indian Health Service.

ISDEAA is a landmark law developed by the administration of President Richard Nixon following his July 8, 1970, message to Congress² where he announced his administration's policy of self-determination. ***ISDEAA authorizes Indian Tribes to***

¹ The Indian Self-Determination and Education Assistance Act (ISDEAA; P.L. 93-638, 25 U.S.C. §§5301 et seq.).

² See <https://www.epa.gov/sites/default/files/2013-08/documents/president-nixon70.pdf>



contract to perform functions with their own Tribal employees that would otherwise be carried out by federal employees. Nixon stated that prior to enactment of ISDEAA, Indian tribes were “almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving.”

While many Indian Tribes have contracted federal functions under ISDEAA, others have not. For these Tribes, referred to as “direct service” Tribes, federal employees perform essential governmental activities. Tribal employees performing these functions will not be affected; however, the federal employees that provide services to direct service Tribes will no longer be able to perform those essential functions.

Some of our member Tribes that are direct service Tribes are in the process of, or are contemplating, contracting federal functions under ISDEAA. This means that the associated funding for any federal employees that are terminated through these personnel actions could not be contracted by Indian Tribes, even if those Tribes are currently negotiating ISDEAA contracts but have not yet finalized them. In this regard, direct service Tribes are in the perilous position of potentially losing essential contractable functions.

Not only does ISDEAA embody a policy articulated by President Nixon, but it also advances ***the administration’s goal of reducing the federal government footprint and workforce.*** For this reason, we request that ***any federal employees that constitute, in whole or in part, a Tribal share contractable by Indian Tribes under ISDEAA be excluded from any reduction in force or any other agency action that would result in their termination.***³ We further request that ***Tribal shares⁴ attributable to those federal employees who opted to take deferred resignations, or were terminated as probationary employees, also be preserved for Tribes to contract,*** whether those shares are located in agency, regional, or headquarter offices.

Preserving these shares will allow Tribes the opportunity to assume activities that would otherwise be carried out by federal employees and ensure that Tribes that are in the contracting process are not prejudiced by the rapid pace of administration personnel actions. ***For Indian Tribes that have not already initiated the ISDEAA contracting process, they should be given a reasonable timeframe to initiate the process.*** Many, if not most, tribes within the BIA’s and IHS’s Great Plains, Rocky Mountain, Southwest, and Eastern regional offices are direct service Tribes.

The United States has a Trust responsibility to Indian Tribes, a relationship grounded in the U.S. Constitution, Treaties, Executive Orders, Supreme Court cases, and other federal laws. Federal Tribal programs are legally mandated under the trust and treaty obligations to provide services to Tribes, whether under ISDEAA or through direct service. Our Tribal Nations are eager to work with the Administration on multiple shared priorities.

³ This would include employees of the Bureau of Indian Affairs, the Bureau of Indian Education, certain employees of the Bureau of Trust Funds Administration, and the Indian Health Service.

⁴ The proportionate share of IHS or BIA administrative funds associated with each federal Program. These funds are commonly held at the Agency, Area and Central Office level for BIA; and, the Service Unit, Area, or Headquarters level for IHS.



ATNI & NPAIHB Joint Letter to OMB, DOI, and HHS

Re: Excluding Tribal Shares Contractable by Indian Tribes under ISDEAA from any Federal Workforce Reduction Actions

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We appreciate your consideration of this letter and would be happy to provide additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Leonard Forsman".

Chairman Leonard Forsman
The Suquamish Tribe
President, Affiliated Tribes of Northwest
Indians

A handwritten signature in black ink, appearing to read "Aaron Hines".

Chairman Aaron Hines
Northwest Portland Area Indian Health Board

About Affiliated Tribes of Northwest Indians

ATNI was founded in 1953 and is dedicated to the protection and advancement of Tribal sovereignty and self-determination. ATNI is a nonprofit organization that serves 57 Tribal nations in the greater Northwest that includes Tribes in Oregon, Idaho, Washington, Alaska, California, and Montana. For more than 70 years, the member Tribes of ATNI have provided regional leadership and advocacy for Northwest Tribal interests.

About Northwest Portland Area Indian Health Board

Established in 1972, the NPAIHB is a Tribal organization formed under the Indian Self-Determination and Education Assistance Act (ISDEAA), P.L. 93-638, which advocates on behalf of the 43 federally-recognized Indian Tribes in Idaho, Oregon, and Washington on specific health care issues.