

MUSCOGEE (CREEK) NATION

Written Testimony of the Muscogee (Creek) Nation
For the U.S. House Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
February 25th & 26th

On behalf of the Muscogee (Creek) Nation (MCN), thank you for the opportunity to provide testimony at the House Appropriations Interior, Environment, and Related Agencies Subcommittee concerning appropriations over Department of Interior (DOI) and Bureau of Indian Affairs (BIA) related programs, functions, services, and activities (PFSAs). Affording tribal nations the platform to share feedback and suggestions for improvement over the annual fiscal year appropriations cycle is crucial to improving and enhancing federal budget strategies to best serve tribal nations and uphold treaty rights. As one of the largest federally recognized tribes in the United States, with a reservation spanning over 3.2 million acres, home to well over 1 million people, and covering eight full counties and parts of three more in Eastern Oklahoma. Our reservation is divided into eight legislative districts corresponding with the counties of Creek, McIntosh, Muskogee, Okfuskee, Okmulgee, and portions of Wagoner, Tulsa, Rogers, Hughes, Seminole, and Mayes. MCN represents the interests of over 100,000 enrolled citizens and many more Native and non-Native citizens who call our reservation home.

The funding requests and recommendation provided in this testimony are grounded in our commitment to tribal sovereignty and operating as good faith partners in our government-to-government relationship with the U.S. Federal Government. This relationship has been built on the deep-rooted obligations, financial and otherwise, guaranteed in treaties and agreements entered into with MCN. It is our intention that MCN's testimony can serve as a steppingstone for improved dialogue and partnership between Congress and tribal nations.

A substantial funding-gap still exists for Native American programs at DOI, particularly BIA programs, and there is an ample amount of work to be done to fulfill the federal government's treaty obligations. Moving forward, it is our hope that long overdue efforts to reduce waste, fraud, and abuse within the federal government will provide the opportunity to reallocate those savings to fully fund these mission critical programs rather than worsen an already chronic shortfall. Accordingly, MCN urges the House Committee on Appropriations to improve how funding levels are determined, delivered to their respective agencies, and classified. Actions like these will reaffirm Congress' commitment to Tribal Self Governance and support strong Tribal governments, economies, and communities by enacting measures that address structural shortcomings across the Federal system.

I. Department of Interior – Bureau of Indian Affairs (BIA)

The Department of Interior (DOI), Bureau of Indian Affairs (BIA), and Office of Self Governance (OSG) are the primary agencies responsible for providing services throughout Indian Country, either directly or through compacts or contracts. The operation of these programs and services are essential for health, safety, and socioeconomic well-being of MCN and surrounding Native communities. Unfortunately, chronic underfunding of tribal programs has perpetuated systemic issues in Indian Country that could be reduced or eliminated by increasing funding for tribal programs to meet treaty and trust obligations.

The following subsections provide a select number of recommendations from the Muscogee (Creek) Nation for specific program areas:

A. Law Enforcement

As a sovereign body, the Muscogee (Creek) Nation has a responsibility to ensure public safety within its territory. The most efficient way to accomplish this goal is through the full and proper funding of law enforcement programs. The current appropriation levels have allowed us to enhance our police force and emergency response capabilities to meet rising demands of public safety on the reservation. However, critical gaps still exist that we are requesting additional federal funds to address. These critical needs include funding for officers & staff, equipment, and investigative resources that are necessary in providing quality public safety services on the reservation.

To meet these challenges, MCN has embarked on a large-scale capacity-building project. Since 2020, MCN, has entered into 64 cross-deputization agreements with city governments, municipal partners, and state agencies. To ensure public safety MCN has expanded our police force (Lighthorse Police – LHP) from 30 officers in 2020 to 125 acting LHP officers. As of 2024, the Nation has received over 4,500 criminal referrals from non-Indian governments, referred over 4,300 criminal matters to non-Indian governments, and issued over 1,800 civil and criminal sanctions for traffic violations. These actions were largely performed by Lighthorse Police Officers and Tribal Courts, and continued federal funding is essential to support their ongoing work.

B. Courts

After the reaffirmation of the jurisdictional authority of the Muscogee Creek Nation in 2020 with the *McGirt v. Oklahoma* Supreme court ruling there has been a significant increase in the Nation's judicial responsibilities. To meet the 380% increase to the MCN court docket from 2020 and other responsibilities, the Nation, using federal dollars previously appropriated by this committee, along with a significant amount of tribal dollars, has invested heavily into the administrative and physical infrastructure of its' court systems.

However, despite this growth, an increased and sustained federal investment is essential in supporting the continued growth of our court systems. Additional investment grants leeway for the Nation to hire the additional judges, prosecutors, public defenders, and court staff they need to operate a capable justice system at capacity. This investment is also necessary in addressing the desperately needed development of new physical infrastructure to support our court systems.

MCN requests Congress to fulfill the trust and treaty obligations that the United States has with the Muscogee (Creek) Nation by providing additional funding to ensure sustained growth and administration of a justice system that consistently strives to uphold fair and efficient jurisdictional authority that is necessary in the pursuit of upholding public safety.

C. Detention

Investing in tribal detention services is imperative for promoting public safety and ensuring an effective criminal justice system. Detention facilities have high operation costs due to staffing needs, liability, space requirements, and required medical facilities; for example, for a government or private entity to construct a new 1000-bed facility, the estimated cost would range from 100-150 million and this does not account for the ongoing cost of annual operations.

Additionally, by investing in correction facilities on tribal lands, we can alleviate pressure on state and federal institutions, reduce overcrowding, and address the root causes of crime. Stronger, well-funded detention services can help prevent repeat offenses, foster rehabilitation, and promote long-term public safety in both tribal and non-tribal areas. By investing in these resources, we uphold the principles of self-governance and ensure that tribal nations can address crime and justice on their reservations, leading to stronger, safer communities

D. Agriculture and Natural Resources

MCN's Department of the Interior manages agriculture and natural resources that are essential for supporting economic growth and ensuring food security within the reservation. Adequate funding in these areas enables the development of effective farming practices, boosts local agriculture, and enhances the efficient use of resources and minerals; additionally, investing in these initiatives helps strengthen local economies and reduces dependence on external food sources, benefiting both tribal communities and their surrounding regions. Based on FY24 funding levels, there exists a funding shortfall of over \$12,00,000 million for MCN's agriculture and natural resources programs and functions; therefore, the Nation would request that the House retain existing funding mechanisms and consider increasing capacity-building funds to support land management and development activities.

II. Closing Remarks

The Muscogee (Creek) Nation is thankful for the opportunity to provide testimony to the House Committee on Appropriations. Recently, with the implementation of Presidential initiatives and the Executive Branch's commitment to reduce waste, fraud, and abuse within the federal government, MCN would like to remind Congress that Tribal programs are not DEIA or EJ initiatives; we are sovereign nations. Therefore, any pauses or elimination of tribal programs would undermine the United States' trust responsibility (recognized in the U.S. Constitution, treaties, and many federal laws and policies) to the Muscogee (Creek) Nation and other federally recognized tribes.