

March 18, 2026

Rick Sylestine, Chairman
Alabama-Coushatta Tribe of Texas Tribal Council

House Interior Appropriations Subcommittee

Testimony

Chairman Simpson, Ranking Member Pingree, Chairman Cole, and Ranking Member DeLauro, thank you for the opportunity to testify today. On behalf of the Alabama-Coushatta Tribe of Texas, I wish to address several matters of great importance to our Tribe. While there are many issues before Congress that affect our Tribe, the area where this Subcommittee can be of most immediate assistance involves a funding inequity that our Tribe has been trying to resolve with the Bureau of Indian Affairs (“BIA”) and the United States Department of the Interior (“Interior”) since 2013. It is not a trivial matter because it involves our Tribe’s ability to receive federal funding for our Tribal law enforcement activities.

Background: Federal Recognition and the Restoration Act

Although I do not wish to dwell on the topic, it is useful to briefly review the history of our Tribe’s federal recognition. In the 1850s, the Texas legislature passed legislation authorizing the purchase of land in Deep East Texas to serve as the home for both the Alabama and Coushatta Tribes. Eventually, 1,289 acres were secured in Polk County, Texas and those lands formed our original reservation that the Tribe occupies to this day. On May 29, 1928, Congress passed legislation granting our Tribe federal recognition and authorizing the purchase of an additional 3,000 acres adjoining our original reservation.

However, our Tribe’s federal recognition was short-lived. On August 23, 1954, our federal recognition was terminated, and trust responsibility was transferred to the State of Texas. In 1983, the Attorney General for the State of Texas issued an opinion stating that it was unconstitutional for Texas to have a trust relationship with our Tribe and that the Tribe was “merely an unincorporated association under Texas law, with the same legal status as other private associations.” This opinion also impacted the Ysleta del Sol Pueblo in El Paso, Texas. In 1987, the federal recognition of both our Tribe and the Pueblo was restored with the passage of the Ysleta del Sur Pueblo and Alabama and Coushatta Tribes of Texas Restoration Act (the “Restoration Act”).

The Law Enforcement Funding Dispute: A Systemic Problem for Opt-In Public Law 280 Tribes

Prior to 2013, both our Tribe and the Pueblo were receiving P.L. 93-638 funding to support our law enforcement efforts. In that year, the then-Regional Director for the Southern Plains BIA Office, Dan Deerinwater, informed our Tribe that it was his belief that there was no federal criminal jurisdiction on our reservation and, therefore, that our Tribe was ineligible to receive 638 funding to support our Tribal Police Force. Such a conclusion was all the more remarkable because at the time of the passage of the Restoration Act, both the BIA and the General Accounting Office

(GAO) confirmed that the United States would maintain concurrent jurisdiction on the Alabama-Coushatta Tribe's Reservation under Section 206(f) of the Restoration Act. At the Tribe's request, Mr. Deerinwater asked the Department's Office of the Solicitor for an opinion regarding whether there was concurrent federal criminal jurisdiction on our Tribe's lands. As I sit here today, over twelve years later, the Office of the Solicitor has yet to issue that opinion.

The legal basis for our Tribe's eligibility is clear. In 1953, Congress passed Public Law 280, which mandatorily placed Indian tribes in six states under the Act and granted those states exclusive criminal jurisdiction for crimes occurring on tribal lands, thereby extinguishing federal criminal jurisdiction in those states. Texas was not one of those states. In 1968, pursuant to legislation included in the Indian Civil Rights Act, Congress granted concurrent criminal jurisdiction between tribes, states, and the federal government to those tribes and states who voluntarily opted in under 25 U.S.C. §§ 1321–1322. For those opt-in states, the federal government retains concurrent criminal jurisdiction, and those tribes remain eligible to receive federal funding for Tribal law enforcement activities. Section 206(f) of our Restoration Act places our Tribe squarely under this 1968 optional version of Public Law 280.

The United States Department of Justice formally recognizes this concurrent jurisdiction in the United States Attorney's Manual (Title 9, Criminal Resource Manual § 688). Moreover, the BIA's Southwest Regional Office has already deemed the similarly situated Ysleta del Sur Pueblo, also restored under the same Restoration Act and placed under the same optional Public Law 280 framework, eligible for 638 law enforcement funding. The Pueblo is receiving such funding today. There is no principled legal basis for treating the Alabama-Coushatta Tribe differently.

This is not solely an Alabama-Coushatta problem. The Committees should be aware that there are other federally recognized tribes nationwide located in opt-in Public Law 280 states that may be similarly situated, tribes for which the BIA bears a federal responsibility to provide or fund law enforcement services but which are not currently receiving direct BIA law enforcement services or 638 funding. The BIA's erroneous interpretation of Public Law 280 jurisdictional status has created a systemic funding gap for these tribes that Congress is uniquely positioned to remedy.

The Need for Congressional Action

The Southern Plains Regional Office clearly erred in 2013, but it is deeply frustrating that all of these years later, this error has yet to be corrected by the BIA. Last year, our Tribe, with the invaluable assistance of Congressman Luttrell and this Subcommittee, was able to secure language in the Interior Appropriations bill calling attention to this issue. Although the BIA did meet with us, the Solicitor's Office still has not issued an opinion, and the question of 638 funding for our Tribal law enforcement remains unresolved. We have grown weary of trying to resolve this matter through administrative channels, and we now call upon Congress to take definitive action. To that end, we urge the Subcommittee to include the following language in the FY 2027 Interior Appropriations bill:

Opt-In Public Law 280 Tribes — Law Enforcement Services. The Committees understand there are federally recognized Tribes, including in Texas, for which the Bureau of Indian Affairs (BIA) is responsible for providing law enforcement services under the Indian Self-Determination and Education Assistance Act (P.L. 93-638), but which are not currently

receiving either direct law enforcement services or funding from the BIA to provide such services on their own. Tribes located in states that assumed criminal jurisdiction on an optional basis under 25 U.S.C. §§ 1321–1322 (the 1968 amendments to Public Law 280) retain concurrent federal criminal jurisdiction and are eligible to receive P.L. 93-638 law enforcement funding. The Committee provides \$7,000,000 in the Public Safety & Justice account for law enforcement services for these Tribes.

Within 30 days of enactment of this Act, the Bureau shall provide a report to the House and Senate Committees on Appropriations identifying all Tribes that meet this requirement and the amount of additional funding required to provide them parity in per-capita law enforcement funding with federally recognized Tribes receiving direct BIA law enforcement services. The Bureau is directed to begin allocating funds to eligible Tribes upon identification and shall not withhold funding pending completion of the report. In addition, the Bureau shall consult with affected Tribes regarding the allocation of funds and shall submit a subsequent reprogramming request to allocate portions of the funding to other public safety and justice functions as necessary.

This proposed language is modeled after the FY 2023 Interior Appropriations report language addressing tribes not receiving BIA law enforcement services or funding, and extends that framework to address the specific legal circumstances of opt-in Public Law 280 tribes. Enactment of this language, coupled with the requested \$7,000,000 appropriation, would resolve a long-standing inequity affecting the Alabama-Coushatta Tribe and dozens of similarly situated tribes nationwide.

Additional Tribal Priorities: Gaming Parity and the Rise of Prediction Markets

I also wish to bring to the Subcommittee’s attention two additional concerns of great importance to the Alabama-Coushatta Tribe. First, our Tribe continues to seek parity with other federally recognized tribes with respect to Indian gaming. Despite the federal government’s trust responsibility to our Tribe and the express terms of our Restoration Act, the Alabama-Coushatta Tribe has faced ongoing uncertainty regarding the full applicability of the Indian Gaming Regulatory Act (“IGRA”) to our gaming operations. Congress should act to codify explicitly that the Alabama-Coushatta Tribe is covered under IGRA, as are all other federally recognized tribes, and that our Tribe has the same rights and protections under that Act as any other federally recognized tribe in the United States.

Second, our Tribe shares the broader Indian gaming community’s serious concerns about the rapid proliferation of prediction markets and their potential to undermine the regulatory framework that has governed Indian gaming for decades. Prediction markets, platforms that allow participants to wager on the outcomes of future events, are increasingly blurring the line between financial speculation and sports betting, yet they are operating largely outside the regulatory jurisdiction of tribal gaming compacts and state gaming commissions. This unregulated expansion threatens the economic foundation of tribal gaming enterprises and the revenues that tribes depend upon to fund critical governmental services for their members. We urge Congress to carefully examine the intersection of prediction markets and Indian gaming law, and to ensure that any expansion of such markets does not occur at the expense of tribal gaming operations and the communities they support.

On behalf of the Alabama-Coushatta Tribe of Texas, I appreciate the opportunity to present these matters to the Subcommittee and am grateful for your consideration of our requests. The Alabama-Coushatta people are a resilient and proud Nation, and we look forward to working with Congress to resolve these longstanding inequities and to secure the federal partnership our Tribe deserves.