



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, DC 20530

The Honorable Harriet Hageman
Chair
Subcommittee on Indian and Insular Affairs
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chair Hageman:

In advance of the Subcommittee's oversight hearing titled "Advancing Tribal Self-Determination: Examining the Opportunities and Challenges of the 477 Program," scheduled to take place later today, we are sharing relevant information regarding the Department of Justice's (Department) recent activity under the 477 Program. We hope this information aids the Subcommittee in its oversight.

The Department is fully committed to promoting and supporting Tribal sovereignty and self-determination, including through the full implementation of the Indian Employment, Training, and Related Services Demonstration Act as amended, also known as Public Law 102-477 (P.L. 477). The Department has previously supported integration of its grants under P.L. 477, including those funding prisoner reentry programs.

The Department's commitment to and support for Tribal sovereignty extends beyond P.L. 477. Our grantmaking components, which include the Office of Justice Programs (OJP), the Office of Community Oriented Policing Services, and the Office on Violence Against Women, engage with Tribes to ensure that all Department grants and other resources are as accessible and impose as few administrative burdens as possible. To aid in our efforts to achieve that goal, the Department has hired additional staff who bring deep expertise from different Tribal communities. The Department's grantmaking components are also engaged in efforts to increase outreach, support Tribes applying for funds through technical assistance, and make the application process less burdensome overall. Several new initiatives are underway to further ease administrative burdens on Tribal grantees. This includes the Office on Violence Against Women's piloting of reduced performance reporting for Tribal grantees and OJP's Office for Victims of Crime's substantive changes to how its Tribal Victim Services Set-Aside (TVSSA) program operates, answering Tribes' calls to administer the Tribal Set-Aside as a formula program.

We understand the Subcommittee may have questions regarding the Department's legal interpretation of the 2017 amendments to P.L. 477 as relevant to the Wyandotte Nation's 477 Plan. The Wyandotte Nation's plan proposed the integration of two discretionary grant programs that Congress authorized in the TVSSA in Section 510 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2023, and the Violence Against Women Act (VAWA). These programs were created to support Tribes and other entities in providing specific services to victims of crime and to support law enforcement in responding to sexual assault and domestic violence. Congress has placed significant restrictions and requirements on this funding, including various prohibitions on grant recipients, such as barring the sharing of personally identifiable information about victims served with VAWA funds in order to protect their privacy and safety. Congress also requires the Department to provide extensive reporting on victims served by service providers and other aspects of our grant programs. The issue of whether grants awarded for the purpose of providing victims' services pursuant to the TVSSA and VAWA qualify for integration under P.L. 477's enumerated statutory purposes related to employment and job training presents complex questions of statutory interpretation.

The Department is committed to supporting Tribal sovereignty and self-determination, including through the lawful implementation of P.L. 477. After careful legal analysis and the decision by the Secretary of the Interior to integrate the Wyandotte Nation's 477 Plan, the Department has concluded it may, in this circumstance, lawfully transfer to Interior funds under two discretionary grant programs and is moving quickly to do so.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Carlos Felipe Uriarte
Assistant Attorney General

cc:

The Honorable Teresa Leger Fernandez
Ranking Member
Subcommittee on Indian and Insular Affairs
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U.S. House of Representatives
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