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EXECUTIVE DIRECTOR

Larry Wright, Jr.
Ponca Tribe of Nebraska

September 21, 2026

The Honorable Andy Biggs

House Judiciary Subcommittee on Crime and Federal Government Surveillance

464 Cannon House Office Building

Washington, D.C. 20515

The Honorable Lucy McBath

House Judiciary Subcommittee on Crime and Federal Government Surveillance

2246 Rayburn House Office Building

Washington, D.C. 20515

Written Testimony of Larry Wright, Jr., Executive Director for the National Congress of American Indians, Before the House Judiciary Subcommittee on Crime and Federal Government Surveillance Hearing

Dear Chair Biggs and Ranking Member McBath:

The National Congress of American Indians (NCAI) submits this written testimony to the House Judiciary Subcommittee on Crime and Federal Government Surveillance, in response to the “Missing and Murdered Indigenous People: Strengthening Public Safety in Tribal Communities” hearing. NCAI appreciates this opportunity to provide written testimony and recommendations. NCAI recommends that the Subcommittee provide oversight regarding the following:

1. The Department of Justice’s (DOJ) Bureau of Justice Grants consolidation proposal;
2. DOJ’s implementation of federal policy without meaningful Tribal consultation;
3. The suggestions and recommendations raised during the Office on Violence Against Women (OVW) consultation regarding changes to current grant structures and funding;
4. DOJ’s plans for expanding and providing ongoing technical assistance and training for the Tribal Access Program for National Crime Information;
5. The Department of the Interior’s (DOI) compliance with federal law and immediate release of the Tribal Law and Order Act reports for Fiscal Years (FY) 2022 and 2023; and

6. Review the status of implementing the final findings and recommendations from the *Not One More* report by DOJ, DOI, and the Department of Health and Human Services (HHS).

Founded in 1944, NCAI is the oldest and largest national organization composed of American Indian and Alaska Native (AI/AN) Tribal governments and their citizens. NCAI advises and educates the public, state governments, and the federal government on a broad range of issues involving Tribal sovereignty, self-government, treaty rights, and policies affecting Tribal Nations. NCAI's primary focus is protecting the inherent sovereign and legal rights of Tribal Nations through positions articulated in consensus-based resolutions. The organization's voting membership — which represents approximately 300 Tribal Nations that renew their membership annually — adopts these resolutions at NCAI's national conventions.

Through resolutions and other mechanisms, NCAI serves the broad policy interests of Tribal Nations by promoting strong Tribal-federal government-to-government relations and policies. This includes protecting Tribal interests in public safety and justice, which are essential to the well-being of Indian Country. Formally organized in 2003, the NCAI Violence Against Women Task Force works to ensure that Tribal communities are safer for all, especially AI/AN women, children, and elders who are victims of violence, as well as their family members affected by the Missing and Murdered Indigenous Peoples (MMIP) crisis.¹

The United States fulfills its trust and treaty obligations to AI/AN citizens by delivering Tribal programs and services. These programs and services are essential to providing Tribal communities with adequate resources to address public safety and justice issues. Specifically, these resources are vital to mitigating any harm Tribal communities and citizens face because of the ongoing MMIP crisis.

In this testimony, NCAI will highlight specific areas of need and concern that Tribal leaders have identified as priorities for addressing and improving public safety in their communities.

I. Office on Violence Against Women Must Be Excluded from the Bureau of Justice Grants Consolidation

On June 30, 2026, DOJ and its Office of Tribal Justice (OTJ) published a [Dear Tribal Leader letter](#) regarding Tribal consultation on their plan to consolidate the Office of Community Oriented Policing Services (COPS), the Office of Justice Programs (OJP), and the Office on Violence Against Women (OVW) into a single grantmaking component named the Bureau of Justice Grants (BJG).

During both days of consultation, Tribal leaders provided significant feedback regarding the inclusion of OVW in the BJG consolidation. NCAI supports their position that OVW must be excluded from any consolidation of offices into the BJG. Congress established OVW by statute, as a separate and distinct office within DOJ.² The statutory language directed that OVW not be subsumed by any other office, a mandate that extends to its grantmaking functions and that no reorganization, budget transfer, or administrative action can override. Any attempt to consolidate OVW would be a direct violation of the laws DOJ is bound to uphold.

OVW has statutory responsibilities tied to the implementation of the Violence Against Women Act (VAWA). As OVW's mission, grant administration, and other services are established by statute, DOJ cannot make major changes in a manner that is inconsistent with Congress's legislative intent. Any fundamental changes to the

¹ National Congress of American Indians (2000, June 30). NCAI Resolution #STP-00-081: Violence Against American Indian /Alaska Native Women. <https://ncai.assetbank-server.com/assetbank-ncai/action/viewAsset?id=5370&index=0&total=1&view=viewSearchItem>.

² Pub. L. 107-273, codified at 34 U.S.C. §§ 10442 and 10443, <https://www.govinfo.gov/content/pkg/PLAW-107publ273/pdf/PLAW-107publ273.pdf>.

statutory structure of OVW must be made by Congress. NCAI strongly urges the Subcommittee to ensure the DOJ complies with existing law and does not move forward with the consolidation of OVW into the BJS.

II. Consolidation of OVW Would Result In Reduction of Grant Funding for Tribal Nations

In 1994, Congress passed VAWA, and in 1995, the OVW was established to manage the grants authorized under VAWA.³ After the announcement of the BJS and consolidation of offices, DOJ provided Tribal leaders with information about the proposed budget for this new office. The new budget undermines the promises DOJ made when proposing the consolidation. The BJS request seeks \$3.057 billion in discretionary funding, which is \$1.328 billion below FY 2026 enacted levels, a 31 percent decrease in funding. BJS also requests \$2.11 billion in mandatory funding, which is \$48 million below FY 2026 enacted levels. The consolidated COPS office FY 2027 budget request represents a \$500 million cut from FY 2026 enacted levels, and the consolidated OJP FY 2027 budget request represents a \$650 million cut from FY 2026 enacted levels.

Any proposal that cuts more than \$1.3 billion cannot honestly claim that “reducing costs means more money in the hands of grantees,” and a shrinking budget only guarantees that Tribal funding will be diluted. These proposed cuts also fail to acknowledge the reality that the federal government has never met its financial obligation to Tribal Nations and that the current level of funding is already wholly inadequate. Consolidation of OVW further diminishes this already inadequate and shrinking budget that fails to meet the full need to address the MMIP crisis in Indian Country. Reducing or redirecting necessary funding undermines decades of work for Tribal programs, services, and partnerships that support survivors and strengthen Tribal Nations’ ability to combat the MMIP crisis. At a time when Tribal Nations face substantial unmet public safety and justice needs, OVW must remain a distinct, dedicated, and fully resourced office.

We look to this Subcommittee to act in its capacity — as it has jurisdiction over DOJ — to provide oversight on this proposal. The impacts to Indian Country will be devastating if funding and grant opportunities are lost. OVW has provided great assistance to Tribal communities in establishing essential programs to address MMIP and violence against women. This progress cannot be lost, and funding opportunities that have proven necessary cannot be diminished or negatively impacted. We strongly encourage this Subcommittee to accept our recommendation that OVW be protected from consolidation and maintain its own separate and distinct office.

III. Meaningful Tribal Consultation Must Precede Federal Decisions

In response to consultations held by DOJ and OTJ this year, Tribal leaders have raised concerns about whether the legal requirement for meaningful consultation has been met. They argue, and we agree, that DOJ has failed to meet even the minimum standards of meaningful consultation, thereby calling into question every DOJ policy decision and action affecting Tribal Nations.

DOJ must comply with Executive Order 13175, “Consultation and Coordination With Indian Tribal Governments”⁴ (the Order), which requires “regular and meaningful consultation and collaboration with Tribal officials” and directs agencies to ensure “meaningful and timely input by Tribal officials” in the development of policies with Tribal implications. Meaningful consultation requires agencies engage with Tribal Nations through in-person, interactive, pre-decisional, informational, and transparent consultation when planning actions with Tribal

³ U.S. Department of Justice, *The History of the Office on Violence Against Women*, <https://www.justice.gov/ovw/history>.

⁴ Exec. Order No. 13175, 65 Fed. Reg. 67,249 (Nov. 6, 2000), <https://www.federalregister.gov/documents/2000/11/09/00-29003/consultation-and-coordination-with-indian-tribal-governments>.

implications, consistent with Free, Prior, and Informed Consent (FPIC). The Order prohibits agencies from issuing regulations that impose substantial direct compliance costs on Tribal governments unless the federal government consults with Tribal officials “early in the process of developing the proposed regulation.” DOJ issued its own Policy Statement explicitly stating that it implements the requirements outlined in the Order.⁵ Specifically, the Policy Statement states that, “[t]he Department of Justice will consult with federally recognized Tribes before formulating or implementing policies that have Tribal implications.” It also commits DOJ to ongoing conversations with Tribal Nations beyond formal consultation. Unfortunately, neither of these requirements has been met, and DOJ is not applying its own established policy and interpretation of the EO on when and how consultation should be held.

NCAI notes that, in addition to being an executive agency that falls within the scope of the Order, DOJ’s mission is to uphold the law and therefore must set an example for other agencies. Similar to how the federal government has failed to fully uphold the financial arm of the trust and treaty obligations owed to Tribal Nations, the federal government has never engaged in consultation that is consistently meaningful, compliant with FPIC, and respects the sovereignty of Tribal Nations. NCAI and Tribal Nations expect more from the Department of Justice.

The standard of meaningful consultation specified in the Order was certainly not met this past year when the DOJ Firearm Rights Restoration consultation, the Office of Management and Budget’s Notice of Proposed Rulemaking on the Uniform Guidance for Federal Grants, and the BJS consolidation each moved forward without giving Tribal leaders sufficient time to provide official testimony before decisions were made. Consultation that follows a settled decision is not consultation. Rather, it is an affront to the government-to-government relationship that underpins sovereignty.

During the Firearm Rights Restoration consultation, the final rule was published **before** DOJ’s comment period had closed.⁶ Therefore, no feedback provided by Tribal leaders or Tribal organizations was reviewed or incorporated into the final rule. The consultation was also held over a year after the proposed rule was published, and the initial comment period did not include any Tribal consultation or outreach to Tribal leaders. DOJ must ensure that, when issues with potential Tribal implications arise, especially regarding public safety and justice, Tribal leaders are informed as soon as possible and engaged collaboratively throughout the entire process.

We strongly recommend that this Subcommittee intervene to ensure that DOJ does not implement policies or rule changes without meaningful consultation that incorporates Tribal feedback and addresses Tribal concerns. We also stress that all current efforts be halted until the relevant federal agencies receive and consider Tribal leaders’ testimony, and that no final action be taken until that testimony is considered and addressed.

IV. Additional Recommendations Outlined in DOJ’s OVW Consultation

The two issues discussed above were raised during the 21st Annual Government-to-Government Consultation on Violence Against Women, held on September 9–11, 2026. They were among the most consistent messages across testimony from all Tribal leaders and representatives. However, Tribal leaders and representatives also

⁵ U.S. Department of Justice, *DOJ Policy Statement, Tribal Consultation* (Nov. 30, 2022), <https://www.justice.gov/otj/media/133681/dl?inline>.

⁶ The Dear Tribal Leader letter was issued on July 10, 2026, with consultation held on August 10–11, 2026, and a comment period that closed on August 28, 2026. Letter from Gina Allery, Director of Office of Tribal Justice to Tribal Leaders (Jul. 10, 2026), <https://www.justice.gov/tribal/media/1452216/dl?inline>; The final rule, “Application for Relief From Disabilities Imposed by Federal Laws With Respect to the Acquisition, Receipt, Transfer, Shipment, Transportation, or Possession of Firearms” was published on August 20, 2026. Application for Relief From Disabilities Imposed by Federal Laws With Respect to the Acquisition, Receipt, Transfer, Shipment, Transportation, or Possession of Firearms, 27 C.F.R. pt. 478, 28 C.F.R. pts. 0, 25, 107 (2026).

provided DOJ with additional recommendations based on their firsthand knowledge of the needs of Tribal communities across the country.

A consistent request during the consultation was that DOJ shift to multiyear and non-competitive grant funding. This would allow Tribal Nations to build and sustain programs and services without relying on short grant periods or facing ongoing uncertainty as to whether grant funds will be renewed. Another concern with the current grant structure is that Tribal Nations must compete with each other for funding that all Tribal Nations should have access to and incorporate into their programs. In addition, competitive grants create additional staffing and administrative burdens that not all Tribal Nations are able to accommodate, especially when grant periods are so short. Several Tribal leaders and representatives requested that DOJ reduce the administrative burden and allow for more grant applications to be submitted by creating a standardized structure for Notices of Funding Opportunity (NOFOs). Here, the request was for NOFOs to be published no later than April 1, with a deadline of July 1, allowing adequate time for DOJ to complete processing for an October 1 funding date. Congress can mandate these changes through appropriations language. Congress can also establish or increase Tribal set-asides to ensure that funding is available specifically for Tribal Nations, without requiring them to compete with non-Tribal organizations. Finally, Congress has the ability to increase funding for Tribal Priority Allocations (TPAs) in DOI Indian Affairs funding lines. TPAs are funded directly and automatically to Tribal Nations annually. This would reduce the administrative burden on Tribal Nations and the federal government, bypassing the grantmaking process altogether. This Subcommittee should call an oversight hearing on how Indian Country public safety and justice is funded and make recommendations to the House Committee on Appropriations to improve the ways in which public safety and justice is funded in Indian Country and Alaska. Tribal Nations have previously raised significant concerns and proposed solutions regarding funding during a 2024 consultation.⁷

The concerns extend beyond the structure of grant funding to the adequacy of funding available to address critical public safety and justice needs, including shelter and housing for victims of violence. The need for shelter and housing for victims, whether they are Tribal citizens or non-Native people residing on reservations or in the surrounding areas, is directly related to funding. Victims of violence should be able to readily access temporary and permanent housing. Without this access, victims often return to their abusers, and the cycle of abuse repeats. This is especially critical when children are involved. Additionally, funding should be available to allow for construction of new shelters and renovations to existing shelters in need of updates or maintenance. Grants currently provided by DOJ and OVW do not provide funds for these purposes, and other sources of funding through DOI, the Department of Housing and Urban Development, and other agencies are wholly inadequate.

We recommend that the Subcommittee review the recommendations regarding changes to DOJ grant structures and the addition of facilities funding. We also urge the Subcommittee to provide recommendations and guidance to DOJ and to advocate for increased funding to accommodate these highly requested and necessary changes to grant opportunities. This will enable Tribal communities to better serve and protect victims.

V. Tribal Access Program for National Crime Information (TAP)

In August 2015, DOJ launched the Tribal Access Program for National Crime Information (TAP). This program has been expanded annually to provide Tribal access to national crime information systems for federally authorized

⁷ The January 2025 report summarizes DOJ's Tribal consultation conducted from October 10, 2024 through November 25, 2024 on Legislative proposals for DOJ's funding mechanisms to meet the public safety and justice needs of Tribal Nations. U.S. Department of Justice, *Tribal Public Safety and Criminal Justice Systems Funding Consultation Report* (Jan. 2025), https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://www.justice.gov/tribal/media/1385416/dl%3Finline&ved=2ahUKFwi73l3K6_iWAXBFIkFHbviEiYQFnoECCEQAO&usq=AOvVaw1ericRQI_p4Ms06dfzVr2W.

criminal justice and non-criminal justice purposes. TAP enables Tribal Nations to serve and protect their communities by ensuring a data exchange across Criminal Justice Information Services (CJIS) systems and other national crime information systems. Currently, 152 Tribal Nations participate in TAP.

However, Tribal Nations and DOI Bureau of Indian Affairs (BIA) offices have reported difficulties with the TAP program. One BIA office was unable to use its TAP kiosk — a freestanding computer connected to a secure internet connection located in a secure room — for over 18 months because the kiosk lacked an internet connection. Another office could not access the secure room where its TAP kiosk was located because the building was slowly sinking into the ground, causing the door to become stuck for weeks. Tribal Nations and BIA offices also report a lack of technical assistance and training on inputting law enforcement and court records into the system, as well as a lack of training on how to access records. In the last year, BIA may have discontinued its use of the TAP, though it still assists Tribal Nations with implementing the program. Finally, due to high turnover, Tribal Nations and the BIA often lack personnel authorized to use the system and access records.

In September 2025, TAP selected six federally recognized Tribal Nations to participate in the program's expansion.⁸ This was in response to DOJ officials visiting with Tribal Nations to discuss challenges in addressing public safety. Recently, DOJ announced that TAP would be expanded again and allowed Tribal Nations to submit applications through August 31, 2026.⁹ Increased access to TAP is essential for Tribal communities, as the data ensures awareness of prior offenses and provides more protection to victims. We recommend that DOJ prioritize the expansion of TAP so that more Tribal Nations are able to access this lifesaving data. We also request that the Subcommittee require DOJ to provide an update on the status of the implementation of the program; an overview of the training and technical assistance (TTA) DOJ offers to Tribal Nations, including data on how often TTA is accessed and what TTA is most often provided; data on how often Tribal Nations are using the TAP (for example, are there days/weeks/months that Tribal Nations do not make queries); and how DOJ and BIA can better coordinate to ensure that the promise of TAP is kept.

VI. Tribal Law and Order Act (TLOA) Must be Released, and the *Not One More* Report Recommendations Must be Implemented

Since Congress enacted the TLOA in 2010, it has enhanced sentencing authority, data collection, and effective coordination among Tribal, federal, and state law enforcement agencies.¹⁰ TLOA requires the DOI to submit to Congress a detailed report for each fiscal year regarding the unmet needs of public safety and justice programs, Tribal law enforcement, and courts. The TLOA report is essential to understanding how DOI allocates limited appropriations for Tribal public safety and justice programs, and the level of funding necessary to fulfill its trust and treaty responsibilities to Tribal Nations. Tribal Nations and appropriators rely on the data contained in the TLOA report when developing their annual budget requests. The last time DOI published a TLOA report was in [May 2024](#) for FY 2021. NCAI recommends that the Subcommittee demand that DOI comply with the law immediately and release the reports for FY 2022 and 2023.

The [Not One More report](#) provides a comprehensive roadmap of bipartisan, Tribal-informed recommendations to address the MMIP crisis, improve coordination among government entities, support survivors and families,

⁸ U.S. Department of Justice, *Justice Department Expands Tribal Access Program to Improve the Exchange of Critical Data with Federally Recognized Tribes* (Sep. 22, 2025), <https://www.justice.gov/opa/pr/justice-department-expands-tribal-access-program-improve-exchange-critical-data-federally>.

⁹ U.S. Department of Justice, *FY26 Application*, Tribal Safety and Justice, <https://www.justice.gov/archives/tribal/fy26-application>.

¹⁰ Tribal Law and Order Act of 2010, Pub. L. No. 111-211 Section 211(b)(1) and Section 3(b)(17) (2010), <https://www.justice.gov/sites/default/files/usao-az/legacy/2010/10/14/Tribal%20Law%20Order%20Act%202010.pdf>.

and uphold Tribal sovereignty. While NCAI appreciates the opportunities for Tribal leaders to testify on MMIP, we recommend that this Subcommittee request an update from DOJ, DOI, and HHS on the implementation of the recommendations within the report, including progress, remaining barriers, and planned next steps. Ongoing congressional oversight is necessary to ensure that the report's recommendations are implemented in a way that respects the unique circumstances and needs of Tribal Nations, enhances Tribal self-determination, improves public safety and justice, and provides necessary support for survivors, victims, and their families. Finally, Congressional oversight could help ensure that the federal government is held accountable for its commitments and treaty and trust obligations to Tribal Nations.

Conclusion

NCAI appreciates the opportunity to share our recommendations and concerns regarding the "Missing and Murdered Indigenous People: Strengthening Public Safety in Tribal Communities" hearing. NCAI recommends that this Subcommittee provide an oversight hearing on the consolidation of OVW and other grant offices, ensure that DOJ does not implement federal policies without meaningful Tribal consultation, review the suggestions raised during the OVW consultation regarding changes to current grant structures and funding, call on DOJ to continue expansion of TAP as a priority, release the TLOA report, and implement the recommendations in the *Not One More* report. We look forward to continued collaboration with the House Judiciary Subcommittee on Crime and Federal Government Surveillance to ensure that Tribal Nations are afforded meaningful opportunities to provide feedback regarding the MMIP crisis and improving public safety and justice in Tribal communities.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Larry Wright, Jr.", with a stylized flourish at the end.

Larry Wright, Jr.
Executive Director