

**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  
March 17<sup>th</sup> 2026

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. 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, mandated and 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. 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 the Interior – Bureau of Indian Affairs (BIA)**

The Department of the 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. Public Safety**

As a sovereign body, the Muscogee (Creek) Nation has an inherent responsibility to ensure public safety within our Reservation boundaries. Current appropriation levels, when coupled with Tribal dollars, has allowed MCN to strengthen core public safety functions spanning across law enforcement, emergency response, and investigative capacity to meet rising demand. However, despite these advancements, critical gaps remain in staffing, equipment, and auxiliary resources that limit our ability to provide the consistent, high-quality services that our communities deserve and count on. Muscogee (Creek) Nation's public safety infrastructure is implicitly and operationally expected to serve a far broader population than MCN citizens alone. In fact, the service burden extends to include non-member Indians and other reservation residents because of how the Nation's law enforcement, courts, and detention systems operate across the reservation and in coordination with other governments and law enforcement agencies through intergovernmental and cross-deputization agreements. Additional federal investment is essential to sustain the progress already made and to close the remaining gaps that directly affect safety for Tribal and non-Tribal residents alike.

Since 2020, MCN has undertaken a large-scale capacity-building effort to deliver effective public safety services in a complex jurisdictional environment. We have executed more than 60 cross-deputization agreements with city governments, municipal partners, and state agencies to ensure seamless coordination across jurisdictions. Over the same period, we expanded the Lighthorse Police from 30 officers in 2020 to 133 acting officers today. Since 2020, MCN has received thousands of criminal referrals from non-Indian governments, and has referred just as many criminal matters to non-Indian governments, and issues hundreds of civil and criminal sanctions every year for traffic violations. These actions, largely performed by Lighthorse Police Officers and Tribal Courts, requires continued federal support to maintain and increase this level of coordination, responsiveness, and accountability. Our efforts have been complicated by the Supreme Court's decision in *Castro-Huerta*, as some local authorities have relied on that decision as a basis for refusing to inform us of instances where our citizens are victimized on our Reservation. We look forward to working with Congress in our efforts to find a solution to the problems caused by *Castro-Huerta*.

Following the 2020 reaffirmation of MCN jurisdiction, our justice system responsibilities have grown dramatically, including an over 380% increase in our court docket since 2020. MCN has utilized federal funding and Tribal dollars to make significant administrative and physical infrastructure advancements of our court system to meet demands. We encourage Congress to retain funding levels for Public Safety and Courts in Indian Country and consider increasing capacity-building funds. An increase in capacity-building funding would allow MCN to address challenges and enhance the efficacy of our justice system by hiring additional judges, prosecutors, public defenders & court staff, and to address the urgent need for additional court facilities.

Finally, effective public safety administration requires a functioning detention component. Despite having one of the highest per-capita Tribal populations in the United States, Oklahoma lacks access to a BIA-funded detention and corrections facility. Detention operations undertaken by a Tribe carry significant staffing, liability, space, and medical costs. The capital costs for new facilities are also substantial, and without additional pathways to partner with federal agencies,

cost prohibitive. Investing in Tribal detention services supports rehabilitation, reduces repeat offenses, and alleviates overcrowding in state and federal systems. We encourage members of Congress to work with Tribes in crafting statutory language that would create a joint venture construction program in which Tribal Nations could partner with the Department of Justice to construct or refurbish detention facilities in the same way Tribes do with the Indian Health Service to create new health facilities.

We look forward to continued work with members of Congress and federal agencies to promote the 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.

## **B. 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.

## **C. Education**

MCN respectfully request an increase in the current funding levels for the Johnson O'Malley (JOM) Program, adjusted to reflect the updated student counts following the full implementation of the Johnson O'Malley Supplemental Indian Education Program Modernization Act of 2018 (JOM Modernization Act), 25 U.S.C. 5301. The JOM Modernization Act mandated an updated student count for funding purposes, but there have been no corresponding funding increases since its passage. For School Year 2025-2026 and FY 2026, the official JOM student count is now 317,102—an increase of more than 45,000 students from the last student count, in 1995. While this updated count is a critical step forward in measuring the full impact of JOM programs, it does not come with a corresponding increase in funding. As a result, many JOM contractors will actually receive less funding than they have in the past which will negatively impact Tribal education opportunities and learning outcomes.

## **II. Closing Remarks**

The Muscogee (Creek) Nation is thankful for the opportunity to provide testimony to the House Appropriations Interior, Environment, and Related Agencies Subcommittee. We appreciate the work members of Congress do in recognizing that funding for Indian Country is not part of DEIA or environmental justice initiatives but instead comes from the United States' trust and treaty obligations and the government-to-government relationship with Tribal Nations. As Congress

considers appropriations priorities, we urge you to support investments in Tribal programs that honor these trust obligations.

Good governance is administered by a government that is closest to the people, responsive to local needs, and accountable for results. In rural America, Tribal governments are the level of government best positioned to meet those standards. Tribal governments can deliver services with greater precision, less duplication, and stronger local accountability. Congress can reduce waste, fraud, and abuse and ensure taxpayer dollars produce measurable results in the communities they are intended to serve by investing in Tribal self-determination. We look forward to Congress' continued work across Indian Country to promote responsible appropriations that honor the trust responsibilities of the nation and recognize Tribal Nations as effective stewards of public funds.