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Testimony before the House Natural Resources Subcommittee on Indian and Insular Affairs
Legislative Hearing on H.R. 8954 — Tribal Regulatory Reform Implementation Act of 2026

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Introduction

Greetings Chairman Hurd, Ranking Member Leger Fernandez, and Members of the House Natural Resources Subcommittee on Indian and Insular Affairs. Thank you for the opportunity to testify today on behalf of NAFOA, founded as the Native American Finance Officers Association, in support of H.R. 8954, the Tribal Regulatory Reform Implementation Act of 2026.

For over 40 years, NAFOA has worked to grow Tribal economies and strengthen Tribal finance through advocacy, education, and policy development. Our more than 190 Member Tribes and their enterprises represent the full diversity of Indian Country's economic landscape — from gaming and energy to agriculture, federal contracting, and beyond. Tribal Nations are not peripheral to the national economy. They are essential contributors to it.

NAFOA is pleased to offer our support for H.R. 8954. This bill is, on its surface, a targeted administrative correction. But its significance extends far beyond its text. H.R. 8954 is a long-overdue commitment to finally fulfill a promise made to Indian Country over 25 years ago — and to do so through the department best positioned to deliver on it.

A Promise Deferred: The Unfinished Legacy of the Indian Tribal Regulatory Reform and Business Development Act

In 2000, the Indian Tribal Regulatory Reform and Business Development Act (ITRRBD) was enacted with a bold and meaningful mandate: to comprehensively review federal laws and regulations that impede investment and business development on Indian lands and recommend their removal. The legislation established a 21-member Authority — with 12 seats reserved for Tribal representatives drawn from across BIA regions — tasked with submitting findings and recommendations to Congress and the President within one year. This carefully crafted statutory framework — designed with Tribal voices at its center — has sat dormant for more than a quarter-century.

Honoring the Legacy of Senator Ben Nighthorse Campbell

ITRRBD originated as S. 614, introduced by Senator Ben Nighthorse Campbell of Colorado — a Northern Cheyenne citizen, former Olympian, and one of the most consequential champions for

Indian Country to ever serve in the United States Congress. Senator Campbell understood from lived experience what it meant to navigate systems not designed with Tribal Nations in mind. He also understood that economic sovereignty and political sovereignty are inseparable — that a Tribe’s ability to govern itself depends, in no small part, on its ability to build an economy that sustains its people.

Senator Campbell championed ITRRBD because he believed the federal regulatory environment was unnecessarily and unfairly limiting what Indian Country could build and become. To quote Senator Campbell’s floor speech upon introduction of S. 614:

Over the years, laws, regulations and policies have been built up--often with good intentions--but have outlived their usefulness or relevance to the contemporary needs of Indian tribal governments and economies.

More importantly, the multi-layered bureaucracies, federal as well as tribal, have been repeatedly identified as a barrier to Indian entrepreneurship and business development on and around Indian lands.

He was right in 1999 and just as right today. And while the law embodying his vision passed unanimously in the Senate and by voice vote in the House, it was never implemented.

Chairman Hurd, H.R. 8954 gives this Congress the opportunity to honor Senator Campbell’s legacy by taking the first concrete step toward making his vision real.

The Department of the Interior’s Responsibilities to Indian Country

The Department of the Interior is the appropriate home for this Authority. Interior houses the Bureau of Indian Affairs, the Office of Indian Energy and Economic Development, and the full suite of federal programs and trust responsibilities that define the government-to-government relationship between the United States and Tribal Nations. Additionally, Interior has deeply experienced staffing working on Tribal issues and understanding the unique challenges and needs of Indian Country. If the federal government is serious about identifying and removing barriers to Tribal business development, it should do so through the agency with the deepest institutional knowledge of, and responsibility to, Indian Country.

Consolidating this function at Interior will improve opportunities for policy coherence, reduce interagency fragmentation, and position the Authority to do its work most effectively.

Alignment with NAFOA’s Policy Priorities

H.R. 8954 aligns directly with NAFOA’s core mission to advance Tribal economic sovereignty and self-determination. In previous testimony before this Subcommittee and before the House Appropriations Subcommittee on Interior, NAFOA has consistently called for:

- Federal programs designed with Tribal input from the outset, not as an afterthought;
- Reduction of administrative burdens that disproportionately affect Tribal governments with limited staff capacity;
- Improved data collection more fully demonstrates the need and impact of Indian Country programs;
- Consolidation of Tribal program administration in departments with genuine Indian affairs expertise; and
- Policies that treat Tribal governments with full dignity and parity as sovereigns.

H.R. 8954 advances these goals. The Indian Business Regulatory Reform and Business Development Act authority structure, with 12 of 21 seats held by Tribal representatives from all BIA regions. This ensures that Native nations will hold a majority voice in identifying the regulatory barriers that constrain their economies. That is exactly how federal policy affecting Indian Country should be developed: with Indian Country leading.

We would also note the importance of this bill in the broader context of NAFOA’s advocacy on Tribal tax and investment reform. We have testified extensively on the bond financing gap — where state governments issued \$47 billion annually in non-taxable municipal bonds from 2014 to 2020, compared to just \$84 million by Tribal governments. We have championed the Tribal Tax and Investment Reform Act for the same reason we support H.R. 8954: the regulatory and tax environment in which Tribal economies operate is systematically inequitable, and it is within the power of Congress to fix it. H.R. 8954 is one piece of that greater effort.

Technical Considerations for the Committee

NAFOA supports H.R. 8954 as introduced and offers the following technical observations for the Committee’s consideration as the bill advances:

- **Scope of the Transfer.** The bill transfers all administrative responsibilities and jurisdiction “assigned to the Secretary” under ITRRBD with respect to the Authority. The Committee should clarify whether this encompasses the Office of Native American Business Development and its associated interagency coordination functions, or only the Authority itself. Clarity here will prevent implementation ambiguity and ensure operational continuity.
- **Interagency Coordination.** NAFOA urges the Committee to ensure that the transfer does not inadvertently sideline Commerce, Treasury, the SBA, and other economic policy agencies from the review process. ITARA’s mandate encompasses regulatory barriers across the federal government — not just Interior programs. The Authority’s effectiveness will depend on robust interagency engagement.
- **Transition Language and Resources.** The bill should ensure that the Authority is operationalized promptly and with adequate resources, including funding and staffing.

- **DOI Preparedness.** We encourage the Committee and the bill’s sponsors to engage with Interior at the appropriate level to ensure the Department is prepared to assume this responsibility and has a clear plan to stand up the Authority.
- **Termination Clause.** ITRRBD provides that the Authority will terminate within 90 days of submitting its report to Congress. Members and staff should be aware that this is a time-limited body with a specific deliverable — not a permanent office. NAFOA views this structure favorably, as it creates accountability and a clear endpoint, but it requires that the Authority be stood up promptly and sufficiently resourced to complete its work expeditiously.
- **Next Steps and Congressional Response.** NAFOA encourages members of Congress, and especially those serving on the Subcommittee on Indian and Insular Affairs, to consider the processes necessary to ensure an immediate response to findings of the report when released to ensure timely action.

Conclusion

Chairman Hurd, Ranking Member Leger Fernandez, and Members of the Subcommittee: the history of federal Indian policy is, in too many instances, a history of promises made and promises broken. ITRRBD was a good law. It reflected a genuine commitment to identifying and removing the barriers that prevent Indian Country from realizing its full economic potential.

H.R. 8954 does not ask Congress to make a new promise. It asks Congress to keep an old one — by moving this long-dormant Authority to the department best positioned to make it work and giving Indian Country the review and the recommendations it was promised 25 years ago. Senator Ben Nighthorse Campbell spent his career fighting to ensure that Native people had an equal seat at the table and an equal opportunity to build strong, self-determined communities. From Senate Report 106-151 accompanying S. 614, “Experience has shown that Federal intervention alone, without corresponding private sector and tribal initiative, has failed to raise the standards of living of Native Americans.”

NAFOA urges the Subcommittee to advance H.R. 8954 and to work with Interior, Tribal nations across the country, and Tribal organizations to ensure that, when the Authority is finally convened, it has all the resources it needs to do its work well. We stand ready to assist.

Thank you for the opportunity to testify. NAFOA looks forward to continuing to work with this Subcommittee on H.R. 8954 and the full range of issues facing Tribal economies and finance.