

HONORING PROMISES TO NATIVE NATIONS ACT

Senator Elizabeth Warren and Congressman Derek Kilmer

The *Honoring Promises to Native Nations Act* is designed to implement the recommendations of the U.S. Commission on Civil Rights' landmark [December 2018 report](#), *Broken Promises: Continuing Federal Funding Shortfall for Native Americans*. The *Broken Promises* report, developed [at Congressman Kilmer's request](#), evaluated whether the federal government has met its trust and treaty obligations to Native peoples, particularly pertaining to federal spending. The report—which was drafted with extensive input from Tribal governments and citizens and other stakeholders—concluded that the federal government has systematically failed to honor its promises.

In 2019, then-Congresswoman Deb Haaland and Senator Warren released a [legislative proposal](#) for this bill to further a process of soliciting and receiving feedback and input from Tribal governments and citizens, Tribal organizations, urban Indian organizations, and other experts and stakeholders. This feedback informed the development of the *Honoring Promises to Native Nations Act*.

This legislation reaffirms the nation-to-nation relationship between the federal government and Tribal Nations and strengthen federal programs that support Native communities. This includes mandatory, full, and inflation-adjusted funding whenever possible.

Introductory Sections: Purposes of the bill; findings; sense of Congress provisions; improve budgetary certainty (advance appropriations; sequestration exemption in line with Senator Jon Tester's legislation); establish an OMB Office of Native Nations; GAO audit of cross-cut information; formalize the White House Council for Native Nations; establish the Deputy Secretary for Native Nations in the Department of the Interior; articulate principles to ensure that meaningful and timely Tribal consultation is the norm, and begin to lay out a path to ensure that free, prior, informed consent becomes the standard; establish an interagency working group on data collection.

Title I—Criminal Justice and Public Safety: Full Tribal jurisdiction (i.e., *Oliphant* fix) modeled on VAWA special tribal criminal jurisdiction, with funding to implement it if tribes choose; funding for Tribal justice systems, Tribal law enforcement, and detention facilities; Tribal consent before a federal execution of a Tribal citizen; grants to support Native victims of crime; victim advocates for Native victims of all crimes; increased funding to support Tribal jurisdiction; national Indian Country clearinghouse on sexual assault; funding for the Tribal Access Program; funding for the Tiwahe Initiative; comprehensive review of Native Hawaiian interactions with law enforcement.

Title II—Health Care: Full, mandatory, inflation-adjusted funding for the Indian Health Service; funding for the Sanitation Facilities Construction Program; funding for the Special Diabetes Programs for Native Americans; permanent FMAP for Urban Indian Health Programs; Medicaid coverage of any services provided by Indian health care providers; strengthen Native Hawaiian health care programs; funding for Tribal Epidemiology Centers; Medicaid reimbursement for substance use disorder facilities; require confer with Urban Indian Health Programs; Medicaid work requirement exemption; clarification of Medicaid policies.

Title III—Education: Mandatory, full funding for Tribal Colleges and Universities, expanding TCU instruction and outreach, and TCU construction, modernization, & repair; full funding for Bureau-funded schools, including construction, modernization, and repair; support for Native language revitalization, and address shortage of Native teachers and of teachers in Native-serving schools (based on Senator Tester's legislation); Johnson-O'Malley funding; support for culturally inclusive education; support for Alaska Native education programs; Every Student Succeeds Act implementation; funding for local Tribal educational agencies and offices; strengthen TCU graduate and Native language programs.

Title IV—Housing: Guaranteed, full funding for the Indian and Native Hawaiian Housing Block Grant Programs; set-aside of USDA rural housing funding; allow Tribal housing authorities to administer their own voucher programs; funding for the Indian Community Development Block Grants, Section 184 Indian and Native Hawaiian Home Loan Guarantee Programs, and Native American Direct Loans; Tribal HUD-VASH (based on Senator Tester's bill); Housing Improvement Programs; establish a Coordinated Environmental Review Workgroup.

Title V—Economic Development: Guaranteed funding for Tribal roads, transit, and transportation programs; funding for Native CDFIs, funding for water pollution control; water and waste disposal program funding; additional funding for fractionated land buybacks; funding for a Tribal Broadband Fund; strengthen the FCC Office of Native Affairs and Policy; establish an FCC Tribal Spectrum Market, and affirm Tribal ownership of spectrum over their lands, in line with Senator Warren's [DIGITAL Reservations Act](#); E-rate expansion; Tribal Connectivity Fund; funding for USDA Office of Tribal Relations funding for broadband support.

Written input or comment on the bill may be sent to HonoringPromises@warren.senate.gov.