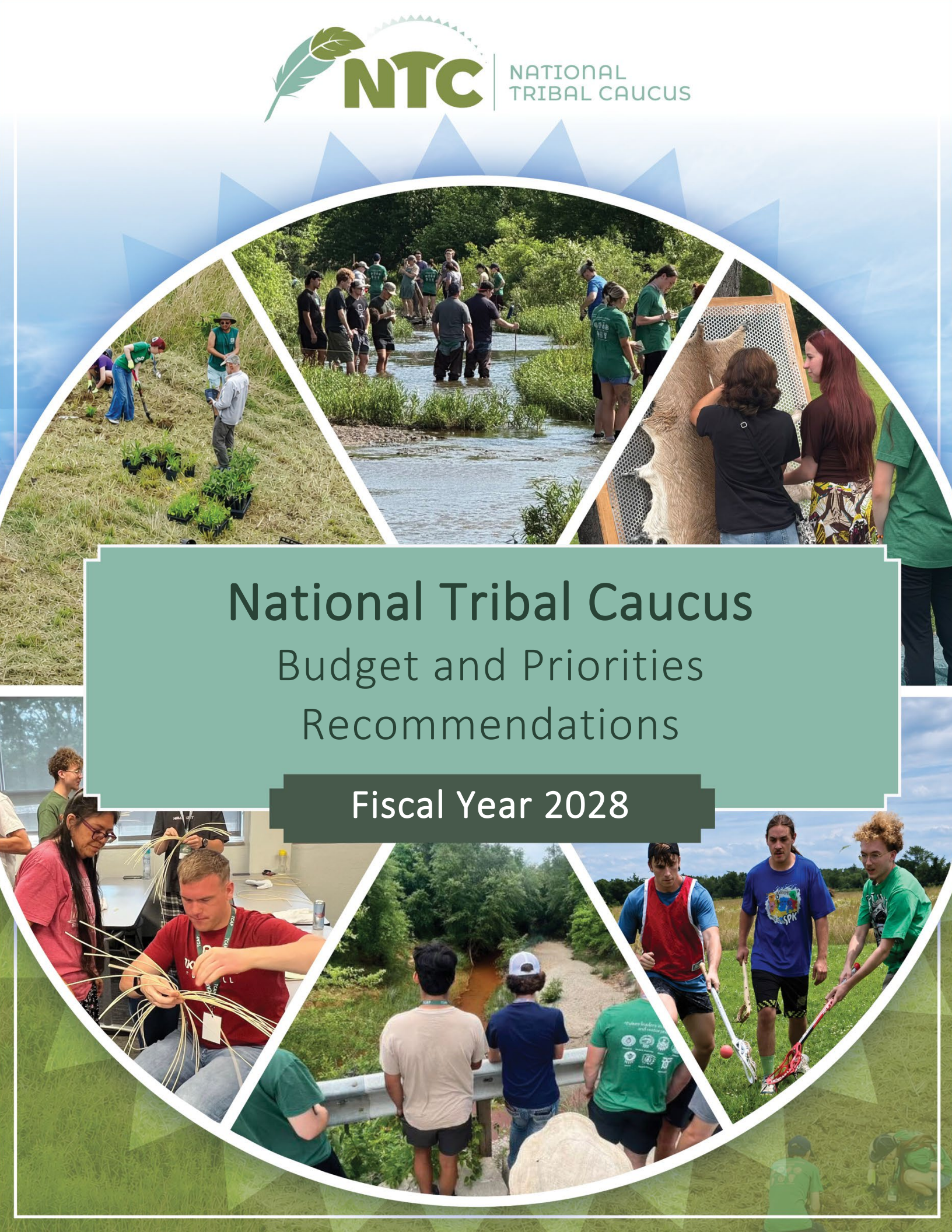
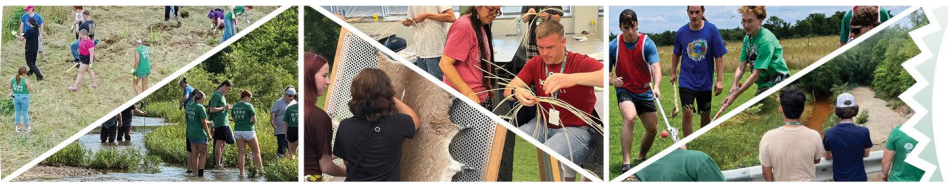




National Tribal Caucus

Budget and Priorities Recommendations

Fiscal Year 2028



Acknowledgements

The NTC extends their gratitude to the Tar Creek Apprenticeship Program for providing the photos for the document cover.



FY 2028 Budget Request and Priority Recommendations

Executive Summary

The National Tribal Caucus (NTC) serves as EPA’s senior Tribal advisory body, identifying priority environmental issues affecting the 575 federally recognized Tribal Nations and Alaska Native Villages. For FY 2028, the NTC requests a **\$553.35 million Tribal set-aside** to ensure Tribal governments have the resources necessary to protect human health, safeguard ecosystems, and exercise their sovereign authority. This investment is essential to achieving parity with state allocations and fulfilling EPA’s trust and treaty responsibilities.

The NTC’s recommendations directly support EPA’s Powering the Great American Comeback initiative. Tribal Nations are indispensable partners in advancing each of the initiative’s five strategic pillars—clean air, land, and water; American energy dominance; permitting reform; artificial intelligence (AI) leadership; and revitalizing automotive and transportation corridors. Tribal environmental programs deliver core national benefits—improving air and water quality, supporting responsible energy development, strengthening permitting systems through cooperative federalism, expanding environmental data and AI readiness, and protecting communities affected by industrial and transportation emissions.

While EPA’s commitment to Tribal Nations has grown since the adoption of the 1984 Indian Policy, significant gaps remain. The NTC urges EPA to act with urgency to institutionalize Tribal priorities across all media programs and to consistently recognize Tribal governments as co-equal authorities in environmental decision-making. Advancing these recommendations will strengthen EPA’s national agenda; uphold the federal trust responsibility; and build a future grounded in equity, resilience, and shared prosperity.



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Introduction

The National Tribal Caucus requests funding for a Tribal set-aside for environmental programs for FY 2028 in the amount of \$553.35 million. To achieve parity in funding for Tribal programs, the NTC recommends EPA fund Tribes at the same level as it funds states.

Tribal Nations are essential partners in achieving EPA’s mission to protect human health and the environment. As sovereign governments, the 575 federally recognized Tribal Nations and Alaska Native Villages exercise inherent authority to safeguard their lands, waters, air, and communities. EPA’s trust and treaty responsibilities require sustained, meaningful partnership and full recognition of Tribal governments as coequal authorities in environmental decision-making.

The National Tribal Caucus (NTC) developed this FY 2028 Budget and Priorities document to provide a clear, actionable roadmap for strengthening Tribal environmental programs and advancing cooperative federalism across all EPA media areas. These recommendations reflect the expertise of Tribal environmental professionals nationwide and respond directly to the persistent underfunding, regulatory barriers, and inconsistent engagement that continue to limit Tribal capacity.

The NTC’s FY 2028 priorities align directly with EPA’s Powering the Great American Comeback initiative. Tribal Nations advance each of the initiative’s five pillars—protecting clean air, land, and water; supporting responsible energy development; strengthening permitting systems; expanding environmental data and artificial intelligence (AI) readiness; and improving health outcomes in communities affected by automotive and transportation corridors. Tribal governments are not peripheral to these national goals; they are indispensable to achieving them.

This document outlines the investments and policy actions needed to ensure parity with state programs; uphold federal trust obligations; and build a durable, equitable environmental protection system that fully includes Tribal Nations. The NTC looks forward to continued collaboration with EPA Administrator Lee Zeldin and agency leadership to institutionalize Tribal priorities and strengthen the federal–Tribal partnership for generations to come

The following budget priority media areas are not ranked by importance; rather, they are of equal priority within Indian country.



Summary of Recommendations

Strengthening Our Partnerships to Advance Cooperative Federalism

FY 2028 budget request: \$115 million

- **Advance parity and environmental protection in Indian Country** by addressing longstanding funding gaps and ensuring Tribal Nations have the capacity to implement essential environmental programs that protect their lands, waters, and communities.
- **Increase GAP funding to \$115 million and raise the base award to \$200,000 per Tribe** so Tribal governments can establish, sustain, and enforce environmental protection programs as Congress intended under the Indian Environmental General Assistance Program Act.
- **Strengthen sovereign-to-sovereign partnership** by recognizing each Tribal government as the primary authority over its lands; engaging Tribes early in policy development; institutionalizing government-to-government consultation; and aligning EPA programs, cooperative agreements, and state MOUs with Tribal laws, priorities, Indigenous knowledge, and treaty-related consideration.
- **Provide dedicated, American Indian Environmental Office (AIEO)-facilitated funding for the NTC** to fulfill its national advisory role; enhance coordination with Tribes and EPA; and carry out essential activities, such as developing strategic plans, improving communication tools, and supporting consistent, informed Tribal engagement in EPA decision-making.



Land and Emergency Management

FY 2028 budget request: \$31.5 million

- **Enhance Tribal environmental infrastructure and program capacity** through sustained solid and hazardous waste funding, expanded technical training, improved emergency response resources, and targeted outreach on emerging contaminants and underground storage tank compliance.
- **Increase consistency, efficiency, and Tribal access across Office of Land and Emergency Management programs** by standardizing Brownfields guidance and tools; streamlining Quality Assurance Project Plan and grant processes; supporting Tribal data sovereignty; and ensuring meaningful Tribal involvement in assessments, permitting, and redevelopment decisions.
- **Strengthen federal coordination and Tribal resilience** by improving interagency collaboration, ensuring early and ongoing Tribal consultation on Per- and Polyfluoroalkyl substances (PFAS), critical minerals, and mining activities; supporting Tribal-led cultural and Superfund work; and advancing remedy resiliency and disaster preparedness.

Protections for Water and Tribal Beneficial Uses

FY 2028 budget request: \$236 million

- **Stabilize and expand Tribal water infrastructure funding** by securing a permanent 5% Tribal set-aside in the Drinking Water and Clean Water State Revolving Funds, protecting set-asides from congressional earmarks, and aligning allocations with the 2023 Drinking Water Infrastructure Needs Survey and Assessment-identified \$4.1 billion Tribal drinking water need.
- **Strengthen federal support for Tribal drinking water, wastewater, and sanitation programs** by restoring the Alaska Native Villages Water Grant Program to \$50 million with direct federal distribution, continuing Safe Drinking Water Act funding for PFAS and emerging contaminants, and increasing Clean Water Act (CWA) §106 Tribal funding to \$55 million to address new threats to Tribal waters.
- **Enhance Tribal access to flexible and program-specific resources** by reinstating and expanding Multipurpose Grant availability for Tribes, revisiting Direct Implementation Tribal Cooperative Agreements eligibility for Water Quality Standards and National Pollutant Discharge Elimination System activities, and increasing EPA's internal Tribal set-aside for CWA §104(b)(3) Tribal Wetland Grants from 10% to 20% to support Tribal Wetland Protection Plans.



Categorical Program Grant Funding in the President's Budget

Since the beginning of the second Trump Administration, the President's Budget has proposed to **zero out multiple Categorical Program Grants**, asserting that states can fund and operate their own environmental programs without federal support. While that may be true for states with broad tax bases and diversified revenue streams, **this assumption does not hold for Tribal Nations.**

For Tribal governments, these categorical grants are not optional supplements—they are **foundational resources** that sustain environmental departments, staffing, monitoring programs, permitting responsibilities, and community protection efforts. Unlike states, **Tribal Nations do not have access to comparable revenue systems**, nor do they receive state pass-through dollars to operate federally delegated programs. When EPA removes these categorical grants, it is not trimming excess—it is **cutting into the core capacity of Tribal environmental protection.**

This budget approach reflects a misunderstanding of where Tribal environmental funding actually resides. The programs that explicitly include “Tribe” or “Tribal” in their titles may show funding in the budget tables, but **those line items represent only a fraction of the resources Tribal Nations rely on.** Many essential Tribal environmental activities are supported through categorical grants that were designed for states but have become lifelines for Tribal governments working to protect air, water, land, and public health.

The National Tribal Caucus urges EPA and OMB to **take a step back and fully understand the funding landscape for Tribal Nations** before eliminating programs that Tribes depend on. Zeroing out categorical grants without providing Tribal-specific replacements will result in immediate and severe reductions in Tribal capacity—loss of staff, halted monitoring, delayed permitting, and diminished ability to respond to environmental threats.

Tribal Nations consistently demonstrate that when resources are available, they build strong, effective environmental programs that protect their communities and homelands. The federal government must ensure that **Tribal environmental protection is not collateral damage** in efforts to shift responsibilities to states. Any restructuring of categorical grants must include **dedicated, stable, and accessible funding for Tribal Nations**, not assumptions that Tribes can absorb cuts or rely on state systems that do not serve them.



Advance Tribal Science Priorities

FY 2028 budget request: \$553.35 million

Tribal science priorities are woven throughout every priority area and recommendation; therefore, rather than assign a standalone budget line, we treat them as fully embedded within the overall FY 2028 budget request.

- **Address emerging environmental risks** by acting with urgency to mitigate the impacts of data centers, AI infrastructure, energy development, and related industrial growth on Tribal lands and resources.
- **Advance funding equity** by increasing Tribal environmental program resources to achieve parity with state allocations and ensure Tribes can effectively meet pressing environmental and public health challenges.
- **Strengthen Tribal–EPA scientific partnership** by deepening collaboration with the Office of Applied Science and Environmental Solutions and supporting the Tribal Science Council through consistent, twice-yearly in-person meetings at EPA research facilities and on Tribal lands.

Air Quality

FY 2028 budget request: \$94 million

- **Increase Tribal air program funding** to meet expanding Clean Air Act program needs; address inflationary pressures; and sustain Tribal capacity to protect health, sovereignty, and environmental quality.
- **Strengthen EPA technical, regulatory, and consultation support** for Tribal air quality management, including monitoring, emissions inventories, permitting, Tribal Implementation Plan (TIP) development, indoor air quality, air toxics, emerging pollutants, and radiation concerns.
- **Improve access to federal resources and research** by expanding Tribal eligibility for grants; streamlining State and Tribal Indoor Radon Grants (SIRG) processes; supporting participation in permitting and regulatory reviews; and advancing research on PFAS, 6PPD-quinone (6PPD-q), and other contaminants affecting Tribal communities.



Parity in Tribal Data Management

FY 2028 budget request: \$50 million

- **Increase funding for Tribal data management and governance** by restoring the Exchange Network Grant Program to \$50 million and strengthening support for the Tribal Exchange Network Group (TXG) and Tribal E-Enterprise participation.
- **Invest in Tribal-led data capacity, training, and communities of practice** by expanding TXG-supported mentorship, one-on-one assistance, and national rollouts of successful Tribal E-Enterprise Leadership Council (EELC) pilot projects.
- **Ensure Tribal parity in funding and long-term support** by covering operations and maintenance costs, establishing an EELC budget line item, and creating sustainable resources that align Tribal support with what states receive through the Environmental Council of the States.

Ensure Safety of Chemicals for People and the Environment

FY 2028 budget request: \$26.85 million

Toxics

FY 2028 budget request: \$16.5 million

- **Support Tribal exposure pathway monitoring** by setting aside funding for Tribal assessments of fish, plants, and other culturally significant resources to inform Toxic Substances Control Act risk evaluations, including for emerging chemicals, such as 6PPD-q and PFAS.
- **Expand Tribal toxics education capacity** by providing resources for Tribes to deliver updated community outreach on toxic substances in partnership with the Toxics Release Inventory program.
- **Strengthen financial sustainability for underserved communities** by removing match requirements and establishing Tribal supplemental set-aside funding within the Pollution Prevention and Source Reduction Assistance grant programs.

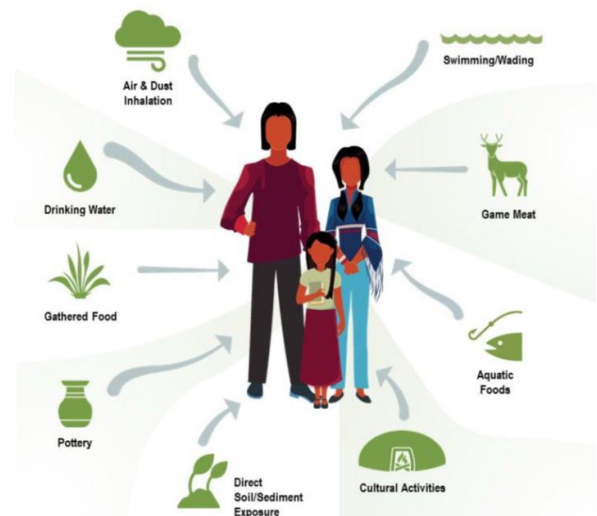


Figure 1. Tribal Lifeway Exposure Pathways



Pesticides

FY 2028 budget request: \$10.35 million

- **Increase and modernize Tribal pesticide program funding** to fully support cooperative agreements, expand coverage to underserved regions, and provide resources for essential activities such as 1.5 FTE staffing, regional training centers, data-sharing agreements, water testing, and continued support for the Tribal Pesticide Council.
- **Strengthen enforcement, education, and ESA compliance** by collaborating with Tribes to develop standardized enforcement protocols, updating outreach and training materials to include Tribal-specific conditions, accelerating ESA compliance strategies, and supporting pollinator protection through training, seed banks, and Tribal knowledge-sharing platforms.
- **Expand direct implementation and improve national consistency** by establishing a standardized, Agency-wide approach to FIFRA implementation in Indian Country and Alaska Native Villages—similar to the Wyoming model—to ensure equitable oversight, clarity, and effectiveness across all EPA regions.

Enforcement of and Compliance with Tribal Environmental Laws

FY 2028 budget request: \$553.35 million

Enforcement and Compliance are woven throughout every priority area and recommendation; therefore, rather than assign a standalone budget line, we treat them as fully embedded within the overall FY 2028 budget request.

- **Institutionalize Tribal-specific risk evaluation** by adopting an agency-wide policy requiring EPA programs to identify and incorporate unique Tribal risks and exposure pathways—across air, water, contaminated sites, chemical safety, and enforcement—before conducting risk assessments or setting cleanup standards.
- **Strengthen compliance capacity in Indian Country** by allocating regional funds based on the number of federally credentialed Tribal inspectors, supporting growth in Tribal inspection programs, and increasing awareness of enforcement and compliance assistance available through EPA’s Office of Enforcement and Compliance Assurance.
- **Advance equitable environmental protection** by formally integrating Tribal exposure pathways into all relevant EPA assessments and directives to ensure that the most highly exposed and disproportionately impacted Tribal populations are fully considered in regulatory decisions and program implementation.



The Reality of Stagnant GAP Funding

Over the past several years, General Assistance Program (GAP) funding has remained essentially unchanged. Tribes receive the same amount they received when fuel was cheaper, equipment cost less, and staffing a single environmental position didn't require navigating today's salary and cost-of-living pressures. What looks like level funding is, in practice, **a year-over-year reduction**. Inflation has steadily eroded the buying power of GAP dollars, leaving Tribes with fewer resources each year to meet growing environmental responsibilities.

The GAP dollars received no longer cover even the basics of building and maintaining environmental capacity. Tribes describe having to make impossible choices: hiring one staff member but sacrificing monitoring equipment or purchasing equipment but being unable to fund training, travel, or data management. Some Tribes have had to scale back community outreach, reduce sampling frequency, or delay long-planned program development simply because the dollars no longer stretch far enough.

One Tribe shared that their GAP award once supported a full-time environmental coordinator, basic supplies, and modest travel for training. Today, that same award barely covers the salary of a single staff member—leaving nothing for the tools, safety equipment, or professional development needed to run a functioning program. Another Tribe reported that inflation has forced them to cut back on youth environmental education, a program they had built over years, because the funding that once supported it has lost so much value.

These are not isolated stories. They reflect a regional and national pattern: **flat funding in a rising-cost world is a cut**, and Tribes are feeling the consequences in real time. GAP was designed to help Tribes build environmental capacity, but stagnant funding has pushed many to operate in survival mode instead of growth mode. Tribes cannot build robust, sustainable environmental programs when the foundational funding source loses purchasing power every year.

The NTC continues to hear the same message across Indian country: **current funding levels are no longer realistic** for building or maintaining environmental capacity. Tribes are doing everything they can with what they have, but the gap between need and available resources widens each year. Without meaningful increases to GAP, Tribes will continue to fall behind—not because of lack of commitment or capability, but because the funding structure has not kept pace with the realities on the ground.

At this level of funding, Tribes cannot realistically build or sustain the environmental capacity Congress intended GAP to support.



Expanded Budget Recommendations

The NTC recommendations for EPA for FY 2028 are fully described in the following sections.

Strengthening Our Partnerships to Advance Cooperative Federalism

This priority area is central to Pillar 3, which emphasizes strong federal–Tribal partnerships, streamlined permitting, and recognition of Tribal governments as co-equal authorities in environmental governance.

FY 2028 budget request: \$115 million

Tribes are sovereign governments—575 federally recognized Nations represent more than 1 million Tribal citizens who are also citizens of the United States. Indian country encompasses roughly 70 million acres, which represents about four percent of the U.S. land base, yet Tribal communities continue to experience significant disparities in ambient air quality, drinking water access, and solid waste management. EPA has a responsibility to ensure parity between Tribes and states so environmental protections and public health outcomes in Indian country are not left behind. Achieving a true, new era of partnership requires EPA to confront longstanding funding gaps that hinder Tribal implementation of essential environmental programs. Addressing chronic underfunding with urgency is necessary for EPA to support Tribal Nations in protecting their lands, waters, and communities.

The NTC asks that EPA continue to recognize each sovereign and separate Tribal government as the primary authority over reservation lands, habitats, and ecosystems. The NTC further recommends that EPA strengthen this partnership by engaging Tribes early in policy development; ensuring Tribal consent and direction guide activities on Tribal lands; and aligning federal programs with Tribal laws, priorities, and governance structures.

Government-to-Government Engagement

The NTC recommends that EPA remain engaged with Tribes on a government-to-government basis.

- Continue participating in Tribal meetings and conferences.
- Institutionalize the consistent implementation of EPA’s Guidance for Discussing Treaty Rights to consider treaty rights and cultural resources in all EPA decisions.
- Make sure cooperative agreements and memoranda of understanding with states include a requirement to “consult and coordinate with Tribes.”
- Recognize the nation-building aspect of Tribal governments and associated challenges to sustainability.
- Increase and document the use of Indigenous knowledge and Tribal Beneficial Uses, as defined by Tribes, by engaging Tribes earlier in decision-making processes.



General Assistance Program (GAP) Funding

The NTC asks that EPA provide \$115 million for GAP funds, increasing the GAP funding formula base to \$200,000 per Tribe. This adjustment will enable Tribes to establish and implement environmental protection programs under Section 502(d) (1) of the Indian Environmental General Assistance Program Act (as amended) and as Congress intended. This adjustment will also increase Tribal capacity to monitor and protect local environments and enforce their regulations.

NTC Support Funding

The NTC requests AIEO-facilitated funding from EPA program offices be directed to support the NTC in fulfilling the National Tribal Operations Committee's (NTOC) mission as a forum for federally recognized Tribes. Strengthening collaboration with EPA senior leadership on policy and resource matters—including Tribal capacity-building, environmental program development, and implementation—will help identify effective mechanisms for Tribes and EPA to advance actions that protect human health and the environment in Indian country. This support is not simply helpful—it is foundational to the NTC's ability to meet its responsibilities to Tribal Nations and to EPA. Without dedicated resources, the NTC's capacity to provide timely, informed, and coordinated Tribal input is significantly constrained. With appropriate support, the NTC can operate at the level expected of a national advisory body that engages EPA on issues affecting all federally recognized Tribes.

With dedicated funding, the NTC could more fully carry out its responsibilities in several critical areas. The list below highlights examples, though many additional opportunities exist:

- Develop a new, more robust, and more detailed annual Budget & Priorities document.
- Build and maintain a public-facing website to disseminate information, updates, and current work to Tribes and EPA.
- Produce a regular newsletter to keep Tribes informed and engaged.
- Provide more timely, better-informed responses to EPA consultations and policy actions.
- Strengthen coordination with TPGs, Regional Tribal Operations Committees (RTOCs), and EPA program offices.
- Develop a comprehensive NTC strategic plan.
- Enhance the structure and productivity of monthly NTC–EPA and NTOC meetings.
- Host an annual or biennial all RTOC–NTC–TPG meeting or conference to improve alignment and collaboration across all groups.

These activities directly support EPA's goals for meaningful Tribal partnership and strengthen the cooperative federalism system by ensuring Tribal perspectives are integrated early, consistently, and effectively into Agency decisions. We appreciate your continued support and look forward to discussing potential pathways for securing this essential funding.



Land and Emergency Management

These recommendations advance Pillar 1 of EPA’s Powering the Great American Comeback initiative by protecting land and water resources, Pillar 2 by addressing the environmental impacts of energy development, and Pillar 3 by strengthening Tribal capacity to participate in streamlined permitting and cleanup processes. They also support Pillar 5 by preparing Tribal communities for emerging risks associated with electric vehicles, batteries, and alternative fuels.

FY 2028 budget request: \$31.5 million

The NTC is providing a funding request to meet Tribal priorities related to land and emergency management as detailed by the EPA Tribal Waste and Response Steering Committee (TWAR SC) in their Priorities Document. The TWAR SC is a Tribal Partnership Group (TPG) composed of Tribal professionals working in solid waste, emergency response, Superfund, Brownfields, and underground storage tanks. The TWAR SC meets at least six times a year to develop and provide input to EPA and other federal agencies while cooperating with the Institute for Tribal Environmental Professionals (ITEP) and other TPGs. The TWAR SC receives input from Tribal environmental professionals across Indian Country and Alaska to develop the Priorities Document. Use of this Priorities Document ensures the Office of Land and Emergency Management (OLEM) personnel and others at EPA consider Tribal concerns and suggestions.

The TWAR SC priorities are shared regularly with the National and Regional Tribal Operations Committee, EPA OLEM, Tribal Nations, and others. Their 2026–2027 priorities are listed below as they pertain to EPA OLEM. The [full report can be found on ITEP’s website](#) (PDF, 894 KB, 9 pgs.).

Office of Resources Conservation & Recovery (Solid/Hazardous Waste, Oil and Chemical Accidents)

- Promote the successes of the Solid Waste Infrastructure for Recycling (SWIFR) grants for Tribes/Intertribal Consortia and continue funding this flexible and necessary grant opportunity.
- Continue to work with other federal agencies and leverage existing resources to fill the gap in funding for solid waste infrastructure to support municipal and household hazardous waste operations.
- Create educational opportunities and additional resources on medical waste safety and proper disposal (e.g., sharps in the waste stream).
- Release the Operations and Management Assessment report and facilitate discussions between federal agencies and Tribal environmental professionals to protect the assets created under SWIFR and other federal infrastructure projects.
- Continue to support the Backhaul Alaska program, the only not-for-profit backhaul service in Alaska, and share successes from Alaska Native Villages involved in the program to encourage participation and expand markets.



- Provide outreach to Tribal environmental staff about 6PPD-quinone (6PPD-q) and used tire management.
- Complete and disseminate data from EPA-led research projects/initiatives to inform Tribes of project statuses and conclusions, which will encourage transparency and Tribal participation. For example, share data from the assessment of potential environmental impacts from unlined landfills in Alaska, which was highlighted in EPA's response to the 2024–2025 Priorities Document.
- Foster new recyclables markets, end-use recyclables businesses, and extended producer responsibilities.
- Provide educational resources to assist solid waste professionals in educating their communities on proper collection and disposal of universal waste.
- Prioritize inspecting Spill Prevention, Control, and Countermeasure (SPCC) facilities in Indian country and Alaska.
- Continue to support and encourage Tribal environmental emergency response programs to be involved with their regional and local response agencies through Local Emergency Planning Committees and or in forming their own Tribal Emergency Response Committees (TERCs).
- Develop and deliver trainings in collaboration with Tribal colleagues focused on:
 - Solid waste management subjects, including strategies to increase recycling, waste diversion (e.g., composting, organics, construction and demolition, etc.), sharing of Tribal solid waste program efficiencies and cost savings, and reducing contamination in the waste stream.
 - Emergency response subjects, such as TERCs, lithium batteries, SPCC, and Emergency Planning and Community Right-To-Know Act.
 - Above ground storage tank subjects that empower Tribal staff to conduct compliance assistance (including example outreach materials).

These trainings should take place in different locations of the country and be recorded (or available virtually) to increase accessibility, and attendance and interaction metrics from the trainings should be provided.

Office of Brownfields & Land Revitalization

- All EPA Regions need to be consistent in providing guidance (e.g., reporting requirements, Quality Assurance Project Plan (QAPP) templates, site eligibility) to 128(a) Program cooperative agreement grantees and available resources (e.g., Technical Assistance to Brownfields programs).
- Provide sections for 104(k) and 128(a) grant management resources (e.g., quarterly report templates, site eligibility forms, success story templates, etc.) on the main EPA Brownfields website or provide them consistently across each Region's website.
- Require EPA staff and contractors overseeing Targeted Brownfield Assessments or supporting Tribal Brownfield programs to ensure mechanisms and resources that provide meaningful



opportunities for public participation include Tribal Councils or governing bodies and other Tribal departments. This requirement will ensure the direction and technical assistance provided aligns with Tribal priorities and redevelopment needs.

- Affirm, in a memo to the Secretary of the Interior, the liability protections described in Section 101(20)(D) extend to the federal government for mandatory trust acquisitions, as defined in Chapter 25 of the Code of Federal Regulations (CFR) Part 151. Real or perceived threats of environmental contamination and subsequent liabilities prevent land from being taken into trust.
- Create a roadmap/guidance for 128(a) grantees to develop multi-year workplans.
- Create a Tribal set-aside for 104(k) grants and allow flexibility between assessment and cleanup funds.
- Use EPA's authority under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to enhance Tribal Environmental Self-Determination by assisting Tribes in establishing Memorandum of Agreements (MOAs).
- Office of Brownfields and Land Revitalization (OBLR) staff should work with General Assistance Program (GAP) project officers regarding CERCLA deliverables in GAP workplans and inform GAP grantees of available Brownfield resources.
- Decrease the time between the selection of Brownfield awardees and the awarding of Brownfield grants/cooperative agreements.
- Streamline the QAPP review/approval process.
- EPA should create a Tribal-specific drawdown timeline of 10 business days or provide waiver authority that allows individual Tribes to request a longer disbursement period based on demonstrated administrative realities.

Office of Underground Storage Tanks

- Include an equipment manufacturers component in the Facility-Specific Compliance Plan (FASCOMP) tool, and present training and updates on involvement at the 2026 and 2027 Tribal Lands and Environment Forums. This tool should include resources and handouts.
- Demonstrate the FASCOMP tool at the regional level for Tribal environmental staff, so they are able to ensure compliance at their facilities.
- Work with the Tribal Convenience Store Association and the National Association of Convenience Stores to roll out the online A/B Operator Training.
- Target education to Tribal environmental professionals to understand how to work with owner/operators to establish roles and responsibilities that will improve compliance with underground storage tank (UST) closure and removal plans.
- Continue to provide outreach materials and training to the service industry highlighting the difference between state and Tribal (i.e., federal) processes for UST operations.



- Continue providing training for Tribes about state-funded financial responsibility, which includes the topic of how Indian country UST facilities may participate in some state-funded programs.
- Work with OBLR to create resources and opportunities for collaboration to address UST-related issues through the 128(a) program.
- Provide education regarding emerging fuels to Tribal professionals.

Office of Superfund & Emergency Management and Office of Mountains, Deserts and Plains (Superfund, Federal Facilities, Emergency Management, Legacy Hard Rock Mines)

- Continue to provide updates on EPA's work with other federal agencies on critical minerals and recovery pilot sites and how they are involving Tribal Nations and Alaska Native Villages.
- Communicate with other EPA offices and divisions, as well as other federal agencies, to ensure Tribal priorities are being addressed when considering re-mining for critical minerals.
- Optimization studies at contaminated sites involving Tribal Nations or Alaska Native Villages should ensure Tribal data, perspectives, and involvement are included at the start of and throughout the process.
- Continue to ensure Tribal research permits are obtained (when required) well in advance when collecting data in Indian country, while ensuring Tribal data sovereignty is respected and approval is granted before any data is released.
- Keep Tribes informed when reuse and redevelopment plans are developed on or near lands with Native American interests.
- Continue working on adaptive capacity, resilience, and risk reduction, including risks to contaminated sites, pertaining to extreme weather and natural disasters.
- Continue to engage Tribes and Alaskan Native Villages through consultation during changes to Per- and Polyfluoroalkyl substances (PFAS) rules and policies.
- Include remedy resiliency when designing and implementing records of decision.
- Implement the Residential Lead Policy and provide support to Tribes to use the Tribal Lead Curriculum in Indian country and Alaska.
- Continue to support Tribes leading the effort in cultural resource assessment, data collection, and monitoring on all sites in Indian country and Alaska Native Villages with Office of Strategic Environmental Management (OSEM) programs.
- Continue to support EPA Office of Water and OSEM's engagement with Tribes at the national and regional levels during the development of remedial investigation/feasibility studies, remedial design, and implementation phases.
- Recognize that Tribal standards and tools used by Tribal Superfund programs are critically important in protecting downstream waters, lands, and traditional lifeways.



- Support Tribes in the development of their own Tribal Superfund cleanup programs and their capacity to administer Tribal Remedial Response cooperative agreements.
- Continue to coordinate with Tribes as part of the Good Samaritan pilot project.
- Ensure that Tribal consultation is conducted when future mining on public lands is proposed.
- Prioritize Tribal input during Superfund redevelopment.
- Continue to train new EPA Regional program managers on working with Tribes on Superfund sites.
- Provide educational opportunities and resources on emergency management topics, including dealing with Lithium-ion battery fires, spill response strategies, ensuring safety when dealing with alternative fuels, and tabletop-style trainings that provide real-world examples of emergency scenarios.
- Provide guidance to Tribal professionals on accessing Local Government Reimbursement and U.S. Coast Guard funds as part of their emergency management work.

Protections for Water and Tribal Beneficial Uses

Strengthening Tribal water programs directly supports the commitment in Pillar 1 to ensure clean and safe water for all communities and the emphasis in Pillar 3 on efficient permitting, interagency coordination, and cooperative federalism.

FY 2028 budget request: \$236 million

\$25 million for Tribal Multimedia Implementation Grant Funds

\$55 million for the Tribal portion of Clean Water Act (CWA) Section 106 funding

\$30 million for the national Tribal CWA Section 319 program

\$36 million for the Tribal portion of CWA Section 104(b)(3) funding

\$90 million or a 5% Clean Water State Revolving Fund (CWSRF) set-aside

Improve Access to Safe Drinking Water and Basic Sanitation for Tribes and Alaska Native Villages

- Solidify a congressional increase in the percentage allocated to the Drinking Water State Revolving Fund (DWSRF) from 2% to 5% set-aside for Tribal DW grants.
- The FY 2023 DW Tribal set-aside identified \$10.3 million for Tribal DW grants, which is far below the 2% threshold.
- The FY 2023 CW Tribal set-aside identified \$15.5 million for Tribal wastewater grants, reflecting half of the amount allocated in FY 2021 (\$33 million = 2% of the CWSRF).
- There has been reduced funding in Tribal set-asides due to congressional earmarks. The NTC requests future DW and CW Tribal set-asides be held harmless from congressional earmarks.



FY 2023 Drinking Water Infrastructure Needs Survey and Assessment

- The Drinking Water Infrastructure Grants (DWIG) Tribal set-aside is based on allocations from EPA's DW Infrastructure Needs Survey and Assessment (DWINSA), which EPA conducts every 4 years to provide Congress with an assessment of our nation's DW infrastructure need, including the need for Tribal lands, for the years 2021–2040.
- The 2023 DWINSA identified a \$4.1 billion infrastructure need for Tribal DW systems, which breaks out to \$3.2 billion for American Indian systems and \$0.9 billion for Alaska Native systems.
- The 835 public water systems that are Tribally owned serve an estimated 1.4 million people. Approximately half of these systems exceed EPA's health base standards.

Alaska Native Villages and Rural Communities Water Grant Program

- FY 2028 NTC requests the Alaska Native Villages and Rural Communities Water Grant Program funding levels return to \$50 million and the annual allocation **be distributed by Indian Health Service** instead of an Alaska state agency.
- The FY 2023 funding level was approximately \$36 million. This program is administered with Region 10 and in close cooperation with the state of Alaska to address Alaska Native Villages' sanitation needs.
- Alaska Native Villages request to bypass the state of Alaska and instead have Region 10 work directly with Alaska Native Villages in the distribution of funds.

Safe Drinking Water Act

- In FY 2023, Congress appropriated \$7.8 million for Tribal grants to address PFAS and other contaminants of emerging concern. These funds are allocated to the Regional offices and available to eligible Tribes that conduct Public Water System Supervision work, such as enforcement of PFAS DW standards. The NTC recommends continued funding and prioritization as long as PFAS and other emerging contaminants pose hazards to the environment.

CWA §106 Tribal Grants

- The NTC requests \$55 million for FY 2028 Tribal CWA Section 106 funding, which reflects approximately 22% of the base allocation (\$237 million) to address new threats to Tribal waters (cyanotoxin, microplastic, and tire compounds runoff) and protection requirements on Tribal lands.

Multipurpose Funds and DITCAs

- Congress established the Multipurpose Grant (MPG) program for states and Tribes in the Consolidated Appropriations Act of 2016. This program allows Congress to appropriate MPG funds for use at the discretion of states and Tribes to support high-priority activities that



supplement those funded by existing environmental laws. MPG funds were appropriated for 2016, 2018, 2019, 2020, and 2021. Tribes with delegated federal regulatory authority received \$1.5 million through the Treatment in a Similar Manner as a State (TAS) process in 2021. Future MPG requests will be made through the House Appropriations Committee.

- In 2004, EPA issued its *Guidelines for Direct Implementation Tribal Cooperative Agreements (DITCAs)*, which state that activities under the Water Quality Standards promulgation and review process, as well as the National Pollutant Discharge Elimination System permit program, may be eligible for DITCA funding. The NTC recommends EPA revisit this option and evaluate opportunities to support these program areas through DITCA resources.

CWA § 104(b)(3) Tribal Wetland Grants

- FY 2023 appropriation identified \$36 million for the identification, assessment, and protection of state and Tribal wetlands.
- Even though there are no congressional Tribal set-aside funds, EPA provides an internal Tribal set-aside for Tribal wetland grants of approximately \$3.6 million or 10% of the appropriation. EPA awards between \$50,000 to \$350,000 per grant, typically for the identification, assessment, and protection of Tribal wetlands.
- The NTC requests EPA Office of Water increase its internal Tribal set-aside for Tribal wetland grants from 10% to 20% of the annual appropriation to support the development of Tribal wetland protection plans.

Advance Environmental Research and Tribal Science Priorities

Tribal science priorities advance Pillar 4 by expanding AI-ready environmental datasets, analytics, and data sovereignty frameworks, while supporting Pillar 1 through improved monitoring, research, and environmental decision-making.

FY 2028 budget request: \$553.35 million

Tribal science priorities are woven throughout every priority area and recommendation; therefore, rather than assign a standalone budget line, we treat them as fully embedded within the overall FY 2028 budget request.

EPA's research agenda must be shaped around Tribal Nations' priorities, ensuring federal scientific efforts respond to the environmental challenges and knowledge gaps identified by Tribal communities. This process requires working closely with Tribes and EPA Regions to identify relevant areas for focused scientific research that is responsive to Tribal priorities, such as the impacts of PFAS on Tribal water supplies or contaminant exposure risks in traditional foods and subsistence resources. Strengthening this partnership is essential for improving monitoring capacity, understanding emerging contaminants, and ensuring national research agendas reflect the lived realities, expertise, and environmental stewardship of Tribal Nations.



Funding

- **Ensure parity in Tribal funding.** Indian country makes up 4% of the United States' land base, yet it does not receive adequate funding for its size. To achieve true funding parity and sustain crucial programs, Tribes must receive both an increased percentage of the overall funding amounts and a higher dollar amount. The NTC appreciates that EPA aspires to recognize the crucial needs of its partners in delivering environmental protection to all U.S. citizens. By fully funding Tribal Nations and Alaska Native Villages, EPA can empower Tribal communities in a number of important ways and address our needs, such as by providing employment opportunities and improving the quality of the environments where Tribal people live, work, and sustain traditional lifeways.
- **Ensure Tribal authority to implement environmental regulations.** Along with providing funding parity, it is vital for EPA to ensure Tribes have the authority to design, implement, and enforce environmental regulatory programs. Under existing environmental policies, Tribal regulatory authority is sometimes defined as TAS status. Achieving this status requires a lengthy application and approval process and is further complicated by additional legal burdens for Tribes in certain states. Because of these circumstances, it is imperative that funding and other assistance available to Tribes not be limited only to Tribes that meet federal TAS requirements.
- **Continue government-to-government engagement between EPA and Tribes.** An era of partnership between Tribes and EPA must be grounded in the government-to-government relationship that exists between the federal government and Indian Nations, including meaningful Tribal consultation that precedes the implementation of all policies that have implications for Tribes and Tribal lands. Funding decisions that support this partnership must take place against the backdrop of Tribal consultation. Tribal consultation on GAP guidance is an example of funding-related consultation that would support this goal.

Tribal Sovereignty

- **Continue recognizing Tribal governments as appropriate primary authorities.** The NTC asks that EPA continue to recognize unique Tribal governments as the appropriate primary authorities to manage and regulate reservation lands, habitats, and ecosystems—thus upholding EPA's 1984 Policy for the Administration of Environmental Programs on Indian Reservations (the 1984 Indian Policy).



Air Quality

Tribal air programs are essential to achieving the clean air goals in Pillar 1 and the focus in Pillar 5 on protecting communities affected by transportation, industrial emissions, and the transition to electric vehicles.

FY 2028 budget request: \$94 million

For the FY 2028 Budget recommendation, the NTC is recommending \$94 million for Tribal air programs. Because there has been significant air quality program expansion, and because more Tribes are seeking new air-program funding, the growth in programs is greatly outstripping the available resources. An increase in funding will meet the previously identified need and address the inflation costs that have impacted Tribal air programs. It will also demonstrate the Administration's commitment to respect Tribal sovereignty and self-governance of American Indian Tribes and Alaska Native Villages and will meet commitments to ensure federal funding and support programs effectively address needs. A funding increase will help more Tribes build their Clean Air Act programs at this crucial moment in history, and it will bear witness to the impacts of the economic challenges and health concerns that disproportionately harm Native Americans.

Ambient Air Quality

- **Criteria pollutants:** Tribal air quality programs monitor a variety of criteria pollutants due to concerns about health protection, environmental preservation, regulatory compliance, sovereignty, and policy development. Monitoring criteria pollutants assists in reducing risks for individual Tribal communities by providing site-specific data. This data enables Tribes to participate in the designation process. In addition, supporting Tribes in managing mobile source emissions to address ambient air quality and climate adaptation is important to help address the health and environmental impacts for American Indian and Alaska Native communities. For example, road dust impacts Alaskan Native Villages and many rural Tribal communities. Regional haze continues to be a concern for cultural and spiritual practices, economic development, environmental damage, and health impacts, as well. Providing funding and technical support is important in these communities.
- **Permitting:**
 - Permitting for American Indian and Alaska Native communities is conducted, in most cases, by EPA. It is important that EPA conduct consultation with Tribes throughout the development and issuance of any air permits. EPA should be proactive in Regional consultations. Tribes have expressed interest in permit reviews and permit program development, while other Tribes have begun implementing their own permitting programs.
 - In addition, there is a growing need for increased regulation (permitting and or enforcement) of metallic mining operations to improve air quality in American Indian and Alaska Native communities. Specifically, there are concerns about fugitive dust and air toxics



emissions from taconite mining in Region 5; uranium mining and rare earth mining and milling in Regions 6, 8, and 9; and heavy metal and gold mining in Alaska.

- **Support for Tribes in developing TIPs and permit programs:** TIPs are crucial for self-governance and environmental management. Some plans are comprehensive, covering all the sources within the reservation. A few plans are more targeted, while others are new source review or minor source permitting programs. For Tribal program flexibility, the Tribal Authority Rule under the Clean Air Act allows for a modular approach.
- **Air quality assessment via Tribal monitoring, emissions inventory, and data collection and management:**
 - Understanding air quality on each reservation is the starting point for all Tribal air quality program development. It is also the basis for asserting Tribal sovereignty by providing for an understanding of the health, environmental, and cultural impacts for the Tribes so the citizens of each reservation can be empowered to support ongoing program activities. As a result, emissions inventory development and air quality monitoring are critical to taking these first steps in understanding air quality for all American Indian and Alaska Native communities.
 - Tribes face some common barriers and issues when conducting these assessments. For example, because of existing state monitoring networks, many of the EPA Regional Offices do not recognize the need for Tribal air monitoring. However, Tribes have found that, by conducting their own regulatory monitoring, they are more empowered to participate in the designations process for new National Ambient Air Quality Standards. The expense of ongoing monitoring has also constrained the expansion of monitoring networks. Tribes conducting regulatory monitoring have had limited access to the Technical Systems Audits required for certification of the data. While other Tribes have equipment that is old, outdated, and in need of replacing, others have struggled with QAPP approval and inconsistency between and within the Regions. With the implementation of sensor technology, Tribes have new opportunities to undertake air quality assessments.
- **Air toxics:** Tribes continue to maintain air toxics as a priority concern. There is an ongoing interest in the impacts of mercury on Tribal resources, such as exposure from fish consumption and from deposition on cultural medicinal resources. Other Tribes have concerns about exposure from specific sources and source categories including, but not limited to, emissions from oil and gas pipelines, power plants, and taconite and uranium mining operations.
- **Emerging pollutants – PFAS/Perfluorooctane sulfonic acid (PFOS) and 6PPD/6PPD-q:**
 - The NTC is concerned that the EPA PFAS Strategy does little to expand the understanding of the impact of PFAS/PFOS through the air media. Given that PFAS are “forever chemicals and bioaccumulating,” the deposition of PFAS/PFOS through air emissions must be addressed to stop the cycle of continuing contamination.



- The NTC is aware of the increased knowledge of the impacts of 6PPD and 6PPD-q (derived from the interaction of 6PPD and ozone) on important fish populations. Much is still unknown about the interaction of 6PPD and 6PPD-q in the atmosphere, how it is transported and deposited, and how it impacts humans and terrestrial species. The NTC will continue to monitor the advancement of knowledge around these pollutants and encourage more research in the air media.
- **Radon and SIRG:** EPA has been requesting that Tribes apply for [SIRG funding](#). However, the application process is difficult. The process needs to be streamlined to give Tribes an opportunity to apply. More Tribal assistance for the grant application and how and when to incorporate it into a Tribal Performance Partnership Grant would be helpful. Currently, only 13 Tribes are receiving the grants.
- **Indoor air:** Indoor air continues to be a priority for many Tribes, and dedicated funding is needed for existing and new Tribal air programs. Tribes have a range of indoor air quality issues, including mold and moisture intrusion. Funding for training, monitoring, inspections, and remediation of air quality issues is important. Education and outreach to inform community members about the importance of addressing indoor air toxics issues from wood burning, household chemicals, and pesticides are also important for some Tribes. Finally, many remediation activities need to be balanced with weatherization activities to ensure efficient home activities.
- **Radiation:** Plans for high-assay, low-enriched uranium reactors and fuel cycles are a growing concern in Indian country. The exploration of the use of mini reactors in old coal power plants or mine locations means exposure could occur in many areas of Indian country.

Consultation

- Interactions with the NTC do not substitute government-to-government consultation, which can only be achieved through direct communication between the federal government and American Indian and Alaska Native Tribal governments. The NTC supports Tribal sovereignty and aligns with the 1984 Indian Policy, which emphasizes the government-to-government relationship between Tribal nations and EPA. The policy commits EPA to supporting Tribal self-governance and working directly with Tribal governments on environmental matters.

Funding

- The NTC recommends that EPA focus on the crucial needs that have led to greater demands on Clean Air Act Section 103 and 105 Tribal grants. For FY 2028, the NTC is requesting \$94 million for Tribal air programs, which includes an average rate increase, worker wage increase, and equipment cost increase.
- Some Tribes that receive a one-time infusion of resources to conduct limited work may, over time, lose the staff and capacity supported by this one-time funding. In addition, without an



increase to the base program funding, Tribes will lose staff capacity for their existing base Clean Air Act programs. We urge EPA to increase funding to the levels necessary to have a meaningful impact in our communities.

Parity in Tribal Data Management

Investments in Tribal data systems advance Pillar 4 by strengthening the national environmental data backbone and Pillar 3 by enabling cooperative federalism through interoperable, sovereign data platforms.

FY 2028 budget request: \$50 million

The NTC recommends increasing the Exchange Network Program Grant to \$50 million to strengthen tribal data management and cross-media information sharing. This funding would enable the Tribal Exchange Network Group (TXG) to expand its training, mentorship, and technical assistance to support Tribal Nations' data capacity. While the E-Enterprise Leadership Council (EELC) advances collaborative tools and processes across EPA, tribes, and states, the TXG plays a critical role in building tribal information management systems that fully leverage the Exchange Network's solutions.

Partnering for Tribal Data Sovereignty – EELC

The NTC recommends that EPA support and work closely with the EELC. The EELC supports tribes in using innovative approaches to manage their programs, including data to protect the environment. Unlike many other Tribal Partnership Groups (TPGs), the EELC is multimedia in nature, supporting all EPA program offices (air, water, land, compliance, etc.). EELC governance and project work is supported and funded by multiple EPA program projects.

The NTC makes the following requests of EPA:

- **Invest in the work of the Tribal EELC to support Tribal programs in implementing modern and efficient data management systems to collect, analyze, and share environmental data.**

Although the General Assistance Program supports capacity building for tribal environmental programs, funding is not sufficient to meet needs related to advancing tribal data management and technical capacity. Data management dedicated funding will broaden EPA's support of tribal environmental data management and participation in the national work group. Dollars spent on the tribal EELC members may be saved in other media-specific data management platform support.

- **Provide support for Tribal e-enterprise** to ensure funds for Tribal e-enterprise coordination are similar to funds given to the Environmental Council of the States (ECOS) to support state work related to e-enterprise. These additional funds should be provided directly to Tribes to support their participation in e-enterprise project work, workgroups, and governance groups. Also, funding the next 5-year cooperative agreement will support multiple full-time program coordinators and increase current funding levels to an organization that can support the Tribal



EELC to offer Tribes the same level of support that states receive through the cooperative agreement with ECOS.

- **Roll out Tribal EELC projects to the national level.** Funding is needed for efforts to support EPA employees' roll out of Tribal EELC pilot projects to the national level. For example, such funding could go toward rolling out the Tribal Assessment and Total Maximum Daily Load Tracking and Implementation System (ATTAINS). Fund the ATTAINS pilot to support ATTAINS participation by all Tribes in the nation. Funding can be used to support the ATTAINS pilot and to identify other successful local programs to be rolled out nationally to Tribes.
- **Include an EELC line item in EPA's budget.** An EELC line item should be included in EPA's budget for full-time equivalents to support Tribal EELC participation (e.g., on the leadership council and in workgroups and projects). These funds could be added into Performance Partnership Grants or other agreements to support Tribal staff participation in important workgroups that affect day-to-day activities in Tribal environmental programs. Recruitment and retention are two challenges that Tribes face when participating in national workgroups, and funding to support these efforts is a priority.

Tribal Data Collection and Management—TXG

The NTC requests that EPA support Tribal data collection and management with increased funding through EPA's Office of the Chief Financial Officer Cooperative Agreement to support the EELC and the TXG. While many Tribal partnerships are media-specific, the TXG focuses its activities on supporting Tribal priorities to advance and support Tribal involvement in the EN through direct outreach to, support for, and engagement with Tribal environmental programs and to enhance those programs by offering capacity-building resources that expand Tribal environmental data and information management capabilities. Additionally, the TXG aims to inform EPA and EN partners across various environmental media program areas and regions about the unique considerations of Tribal lifeways, environmental protection, and natural resource management on Tribal lands; issues regarding information technology and data management systems that impact Tribal environmental programs; and the importance of respecting Tribal sovereignty. Finally, the TXG works to make sure Tribal lifeways, perspectives, and concerns are considered when determining EN-related funding priorities and management decisions.

The NTC recommends that EPA do the following:

- **Enhance Tribal capacity.** Enable TXG to serve as an incubator for training and technical assistance in Tribal environmental data and information management. Tribal agencies need relevant training and mentoring resources for managing and communicating environmental data more efficiently through technology solutions. Developing and expanding training resources, specifically for Tribal staff working in environmental data management and information technology topics, is a need identified by the TXG, and the demand for training and mentoring support for Tribes has been evidenced by participation levels at recent workshops conducted by ITEP and the TXG. The TXG aims to support Tribes at all levels of data



management by continuing to offer and improve training resources for Tribal staff. In addition to increasing funding for TXG-supported training, EPA should work internally and with Tribal partners to identify existing support resources, gaps, and areas where improvements may be needed. EPA should also continue to support the development and expansion of these trainings, along with opportunities to foster communities of practice for Tribal professionals working on data management issues.

- **Fund and support TXG as a community of practice for tribal environmental professionals in the areas of environmental data management and sharing.** The TXG provides vital support for tribal environmental professionals by providing a safe community of practice for idea-sharing and advocacy through the Tribal Exchange Network Conference (TENC) and ongoing monthly support calls. TXG communities of practice, such as TENC, are important pathways to relationship-building between tribal nations and their environmental programs, and as such, provide compounding opportunities for data management, collaboration, and environmental improvements between nations.
- **Provide one-on-one support**, which has proven to be valuable to Tribal environmental professionals, through Tribal assistance and mentorship. The ever-changing suite of technology and federal environmental data-sharing regulations and recommendations requires ongoing education and support. One-on-one knowledge-sharing through the TXG provides an opportunity for Tribal environmental professionals to get tailored, personalized advice and guidance and on-demand support for building and maintaining their environmental programs. This customized training also fills a large gap in the operations and maintenance of environmental programs where existing budgets or grant constraints are unable to meet ongoing training demands and environmental data management support.

Advocate for Tribal Parity in Funding and EPA Support

- EPA should cover operations and maintenance costs under EPA grant programs, including the Exchange Network Grant Program. Tribal agencies need practical solutions that are accessible to small programs with limited technical infrastructure, such as cost-sharing strategies leveraged by EPA, or direct support for the development of software tools and systems that meet Tribal needs.
- To help cover O&M costs and support the long-term success of Tribal activities developed under EN grants, thereby maximizing the return on EN investments over time, EPA should implement sustainable funding mechanisms and increase funding levels so all Tribes have equitable access to and adoption of EN-funded resources.
- To make sure the future governing structure of the EN serves Tribes and Tribal information technology and data management needs and to fully realize the potential of the EN for all partners, EPA should renew its focus on the foundational goals of supporting all levels of data management and establishing data standards that support data-sharing between Tribes, states, and EPA. Many of the EN's current interests focus on next-generation technologies, while many



Tribes are still working toward standardizing their data practices and or using spreadsheets and manual data entry in their environmental departments. This difference in interests leaves smaller Tribal programs behind and results in incomplete or inadequate information for decision-making, which is particularly important for risk communication and public information needs.

- EPA needs to ensure Tribal parity in funding and increase support for the creation of nationwide Tribal environmental organizations, just as states have with the ECOS. While the TXG is an important resource for Tribes and Tribal environmental professionals and programs, it does not and cannot serve in the same function and capacity as the ECOS. Beyond the large disparity in funding between TXG and ECOS, there is a wide gap between the workplans the groups support. The work of ECOS extends well beyond supporting the EN and its members' involvement. Tribes, like states, could benefit greatly from a tribally led organization aimed at supporting Tribes and Tribal environmental departments in all program and policy areas.

Including Tribes in Responsible Artificial Intelligence Use

Build communities-of-practice for Tribal professionals to share ideas and resources for streamlining and automating routine tasks and enhancing efficiency and accuracy in their environmental data management workflows. Such activities will include the exploration of responsible artificial intelligence tools that strive to minimize negative environmental impacts and respect Tribal data sovereignty.

Ensure the Safety of Chemicals for People and the Environment

Addressing toxics and pesticides supports the commitment in Pillar 1 to reduce hazardous exposures and the emphasis in Pillar 3 on efficient, protective regulatory processes that respect Tribal sovereignty.

FY 2028 budget request: \$26.85 million

\$10 million for a new Toxic Substances Control Act (TSCA) regional program
 \$3 million for EPA-authorized renovation and repair innovation programs
 \$2 million for EPA lead programs, including Tribal-focused grants
 \$1.5 million for Tribal community outreach on toxic release inventory facilities and tools
 \$9.04 million for Tribal pesticide programs

Toxics

The NTC requests \$16.5 million to ensure chemical and pesticide safety for Tribal Beneficial Uses and the health of Tribal people. The NTC requests this sum to ensure chemical safety; prevent pollution; and protect traditional food sources, medicines, and cultural practices. Because Tribes rely on healthy, safe ecosystems to sustain their Indigenous lifeways, health, and treaty rights and to provide the natural



resources used in Tribal cultural practices, they are increasingly subject to disproportionate impacts from toxic chemicals released into the environment. These impacts include access to clean water, healthy traditional food sources, natural medicines, pesticide- and herbicide-free indigenous plants for weaving, and contaminant-free clay for pottery. Tribal ecosystems have been degraded by legacy contaminants and the continued release of recognized, but unregulated chemicals, like flame retardants and endocrine-disrupting compounds.

EPA investments in Tribal engagement on toxics and chemical safety have already produced measurable improvements in the way Tribal exposures and Tribal lifeways are considered in federal chemical risk evaluation and management. Through sustained collaboration with the National Tribal Toxics Council (NTTC), EPA has increasingly recognized the importance of Tribal exposure pathways, subsistence practices, cumulative environmental burdens, and treaty-protected resource use in TSCA implementation and chemical risk assessment work. These investments have strengthened the scientific credibility of EPA's risk evaluations, improved understanding of Tribal-specific exposure conditions, and advanced federal commitments to meaningful Tribal consultation and protection of human health. Continued support for Tribal toxics programs and NTTC engagement is essential to ensure EPA's chemical safety programs remain scientifically defensible, protective of human health, and responsive to the federal trust responsibility.

Therefore, the NTC asks that EPA fund the following priority issues:

- **Increase support for the TSCA Lead Program among Tribes.** The Lead Program is the only TSCA program Tribes have the authority to administer and implement, but it is severely underused by Tribal governments. Local implementation is essential. The NTC also recommends that EPA provide additional outreach and technical assistance to Tribes on TSCA Section 402/404 Lead-Based Paint Renovation Programs and fund a national Tribe-to-Tribe mentor program to engage more Tribes in administering these programs.
 - Set aside funding for Tribes to engage in monitoring of exposure pathways through fish and plants in locations of Tribal significance to inform TSCA risk evaluations, including new chemicals, with a focus on resources central to Tribal lifeways and subsistence practices.
 - Conduct regional workshops for Tribes on the TSCA Lead Program, including application processes, best practices, and technical aspects.
 - Establish a mentorship program connecting experienced Tribes with Tribes who are new to the program.
 - Assign dedicated EPA staff members to serve as liaisons for Tribes interested in the TSCA Lead Program.
- **Provide funding for Tribes to educate Tribal citizens and community members on the dangers toxics pose to communities throughout Indian country,** using updated materials and working with the Toxics Release Inventory program. This work will be supported through pilot Tribal lifeways trainings conducted in partnership with the NTTC to build Tribal capacity in identifying



and applying exposure pathways tied to Tribal lifeways. All data collection and exposure information will be Tribally driven and governed, consistent with Tribal data sovereignty principles.

- Include Tribal lifeways, Indigenous knowledge, and unique exposure in risk assessment work. Establish a process for early consideration of Tribal lifeways in EPA risk assessment and management work and add Tribal lifeways to the *Exposure Factors Handbook*.
- Provide assistance to Tribes to collect data on unique Tribal exposures to chemical pollutants. While the NTC appreciates that EPA recognizes Tribal sovereignty, it is often difficult to incorporate Tribal exposure scenarios into federal and state policies. Studies related to Indigenous lifeways are often politicized, criticized, and manipulated by the non-Tribal public because it can be difficult to understand subsistence cultures in an age of increasing consumerism. Tribes need EPA program support as they continue to seek to evaluate the impact of toxic chemicals on traditional practices and resources for usual and accustomed hunting, fishing, and gathering sites.
- Identify Tribe-specific exposures to toxics. National chemical risk management policies must fully consider Tribal exposure data, existing body burden levels, and data assessing the risks to Tribes. The NTC recommends funding for Tribes to conduct toxics monitoring, risk assessments, and bio-monitoring studies for Tribal chemical exposures. Supplemental funding is needed to perform the information gathering that EPA currently requires to evaluate whether risk management actions are effectively protecting subsistence lifeways.
- Support cumulative impact and environmental justice analyses in TSCA implementation. Tribal communities are often disproportionately impacted by multiple pollution sources, legacy contamination, industrial development, and urban growth impacts to Tribal resources. EPA should provide funding and technical assistance to Tribes to support cumulative risk evaluations, mapping, biomonitoring, and community exposure assessments.
- **Develop local ordinances.** The NTC recommends that EPA fund training and media-specific technical assistance for Tribal governments and staff on ordinance development to reduce the exposure of Tribal citizens to chemicals in consumer products and community building and housing materials, as well as safer management and disposal of consumer products containing hazardous chemical pollutants. In the interest of cooperative federalism, EPA must also support the implementation of Tribal ordinances and regulations once they have been developed.
 - Provide support for Tribal governments to develop local chemical safety, pollution prevention, and toxics reduction ordinances tailored to Tribal exposure pathways, cultural uses, and community priorities.
 - Support implementation and enforcement capacity for Tribal toxics ordinances after adoption, including training, inspections, outreach, and compliance assistance.



- **Network, collaborate, and provide outreach with and to Tribes through the NTTC.** EPA's TPGs, like the NTTC, are vital links between EPA and Tribal communities. Increased funding is needed for the NTTC to develop outreach materials that engage Tribal communities in chemical management. Currently, complex technical subjects are not explained in lay terms within these materials. Additionally, the NTC recommends providing funds for Tribal training to build basic "program capacities related to the federal asbestos, pesticides, and toxics programs and evaluate the type of related issues that may be facing the community," as recommended in GAP guidance. Training is essential for Tribes to learn how to gather relevant data they can use to make program development decisions. Training should include engaging Tribal communities on chemical safety and pollution prevention issues.

Previous EPA investments in NTTC engagement have significantly improved Tribal participation in national toxics policy discussions and strengthened EPA's understanding of Tribal exposure conditions and cumulative impacts. The NTTC serves as a nationally representative technical forum that provides EPA with critical Tribal expertise on risk evaluation, subsistence exposure, treaty-protected resources, Indigenous knowledge, and environmental justice concerns. The NTTC provides EPA with a cost-effective national forum for obtaining Tribal technical expertise and feedback across multiple chemical and pollution prevention programs, avoiding the inefficiencies of fragmented Tribe-by-Tribe engagement on individual rulemakings. Continued investment in the NTTC supports longstanding federal priorities related to meaningful Tribal consultation, cumulative impacts, and science-based decision-making.

- Increase dedicated funding for NTTC coordination, outreach, technical review, and Tribal engagement activities related to TSCA implementation and emerging contaminants.
- Develop pilot Tribal lifeways trainings with one to two Tribes through the NTTC to identify exposure pathways, incorporate Tribal lifeways into TSCA work, and support Tribal exposure scenarios. These trainings will serve as a scalable model for other Tribes.
- The NTTC will support the implementation of trainings, development of Tribal exposure inputs, and coordination of feedback into EPA's risk evaluation processes.
- Outputs may include Tribal exposure summaries, community-informed data inputs, or guidance to inform TSCA risk evaluations.
- This work will strengthen the inclusion of Tribal data and lifeways in federal chemical risk evaluation and risk management decisions.
- **Promote pollution prevention in Indian country.** To achieve this goal in Indian country, the NTC recommends that EPA:
 - Conduct a comprehensive needs assessment to identify specific Tribal challenges and priorities related to pollution prevention.
 - Prioritize the implementation of pollution prevention (P2) solutions specific to Tribal needs by developing P2 program policies and procedures that make use of available Tribal



exposure data and existing body burden levels and by developing P2 program priorities that align with Tribal community P2 priorities.

- Provide multiyear grant resources for Tribe-specific P2 grants that waive all fund-matching requirements and fund toxic source and waste reduction activities to enhance the implementation of integrated solid waste management programs in Indian country.
- Launch pilot projects in collaboration with Tribes to demonstrate the effectiveness of P2 solutions tailored to Tribes' needs.
- Develop grant programs for Tribes to implement P2 initiatives in their communities.
- Lessons learned from pilot trainings and projects will inform regional and national expansion through NTTC and EPA partnerships.

Pesticides

The NTC is proposing a \$10.35 million budget package to increase and reallocate funding specifically to supporting Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) pesticide cooperative agreements with tribes in Regions 1, 2, 3, 4, and 7, as well as to expand its direct implementation responsibilities and maintain its existing agreements and partnerships with effective programs in Regions 5, 6, 8, 9, and 10. The NTC requests this sum for the Tribal Pesticide Program (under FIFRA) as a direct implementation package and for existing programs.

Federal certification and training plans provide licenses and oversight in Indian Country through 24 cooperative agreements, where previously, restricted-use pesticides were used and sold in Indian Country illegally for decades without regulatory oversight. Significant quantities of general and restricted-use pesticides are used in Indian Country for agricultural crops, non-agricultural buildings, and structures (e.g., power lines, roads, casinos, hotels, schools). Pesticides are used to prevent disease, control bacteria and fungi in hospitals, and other areas. Additionally, they are used to manage invasive weeds to maintain areas for recreation and subsistence gathering areas. In 2011, EPA piloted a federal certification program stating that within the boundaries of Indian Country, one must have certification to use pesticides. However, there is an overwhelming enforcement gap.

The NTC makes the following requests:

- **Increase Tribal pesticide funding.** Provide full funding to Tribes for pesticide-related activities.
 - Provide funding sufficient to support 1.5 FTE within Tribal pesticide offices, departments, or divisions at wages that reflect the local cost of living in each region. Cooperative agreement funding levels have remained largely unchanged for decades; increasing these amounts to match current inflation is essential to maintain program continuity and allow Tribes to operate their pesticide programs effectively and efficiently.
 - Establish regional training centers focused on pesticide safety, application, and compliance for Tribal personnel.
 - Develop data-sharing agreements between Tribes, EPA, and universities to facilitate the creation of more accurate risk assessment models including Tribal lifeways.



- Continue to support the Tribal Pesticide Council.
- Provide dedicated funding for pesticide testing in water. Although cooperative agreement workplans require Tribes to identify Pesticides of Interest (POI) and Pesticides of Concern (POC), no corresponding appropriated funds exist to support this mandated activity.
- **Enforcement and compliance.** Expand programs in areas where there is limited or no existing coverage of Indian country and increase funds to retain and maintain existing Tribal programs.
 - Collaborate with Tribes to develop standardized enforcement protocols for pesticide use in Indian country.
 - Offer training and resources to bolster Tribal enforcement capabilities, including investigation techniques and recordkeeping.
 - Conduct joint enforcement actions with Tribes to address violations and deter illegal pesticide use.
 - Make sure Tribes have access to the same technological tools the state inspectors have, including database and tracking software.
- **Education and Training.** The NTC requests that EPA update its outreach and education materials to explicitly include Tribal populations and communities. EPA, other federal agencies, and numerous organizations funded through EPA cooperative agreements produce extensive educational, outreach, and training materials on pesticide use and safety. However, these materials rarely address Tribal governments or Tribal populations, despite the fact that regulatory, legal, and cultural conditions on Tribal lands differ significantly from those on non-Tribal lands.

EPA has recently begun revising its training materials for certifying private applicators of restricted use pesticides (RUPs) within Indian Country to incorporate Tribal-specific scenarios and clarify the distinct rules and requirements that apply on Tribal lands. The NTC supports this effort and recommends expanding it across all relevant outreach and training materials.

 - Revise outreach materials in the same manner as the updated RUP certification training for private applicators in Indian Country. Expanded materials should go beyond RUP certification to include enforcement resources, Worker Protection Standard (WPS) documents, the National Pesticide Applicator Certification Core Manual, and materials produced by Pesticide Safety Education Programs.
 - Provide funding to develop Tribal-specific outreach and education materials related to pesticides, separate from EPA's updates to existing federal outreach and training materials.
 - Collaborate with the TPPC in producing updated outreach and training materials that are Tribal-specific and responsive to the needs and circumstances of Tribal governments and communities.



- **Endangered Species Act (ESA) Compliance.** The NTC requests that EPA evaluate the effectiveness of its current ESA compliance strategies and continue exploring additional approaches to achieve full compliance. The TPPC Pollinator Workgroup focuses directly on ESA obligations and the impacts pesticides have on pollinators. EPA has acknowledged that, even with ongoing strategy development, the Agency will not reach full ESA compliance under its current trajectory. This underscores the need for continued and strengthened pollinator protection efforts to prevent further species from becoming endangered or threatened.
 - Strengthen and accelerate ESA compliance strategies to achieve full compliance as soon as possible.
 - Develop policy and guidance that formally includes Tribes as co-regulators—consistent with the cooperative federalism model—ensuring Tribal concerns about endangered species are incorporated as ESA strategies are developed and revised.
 - Implement regulatory actions to ensure the bee industry meets licensing, training, recordkeeping, and pesticide-use requirements, along with other best management practices essential to pollinator protection and ESA compliance.
 - Provide training for Tribal land management personnel on pollinator-friendly habitat restoration techniques.
 - Establish seed banks and native plant propagation programs to support pollinator populations on Tribal lands.
 - Create a Tribal knowledge-sharing platform for successful strategies and lessons learned in addressing pollinator decline.
- **Address issues in pollinator decline.** The NTC asks that EPA continue to fund and provide technical assistance to Tribes in developing and implementing pollinator protection plans in accordance with EPA guidance.
 - Implement regulatory actions to make sure the bee industry complies with licensing, training, recordkeeping, and proper use of pesticides in addition to other best management practices.
 - Organize training programs for Tribal land management personnel on pollinator-friendly habitat restoration techniques.
 - Establish seed banks and native plant propagation programs to support pollinator populations on Tribal lands.
 - Create a platform for Tribes to share successful strategies and lessons learned in addressing.
- **Children’s Health.** The NTC requests that EPA place greater emphasis on children’s health by reducing pesticide exposure pathways and minimizing associated impacts. Even at very low levels, pesticide exposure in children has been linked to increased rates of developmental and health conditions, including ADHD, autism, reduced IQ, childhood cancers, asthma, diabetes,



and obesity. Children of farmworkers and those living or attending school near agricultural operations face heightened exposure risks and require targeted protections.

- Evaluate the registration of pesticides with endocrine-disrupting properties, including those that pose greater risks in vitro, to infants and children, or through long-term exposures.
- Collaborate with Tribes and manufacturers to reduce children’s pesticide exposure and mitigate health impacts.
- Revitalize and fully support EPA’s Endocrine Disruptor Screening Program to ensure robust evaluation of chemicals that may affect children’s development.
- Develop guidance and prioritize integrated pest management (IPM) to reduce—or eliminate—pesticide use in and around schools.
- Provide funding for biological studies examining children’s pesticide exposure in schools located near agricultural operations.
- **Incorporate Tribal Exposure Data into EPA Risk Assessments.** The NTC requests that EPA provide funding to support sampling and analysis of pesticides across multiple media—including water, vegetation, animal fat, and other tissues—to ensure Tribal exposure pathways are accurately reflected in EPA risk assessments. The TPPC’s 2020 *Status of Pesticides in Indian Country Report* identified the need to define Tribal Pesticide Exposure Scenario Pathways as a priority. These pathways must be understood to produce risk assessments that accurately characterize how Tribal members encounter pesticides and at what levels. Tribal exposure pathways include economic, recreational, cultural, and subsistence activities, many of which—particularly cultural and subsistence practices—are not adequately recognized or incorporated into current risk assessment models.
 - Provide funding to cover the costs associated with pesticide sampling and analysis for Tribal-specific risk assessment projects.
 - Offer technical assistance for sampling plan development, field sampling, and interpretation of analytical results.
 - Coordinate with Tribes to incorporate Tribal exposure pathways into EPA’s risk assessment and analysis processes during new pesticide registrations and registration reviews.
- **Per- and Polyfluoroalkyl Substances (PFAS).** The NTC requests that EPA provide funding to support PFAS testing in environmental media associated with pesticide applications. PFAS contamination poses significant risks to human health and the environment, and Tribes require dedicated resources to assess PFAS presence in water, soil, vegetation, air, and other media relevant to Tribal lands and lifeways.
 - Provide technical assistance for the development of Quality Assurance Project Plans (QAPPs) for PFAS testing.



- Fund PFAS sampling and analysis across water, soil, vegetation, air, and other environmental media.
- Continue reviewing pesticides for PFAS content—including active ingredients, inert ingredients, adjuvants, and surfactants—and compile and share a list of products known to contain intentionally added PFAS.
- Coordinate with the TPPC and ensure Tribes are informed of new studies, regulations, and policies related to PFAS and their impacts on human health and the environment.
- **Direct Implementation.** There are 573 federally recognized Indian Tribes in the United States, yet fewer than 30 Tribes are currently covered by EPA pesticide regulatory program cooperative agreements. For the vast majority of Tribes not participating in cooperative agreements, EPA retains full direct implementation responsibilities to ensure that FIFRA is carried out as intended by Congress. At present, each EPA regional office approaches its FIFRA direct implementation responsibilities in Indian Country and Alaska Native Villages differently, resulting in inconsistent levels of support, oversight, and coordination.

The NTC recommends that EPA develop a standardized, Agency-wide approach to direct implementation in Indian Country and Alaska Native Villages—similar to the model used in Wyoming, the only state where EPA maintains direct implementation responsibilities. A consistent national framework would improve clarity, equity, and effectiveness across all regions.

Enforcement of and Compliance with Tribal Environmental Laws

Strengthening Tribal enforcement capacity directly advances Pillar 3 by operationalizing cooperative federalism and ensures consistent environmental protections under Pillar 1.

FY 2028 budget request: \$553.35 million

Enforcement and Compliance are woven throughout every priority area and recommendation; therefore, rather than assign a standalone budget line, we treat them as fully embedded within the overall FY 2028 budget request.

The NTC recommends that EPA do the following:

- **Incorporate Tribal risks in risk assessments.** EPA should develop and implement an agency-wide policy to include all unique Tribal risks prior to conducting program risk assessments.
- **Allocate funds based on numbers of Tribal inspectors.** EPA should provide funding to each region based on the number of federally credentialed Tribal inspectors to support Tribal and EPA compliance assurance and monitoring activities. EPA should also support an increase in Tribal inspectors over time.



- **Promote EPA’s enforcement and compliance support to Tribes.** EPA should increase awareness of the compliance and enforcement assistance available to Tribes from EPA’s Office of Enforcement and Compliance Assurance.
- **Address the most highly exposed and disproportionately impacted populations.** EPA should develop and implement a formal, agency-wide directive for evaluating Tribal exposure pathways to address these populations. The NTC recommends including Tribal exposure pathways in risk assessments of toxic chemicals and in clean-up standards. The NTC believes that institutionalizing the evaluation of Tribal exposure pathways is a priority for:
 - Air quality,
 - Water quality,
 - Clean-up standards for contaminated sites,
 - The assurance of safety of chemicals, and
 - Environmental enforcement and compliance.



Conclusion

The FY 2028 NTC Budget and Priorities recommendations present a unified Tribal vision for strengthening environmental protection; advancing cooperative federalism; and ensuring Tribal Nations can fully exercise their sovereign authority to protect their lands, waters, and communities. These priorities reflect decades of Tribal expertise, lived experience, and partnership with EPA, and they underscore the urgent need for equitable funding, consistent engagement, and durable policy commitments.

Implementing these recommendations will directly advance EPA's Powering the Great American Comeback initiative by improving environmental quality, supporting responsible energy development, strengthening permitting systems, expanding environmental data capacity, and protecting communities affected by industrial and transportation corridors. More importantly, they will uphold the federal government's trust and treaty responsibilities and ensure Tribal Nations are recognized and supported as coequal partners in national environmental governance.

The NTC stands ready to work with EPA leadership to institutionalize Tribal priorities across all media programs; strengthen intergovernmental coordination; and build a future where Tribal environmental programs are fully funded, fully respected, and fully integrated into EPA's mission. Together, we can advance a resilient, equitable, and prosperous future for Tribal Nations and the nation as a whole.