

Tribal applicants experience systemic barriers to access federal programs, funding, and services. For example, federal cost-share requirements can create obstacles for Tribes with limited financial resources to match funds. GAO has made recommendations to several agencies to help alleviate these barriers.

The Big Picture

The Office of Management and Budget annually reports the amount of federal funding by fiscal year that benefits or relates to American Indians and Alaska Natives (AI/AN). We have found that when Tribes compete with others for funding, they may receive a small portion of the total amount. We and others have previously found that limited access to federal funds and services contribute to long-standing disparities between AI/AN individuals and other Americans.

For decades, we have identified challenges Tribes face in navigating federal programs and accessing federal funding. Although agencies have made progress in some areas by addressing our recommendations, systemic barriers remain across a variety of federal efforts. Additionally, in 2023, Executive Order 14112 recognized the undue burden placed on Tribes when accessing federal funds. The Executive Order directed agencies to proactively and systematically identify and address these burdens, including their root causes, where possible. It also acknowledged that such actions would be consistent with the federal government's commitment to fulfilling its trust responsibility. This Snapshot summarizes our recent findings about barriers to access and ways some agencies have addressed them, often in response to our recommendations.

What GAO's Work Shows

We identified the following challenges Tribes may face when accessing federal agencies' programs and services: capacity limitations, financial constraints, limited agency communication, and remoteness of Tribes and federal agencies' limited awareness of tribal traditions and cultures. These obstacles in combination with <u>common program characteristics</u> can create additional barriers for Tribes seeking federal assistance.

Limited staffing and administrative burden

Tribes may have limited staffing and administrative capacity which makes it challenging to identify, apply for, and monitor funding spread across multiple agencies and programs.



Managing administrative burdens such as <u>application</u> <u>and reporting requirements</u> can strain Tribes' staffing capacity. For instance, Tribes may not have program staff or may require additional <u>technical assistance</u>.

We also found that

- Tribes can experience challenges <u>navigating</u> <u>applications for multiple federal programs</u>; and
- smaller Tribes can have limited capacity such as fewer staff to fill out program applications, especially for <u>competitive grants</u>, which has limited their access to federal assistance.

To address this barrier, some agencies have

- provided <u>financial assistance</u> to help Tribes build capacity to the extent allowed by law; and
- minimized administrative burdens by <u>streamlining applications</u>; adopting <u>compatible templates</u>, policies, and <u>procedures</u> across agencies; and using <u>selfdetermination contracts</u>, self-governance <u>compacts</u>, or other <u>flexible program delivery</u> <u>mechanisms</u>, whenever possible.

Financial constraints and economic development Financial or economic development constraints can be significant obstacles to accessing certain federal programs, especially for smaller Tribes.

Financial constraints may hinder access to federal programs. For example, tribal governments generally

do not have access to the traditional taxes that state and local governments can levy and therefore must rely on a <u>combination of federal funds and economic</u> <u>development initiatives</u> to support their operations.

We have also reported that

- federal programs' <u>cost-share requirements</u> can be an obstacle for Tribes that do not have the resources to provide matching funds; and
- additional financial burdens for grant recipients—such as <u>upfront costs</u> before reimbursement—could be impossible for some Tribes to pay. Also, <u>federal processing</u> <u>delays</u>, such as those during the COVID-19 pandemic, have resulted in increased costs and <u>short spending time frames</u> for Tribes.

To address this barrier, we have found that

- some agencies have <u>lowered cost-share</u> <u>requirements</u> to the extent allowed by law and better supported tribal economic development and planning by <u>improving federal processes</u> to ensure timely service delivery; and
- Congress has <u>lowered cost-share</u> requirements and established <u>longer</u> spending time frames to use federal relief <u>funds</u>.

Limited agency communication

Limited agency communication on (1) consultation efforts, (2) outreach on other relevant information, and (3) feedback on the application process or results can hinder Tribes' access.



Limited agency communication with Tribes, such as a lack of or ineffective consultations, can contribute to delayed payments to Tribes.

Some Tribes have also experienced

agency officials' limited knowledge of historical context, combined with a lack of indepth training on tribal consultations, which can result in agency officials reacting defensively and hinder <u>effective consultations</u>;

- delays or limited agency outreach on relevant information, including <u>grant opportunities</u>, which can impede Tribes' ability to act effectively; and
- a lack of constructive feedback from federal agencies on grant applications, which can delay or hinder Tribes' decisionmaking in pursuing other funding options.

To address this barrier, some agencies have

- provided training to their staff on effective government-to-government consultation practices, such as collaborative agenda setting, understanding historical context and key concepts such as treaty rights;
- improved <u>outreach efforts to increase access</u> to information, such as funding opportunities and <u>technical assistance on applications</u>; and
- provided <u>constructive feedback</u> to tribal applicants in a timely manner to inform Tribes' decision-making and planning efforts.

Remoteness of Tribes and limited federal awareness of Tribes' traditions

Tribes can experience challenges due to limited federal understanding and consideration of (1) geographic and physical barriers and (2) Tribes' traditional and cultural factors.

The <u>remote locations of some Tribes</u> may pose challenges due to <u>limited infrastructure</u> and hinder access to federal services. Additionally, agencies sometimes have a limited understanding of <u>Tribes'</u> <u>traditional practices</u> and may not consider Indigenous ecological knowledge and stewardship practices.

To address this barrier, some agencies have

- incorporated consideration of infrastructure barriers, as well as traditional ecological knowledge and stewardship practices in federal program design and administration to the extent allowed by law; and
- increased <u>regional outreach to Tribes</u> and built relationships to improve agencies' ability to work with Tribes and respect tribal approaches.

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