

# Tribal Leader Briefing Materials

**Tribal Consultation - Indian Affairs  
Workforce Efficiency and Productivity  
(EO 14210) and Emergency Permitting  
Procedures to Strengthen Domestic  
Energy Supply**



Drafted May 2025



# Contents

<b>Background on Consultation Topics:</b>	<b>4</b>
• Executive Order 14210 – Establishing and Implementing the President’s “Department of Government Efficiency” (DOGE)	4
• DOI Secretarial Order 3429: Consolidation, Unification and Optimization of Administrative Functions.	4
<b>Analysis: Potential Impact of DOI Agency Reorganization on Indian Country Agriculture</b>	<b>5</b>
<b>Opportunities Exist</b>	<b>7</b>



# Tribal Consultation on Executive Order 14210

On February 11, 2025, President Trump issued an [Executive Order \(EO\) 14210](#) establishing the “Department of Government Efficiency” Workforce Optimization Initiative. The order aims to reform the Federal workforce to maximize efficiency and productivity. Each agency is required to develop an Agency Reorganization Plan. In support of this effort, the Department of the Interior (DOI) is holding a series of formal Tribal consultations on the implementation of the EO and related topics.

[Read the Dear Tribal Leader Letter here.](#)

After the initial consultation announcement, [DOI requested Indian Affairs](#) include an additional topic in its upcoming Tribal consultations related to EO 14210 concerning the Department’s emergency permitting procedures, announced on April 23, 2025, in response to the National Energy Emergency declared by President Donald J. Trump. This briefing note contains information concerning the original consultation topics concerning staffing and efficiencies.

In accordance with language in the “Dear Tribal Leader” letter, the Administration’s objective is to streamline operations while minimizing any potential impact on the quality of service to Tribes. The agencies listed below will seek direct engagement with Federally recognized Tribes to receive formal input through consultation. Comments on critical needs for these entities may inform the department for its staffing and resource allocation plans:

- Bureau of Indian Affairs (BIA)
- Bureau of Indian Education (BIE)
- Bureau of Trust Funds Administration (BTFA)
- Office of the Assistant Secretary-Indian Affairs (ASIA)

All consultations have an online participation option. Two consultations are online only. Please note the [addendum to the Dear Tribal Leader Letter concerning REAL ID requirements](#) to enter Federal buildings at in-person consultations. Photo ID issued by Federally recognized Tribes will be accepted for entry. Dates and locations for consultations are:

- May 20, 2025, - 10 a.m. to 3:30 p.m. Alaska Time – Anchorage, AK [Register Here](#)
- May 22, 2025 - 10 a.m. to 3:30 p.m. Pacific Time – Sacramento, CA [Register Here](#)
- May 27, 2025 - 10 a.m. to 3:30 p.m. Mountain Time – Albuquerque, NM [Register Here](#)
- May 29, 2025 - 10 a.m. to 3:30 p.m. Central Time – Bloomington, MN [Register Here](#)
- May 30, 2025 - 10 a.m. to 3:30 p.m. Eastern Time – Virtual Only [Register Here](#)
- June 3, 2025 - 10 a.m. to 3:30 p.m. Central Time – Oklahoma City, OK [Register Here](#)
- June 5, 2025 - 10 a.m. to 3:30 p.m. Eastern Time – Washington D.C. [Register Here](#)
- June 6, 2025 - 10 a.m. to 3:30 p.m. Eastern Time – Virtual Only [Register Here](#)
- June 12, 2025, from 10 a.m. to 3:30 p.m. Central Time – North Dakota [Register Here](#)

Written comments can also be submitted to [consultation@bia.gov](mailto:consultation@bia.gov) or sent by mail to the Department of the Interior, Office of Regulatory Affairs and Collaborative Action, 1001 Indian School Road NW, Suite 229, Albuquerque, NM 87104. The deadline to submit a written comment for the record is July 7, 2025.

## Background on Consultation Topics

This consultation concerns DOI's efforts to develop and implement an Agency Reorganization Plan. DOI was directed to develop this plan by Executive Order 14210 and will carry it out based on a recently released Secretarial memo. Both are discussed with an analysis of potential Indian Country agriculture impacts from any possible departmental reorganization.

### Executive Order 14210 – Establishing and Implementing the President's "Department of Government Efficiency" (DOGE)

An executive order is a directive issued by the President of the United States that manages operations of the Federal government.<sup>1</sup> Executive orders have the force of law but are not legislation and do not require approval from Congress.

Executive Order 14210 requires several actions including:

- Requiring the Director of the Office of Management and Budget (OMB) to develop a plan reduce the size of the Federal workforce.
- Requiring Agency Reorganization Plans from each Federal agency.
- Requiring agencies to only hire one new Federal employee for every four that leave.
- Revising the criteria for Federal employment suitability.
- Instructing agency heads to prepare for large-scale Reductions in Force (RIF), or elimination of Federal staff positions, prioritizing eliminations of staff performing non-essential functions and "Diversity, Equity, or Inclusion Program" staff.
- Directing agency heads to identify statutory authority creating the agency or subagency and make recommendations based on the authority, which if any agencies or subagencies should be eliminated.
- Ordering agency heads to develop a plan to ensure new career appointment hires are in highest-need areas and with consultation with the agency's DOGE lead.

Under the terms of this EO, agencies must identify statutory requirements that create the agency or its subparts. Agencies must submit reports on programs/departments that are not statutorily authorized and which could be eliminated. Those reports were due by March 15, 2025. The findings would inform an agency-drafted workforce reduction that that was due to be submitted to the OMB, which under this administration, has taken on a more assertive role in Federal workforce restructuring. OMB now is the deciding entity in administration-mandated reorganization plans, Federal workforce reductions, operations and the implementation of executive orders. Historically, the office played a more advisory role with Federal departments responsible for direction action in these areas.

Because it is subject to this order, DOI would likely identify areas where it could reduce staffing levels across its various agencies, including those serving Indian Country agriculture programs.

As of Monday, May 19, 2025, OMB issued guidance for agencies to develop plans to reduce staff, but DOI has not publicly released any plans specific to the department.

---

<sup>1</sup> According to 44 U.S.C.A. § 1505, executive orders are documents having general applicability and legal effect, and they must be published in the Federal Register unless they are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof (44 U.S.C.A. § 1505)[1]. EOs are published in the Federal Register, and they may be revoked by the President at any time.

## DOI Secretarial Order 3429: Consolidation, Unification, and Optimization of Administrative Functions.

To implement this Executive Order at DOI, on April 17, 2025, Secretary of the Interior Doug Burgum issued [Secretarial Order 3429](#).<sup>2</sup> DOI's Agency Reorganization Plan will be developed in accordance with the terms of the order. As such, the Assistant Secretary – Policy, Management and Budget (AS-PMB), Tyler Hassen, is designated the authority to coordinate the consolidation, unification, and optimization efforts within Interior's department, bureaus, and offices.<sup>3</sup> To inform the AS-PMB's efforts, DOI is engaging in this series of Nation-to-Nation consultations.

In late April 2025, several Federal employee unions filed a lawsuit against the executive branch seeking to block the executive order.<sup>4</sup> The lawsuits claim the EO exceeded presidential authority by mandating mass layoffs and reorganizations without Congressional approval. Plaintiffs claim the order would cause irreparable harm to agencies. Despite the ruling of district court judge directing the executive branch to pause its implementation, the Tribal consultations remain on schedule.



## Analysis: Potential Impact of DOI Agency Reorganization on Indian Country Agriculture

As DOI develops the Agency Reorganization Plan, the department seeks feedback on how to:

- improve efficiencies in their programming through staffing and reorganization;
- efficiently deliver program funding; and
- increase support for Tribal self-governance and self-determination.

<sup>2</sup> U.S. Department of the Interior, "SO 3429 - Consolidation, Unification and Optimization of Administrative Functions," April 17, 2025, <https://www.doi.gov/document-library/secretary-order/so-3429-consolidation-unification-and-optimization-administrative>

<sup>3</sup> U.S. Department of the Interior, "SO 3414 A5 - Amendment to SO 3414 Establishment of New Department Leadership Team and Temporary Redlegation of Authority," April 10, 2025, <https://www.doi.gov/document-library/secretary-order/so-3414-a5-amendment-so-3414-establishment-new-department>

<sup>4</sup> American Federation of Government Employees, AFL-CIO v. Trump, No. 3:25-cv-03698 (N.D. Cal. filed Apr. 28, 2025), <https://storage.courtlistener.com/recap/gov.uscourts.cand.448664/gov.uscourts.cand.448664.1.0.pdf>.



Impacts to Indian Country agriculture will depend greatly on what DOI decides to do with the number and location of their staff and offices. BIA is chronically understaffed and underfunded. Any reduction in staffing will impact Tribes, with a likelihood of harm to Tribal agriculture and other economic development opportunities. Even prior to the current administration, some BIA offices experienced Full Time Employment (FTE) vacancy rates exceeding 40 percent.<sup>5</sup> Tribal leaders, farmers and ranchers have repeatedly highlighted the impact this understaffing has on Indian Country economic development. Staffing levels at BIA result in capacity limitations impacting the timeliness of leasing approvals and often result in the cancellation of projects, investments, and jobs in Tribal communities. These delays impair economic development and stability, representing a failure by DOI to carry out the Federal trust responsibility. If DOI further reduces staff, Tribes and Indian Country farmers and ranchers will likely experience negative impacts.

There are many examples of Tribes' frustrations with existing delays and funding concerns. The [BIA's 2023 Tribal consultations on agricultural leasing regulations](#) provide a clear and recent picture of how Tribal producers are harmed by an understaffed and underfunded BIA.

The issues often cited by Tribal leaders and agriculture producers in the consultations included:

- **Customer Service** – Tribal agriculture producers at many in-person consultations reported BIA staff responsiveness is often poor, with understaffing cited as a reason for delays in administrative processing and a lack of technical assistance. Producers requested that BIA agriculture leasing regulations enforce reasonable timelines for BIA staff to review and provide remedies for mistakes or delays caused by staff errors or backlogs due to capacity. These enforceability provisions were especially necessary when those staff errors result in a negative impact to producers, lessees, and/or landowners.

Issues such as unauthorized leasing fees, deferred maintenance of BIA administered irrigation systems, delays resulting in missed USDA program enrollment and/or reporting deadlines, and delays in providing requested information needed to process USDA Farm Service Agency direct loan applications should be addressed to improve service quality. Further, the proposed agriculture leasing regulations lacked specific timelines for BIA staff response or completion when processing applications, submissions, bids, and reports from Tribal producers. This was especially relevant concerning USDA conservation program applications which require BIA to affirm acreage reports, land ownership/leasing status, or other information for projects on Tribal lands prior to the enrollment deadline. The lack of aligned timelines exacerbated by BIA's chronic understaffing often results in producers missing USDA program deadlines through no fault of their own.



---

<sup>5</sup> Indian Affairs- Additional Actions Needed to Address Long-Standing Challenges with Workforce Capacity, Report to Congressional Committees. US Government Accountability Office, GAO-25-106825. Page 20. Published: Nov 13, 2024. Publicly Released: Nov 13, 2024. [https://files.gao.gov/reports/GAO-25-106825/index.html#\\_Toc181957857](https://files.gao.gov/reports/GAO-25-106825/index.html#_Toc181957857)

- **Trespass** – Tribal producers shared that BIA's inadequate enforcement of violations on leased lands due to the agency's understaffing is a significant problem frequently experienced by producers. Inadequate enforcement of these violations allows trespassers to steal the benefit of the agricultural lease, like grazing forage for livestock, or cause damage to the natural resources that should be available for the use of the lessee or landowner. Lack of enforcement frequently leads to confusion and conflicts among lessors, lessees, and neighbors, especially in the context of fencing disputes. Sometimes these land disputes can result in violence. Producers and Tribal leaders noted that understaffing drives the delays and results in inadequate enforcement in many cases, making these disputes far too frequent.
- **Agricultural Resource Management Plan (ARMP) and Tribal Agriculture Statutes** - Consultation participants called on BIA to recognize and adhere to ARMPs as authorized pursuant to the American Indian Agriculture Resource Management Act (AIARMA).<sup>6</sup> This law's provisions require the Secretary of Interior to comply with agriculture laws and ordinances enacted by Tribes governing agriculture lands and practices. It also provides Secretarial authority to waive DOI or BIA regulations or policies in conflict with a Tribe's ARMP objectives. Producers repeatedly noted that BIA does not implement or enforce Tribal agriculture laws or ARMP provisions that should govern and influence BIA staff service delivery. This feedback came as a result over concerns about the Bureau's understaffing and implementation of the AIARMA. They implored the Bureau to adhere to its own regulations and statutory requirements to increase local control and influence by Tribal governments.
- **Appraisals** - Producers also discussed the lack of timeliness and availability of BIA property appraisals. Producers also highlighted the disparity in appraisals of lands on reservation, held in trust or in restricted status compared to off-reservation or fee status lands. Many noted that immediately adjacent lands of similar physical characteristics often appraised differently simply due to land tenure status or location on/off reservation. Additionally, BIA fails to regularly perform updated grazing inventory costs necessary for accurate appraisals. Again, underfunding and understaffing at BIA was a noted factor contributing to these issues.

There is a significant likelihood that further staffing and funding cuts at DOI risk exacerbating these delays, which already harm Indian Country agriculture economic development and Tribal producers. Staffing reductions also threaten the limited depth of institutional knowledge, further compounded by recent staff terminations, regarding BIA's mission, trust obligations and statutory compliance efforts, especially regarding Indian Lands and agricultural production.<sup>7</sup>

Finally, if DOI eliminates any additional staff, much less the larger numbers contemplated in any Agency Reorganization Plan, Tribes should expect negative economic impacts to their communities, directly resulting from those staffing cuts. The Federal government, including Department of Interior, is also a major employer in Indian Country with many BIA positions held by Tribal citizens benefitting from statutorily authorized Indian hiring preferences.<sup>8</sup> Any job losses through agency reorganization will be keenly felt in Tribal communities where employment opportunities are frequently limited.

---

<sup>6</sup> American Indian Agricultural Resource Management Act, 25 U.S.C. §§ 3701-3746 (1993).

<sup>7</sup> For the purposes of this term "Indian Land," we share the definition governing DOI's interpretation. U.S. Government Publishing Office, "25 U.S.C. § 2201 - Definitions," 2023, <https://www.govinfo.gov/content/pkg/USCODE-2023-title25/pdf/USCODE-2023-title25-chap24-sec2201.pdf>

<sup>8</sup> *Indian Reorganization Act*, 25 USC §5116 (2024).

## Opportunities Exist

There may be opportunities for DOI and BIA to improve services through an Agency Reorganization Plan. Many - if not most - of those improvements would need staff support to be carried out.

It is also possible that should operational, regulatory, or statutory changes impacting service delivery, some Tribal Nations *might* be interested in carrying out services BIA previously provided. However, Tribes would seek Federal funding via self-governance compacts or self-determination contracts to perform those services. It is unclear how those funding needs align with the administration's goals to streamline both staff and budgets. Further, not all Tribal Nations choose to enter into self-governance or self-determination agreements for a variety of reasons. Some Tribes possess limited available resources for allocation/administration or internal staff capacity, while others prioritize and expect the Federal government adhere to and uphold its obligations under treaty terms and trust responsibility. Even in these instances, BIA staff would still be needed to carry out those services and functions for Tribes that prefer direct service.

DOI also has opportunities to leverage new and existing technologies to reduce workloads on remaining staff and create systemic redundancies to preserve institutional knowledge. Internal policies and procedures governing land and natural resource management efforts should be reviewed to determine if efficiencies are available that would streamline work processes.

For example, delays in updated grazing or water infrastructure inventories could be addressed by use of Light



Detection and Ranging (LIDAR) and drone technology to perform land and natural resource assessments. Better coordination with Tribes managing their own geospatial information services to access more recent data can improve accuracy and responsiveness to natural resource and agriculture management decision making and service delivery. The development of databases, or integration with the Trust Asset and Accounting Management Systems (TAAMS) to accurately track the development, implementation, and expiration of ARMPs and Tribal laws related to agriculture resources would assist BIA staff in meeting statutory obligations related to ARMP development and administration. Reorganization efforts that focus on interdepartmental and interagency cross-training and integration with an emphasis on preserving and developing institutional knowledge may support the satisfaction of statutory and trust obligations in a better way than large scale staffing reductions would.

Reorganizing and streamlining an already understaffed agency without impacting Tribal Nations and Tribal producers negatively will be a significantly challenging task.



## Relations with Other Federal departments

DOI staffing decisions are also likely to impact interdepartmental relations with other Federal entities. BIA's work covers a broad spectrum of topics and often results in subject matter overlap with other departments and agencies, requiring coordination to satisfy Tribal program and service delivery.

Specific to agriculture and conservation, DOI executed an interagency Memorandum of Understanding (MOU) in 2019, during the first Trump Administration, which remains in effect.<sup>9</sup> The MOU details BIA roles in relation to interdepartmental coordination over specific topics areas of Tribal agriculture. The terms of the MOU can also inform DOI of the potential for disruptions in delivery and coordination of referenced services should staffing cuts or reorganization occur.

Federal staff cooperation across agencies and departments is critical to Tribal agriculture, especially where production cycles occur on an annual basis with limited growing seasons. Delays and a lack of coordination mean missed opportunities for Tribes and Tribal producers. Natural resource stewardship also informs the ability to maximize agriculture economic development. Tribal leaders should urge DOI consider potential impacts of staffing cuts or reorganization efforts on areas critical to Tribes and their producers, including:

- forestry and wildland firefighting;
- land access and ownership;
- water rights and infrastructure;
- cultural resource protection and sacred sites.

Each has the potential to heavily influence agricultural activities in Indian Country. Federal service delivery and efficiency can mean the difference between a bumper crop or a year of loss. Indian Country agriculture producers may face direct, negative impacts if both or either departments (DOI or USDA) absolve themselves of staffing on such responsibilities. Tribal leaders should directly ask about those above areas – if they are relevant to their jurisdiction – and what DOI's plan is should staff or program delivery cuts occur.

These Nation-to-Nation consultations provide Tribal leaders and their proxies with an opportunity to discuss these considerations, and more, with DOI decisionmakers and staff.

IFAI has developed a Tribal comment template letter for those interested in submitting feedback during the consultations or through the comment period ending on July 7, 2025. The template letter focuses on responding to the inquiries shared by DOI in the Dear Tribal Leader letter issued on April 14, 2025 and includes consideration for Tribes to customize the letter to include their own priorities, examples and experiences.

[Download the template letter here.](#)

---

<sup>9</sup> Bureau of Indian Affairs, 54 IAM 1-H: Agricultural and Rangeland Management Handbook (U.S. Department of the Interior, July 2021), 54, [https://www.bia.gov/sites/default/files/dup/assets/public/raca/handbook/pdf/54%20IAM%201-H\\_AG-Range%20Handbook\\_FI-NAL\\_signed\\_w.footer\\_508.pdf](https://www.bia.gov/sites/default/files/dup/assets/public/raca/handbook/pdf/54%20IAM%201-H_AG-Range%20Handbook_FI-NAL_signed_w.footer_508.pdf); Bureau of Indian Affairs, Farm Service Agency, Natural Resources Conservation Service, and Cooperative Extension, *Memorandum of Understanding Relative to Planning and Implementing Certain United States Department of Agriculture Programs on Indian Lands* (Washington, DC: U.S. Department of the Interior and U.S. Department of Agriculture, 2024), <https://www.farmers.gov/sites/default/files/documents/mou-bia-fsa-nrcs-ext-2024.pdf>.