



The Navajo Nation DR. BUU NYGREN **PRESIDENT**

Yideeskáądi Nitsáhákees | *Think for the Future*

Submitted via email to: hjspra.comments@ojp.usdoj.gov

July 30, 2026

Mr. Steven Perry
Bureau of Justice Statistics
999 North Capital Street, NE
Washington, D.C. 20531

Dear Mr. Perry,

On behalf of the Navajo Nation, I offer the following comments regarding the Reinstatement of the Census of Tribal Law Enforcement Agencies, in response to the Federal Register Notice published on June 4, 2026.

The Navajo Nation ("Nation") is the largest tribal nation in the United States, with over 400,000 enrolled members and a land base of more than 27,000 square miles with three states spanning our lands– Arizona, New Mexico, and Utah. Our Nation comprises a land area larger than the state of West Virginia.

In 1868, the United States entered into a treaty with the Navajo Nation, pledging to provide healthcare, education, agricultural support, and to promote the general welfare of the Navajo people. Consequently, the United States Government is both legally and morally obligated by this treaty – and the sacred trust responsibility – to assist the Navajo Nation in confronting the numerous difficulties our people encounter, including safeguarding our people and the land held in trust for them.

It is in the spirit of our government-to-government relationship with the United States, rooted in the Treaty of 1868, that the Nation provides the Bureau of Justice Statistics (BJS) with the following comments regarding the Census of Tribal Law Enforcement Agencies (CTLEA).

Law Enforcement in Indian Country is severely under-resourced. American Indians experience disproportionately high rates of violent crime – 4 in 5 American Indian women are victims of violence in their lifetime – and the Missing and Murdered Indigenous Persons crisis continues to plague Indian Country. Despite this, the Bureau of Indian Affairs' Office of Justice Services (OJS) is underfunded by more than \$3.5 billion.

Many tribal law enforcement agencies are operated by tribes under self-determination contracts authorized by P.L. 93- 638, the Indian Self-Determination and Education Assistance Act. These contracts are known as “638 contracts.” OJS is responsible for administering the funding for these 638 contracts, in addition to providing direct-service law enforcement on more than 30 reservations that do not use 638 contracts. The Navajo Nation utilizes 638 contracts for both patrol services and criminal investigations.

On the Nation, more than 70 men and women are currently reported missing. The oldest of these cases dates back to 1972. On average, the Navajo Police Department responds to more than 200,000 calls for service each year, with more than 40 homicides. Roughly half of those 200,000 calls are for a violent crime.

The underfunding of OJS leaves the Navajo Nation with only 200 patrol officers, on average, to protect a reservation of more than 27,000 square miles with millions of visitors each year. The funding received by BIA that trickles down to OJS, then into the self-determination law enforcement contracts, and then into the self-determination contracts, even for the largest tribe in the country, is wholly insufficient to sustain effective and efficient law enforcement operations. With this limited funding, the Nation struggles with recruitment and the subsequent retention of officers. Limited resources to offer benefits like bonuses, pensions, insurance, and mental health services, combined with low salaries, leads to a high number of tribal officers leaving to work at county, state, or federal agencies that can offer better benefits.

Tribal officers are highly trained. They have experience working with both tribal and federal law and law enforcement and are often cross-commissioned to enforce some federal laws. They also work closely with federal agencies like the FBI in investigating cases occurring in Indian Country. This experience with federal law enforcement is incredibly attractive to other agencies that will try to “poach” officers from tribal agencies. As the retention issues worsen the understaffing crisis, tribal officers are then forced to work more overtime shifts, leading to higher rates of burnout. Officers are also working with less backup, increasing the danger of their jobs. Both the FBI and general best practices recommend an average of 2.8 officers for every 1,000 residents, but the Navajo Nation has **less than one officer** for every 1,000 residents.

Collecting data on the staffing, workloads, and operations of tribal law enforcement agencies provides critical insight to both lawmakers in Congress and leaders at federal agencies as to the conditions and challenges of law enforcement in Indian Country, and helps to ensure that they are able to create informed policies. It is critical to addressing the longstanding issues of MMIP and violent crime in Indian Country that BJS continue to collect and disseminate the data in the CTLEA, and the Navajo Nation is appreciative of the Bureau’s work on this census.

The Navajo Nation recommends that BJS include questions analyzing the funding of tribal law enforcement agencies in the CTLEA, as this is a critical factor in the staffing, workload, and operations of these agencies. As noted above, OJS is critically underfunded, and this has a trickle-down effect on tribes, their law enforcement agencies, and the general well-being and safety of tribal members and visitors.

Additionally, the Nation recommends conducting the CTLEA annually. Conducting this census on a regular basis will help convey trends in tribal law enforcement. As noted above, the CTLEA helps support informed decision-making, and regularly conducting this census will help visualize whether reforms instituted at the federal level are resulting in real change in Indian Country. The Nation also encourages BJS to disseminate reports on tribal matters, like the CTLEA, to all tribal leaders when they are approved for public release.

In closing, the Navajo Nation offers the following recommendations:

1. Inclusion in the CTLEA of questions on the funding of tribal law enforcement agencies to understand the impacts of underfunding on the operation, staffing, and workloads of tribal law enforcement agencies.
2. Conducting the CTLEA annually to examine trends and support informed decision-making.
3. Direct dissemination to all federally recognized tribal leaders of tribally focused BJS reports, like the CTLEA.

Should you have any questions or wish to discuss this matter further, please do not hesitate to reach out to Mr. Ammon Ranger, Acting Executive Director of the Navajo Nation Washington Office, at (202) 682-7390 or via email to ARanger@NNWO.org. *Ahéhee* (thank you).

Sincerely,

A handwritten signature in black ink, appearing to read "B. V. Nygren", with a stylized flourish at the end.

Dr. Buu Nygren, *President*

THE NAVAJO NATION