



STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
KRISTI NOEM | GOVERNOR

March 28, 2024

Oglala Sioux Tribe
Attn: President Frank Star Comes Out
PO Box 2070
Pine Ridge, SD 57770

President Star Comes Out,

I am reaching out to you with a handshake from my heart, "cante waste napeciyuzapi'ye." I hope this letter finds you well.

Earlier this week, I called for the U.S. Department of Justice, the U.S. Department of the Interior, and the Government Accountability Office to conduct comprehensive and public audits of federal funding to South Dakota's nine Native American tribal reservations. I know that you are struggling with violence and drug addiction on your reservation. The federal government is not upholding their treaty obligations to provide the law enforcement resources to address these challenges. These audits would determine the scope of the problem to help find solutions.

I also recognize your testimony to the U.S. Senate Committee on Tribal Affairs:

"The State of South Dakota lacks criminal jurisdiction over Indian Country crimes; thus, in reality, the sole provider of law enforcement services to the Oglala Sioux Tribe is the federal government. We believe this federal neglect has resulted in the cartel moving on to our reservation, an increase in overdoses, and a proliferation of guns on our school properties."

I am here to help. I support your lawsuits against the Biden Administration. I support your call for the resources that you need to keep your people – and my fellow South Dakotans – safe.

Over the last couple of days, I have heard clearly from more than a dozen members of South Dakota's tribes, including Oglala Sioux Tribe councilmembers,

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voicing support for such an audit. I will be inviting these folks to meet with me to discuss their concerns face-to-face as soon as they can.

Two days ago, Councilman Little Dog testified the following to your tribal council: that the Oglala Lakota Housing Authority had improperly purchased vehicles, that they hadn't returned \$7.6 million in ERA funds to the U.S. Treasury, that Housing was shifting and spending the money without appropriate oversight, and that \$12.4 million of the \$13.8 million budget – a staggering 90% – was being spent on salaries. He later said that Housing's reports "weren't true facts," and they purchased brand new trucks with money they didn't have. Meanwhile, they weren't doing their actual job of taking care of housing for the Tribe's residents.

The same day, Councilman Lunderman said, "I've never seen in black and white an actual budget of where we're at financially... At the end of the day, it's our people that are suffering... I do believe we need an auditor to come in." And he offered to make a motion to that effect. A motion for an audit of Oglala Lakota Housing Authority was later made, though it was rescinded.

Yesterday, Mr. Red Willow said in your council meeting, "We don't want... the district and local government to be weaponized. You know, (former President Donald) Trump is always saying, 'They're using the Justice Department, they're weaponizing it to attack me.' But we don't want the same situation with tribal government, to be weaponized, used against people who have questions. One comment, too, on Governor Noem – you know, she wants an audit on all the tribes, and there's some who'd be in agreement with that. We want to know what the heck's going on, too." He then got into the corruption of the Housing Authority.

These council discussions had quite a bit of additional conversation on lack of budget transparency, financial issues, and the community's safety.

Mr. President, these are serious issues, and I don't pretend to have all the answers, but I know this much – we are more likely to tackle these challenges if we work together. And we can start down the path towards working together by communicating with each other.

I believe that a Law Enforcement Agreement, much like your reservation has with Pennington County, would be mutually beneficial for the safety of both of our people. As we know, drugs do not see state, national, or tribal borders. Although the state and tribes might not always agree, the need for law and order in our communities is imperative to combat illegal activities in our most vulnerable and rural areas.

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My goal is for us to find common ground on this issue and enter into a Law Enforcement Agreement. Through this agreement, South Dakota Highway Patrol Officers would be able to assist in enforcing tribal law upon request, and without encroachment to your sovereignty or jurisdiction.

I would also like to offer my assistance and join you as you travel to D.C. to lobby your tribal needs. I spent four terms in Congress and have ongoing communications with members of Congress, senators, and colleagues on both sides of the aisle.

I am requesting the opportunity to come to the Pine Ridge Reservation to meet with you, your tribal council, and your people. Let's have a candid discussion about the challenges that we're facing and how to address them. Please contact Leslie Hicks at Leslie.Hicks@state.sd.us, my Secretary of Tribal Relations David Flute at David.Flute@state.sd.us, and my Secretary of Public Safety Bob Perry at Bob.Perry@state.sd.us to coordinate.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kristi Noem', with a long horizontal flourish extending to the right.

Kristi Noem
Governor