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GENERAL MEMORANDUM 25-019

Congress Passes Annual Defense Bill Including Tribal Provisions

On December 17, 2025, Congress passed the National Defense Authorization Act for FY 2026 (NDAA) ([S.1071](#)). In general, the bill sets the country's defense policy. Importantly, because it is an annual must-pass piece of legislation, the NDAA frequently includes policy riders, and sometimes those are relevant to Indian Country. This year's NDAA includes:

- **Sec. 223: Modifications to Defense Research Capacity Building Program.** The Defense Research Capacity Building Program aims to strengthen the science and engineering research infrastructure in colleges and universities. This provision requires the Department of Defense to ensure all of this program's funding opportunities include dedicated solicitations for Tribal Colleges and Universities, as well as Historically Black Colleges and Universities.
- **Sec. 7201 § 317: Special Advisor to the Commandant for Tribal and Native Hawaiian Affairs.** This establishes a new position in the Coast Guard for a Special Advisor on Tribal and Native Hawaiian Issues. This individual will be responsible for ensuring the Coast Guard upholds the trust and treaty obligation, including by coordinating Tribal consultations and advising the Coast Guard on policies that have Tribal implications.
- **Sec. 7203 § 722: Modification of Treatment of Minor Construction and Improvement Project Management, Cooperation with Eligible Entities.** This provision allows the Coast Guard, subject to appropriations, to provide financial assistance to certain Tribal and Native Hawaiian entities, like fisheries, when the Coast Guard takes actions that impact natural and cultural resources.
- **Sec. 3111 § 6179: Public Participation in Planning for Defense Environmental Cleanup.** This provision calls for consultation with affected Indian Tribes when the Department of Energy plans any defense environmental cleanup activities at its defense nuclear facilities.
- **Sec. 8202: Protect Our Children Act of 2008 Reauthorization.** This provision establishes a national strategy for child exploitation prevention and interdiction. It requires the strategy to include cooperation with Tribal Law Enforcement Agencies and provides technical assistance to participating Tribal Law Enforcement Agencies.
- **Sec. 8803: The Lumbee Fairness Act.** This provision will grant federal recognition to the Lumbee Tribe of North Carolina.

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