

A report to congressional requesters

For more information, contact Greta Goodwin at [GoodwinG@gao.gov](mailto:GoodwinG@gao.gov)

**What GAO Found**

With few exceptions, in states subject to Public Law 280 (P.L. 280), Tribes share criminal jurisdiction with the state, rather than the federal government, when a tribal citizen commits a crime or, in certain circumstances, is the victim of a crime in Indian country. However, P.L. 280 currently has limited effect on criminal jurisdiction in Alaska—a mandatory P.L. 280 state—because the Alaska Native Claims Settlement Act of 1971 eliminated most of the state’s Indian country. Nevertheless, Tribes in Alaska have inherent authority to exercise certain criminal jurisdiction which, due to other laws, is concurrent with the state. While Alaska and Department of Justice (DOJ) officials had consistent views, officials from the Department of the Interior’s Bureau of Indian Affairs (BIA) shared varying views on this concurrent jurisdiction during GAO’s review. By documenting BIA’s position on concurrent criminal jurisdiction in Alaska and making it readily available, BIA may help ensure consistent understanding of the authority of Tribes in Alaska.

Alaska’s status as a mandatory P.L. 280 state may affect Tribes’ access to certain federal public safety and justice funding. Specifically, BIA data for fiscal years 2017 through 2021 (the most recent data available) showed that Tribes in Alaska and other mandatory P.L. 280 states received less funding than Tribes in all other states in the lower 48. Officials stated that BIA has limited discretionary funding and generally must continue to fund Tribes with existing funding agreements for public safety and justice programs at the same level as the prior year. When new discretionary funding is available, BIA officials stated they generally prioritize this funding for Tribes that do not receive public safety and justice services from their respective states. However, BIA has not documented criteria for entering into new funding agreements with Tribes for the first time. By doing so, BIA could provide greater transparency on funding decisions, particularly if Congress appropriates additional funding.

**BIA Public Safety and Justice Estimated Needs and Expenditures to Federally Recognized Tribes and Tribal Organizations, Fiscal Year 2017 Through 2021**

Tribes by P.L. 280 status	Tribal needs estimate	BIA expenditures
Alaska (Mandatory P.L. 280)	\$3,046,624,000	\$59,519,000
Mandatory P.L. 280 states in the lower 48	\$2,827,096,000	\$151,738,000
All other states in the lower 48	\$8,695,641,000	\$1,864,373,000

Source: GAO analysis of Bureau of Indian Affairs (BIA) Tribal Law and Order Act reports for fiscal years 2017 through 2021. | GAO-26-107533

Tribal leaders, Alaska Native community members, as well as federal and state officials identified numerous challenges related to public safety and justice in Alaska Native communities. In general, these challenges included high crime rates and limited public safety infrastructure, funding resources, and training. Federal, state, and tribal officials identified various efforts to improve public safety and justice in Alaska, including state-tribal wellness courts.

**Why GAO Did This Study**

In 1953, P.L. 280 rescinded most federal criminal jurisdiction in Indian country in certain states and provided it to these select states. As of January 2026, this affects approximately 65 percent of the 575 federally recognized Tribes, including Alaska—a state with one of the highest crime rates in the U.S.. Following the passage of subsequent federal legislation, some uncertainty has been raised about the extent to which P.L. 280 is applicable in the state of Alaska.

GAO was asked to review P.L. 280’s effect on public safety and justice on Alaska Native communities. This report addresses (1) the extent to which P.L. 280 affects criminal jurisdiction in Alaska; (2) the effects of P.L.280 on Tribes in Alaska; and (3) views on public safety and criminal justice challenges in Alaska. Among other methods, GAO analyzed relevant laws and federal memoranda on tribal jurisdiction in Alaska, as well as federal crime and funding data for fiscal years 2017 through 2024. GAO interviewed BIA and DOJ officials, as well as non-governmental stakeholders. GAO conducted listening sessions with a non-generalizable sample of over 50 tribal leaders and Alaska Native community members.

**What GAO Recommends**

GAO is making two recommendations to the Department of the Interior, including that it ensures BIA documents its position on concurrent criminal jurisdiction in Alaska and makes it readily available, and documents and communicates criteria for entering into new funding agreements for public safety and justice programs with Tribes. The Department of the Interior concurred with our recommendations via email, but did not provide comments on our draft report.