



USET

SOVEREIGNTY PROTECTION FUND

711 Stewarts Ferry Pike
Suite 100
Nashville, TN 37214
P: (615) 872-7900
F: (615) 872-7417
www.usetinc.org

April 5, 2022

Sen. Chuck Schumer
Majority Leader
U.S. Senate
S-221 U.S. Capitol Building
Washington, D.C. 20510

Sen. Mitch McConnell
Minority Leader
U.S. Senate
S-230 U.S. Capitol Building
Washington, D.C. 20510

Rep. Nancy Pelosi
Speaker
U.S. House of Representatives
H-232 U.S. Capitol Building
Washington, D.C. 20515

Rep. Kevin McCarthy
Minority Leader
U.S. House of Representatives
H-204, U.S. Capitol Building
Washington, D.C. 20515

Re: Preserve critical Tribal recovery funds

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Pelosi, and Minority Leader McCarthy,

We write on behalf of United South and Eastern Tribes Sovereignty Protection Fund (USET SPF) to urge that you immediately reconsider utilizing critical COVID-19 recovery funding designated for Tribal Nations as an offset in the upcoming COVID-19 supplemental. While we agree that additional funding for testing, vaccines, and therapeutics is absolutely necessary, this cannot and should not be accomplished to the detriment of Tribal Nations and your trust and treaty obligations as federal officials. We implore you to act with honor and ensure that Tribal Nations can continue to access 100% of the funding provided by the American Rescue Plan Act.

USET SPF is a non-profit, inter-tribal organization advocating on behalf of thirty-three (33) federally recognized Tribal Nations from the Northeastern Woodlands to the Everglades and across the Gulf of Mexico.¹ USET SPF is dedicated to promoting, protecting, and advancing the inherent sovereign rights and authorities of Tribal Nations and in assisting its membership in dealing effectively with public policy issues.

¹ USET SPF member Tribal Nations include: Alabama-Coushatta Tribe of Texas (TX), Catawba Indian Nation (SC), Cayuga Nation (NY), Chickahominy Indian Tribe (VA), Chickahominy Indian Tribe–Eastern Division (VA), Chitimacha Tribe of Louisiana (LA), Coushatta Tribe of Louisiana (LA), Eastern Band of Cherokee Indians (NC), Houlton Band of Maliseet Indians (ME), Jena Band of Choctaw Indians (LA), Mashantucket Pequot Indian Tribe (CT), Mashpee Wampanoag Tribe (MA), Miccosukee Tribe of Indians of Florida (FL), Mi'kmaq Nation (ME), Mississippi Band of Choctaw Indians (MS), Mohegan Tribe of Indians of Connecticut (CT), Monacan Indian Nation (VA), Nansemond Indian Nation (VA), Narragansett Indian Tribe (RI), Oneida Indian Nation (NY), Pamunkey Indian Tribe (VA), Passamaquoddy Tribe at Indian Township (ME), Passamaquoddy Tribe at Pleasant Point (ME), Penobscot Indian Nation (ME), Poarch Band of Creek Indians (AL), Rappahannock Tribe (VA), Saint Regis Mohawk Tribe (NY), Seminole Tribe of Florida (FL), Seneca Nation of Indians (NY), Shinnecock Indian Nation (NY), Tunica-Biloxi Tribe of Louisiana (LA), Upper Mattaponi Indian Tribe (VA) and the Wampanoag Tribe of Gay Head (Aquinnah) (MA).

Because there is Strength in Unity

As you seek opportunities to fully offset the bill, we urge you to consider the impacts of reducing funding to Tribal Nations and our citizens as we seek to recover from a once-in-a-generation pandemic. This will only exacerbate centuries of unfulfilled obligations and broken promises, many of which have come into horrifyingly sharper focus as a result of COVID-19.

The proposed language rescinds \$887 million from the Local Assistance and Tribal Consistency Fund, which provides a total of \$500 million in flexible funding to eligible Tribal Nations during FY 2022 and 2023. Under the proposed amendment, Tribal Nations would receive \$221.75 million less than previously allocated – a reduction of nearly 45 percent. Treasury only recently consulted with Tribal Nations on the allocation and uses of this funding, and it has not yet been distributed. Now, we face a reduction in the only funding that offers sufficient flexibility to utilize it for, “any governmental purpose deemed necessary.”²

The proposed legislation also intends to rescind or strike more than \$2.5 billion from the State Small Business Credit Initiative (SSBCI). Tribal Nations first gained access to the SSBCI under the American Rescue Plan Act in 2021, and the deadline for Tribal Nations applying to the program is still three months away. The reduction in SSBCI funding, therefore, has the potential to impact Indian Country, particularly given that technical assistance funding is being cut and, as first-time participants in the SSBCI, Tribal Nations are more likely to require technical assistance than other parties.

While some funds remain unspent, it is certainly not because they are unnecessary. Tribal Nations have encountered many barriers to accessing these and other relief dollars, including onerous reporting, matching, and other requirements that don't reflect our unique circumstances and relationship with the U.S. government, inflexibility in funding uses, delays in funding distribution, and lack of capacity to apply for numerous funding streams.

The federal government has consistently and chronically neglected its trust and treaty obligations, which is a direct cause of COVID-19's devastating impacts in Indian Country and further impedes our recovery. By ignoring these unfulfilled obligations and promises in considering cuts to Indian Country's funding, you are, once again, proposing to leave Tribal Nations behind. We urge you to reconsider any cuts to the funding identified for Tribal Nations and instead fight to ensure we are meaningfully included in any final agreement.

Thank you for your attention to this matter.

Sincerely,



Kirk Francis
President



Kitcki A. Carroll
Executive Director

² See www.finance.senate.gov/imo/media/doc/Statement%20for%20the%20Record%20on%20Sec.%20605.pdf