

## **April 17: USET SPF Alert: Contact Administration to Preserve Tribal Sovereignty and Government-to-Government Relationship**

Dear USET SPF Board of Directors and DC Tribal Reps,

USET SPF is working closely with a broad coalition of Tribal Nations and organizations to protect and defend our unique government-to-government relationship with the United States, as this Administration seeks to apply a dangerous reinterpretation of which entities are considered to be Tribal governments for the purposes of Title V of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. While the Administration continues to hold that Alaska Native Claims Settlement Act (ANCSA) corporations are eligible direct recipients of the \$8 Tribal set aside from the Coronavirus Relief Fund, a fund that is clearly designated for units of government—not for-profit corporations, USET SPF is engaged with our partners in a multi-faceted effort to stand strong against this breach of the trust obligation.

A joint Inter-Tribal organization [letter](#) [linked] has been transmitted to the Secretaries of the Interior and Treasury urging and laying out a legal argument for the proper interpretation of “Indian Tribe” under Title V—one that reflects our nation-to-nation relationship with the United States, the Indian law canons of construction, and Congressional intent. The letter also calls for the recusal of Assistant Secretary for Indian Affairs, Tara Sweeney, from this proceeding based on her clear conflict of interest. **We are urging our membership, and Tribal Nations and organizations across Indian Country, to send similar letters in order to demonstrate the strength of our nations in the face of this grave injustice against Tribal sovereignty.** We have developed a [template](#) [linked] for your use in this fight for the foundational principles of our status as governments.

It remains critical that the Administration and others fully understand the extent of Indian Country’s concern and outrage at this development. If the Administration is allowed to proceed in this manner, this will set a dangerous precedent that will have greater negative implications beyond the CARES Act; including, but not limited to, the delivery and fulfillment of trust and treaty obligations across the federal government. Such an action by this Administration would be an affront to our Tribal sovereignty and stand in violation of our sovereign-to-sovereign, government-to-government, nation-to-nation relationship with the United States.

We continue to examine our options as we seek to remedy the Administration’s failure to uphold its obligations to Tribal governments. These options include both legislative and legal action [see [lawsuit](#) filed by six Tribal Nations] to ensure that Tribal sovereignty and the trust relationship are not irreparably undermined by this fundamentally incorrect interpretation of “Indian Tribe” under the law. We will be sure to keep you engaged and apprised as these efforts proceed forward. In the meantime, please feel free to reach out with any questions or thoughts.

In solidarity,

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*Because there is Strength in Unity*