



USET

SOVEREIGNTY PROTECTION FUND

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*Transmitted Electronically
To consultation@bia.gov*

June 30, 2022

Bryan Newland
Assistant Secretary – Indian Affairs
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Assistant Secretary Newland,

On behalf of the United South and Eastern Tribes Sovereignty Protection Fund (USET SPF), we submit these comments in response to Tribal consultations held by the Department of the Interior (DOI) on the funding methodology for the Small Tribes Supplement Tribal Priority Allocation (TPA). President Biden's Fiscal Year (FY) 2023 Budget Request proposed an increase of \$18 million above the FY 2022 Small Tribes Supplement TPA enacted level to raise the minimum base threshold funding from \$200,000 in Alaska and \$160,000 in the contiguous 48 states to \$300,000 for all eligible Tribal Nations. DOI has determined that the current base amounts established in 1994 for the Small Tribes Supplement TPA are no longer sufficient for Tribal Nations with populations equal to or less than 1,700 to operate and sustain vital Tribal government operations. USET SPF appreciates and supports President Biden and DOI's proposal to increase the Small Tribes Supplement TPA from \$160,000 to \$300,000 for all eligible Tribal Nations. However, we encourage the Administration to view this action as an initial step on the path to fully funding the Small Tribes Supplement TPA to support vital governmental operations of Tribal Nations and uphold the federal government's trust and treaty obligations.

USET Sovereignty Protection Fund (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), Nansmond 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

Support for Increasing the Small Tribes TPA Threshold

In 1994, the Small Tribes Supplement TPA was created in an effort to establish a minimum baseline of funding for Tribal Nations with populations at or under 1700, so that they may have sufficient funding to engage in governmental operations. Across the federal government funding formulas that rely on population often disadvantage small Tribal Nations, as funding allocations are frequently too small to be impactful. Compounding this, the chronic underfunding of trust and treaty obligations leaves total funding available to DOI insufficient to deliver upon trust and treaty obligations.

In the 28 years that have elapsed since the Small Tribes Supplement TPA was established, the thresholds set in 1994 have never been increased. Thus, its purchasing power has diminished to the point where these amounts can no longer support governmental operations. That is why we strongly support increasing the threshold to \$300,000 for all Tribal Nations as a step in the right direction for more adequate base funding. Recognizing a larger number of Tribal Nations would likely be eligible for the supplement with this new threshold, DOI must ensure it has requested enough funding to provide the Small Tribes Supplement TPA to all eligible Tribal Nations. Furthermore, DOI must not allow decades to pass before revising the threshold again. Going forward, we encourage DOI to fulfill the Tribal-Interior Budget Council's (TIBC) FY 2024 Tribal Budget Submission, which requested an increase of \$4.627 million for the Small Tribes Supplement TPA to raise the base threshold to \$700,000 for all eligible Tribal Nations.

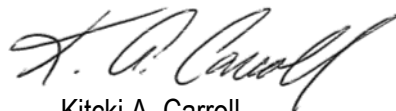
Conclusion

We appreciate the Administration's effort to raise the Small Tribes Supplement Tribal Priority Allocation from \$160,000 to \$300,000 for Tribal Nations. We again remind DOI that the Small Tribes Supplement TPA exists, in large part, due to unfulfilled trust and treaty obligations. While making adjustments to ensure all Tribal Nations have baseline funding is important, of greater importance is achieving full funding for all federal programs and services to Tribal Nations, including those at DOI. USET SPF urges DOI to commit to working with Tribal Nations and the TIBC to determine the full extent of its unfulfilled trust and treaty obligations, and then join us in advocating for full funding across the Department. We look forward to continuing to work with you on this issue. Should you have any questions or require further information, please contact Ms. Liz Malerba, USET SPF Director of Policy and Legislative Affairs, at LMalerba@usetinc.org or 615-838-5906.

Sincerely,



Kirk Francis
President



Kitcki A. Carroll
Executive Director