



# USET

SOVEREIGNTY PROTECTION FUND

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*Transmitted via email*

November 2, 2023

President Joe Biden  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear President Biden,

On behalf of United South and Eastern Tribes Sovereignty Protection Fund (USET SPF), we write to extend our deep appreciation to you and your Administration for the revival of the White House Tribal Nations Summit (WHTNS), and to provide you with recommendations on the format and structure of the event happening later this year. As you stated in your 2023 [Proclamation on National Native American Heritage Month](#), Tribal Nations are “vital members of the overlapping system of governments in the United States.” Your Administration’s continued commitment to hosting the WHTNS represents an essential step toward realizing this and other principles of our diplomatic Nation-to-Nation, sovereign-to-sovereign relationship, but there are additional opportunities to design an event that conveys to Indian Country, the nation, and the world your recognition of our governmental status. With this in mind, we offer the following items for consideration and discussion, as the 2023 WHTNS continues to take shape.

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.<sup>1</sup> 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.

### **WHTNS Format Should Reflect Diplomatic Relationship**

Over the course of the Administration (and during previous administrations), we have seen numerous White House engagements with visiting foreign and domestic dignitaries, including state dinners, meetings with governors and other state officials, and events focused on Congress and the Supreme Court. These events are an expression of respect and honor for those who have come to Washington, DC for an audience with the President. We ask that consideration be given to how the Summit could better incorporate some of the protocols, symbols, and traditions of U.S. diplomacy—domestic and foreign. For example, we suggest that the President host a state dinner (or dinners) for the heads of Tribal Nations – in much the same way he would host the head of government at the White House. Additionally, during a visit from heads of

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<sup>1</sup> 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*

government, the White House will display corresponding national or state flags as a form of respect for its visitors and in recognition of our governmental status. We envision a historic and powerful message sent to Tribal Nations from the Biden Administration with the display of our 574 respective flags across the White House lawn. Finally, the President should work toward achieving appropriate national media coverage, including holding a White House Press briefing, with the intent of raising the WHTNS' profile nationally. One of Indian Country's greatest ongoing challenges is a fundamental lack of awareness among broader U.S. society about the uniqueness, origins, and status of our Nation-to-Nation relationship. These rhetorical and visual reinforcements of our historic and ongoing diplomacy with the United States would serve to strengthen our education and advocacy efforts, especially considering that the WHTNS is typically held around Native American Heritage Month. Rather than focusing only on our heritage and history, this would emphasize our modern circumstances and our political interactions with the U.S. government, ultimately serving to improve this country's overall awareness, respect, and appreciation for our relationship.

### **Increase Substantive Value of Discussions**

Since the WHTNS' inception, there have been efforts to ensure the Summit's agenda and corresponding discussions are valuable for Tribal leaders and federal officials alike. This includes ensuring that Cabinet-level officials are present to hear from Tribal Nations, provide decision-making power, and convey respect to Indian Country. However, this frequently results in the WHTNS feeling overly scripted and lacking authentic dialogue. Although it is important to have the highest levels of the federal government represented at the Summit, it is equally important that Tribal leaders have the opportunity for greater informal interaction with federal officials and to have our "tougher" questions and comments addressed along with those that highlight the Administration's priorities and successes. To that end, we join others in requesting a combined agenda – one that involves both opportunities for Cabinet and other officials to share the Administration's progress on delivering upon trust and treaty obligations, as well as less formal roundtable discussions that delve into a variety of issues and Tribal leader questions/comments. We further call for the establishment of a portal that allows for Tribal leader questions to be referred to appropriate agencies and answered timely during or following the WHTNS.

### **Presidential Meeting Should be more Broadly Representative of Indian Country**

In addition to his appearance at the broader WHTNS, we are aware that a smaller group of Tribal leaders—approximately 12—has, in the past, been convened for a more intimate meeting with the President. While this group has been representative of each of the 12 Bureau of Indian Affairs regions, we note that it often seems as though this honor is extended to those Tribal leaders that are well-connected and not a more diverse cross-section of Indian Country. In pursuit of dialogue with the President that is more reflective of the unique circumstances and traditions across Indian Country, we recommend that the small meeting be reinstated, but that the number of Tribal leaders invited to this meeting be increased from one from each region to 3-4 from each region and that those selected vary each year. This would offer the President and the Administration a better sense of the rich diversity across regions and between Tribal Nations, as well as provide a more equitable approach to elevating the voices of each individual Tribal Nation.

### **Enlist the Assistance of Federal Advisory Committee Leadership**

The high number of departmental and agency Tribal advisory committees and their Tribal leader representatives are an untapped resource in the execution of the WHTNS. Tribal leaders from these advisory committees could be called upon to moderate or serve on panels. A gathering of Tribal advisory committee leadership could also function as its own panel, presenting the annual work and priorities of Tribal representatives to these advisory committees. This would ensure greater coordination across agencies and between advisory committees in setting the broad policy priorities of the Administration.

### **Relationship with White House Council on Native American Affairs**

Finally, the discussions held at WHTNS should help to inform the work of the White House Council on Native American Affairs (WHCNAA) throughout the subsequent year, with WHCNAA serving as a coordinating and oversight body for consistent Tribal consultation (with a movement toward consent) and policymaking across the federal government. However, this requires the dedication of additional resources to the WHCNAA's work. Presently, and throughout its short history, WHCNAA has operated with virtually no dedicated staffing or financial resources. Traditionally, the work of the Council has been coordinated by an executive director on detail from the Department of the Interior (DOI). And under the Executive Order establishing the Council, DOI "shall provide funding and administrative support for the Council to the extent permitted by law and within existing appropriations." In practice, this has resulted in a lack of substantive support for the work of the body, along with a restricting of the WHCNAA's scope and ability to provide meaningful contact between the Cabinet and Indian Country.

USET SPF envisions a WHCNAA that engages in transformative policymaking, including working with the Office of Management and Budget to produce a more detailed and accurate crosscut of federal funding delivered to Indian Country annually as a tool in measuring the effectiveness of the delivery of financial obligations to Tribal Nations. This cannot be accomplished without direct and dedicated funding for the WHCNAA. Given the potential for WHCNAA to play a significant role in advancing the delivery of the federal government's delivery of trust and treaty obligations, as well as our diplomatic relationship, we continue to urge this Administration to designate a dedicated funding stream for WHCNAA—through the President's Budget Request or other means. It is our belief that this will allow the WHCNAA's work to be more substantive, productive, and meaningful for our evolving U.S.-Tribal Nation relationship.

### **Conclusion**

We appreciate your attention to and consideration of these requests. The WHTNS has the potential to assist in the creation and facilitation of necessary, lasting change in U.S.-Tribal relations—including in this country's approach to diplomatic relations with Tribal Nations. It is our hope that under your leadership, the WHTNS will undergird and reinforce the respect that Indian Country deserves as sovereign nations that pre-date the United States. Please count USET SPF as a partner in your efforts to deliver upon the federal government's sacred trust responsibility and obligations to Tribal Nations. Should you have any questions or require additional information, please do not hesitate to contact Ms. Liz Malerba, USET SPF Director of Policy and Legislative Affairs, at (615) 838-5906 or by e-mail at [lmalerba@usetinc.org](mailto:lmalerba@usetinc.org).

Sincerely,



Kirk Francis  
President



Kitcki A. Carroll  
Executive Director