



USET

SOVEREIGNTY PROTECTION FUND

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Submitted via email to: one@ptt.gov

Donald J. Trump
President-elect of the United States of America
1717 Pennsylvania Ave. NW
Washington, DC 20006

Dear President-Elect Trump,

On behalf of United South and Eastern Tribes Sovereignty Protection Fund (USET SPF) we write to provide additional thoughts following the Tribal leader listening session hosted by the Trump Transition Team on December 14, 2016. We thank you for the opportunity to have these early conversations with your key staff and advisors. USET SPF and its member Tribal Nations stand ready to work with your Administration on advancing, protecting, and promoting the inherent sovereign rights and authorities of Tribal Nations. This includes removing barriers to the full management and control of our own affairs and destiny.

USET SPF is an intertribal organization comprised of twenty-six federally recognized Tribal Nations, ranging from Maine to Florida to Texas¹. USET SPF is dedicated to enhancing the development of Tribal Nations, to improving the capabilities of Tribal governments, and assisting member Tribal governments in dealing effectively with public policy issues and in serving the broad needs of Indian people.

USET SPF member Tribal Nations are diverse in their economic status, land holdings, cultural traditions, and geographic locations. We view our diversity as an opportunity to formulate federal Indian policy that reflects the diversity of all of Indian Country. We remain committed to our motto, "Because there is strength in unity."

USET SPF Initial Priorities

As the Trump Administration's the policies and priorities begin to take shape, USET SPF wanted to outline some broad, early items of interest and opportunities for collaboration. While by no means an exhaustive list of priorities for our member Tribal Nations, we view the below as the foundation for our initial engagement:

¹ USET SPF member Tribal Nations include: Alabama-Coushatta Tribe of Texas (TX), Aroostook Band of Micmac Indians (ME), Catawba Indian Nation (SC), Cayuga Nation (NY), 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), Mississippi Band of Choctaw Indians (MS), Mohegan Tribe of Indians of Connecticut (CT), Narragansett Indian Tribe (RI), Oneida Indian Nation (NY), Passamaquoddy Tribe at Indian Township (ME), Passamaquoddy Tribe at Pleasant Point (ME), Penobscot Indian Nation (ME), Poarch Band of Creek Indians (AL), 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), and the Wampanoag Tribe of Gay Head (Aquinnah) (MA).

1. Economic Development

Economic sovereignty is essential to Indian Country's ability to be self-determining and self-sufficient. Rebuilding of our Tribal Nations includes rebuilding of our Tribal economies as a core foundation of healthy and productive communities. Nearly every aspect of economic development is controlled by the federal government. Such a reality slows down progress within Indian Country. The incoming Administration must work with Tribal Nations to offer relief from the over-burdensome regulations that impede our success, while continuing to respect and uphold its sacred trust responsibility.

2. Tax Reform

As the Trump Administration works with Congress to advance comprehensive tax reform, tax parity for Tribal Nations must be included. Through inequities in the tax code as well as state dual taxation, revenue generated within Indian Country continues to be taken outside its borders or otherwise falls victim to a lack of parity. Moreover, Tribal governments continue to lack many of the same benefits and flexibility offered to other units of government under the tax code. USET SPF has formulated a comprehensive Tribal tax reform plan that addresses many of these inequities and we urge the inclusion of these provisions in any tax reform legislation.

3. Health Reform

The federal government's trust responsibility to provide health care to American Indians and Alaska Natives must be a governing principle during the development of any ACA repeal and replace legislation or Medicaid reform legislation. In addition to the permanent reauthorization of the Indian Health Care Improvement Act, the ACA contains a number of other provisions critical to Indian Country, including exempting Indian health benefits from taxation. We strongly urge the preservation of these non-controversial provisions.

As Medicaid reform is being considered, we urge this Administration and the incoming Congress to keep in mind the critical role Medicaid plays in helping the government meet its trust responsibility to American Indians and Alaska Natives.

4. Infrastructure Permitting and Funding

Though the crisis at Standing Rock is bringing failures in the consultation process associated with federal infrastructure projects to the national stage, USET SPF member Tribal Nations continue to experience the same types of failures here in the east. Whether an Army Corps highway project in the everglades or the expansion of natural gas pipelines in southern New England, USET SPF Tribal Nations find that our cultural, spiritual, and natural resources are often impacted in spite of requirements to consult. In the short term, we must move beyond the requirement for Tribal consultation via Executive Order to a strengthened model achieved via statute. In the long term, we must return to the achievement of Tribal Nation consent for federal action as a recognition of sovereign equality and as set out by the principles of the United Nations Declaration on the Rights of Indigenous Peoples.

We also understand that a major priority of President-elect Trump is the infusion of federal dollars into our failing federal infrastructure. We would like to underscore the desperate need for infrastructure improvements in Indian Country and urge the inclusion of our communities in the President-elect's plan.

5. Trust Modernization

USET SPF, along with other Tribal organizations and Nations, is engaged in an effort to modernize the relationship between the federal government and Tribal Nations. The current trust model is broken and based on faulty and antiquated assumptions from the 19th Century that Indian people were incompetent to handle their own affairs and that Tribal Nations were anachronistic and would gradually disappear. It is time to establish a trust model that reflects a true nation-to-nation partnership built upon diplomacy that will strengthen federal trust administration, enhance federal-Tribal relations, and promote and protect Tribal sovereignty, all with the goal of building and sustaining prosperous Tribal communities.

Again, we thank the Trump Transition Team and incoming Administration for this early opportunity for dialogue on issues of importance to Indian Country. 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 (202) 624-3550 or by e-mail at lmalerba@usetinc.org.

Sincerely,



Chief Kirk Francis
President



Kitcki A. Carroll
Executive Director