



# USET

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**Written Testimony of the United South and Eastern Tribes Sovereignty Protection Fund (USET SPF)  
for the Senate Committee on Indian Affairs Oversight Hearing on,  
“The President’s FY2019 Budget Request for Indian Programs”  
April 11, 2018**

Chairman Hoeven, Vice Chairman Udall, and members of the Senate Committee on Indian Affairs (SCIA): thank you for the opportunity to testify today and for your willingness to conduct an oversight hearing on the President’s shameful Budget Request for Fiscal Year (FY) 2019. My name is Robert McGhee, Vice Chairman of the Poarch Band of Creek Indians. I am here today in my capacity as Vice President of the Executive Officers Committee of the Board of Directors for United South and Eastern Tribes Sovereignty Protection Fund (USET SPF).

USET SPF represents 27 federally-recognized Tribal Nations from Texas to Florida to Maine<sup>1</sup>. USET SPF member Tribal Nations are within the Eastern Region and Southern Plains Region of the Bureau of Indian Affairs (BIA) and the Nashville Area of the Indian Health Service (IHS), covering a large expanse of land compared to other regions. Due to this large geographic area, USET SPF Tribal Nations have great diversity in cultural traditions, land holdings, and resources. This allows our region to mirror the great diversity found in Indian Country nationwide.

### **Legal and Constitutional Basis for the Fiduciary Trust Responsibility**

From the earliest days of the United States, the Founders recognized the importance of America’s relationship with Tribal Nations and Native peoples. They wove important references to those relationships into the Constitution (e.g., Art. I, Section 8, Cl. 3 (Indian Commerce Clause); Article II, Section 2, Cl. 2 (Treaty Clause)).

Tribal Nations influenced the Founders in the development of the Constitution as recognized by the 100th Congress, when the Senate and the House passed a concurrent resolution acknowledging the “historical debt” the United States owes to Tribal Nations.

“[O]n the occasion of the 200th Anniversary of the signing of the United States Constitution, acknowledges the historical debt which this Republic of the United States of America owes to the Iroquois Confederacy and other Indian Nations for their demonstration of enlightened, democratic principles of government and their example of a free association of independent Indian nations;....”<sup>2</sup>

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<sup>1</sup> 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), 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), 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).

<sup>2</sup> S. Con. Res. 76, 100th Congress

One has only to walk the halls of the Capitol to see many works of art and sculpture that depict the central role that Tribal Nations have played in the development of America's national identity. Not depicted on the walls of the Capitol are many of the injustices that Native peoples have suffered as a result of federal policy, including federal actions that sought to terminate Tribal Nations, assimilate Native people, and to erode Tribal territories, learning, and cultures. Where these injustices are depicted, our tragedies are romanticized<sup>3</sup> and told through a revisionist lens. The true story involves the cession of vast land holdings and natural resources, oftentimes by force, to the United States out of which grew an obligation to provide benefits and services in perpetuity to Tribal Nations. These resources are the very foundation of this nation, and have allowed the United States to become the wealthiest and strongest world power in history. Federal appropriations to Tribal Nations and Native people are simply a repayment on this perpetual debt.

The Indian provisions in the Constitution were given immediate life in treaties that the United States entered into with Tribal Nations beginning with the Treaty with the Delaware in 1778 and continuing through another 373 treaties. Additionally, in the first decades of the United States, numerous laws were enacted addressing the details of the Federal-Tribal relationship (e.g., Trade and Intercourse Acts of 1790, 1793, 1796, 1799, 1802, and 1834), even as the Federal courts defined the Federal government's trust obligation to Indian nations (e.g., *Cherokee Nation v. Georgia* (1831)). This period reflected an acknowledgement of and respect for our independent and sovereign existence, with the United States taking action within our lands only after securing our consent, including through treaty-making.

As it became more powerful and maintaining strong relations with us became less necessary, the United States quickly moved from an approach based on consent to an approach based upon the notion of domestic dependency and plenary authority. Notwithstanding the Constitutional foundation, the federal government engaged in many actions that betrayed the treaties and trust obligation to Tribal Nations, such as the seizure of Tribal lands and the forced assimilation efforts of the Indian boarding school system. Fortunately, Tribal efforts to exert our sovereign rights in collaboration with our federal partners have led to more enlightened policies since the boarding school era, reflected in a host of laws that support Tribal sovereignty and are critical to the vitality and well-being of Tribal communities. Regrettably, these laws are rarely funded to the level necessary to achieve their intended purposes.

The chronic underfunding of federal Indian programs continues to have disastrous impacts upon Tribal governments and Native peoples. As the United States continues to break its promises to us, Indian Country and Tribal citizens experience some of the greatest disparities among all populations in this country—including those in health, economic status, education, and housing. The 2003 "Quiet Crisis" report issued by the U.S. Commission on Civil Rights (USCCR) revealed deep disparities in funding the federal trust responsibility, and was meant to galvanize action on the part of Congress and the Executive Branch. 15 years later, very little has changed. Though there was an effort to reissue the report in 2016, USCCR faced its own funding and infrastructure issues, and this was never accomplished. Nonetheless, USET SPF expects an updated report would likely have mirrored its earlier version. This is not a question about addressing poverty and needs across Indian Country. Our relationship is much more than this. This is ultimately a question about honor, about fulfilling commitments and promises. A nation's exceptionalism is grounded in these principles.

### **The Unique Role of the Senate Committee on Indian Affairs**

While USET SPF takes a firm position that all members of Congress have an obligation to Tribal Nations, the members of this Committee have a greater role in understanding and working toward fulfillment of this obligation. As members of the only full Congressional Committee charged with, "study[ing] the unique

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<sup>3</sup> See <https://www.aoc.gov/capitol-hill/native-americans-art>

problems of American Indian, Native Hawaiian, and Alaska Native peoples and...propos[ing] legislation to alleviate these difficulties,” it is incumbent upon every Senator on this dais to advocate for and demand the inclusion of Indian Country’s priorities in all relevant legislation before the Senate. While we appreciate the amplification of these priorities through the work of the Committee via hearings, letters, and relevant legislation, it is equally, if not more, important, that the Members of this Committee use this role to elevate our voices in Congress’ other Committees, as well as on the Senate floor. Indian Country expects and demands that you carry our messages into conversations with colleagues who may be less familiar with the trust obligation.

As leaders who have consistently demonstrated a true understanding of this commitment and obligation, we implore you to lead the change within Congress that is necessary to improve how the United States views, honors, and fulfills its promises to Indian Country. The federal budget is a reflection of this commitment. We recognize that there are many causes and issues that this body considers. However, we ask that you always remember this nation’s first promise to its First People—the promise that resulted in an exchange responsible for the vast wealth, power, and influence of this country.

### **The President’s FY 2019 Request for Indian Programs Violates the Trust Responsibility**

In his 2017 Native American Heritage Month proclamation, the President stated,

*“My Administration is committed to tribal sovereignty and self-determination. A great Nation keeps its word, and this Administration will continue to uphold and defend its responsibilities to American Indians and Alaska Natives. Together, we will strengthen the relationship between the United States Government and Native Americans.”*

A great nation does keep its word. The first step toward fulfillment of America’s promises is not just words, but action. While this Administration professes to prioritize Indian Country, this Budget Request reveals otherwise. At all levels of the Administration, from the Office of Management and Budget (OMB) to BIA to IHS, Tribal Nations and others objecting to this draconian budget request are being told that the request is just a “messaging document.”

While we understand that only Congress has the power to appropriate funds, the Administration is sending a powerfully negative message to Indian Country. In reducing, eliminating, and calling into question the constitutionality of federal Indian programs, this Administration is ignoring and undermining its trust responsibility to Tribal Nations. Moreover, the message that this sends to all American citizens is one of disregard and dishonor, further exacerbating the challenges we face in educating the nation on our history, sovereignty, and the continued obligation to Tribal Nations. Finally, the agencies most directly charged with delivering on the fiduciary trust responsibility—BIA and IHS—are demonstrating no accountability for budget request numbers and instead, are directing Tribal Nations to advocate for funding with Congress. This is a failure on the part of the Administration to take seriously its role as trustee.

### **Funding Requests and Mechanism do not Reflect Trust Obligations**

Because of our history and unique relationship with the United States, the trust obligation of the federal government to Native peoples, as reflected in the federal budget, is fundamentally different from ordinary discretionary spending and should be considered mandatory in nature. Inadequate funding to Indian Country needs to be viewed as unfilled treaty and trust obligations and should not be vulnerable to year to year “discretionary” decisions by appropriators. Recently, some in Congress have called for mandatory funding for IHS. USET SPF strongly supports this proposal, which is more consistent with the federal trust obligation, and urges that this be expanded to include all federal Indian programs.

We further note the long-lasting effects of continued underfunding for federal Indian programs. The FY 2019 Budget Request fails to reflect a prioritization of trust obligations and the related promises that are at the core of our special and unique relationship. These unfulfilled treaty and trust obligations will ultimately lead to hearings by this very Committee, as the consequences of this Request results in the problems and difficulties that SCIA is charged with addressing.

### ***Constitutionality of Federal Indian Programs***

Several times now, this Administration has called into question the constitutionality of programs or targeted accommodations for American Indians and Alaska Natives (AI/AN). As this Committee well knows, all federal Indian programs are based on a political, government-to-government relationship between the U.S. and Tribal Nations. Appropriations that support programs and services such as this are provided in perpetuity in exchange for the millions of acres of land and natural resources ceded, often times by force, to the U.S. In addition, the Executive Branch, regardless of party, has a decades-long history of policy-making that includes exemptions or accommodations from federal actions for Tribal Nations and Native people.

### ***Infrastructure Plan***

For generations, the federal government – despite abiding trust and treaty obligations – has substantially under-invested in Indian Country’s infrastructure, evident in the breadth and severity of its unmet infrastructure needs as compared to the rest of the nation. While the United States faces crumbling infrastructure nationally, there are many in Indian Country who lack even basic infrastructure, such as running water and passable roads. According to a report released in 2017 by National Congress of American Indians, there exists at least \$50 billion in unmet infrastructure obligations across Indian Country. Decades of chronic underfunding of the federal government’s trust obligations has resulted both in a dangerous lack of infrastructure, as well as infrastructure that is severely degraded.

If this Congress and Administration intend to modernize and repair infrastructure throughout the country, the deep infrastructure needs of Indian Country must be addressed. It is critical that Tribal Nations have direct access to any funding available via an infrastructure package. We must not be restricted to partnering or competing with another entity in order to be in receipt of infrastructure dollars. Additionally, in support of Tribal self-determination, these dollars should be eligible for inclusion in Self-governance contracts and compacts.

While we acknowledge that the President’s infrastructure plan does state that some funding will be set aside for Tribal Nations within its proposed Rural Infrastructure Program, it remains unclear exactly how much funding is being proposed and whether Tribal Nations would have access to other parts of the President’s plan. With a renewed focus on domestic issues and putting America first, this focus must also include a commitment to rebuilding the sovereign Tribal Nations that exist within the domestic borders of the United States. Much like the U.S. investment in the rebuilding European nations following World War II via the Marshall Plan, this Congress and Administration should commit to the same level of responsibility to assisting in the rebuilding of Tribal Nations, as our current circumstances are, in large part, directly attributable to the shameful acts and policies of the United States.

The President’s plan also proposes to streamline infrastructure permitting processes. While there remain many unknowns associated with these streamlining measures, USET SPF is concerned that these proposals could serve to undermine Tribal sovereignty, and the protection of cultural resources and public health. We note that the Federal Communications Commission is already planning to move forward, over the strong objections of Tribal Nations, with a Report and Order this week that restricts Tribal cultural reviews and illegally redefines the meaning of ‘federal undertaking’ under the National Environmental Policy Act and the National Historic Preservation Act.

Tribal governments must be consulted in any infrastructure project planning or permitting on ancestral lands. Any infrastructure build-out in Indian Country and beyond must not occur at the expense of Tribal consultation, sovereignty, sacred sites, or public health. Consultation must include Tribal consent for projects that significantly impact or threaten Tribal interests. This point should be strengthened in the law, and not just in regulations. 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.

### ***Interior Reorganization***

USET SPF is deeply concerned that the reorganization of the Department of the Interior is moving forward in the absence of Tribal consultation. Although Interior Secretary Ryan Zinke recently stated, "we're going to go into consultation, as we should, and it's really up to the tribes whether they're going to participate or not, and I respect sovereignty," a consultation has yet to be initiated on the specifics of the reorganization plan. The Secretary has yet to significantly consult with or provide much detail to Tribal Nations on the reorganization of the Department, although we are aware of meetings held with federal employees and other units of government. Yet, we note that new DOI regions have been proposed and there is \$900,000 set aside in the BIA Budget Request for its share of initial pre-planning responsibilities (with the knowledge that this figure will increase significantly in the out years). USET SPF urges this Committee and this Congress to withhold any funding for Interior reorganization pending confirmation that the Reorganization will not impact funding to Tribal Nations or inherent federal functions, as well as meaningful consultation with Tribal Nations resulting in consent for or an exemption from the reorganization.

### ***Role of Office of Management and Budget in Inadequate Budget Requests***

The Office of Management and Budget (OMB) asserts that over \$21 billion in federal dollars funds Indian Country annually. From the perspective of Tribal advocates, including those who serve on budget formulation committees for federal agencies, this number seems to be an over-estimate, with far less actually reaching Tribal Nations and Tribal citizens. We suspect that OMB arrives at this figure by tallying the amount for which Tribal Nations and entities are eligible, regardless of whether these dollars actually reach Indian Country. The Tribal Interior Budget Council has asked OMB for a full accounting of federal funding distributed to Indian Country. To date, OMB has not responded to this request and continues to take the position that as an extension of the Executive Branch, it does not have the same consultative responsibilities as other federal agencies. USET SPF requests that in the spirit of transparency, this Committee consider supporting report language that would ensure OMB provides Indian Country with an accurate inventory of its own federal funding on an annual basis. In addition, USET SPF contends that Indian Country would be better-served by an Indian-specific desk at OMB rather than analysts with portfolios that include other interests.

### ***FY 2019 Request for the Bureau of Indian Affairs***

The FY 2019 President's Budget Request for Indian Affairs is \$2.4 billion, a 15.6% decrease from the FY 2018 CR level and a 20% decrease from the FY 2018 Omnibus. Nearly every line item in the BIA budget would see reductions in the FY 2019 budget request. However, Interior's Budget Justification describes the Request in the following way,

"The 2019 budget supports the Administration's commitment to help promote tribal nation-building and self-determination, empower tribal communities, foster tribal self-sufficiency, create educational and economic opportunities, ensure safe Indian communities, preserve and foster cultural heritage, and steward natural resources. Indian Affairs programs deliver community services, restore tribal homelands, fulfill commitments related to water and other resource rights,

execute fiduciary trust responsibilities, support the stewardship of energy and other natural resources, create economic opportunity, and expand access to education.”

It is difficult to see how any of this could be true, considering the deep reductions and eliminations found in the Request. Moreover, on a February 12<sup>th</sup> conference call, Tribal leaders and advocates were told that the BIA budget request supports the “core mission” of the Agency, but with nearly every line item receiving a decrease, it is impossible to determine what the Administration deems its “core mission.” According to the BIA’s website, its mission is, “to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes and Alaska Natives.” By any measure, this Budget Request fails to uphold these words.

As National Congress of American Indians notes, overall, Human Services programs would fall by 27%, Natural Resource programs by 23%, Public Safety and Justice by 9%, and the Bureau of Indian Education by 16%. Similarly, the top priorities identified by the Tribal Nations of the Eastern Region for FY 2019 would all see drastic reductions or eliminations:

- Social Services—cut by 37%
- Scholarships and Adult Education—eliminated
- Indian Child Welfare Act—cut by 27%
- Tribal Courts—cut by 28%
- Aid to Tribal Government—cut by 10%

One of the few increases would be \$2.5 million in the Law Enforcement Special Initiatives budget to fight the opioid epidemic by, “expand[ing] BIA capacity to address the increase in drug-related activities through interdiction programs to reduce drug use, distribution, and drug related crime.” While USET SPF welcomes any funding provided directly to Indian Country to combat the opioid epidemic in our communities, including for law enforcement, \$2.5 million in what may be one-time funding falls short. To increase the number of BIA drug enforcement officers, USET SPF has requested no less than \$11 million annually.

### ***FY 2019 Request for the Indian Health Service***

The FY 2019 Budget Request would include \$5.4 billion for IHS, 8% above the FY 2018 Continuing Resolution, but a slight decrease from. While we acknowledge and support increases to this chronically underfunded agency, we also note that for FY 2019, the Tribal Budget Formulation Workgroup (TBFWG) which meets annually and is comprised of Tribal leader representatives from each of the 12 IHS Areas, recommended \$6.4 billion.

While we continue to await the IHS’ full FY 2019 Congressional Justification, we support increases to several critical IHS line items: an increase for clinical services, including an increase of \$268 million for Hospitals and Clinics for a total funding amount of \$2.1 billion; increase of \$32 million for purchased/referred care (PRC) for total funding of \$955 million; and increase of \$340 million for Mental Health, and Alcohol and Substance Abuse Programs, which is \$30 million above current spending levels. These line items were the top four funding priorities of Tribal Nations in the Nashville Area of IHS. However, as with overall funding for IHS, it is important to recognize that these increases fall far short of IHS’ obligation to the health of Tribal Nations, as well as the TBFWG’s recommendations. We continue to support and urge the adoption of a plan to phase-in full funding for IHS. USET SPF maintains that until Congress fully funds the IHS, the Indian Health System will never be able to fully overcome its challenges and fulfill its trust obligations.

Despite these increases, the President's Budget also proposes cuts and eliminations to other parts of the IHS budget. USET SPF and others in Indian Country are strongly opposed to the elimination of the Community Health Representatives program, as well as other eliminations and decreases found in the Request.

The Budget Request proposes a total \$10 billion in new funding to combat the opioid epidemic. Under the proposal, IHS would receive \$150 million "to provide multi-year competitive grants based on need for opioid abuse prevention, treatment, and recovery support in Indian Country." Considering the disproportionate levels of opioid abuse and mortality in Tribal communities, a small amount of funding delivered through competitive grants, while welcome, does not even begin to scratch the surface. Further, the source of this funding remains unclear. USET SPF calls upon this Committee and this Congress to prioritize substantial direct funding to Tribal Nations as it seeks to address the opioid crisis. Among the direct funding proposals we support are: S. 2270, the Mitigating METH Act, S. 2545, the Native Health Access Improvement Act, and S. 2437, the Opioid Response Enhancement Act.

The Request also proposes to move the Special Diabetes Program for Indians (SDPI) from mandatory to discretionary spending. When asked for an explanation on an "All-Tribes" call, IHS indicated that all health extenders are proposed to be moved from mandatory to discretionary. This proposal has not received any Tribal consultation, in violation of IHS' & HHS' Tribal consultation policies. From USET SPF's perspective, this proposal represents the exact opposite of what we are trying to achieve—which is mandatory funding for all federal Indian programs.

### ***FY 2019 Request for Other Agencies, Operating Divisions, and Line Items***

While some may view "federal Indian programs," as limited to those administered by BIA and IHS, USET SPF maintains that all federal agencies have a trust responsibility to Tribal Nations. In addition and as a practical matter, it is important to recognize that Tribal Nations access funding from nearly every federal agency. Reductions and eliminations at other agencies and operating divisions, then, would have significant impacts in Indian Country and further compound cuts at BIA and IHS. This Administration and Congress must recognize that the President's Budget Request as whole reflects its commitment to Indian Country and the trust obligation. While by no means an exhaustive list of priorities, we would like to highlight funding levels for some additional agencies, operating divisions, and line items.

#### Centers for Disease Control and Prevention (CDC)

Outside of IHS, Tribal Nations receive a significant amount of funding from the CDC for public health promotion and surveillance, disease prevention, vaccinations, and other purposes. As such, the overall 12% cut to CDC is troubling. We are especially opposed to the proposed elimination of Good Health and Wellness in Indian Country (GHWIC), a \$78 million initiative that started in 2014 and continues through 2019, supporting the health surveillance and promotion work of Tribal Nations, Tribal organizations, and Tribal epidemiology centers (TECs). USET's TEC and 5 sub-awardees are supported in part through this initiative. GHWIC interventions focus on reducing tobacco use and exposure, improving nutrition and physical activity, increasing support for breastfeeding, increasing health literacy, and strengthening team-based health care and community-clinical links. While FY 2019 proposes to be the final year of a 5-year funding cycle, we expect that participating Tribal Nations will continue to sustain health promotion efforts at its conclusion.

#### Medicaid Block Grants and Changes to the Affordable Care Act

The FY 2019 budget request proposes to make major changes to programs authorized under the Patient Protection and Affordable Care Act (ACA). Under the Request, Medicaid spending would

be replaced with a block grant to states leading to the elimination of the ACA's Medicaid expansion and drastic cuts in Medicaid over the next decade. As this Committee is well aware, Indian Country is universally opposed to this type of proposal, as it would create barriers to AI/AN Medicaid access, violating the trust responsibility to provide health care and resulting in deep cuts in 3<sup>rd</sup> party revenue to the already chronically underfunded Indian Health System. In addition, the Request proposes to eliminate subsidies for the ACA's health insurance marketplace, which would pose further barriers to health care access and vital 3<sup>rd</sup> party dollars.

#### Administration on Children and Families

The Administration has zeroed out funding for the Rural Community Facilities line item in the ACF account. The Administration argues that this program is duplicative and that grantees under this program continue to receive funding in spite of underperformance. However, this grant is one of the only sources of funding available to Indian Country to provide Tribal-specific water and wastewater operator training, including that provided by USET. When Tribal community members are trained as operators, the result is operational continuity, cultural competency, and self-determination. Without this funding, Tribes will have to turn to state-certified operators who are unlikely to be members of the community, unlikely to stay in the job for very long, and do not have knowledge of the unique jurisdictional and legal framework that applies to Tribal water systems. We urge appropriators to once again provide funds for this invaluable program.

#### Department of Justice

USET SPF was pleased to see and strongly supports a 5% Tribal set-aside from the Crime Victims Fund in the Request for the Department of Justice. In addition, while we are glad to see support for the Tribal Access to Crime Information Program (TAP) in the Request, we note that up to \$3 million in funding would be sourced from existing Tribal dollars. Indian Country must not be forced to choose among critically important Tribal justice programs. TAP funding must be appropriated separately.

#### Department of Homeland Security

Despite a responsibility for emergency management and response in Indian Country, Tribal Nations and Tribal emergency management organizations have limited access to direct funding from the Department of Homeland Security (DHS), as the current funding mechanisms require Tribal Nations and their emergency management organizations to seek funds through state governments. USET SPF calls upon appropriators to work with Tribal Nations to identify and eliminate both procedural and current eligibility impediments to additional direct DHS funding for Tribal governments.

#### Environmental Protection Agency (EPA)

USET SPF also opposes reductions in funding to Tribal Nations found in the FY 2019 Budget Request for EPA. Although the Administration continues request increases and a Tribal set aside in the Clean Water State Revolving Fund program, the Request proposes a nearly \$575 million cut to State and Tribal Assistance Grants. While some of this funding was restored in an addendum, it remains troubling that a number of line items specific to Tribal Nations were targeted.

#### Department of Commerce

The Budget requests \$9.8 billion for the Department of Commerce, a \$546 million or 6% increase from the 2017 enacted level. However, the Budget would eliminate the Economic Development Administration, which is a primary source of funding for economic development activities in Indian Country, including USET's own Economic Development Department. The Budget also proposes to

reduce funding for the Minority Business Development Agency from \$34 million in FY17 (\$33.769 in the FY18 CR) to \$10 million in FY19, which includes funding and direct services to Tribal Nations and Native people.

#### Department of Treasury

USET SPF opposes in the strongest possible terms the elimination of funding for Community Development Financial Institutions (CDFIs) through the CDFI Fund, including the elimination of the Native American CDFI Assistance (NACA) Program. While this Administration purports to prioritize the creation jobs and economic opportunities in Indian Country, elimination of the NACA program would prove otherwise. As USET works to establish the first Native CDFI serving our entire region, we urge this Congress to ensure our funding is maintained.

#### ***Conclusion***

While USET SPF recognizes this Committee's strong, long-standing commitment to Indian Country, we cannot accept funding for federal Indian programs that continues to fall far short of fiduciary trust obligations. This Committee must use its influence to ensure that Congressional appropriators uphold the fiduciary trust obligation to Tribal Nations in FY 2019 and beyond. In pursuit of a relationship more reflective of this obligation, USET SPF urges this Committee, Congress, and all branches of the federal government to ensure that full funding for the trust obligation is realized in our lifetimes. USET SPF looks forward to partnering with the Committee to bring this to fruition.