



FISCAL YEAR 2021 INDIAN COUNTRY BUDGET REQUESTS

Introduction

Advancing Sovereignty Through Certainty & Security

This Fiscal Year (FY) 2021 Indian Country Budget Request outlines federal programs and services that are critical components of strong tribal governments, economies, and communities. The programs highlighted in this document are an integral part of fulfilling the federal government's treaty and trust obligations. They have been identified by experts at national and regional tribal organizations and through FY 2021 budget formulation consultations between tribal leaders and federal agencies.

Tribal nations are resilient and provide services to about two million people; however, we cannot continue to provide for our communities without our federal partners. The often partisan debates affecting the federal appropriations process have an outsized impact on the daily lives of American Indian and Alaska Native people who already contend with chronic underfunding of tribal programs and severe deficits in physical infrastructure – all of which fall under the federal treaty and trust obligations. NCAI urges Congress and the Administration to work on a bipartisan basis during the FY 2021 appropriations cycle to help Indian Country overcome these challenges to ensure the health, safety, and economic security of tribal communities.

FULFILLING PROMISES

Like all other governments, tribal nations strive to build strong economies and ensure the health and wellbeing of their citizens and all those who reside in their communities. As part of tribal nations' responsibilities to their people, they provide a range of governmental services. These include education, law enforcement, judicial systems, healthcare, environmental protection, natural resource management, and basic infrastructure such as housing, roads, bridges, sewers, public buildings, telecommunications, broadband and electrical services, and solid waste treatment and disposal. Tribal nations are assuming greater levels of governmental responsibility to meet their citizens' needs in culturally appropriate ways, but receive inadequate federal funding for roads, schools, police, and other public services.

Tribal nations seek only those things promised to them and their citizens by the solemn treaties and agreements reached between tribal nations and the United States. When tribal nations ceded millions of acres of land, the federal government promised to safeguard their right to govern themselves, and to provide them adequate resources to deliver essential services effectively. These obligations are the foundation of the government-to-government relationship that exists between tribal nations and the United States.

In December 2018, the U.S. Commission on Civil Rights issued its report titled *Broken Promises: Continuing Federal Funding Shortfall for Native Americans*. The report found that over the past 15 years, efforts undertaken by the federal government have resulted in only minor improvements across Indian Country, that federal programs serving Indian Country continue to be woefully underfunded, and that, in some ways, federal initiatives for Indian Country have regressed. The Broken Promises report emphasizes what tribal leaders have known for a long time – that the federal government is not living up to its treaty and trust obligations to tribal nations.

Even though the United States has yet to live up to the promises it made to tribal nations, tribal leaders continue to pursue goals for their citizens similar to those of U.S. national policy makers: building strong and prosperous nations through economic growth and the efficient provision of necessary public services. Economic diversity characterizes modern Indian Country, but a common factor cited by tribal leaders as hindering tribal economic development is the need for adequate federal funds for governmental services, such as public safety, housing, education, and workforce development. Additionally, insufficient infrastructure, including roads, housing, health and education facilities, water and sewer systems, and broadband are significant hurdles to building strong tribal economies.

While prosperity in the minds of many Americans may evoke a version of the American Dream based solely on building personal financial wealth, prosperity for most Native people centers on the preservation and practice of Native cultures and languages, active participation in sacred clan and kinship systems, vibrant tribal communities, and close stewardship of tribal homelands. Despite several eras of hostile federal policies towards tribal nations and severe underfunding, tribal nations are making significant progress in their efforts to build sustainable tribal economies and rebuild tribal communities in accordance with their cultural values. If the United States lives up to its commitments to support Indian Country in the ways that it has promised, tribal nations will be able to accomplish so much more.

PROVIDING CERTAINTY FOR TRIBAL NATIONS THROUGH THE FEDERAL BUDGET

Budgeting and appropriating requires bipartisanship, which is vital to achieving all of Indian Country's most ambitious and important goals. NCAI has advocated for a bipartisan approach to the federal government's fulfillment of its treaty and trust responsibilities for more than 75 years. Tribal nations are sovereign governments with an inherent right to govern themselves as they see fit, and the entire federal government has a solemn obligation to uphold that right in the many ways that our treaties and other agreements prescribe. It is not one political party's or one branch's responsibility to uphold – it is America's responsibility as a whole. When partisan gridlock upends the federal budget process, it constitutes a gross dereliction of the federal government's duty to fulfill its treaty and trust obligations to tribal nations.

Federal spending negotiations over the last year emphasize the importance of providing certainty and security in the federal budget process for tribal nations. In the first month of 2019, America's longstanding, legally-mandated obligations to tribal nations were interrupted by the longest partial government shutdown of the modern budgeting era. Agencies that provide critical government services to tribal nations were caught up in unrelated politics over funding for a southern border wall, and the welfare of tribal citizens hung in the balance. Tribal communities rely on federal funding to administer key tribal government services such as operating healthcare facilities, ensuring public safety, providing housing access, running nutrition and food distribution programs, and providing other social services. The 2019 government shutdown caused widespread destabilization of these programs and generated fear and anxiety among tribal citizens.

Although government shutdowns are prominent examples of the negative effects of breakdowns in the federal budget process, tribal nations also must regularly contend with uncertainty when planning and delivering services to their citizens because of short-term continuing resolutions. Since FY 1998, there has only been one year (FY 2006) in which the Interior, Environment, and Related Agencies Appropriations bill has been enacted before the beginning of the new fiscal year. As such, healthcare provided by the Indian Health Service (IHS) and services provided by the Bureau of Indian Affairs (BIA) are regularly impacted because both receive funding through Interior appropriations.

Moreover, in Indian Country, because of the large role public administration jobs play in tribal communities and economies – coupled with low average household wealth – shutdowns and other breakdowns in the federal budget process disproportionately hurt Native families. A single public administration salary may support an extended Native family, sending harmful ripples throughout a tribal nation and surrounding communities if that income stream is interrupted or lost. Additionally, uncertainty in the federal budget process creates challenges for tribal nations when they seek to recruit and retain professionals to work in healthcare and other skilled professions that are critical to fulfilling the federal government’s treaty and trust promises.

All of these impacts are made worse by the fact that Indian Country programs already face significant underfunding. As such, the lack of continuity in federal funding and the possibility of yet another political impasse is an ongoing cause for concern in Indian Country that tribal communities will continue to face significant hardships caused by a broken federal budget process.

Funding to fulfill the federal government’s treaty and trust obligations should not be discretionary, and funding for tribal programs must be appropriated on time. NCAI calls on the United States to fulfill its obligations to tribal nations no matter the political environment, and a significant step in the right direction is authorizing advance appropriations for IHS and the BIA. IHS and the BIA are the primary agencies responsible for providing critical services and resources to American Indians and Alaska Natives, in some cases directly and in others through compacts or contracts with tribal nations. Authorizing advance appropriations will ensure that services and resources that support the federal government’s treaty and trust obligations to Indian Country are not jeopardized by future federal budget impasses.

CONCLUSION

Heading into the FY 2021 budget cycle, tribal nations and citizens remain determined to overcome the challenges that their communities face across Indian Country. We urge our federal trustee to support our efforts by making good on its promises. Doing so requires providing adequate funding for programs serving Indian Country and ensuring the funding reaches tribal communities on time, every time. The NCAI FY 2021 Budget Request offers recommendations for ways the federal government – partnering with tribal nations – should meet the educational needs of Indian youth; provide adequate healthcare for both direct and self-governance tribal nations; ensure responsible resource development for the future; support safe and secure tribal communities; and supply the long-term investments in tribal public infrastructure and services required to ensure every American Indian and Alaska Native enjoys a good quality of life and has an opportunity to thrive.