

Warren requests U.S. Commission on Civil Rights examine Federal Government's response to COVID-19 impact in Indian Country

United States Senator Elizabeth Warren (D-Mass.) and Congresswoman Deb Haaland (D-N.M.), Co-Chair of the Congressional Native American Caucus and the first Native woman to preside over the House floor during the 116th Congress, wrote to the U.S. Commission on Civil Rights (USCCR) requesting an update to the findings and recommendations of its report, Broken Promises: Continuing Federal Funding Shortfall for Native Americans, in light of the ongoing impacts the coronavirus pandemic (COVID-19) is having on Native Nations across the United States.

The Broken Promises report, issued in December 2018, concluded that federal programs designed to support the social and economic wellbeing of tribal nations and Native peoples remain chronically underfunded and often inefficiently structured. That was before the pandemic; federal action to empower the United States' 574 federally recognized Native Nations and uphold trust and treaty responsibilities is more important than ever.

"The Administration's failure to uphold the trust responsibility to provide adequate relief, health services, and public safety resources to tribal communities has exacerbated the pandemic's impact. This failure requires the Commission's voice," wrote Warren and Haaland in their letter.

The White House reportedly opposed the provision of direct aid

to tribal governments in the Coronavirus Aid, Relief, and Economic Security (CARES) Act aid that is crucial for tribal nations to provide needed government services to their citizens. After a push by Senate Democrats and the Congressional Native American Caucus, the CARES Act provided this aid under the Coronavirus Relief Fund. However, after the enactment of the law, the Department of the Treasury delayed disbursement of the funds for weeks and the Administration initially excluded important tribal businesses from the CARES Act's Paycheck Protection Program.

The federal response to the health care aspects of the crisis—particularly a lack of funding for the Indian Health Service (IHS)—has also fallen short of what Indian Country needs. The Broken Promises report noted that per capita IHS health care expenditures in 2017 were \$3,332, compared to \$9,207 per person for federal health care spending nationally. Since the pandemic, the situation has only gotten worse. Tribal nations and urban Indian organizations have had to navigate red tape in order to receive desperately needed supplies and relief funds. The pandemic, coupled with inadequate federal funding, has contributed to the devastation of Nation Nations' economies, and has prevented tribal citizens from accessing healthcare, education, and employment.

Warren and Haaland asked the USCCR to examine in particular how the problems identified in the Broken Promises report have been exacerbated by the pandemic, if the Congressional and Executive Branch responses have done enough to help Native people, and the impact of the lack of wireless networks on tribal land and other inequities in health care, education, voting rights, economic development and more.

In response to the Broken Promises report, Haaland and Warren released a legislative proposal last year to address chronic underfunding and barriers to sovereignty in Indian Country and hold the federal government accountable for honoring America's legal promises to Native peoples. They coauthored an op-ed in

Indian Country Today about the significance of the Broken Promises report, and the need for bold action in response. This week, they coauthored an op-ed in the Washington Post about COVID-19's impact in Indian Country and how it underscores the need for the federal government to take decisive action to empower Native Nations.

2020.05.26 Letter to U.S. Commission on Civil Rights re. COVID-19 impacts on Indian Country