

NOVEMBER 15, 2021

Fact Sheet: Building A New Era of Nation-to-Nation Engagement

Since taking office in January 2021, the Biden-Harris Administration has taken historic steps to support Tribal communities in their recovery from the COVID-19 pandemic, advance equity and opportunity for all American Indians and Alaska Natives, and help Tribal Nations overcome new and long-standing challenges. The Administration's work is rooted in the President's respect for the unique Nation-to-Nation relationship, commitment to the country's trust and treaty responsibilities, and desire to strengthen Tribal sovereignty and advance Tribal self-determination. The White House Tribal Nations Summit is an opportunity to celebrate the progress we have made in this new Nation-to-Nation era and map out plans to improve outcomes for this generation of Native Americans and for the seven generations to come.

Working Together to Defeat COVID-19. When President Biden took office, the COVID-19 pandemic exacerbated pre-existing health care inequities facing Tribal Nations and disproportionately affected Native American populations across the country. American Indians and Alaska Natives experienced infection rates over three times higher than non-Hispanic whites, were four times more likely to be hospitalized as a result of COVID-19, and had higher rates of mortality at younger ages. Yet Tribes demonstrated resilience, determination, and patriotism—embracing testing and vaccination to save lives and protect communities. In collaboration with Tribal health programs and Urban Indian Organization health facilities, the Indian Health Service (IHS) has administered more than 1.7 million vaccination doses to patients, health care employees, essential workers, and others in Native communities. Working together, Tribal Nations, Urban Indian Organizations, Alaska Native health corporations, and the Administration have succeeded in making vaccinations rates amongst Native Americans the highest in the United States.

Supporting Financial Recovery for Tribal Nations. The Biden-Harris Administration has made unprecedented financial investments in Tribal Nations so that Indian Country can thrive. By prioritizing Tribes in all of our economic recovery and development efforts, the Administration is laying the foundation for robust Tribal economies, making health care more accessible, expanding early childhood education, modernizing infrastructure, and advancing

climate resilience. In March 2021, the President signed the American Rescue Plan (ARP) Act, which made the largest single federal financial investment in Native communities in the history of the United States. The ARP is helping the country recover from a world-altering pandemic with \$1.9 trillion in investments, including \$32 billion devoted specifically to Tribal communities and Native people. This funding included \$20 billion in emergency funding to help Tribal governments rebuild economies devastated by the pandemic.

Building Physical and Human Infrastructure in Indian Country. In November, President Biden signed the Infrastructure Investment and Jobs Act and is working to pass the Build Back Better Plan. Together, these two economic packages contain billions of dollars to support Indian families with programs that will cut the costs of raising a family, make it easier to afford health care and care for older Americans, and take unprecedented action against the climate crisis. The Administration recognizes that chronic underfunding of infrastructure in Indian Country has harmed Tribal communities, which is why the Infrastructure Investment and Jobs Act will make game-changing infrastructure investments spanning transportation, water, sanitation, energy, environmental restoration, telecommunications, and climate resiliency—totaling more than \$13 billion in direct investments, with the ability to access hundreds of billions more in grants and other funding opportunities. Investments in the Build Back Better Plan would bring record funding for Tribes in the areas of child care and preschool programs. These transformative cradleboard to college funds will make it easier for Native women and other family providers to remain in the workforce and increase educational opportunities and outcomes for children.

Investing in Tribal Nations in the Long-Term. In May, President Biden presented his Fiscal-Year 2022 discretionary budget request to Congress, which included \$28.8 billion for Indian programs, one of the largest budget requests ever for these programs. As part of our commitment to promoting health equity for Native Americans, the Administration requested \$8.5 billion in discretionary funding for the IHS in FY 2022, an increase of \$2.2 billion from the FY 2021 enacted budget. In addition, to ensure a stable and equitable funding stream for IHS, for the first time ever, the budget includes a request for an advance appropriation of \$9 billion for IHS in FY 2023, to support Administration and Tribal priorities. Advance funding is important to keeping healthcare available for Native Americans in the event of uncertainties and delays in future appropriations process. Additionally, the Office of Management and Budget (OMB) and the Department of Health and Human Services (HHS) have begun an administrative process along with Tribal consultation on mandatory funding approaches for the IHS.

Combating Climate Change and Protecting Tribal Lands. President Biden has used his office to protect Tribal lands and help mitigate the devastating effect of climate change on

Native communities. He has taken executive action revoking the Keystone XL pipeline permit; restoring protections to the Bears Ears and Grand Staircase-Escalante National Monuments, Arctic waters and the Bering Sea, and the Arctic National Wildlife Refuge; and prioritizing environmental justice. He has set a goal of conserving 30 percent of America's lands and waters by 2030, and is working in collaboration with Tribal Nations to focus on the most ecologically important lands and waters.

Advancing Educational Equity for Native Children. To help broaden opportunities for Native children, President Biden issued an executive order advancing education equity, excellence and economic opportunity for Native Americans, pledging to expand opportunities for students to learn their Native languages, histories, and cultural practices; promote indigenous learning through the use of traditional ecological knowledge; and promote education opportunities that prepare Native American students for college, careers, and productive and satisfying lives. The American Rescue Plan included \$19 million in supplemental grant funding to ensure the survival and continued vitality of Native American languages. In addition, in June 2021, Secretary of the Interior Deb Haaland announced a Federal Indian Boarding School Initiative, a comprehensive review of the troubled legacy of federal boarding school policies. The primary goal of the initiative is to identify boarding school facilities and sites; the location of known and possible student burial sites located at or near school facilities; and the identities and Tribal affiliations of children interred at such locations.

Honoring Indigenous Peoples' Day. In October, President Biden became the first president in American history to issue a proclamation declaring October 11 Indigenous Peoples' Day.

Strengthening the Nation-to-Nation Relationship. President Biden's respect and commitment to a stronger Nation-to-Nation relationship is embedded throughout all of the Administration's work on Native Affairs. On January 26, just six days into office, the President signed a memorandum committing the Administration to the fulfillment of the federal trust and treaty responsibilities; to respecting Tribal self-governance; and to conducting regular, meaningful, and robust consultations with Tribal Nations on a broad range of policy issues. Since then, 80 federal agencies and offices have conducted extensive consultation and created individual Tribal consultation plans of action including OMB, the Domestic Policy Council (DPC), and the Council on Environmental Quality (CEQ). The President also signed an executive order promoting access to voting, leveraging the resources of the federal government to expand citizens' opportunities to register to vote and to learn about, and participate in, the electoral process. This executive order created a Native Rights Steering Group, which is engaging in consultations across the country in preparation for a report and recommendations on protecting and improving access to voting in Native communities.

Elevating Native American Voices. To elevate the voices of Native Americans in the Administration, President Biden restored the White House Council on Native American Affairs (WHCNA) earlier this year and has fostered an all-of-government approach to working on Native issues. Thirteen high-ranking officials from the Administration have already visited Indian Country in 2021. The President has nominated a historic number of Native Americans to Senate confirmed positions and there are already 52 Native Americans serving in political positions, including Natives in 1 in 5 appointments at the Department of the Interior (DOI). The President committed to nominating federal judges who understand Indian law and respect Tribal sovereignty and, in October, a Native woman was confirmed as a judge on the U.S. District Court for the Western District of Washington. The President has also nominated numerous Native Americans to federal boards and commissions.

In its first year in office, the Biden-Harris Administration has begun a new era of Tribal relations with the federal government, rooted in honesty and modeled on diplomacy that will support an improved and strengthened Nation-to-Nation relationship for decades to come. This Summit demonstrates the Administration's commitment to listening to Tribal priorities and being a good partner in supporting Tribal Nations and serves as an important opportunity to celebrate the progress we have made, and work together on a plan of action to move forward. To mark this occasion, the Administration is releasing a full report on the progress we have made to date in our effort to support Tribal communities.

To demonstrate the Administration's commitment to this work, we are also announcing a number of new commitments during the Tribal Nations Summit.

Executive Order on Improving Public Safety and Criminal Justice for Native Americans and Addressing the Crisis of Missing or Murdered Indigenous People. On November 15, 2021, President Biden signed an executive order directing the Departments of Justice, Interior, Homeland Security, and Health and Human Services to create a strategy to improve public safety and justice for Native Americans and to address the epidemic of missing or murdered Indigenous peoples. President Biden tasked the DOJ, DOI, and DHS with addressing specific law enforcement issues, as well as providing support for Tribal Nations to implement Tribally-centered responses. He also directed HHS to develop a plan for prevention and survivor support initiatives.

Greater Chaco Landscape Mineral Withdrawal. Located in Northwestern New Mexico, the Greater Chaco Landscape is a region of great cultural, spiritual, and historical significance to many Pueblos and Indian Tribes and containing thousands of artifacts that date back more than one thousand years. Chaco cultural sites were listed as a UNESCO World Heritage Site in 1987 and are one of only 24 such sites in the United States. For the past decade, Pueblos and

Tribes in Arizona and New Mexico have raised concerns about encroaching oil and gas development threatening sacred and cultural sites, and Congress has passed a series of actions to temporarily defer new leasing. In the coming weeks, the Department of the Interior will initiate consideration of a 20-year withdrawal of federal lands within a 10-mile radius around Chaco Culture National Historical Park, protecting the area from new federal oil and gas leasing and development. The proposed withdrawal will not apply to Individual Indian Allotments or to minerals within the area owned by private, state, and Tribal entities. The action will also not impose restrictions on other developments, such as roads, water lines, transmission lines, or buildings. To support conservation of the area, the State of New Mexico Land Office has implemented a moratorium on new state mineral leases within a 10-mile radius of Chaco Culture National Historical Park.

Tribal Treaty Rights Memorandum of Understanding. The Departments of Agriculture, Defense, Commerce, Education, Energy, Homeland Security, Housing and Urban Development, Interior, Justice, Labor, Transportation, Veterans Affairs, State, and the Environmental Protection Agency, Office of Personnel Management, the Advisory Council on Historic Preservation, and the Council Environmental Quality signed a Tribal Treaty Rights MOU. The MOU provides that the agencies will determine how they can best protect Tribal treaty rights in their policymaking and regulatory processes. The MOU sets a timeline of 180 days for signatories to report back to the WHCNAA on their progress for strengthening the protection of Tribal treaty rights.

Tribal Treaty Rights Database. Tribal treaties are not readily accessible to federal employees. Yet, provisions of various treaties are often referenced and needed for specific work on Tribal issues. To remedy this problem and ensure ready access for implementation of the Tribal Treaty MOU, the Departments of Agriculture and the Interior have contracted with Oklahoma State University (OSU) to develop a publicly available, searchable, and indexed database of all the Tribal treaties. This new database will allow federal employees and the general public to search through American Indian treaties. The first phase of the project will digitize a set of treaties compiled by Charles Kappler, the former clerk of the Senate Committee on Indian Affairs, which is widely considered the most comprehensive collection of treaties with Indian Tribes. Both the digitized treaties and the indexing in the database can be expanded in future phases. OSU has hired Indian law experts to advise on this indexing process. The beta version of the database will launch at the White House Tribal Nations Summit.

Indigenous Knowledge Statement and Establishment of Interagency Working Group on Indigenous Traditional Ecological Knowledge. The Biden-Harris Administration issued a memorandum recognizing Indigenous Traditional Ecological Knowledge as one of the

important bodies of knowledge that contributes to the scientific, technical, social, and economic advancements of our nation. With Tribal consultation and input from knowledge holders and practitioners, the Administration will develop a guidance document for federal agencies on how the collection and application of such knowledge can be mutually beneficial to Tribes, Native communities, and federal agencies and can strengthen evidence-based analysis and informed decision-making across the federal government. An Interagency Working Group on Indigenous Traditional Ecological Knowledge will gather input from Tribes and Native communities and prepare the guidance document for planned release in 2022.

Tribal Homelands Joint Secretarial Order. In recognition of the importance of Tribal homelands under federal stewardship, the Departments of Agriculture and the Interior have launched the “Tribal Homelands Initiative” through a joint Secretarial Order. The Order commits the two Departments to increase opportunities for Tribal participation in federal lands management as well as co-stewardship agreements and other Tribal stewardship opportunities.

Sacred Sites Memorandum of Understanding. The Department of the Interior, the Department of Agriculture, the Department of Energy, the Department of Transportation, the Environmental Protection Agency, the Advisory Council on Historic Preservation, the Council on Environmental Quality, and the Tennessee Valley Authority entered into an MOU that creates a framework through which the agencies can protect Tribal sacred sites. The MOU identifies opportunities for considering Tribal sacred sites early in the federal decision-making processes that may result in regulatory and policy outcomes; adds a commitment to incorporate Indigenous knowledge when assessing impacts of federal actions on sacred sites; and provides clear direction on developing best practices for collaborative stewardship and co-management when working with Tribal Nations. The MOU also requires each agency to hold consultations with Tribal Nations when an action it may take could affect a Tribal sacred site. The MOU requires the signatories to submit an annual report to the White House Council on Native American Affairs.

Native Language Memorandum of Agreement. In November 2021, the Departments of Education, Health and Human Service, and the Interior entered into a MOA that promotes the protection of Native languages through the establishment of a Native Language Working Group. Other participating agencies include the Department of Agriculture, the Department of Transportation, the Council on Environmental Quality, the Institute of Museum and Library Sciences, the Library of Congress, the National Endowment for the Arts, and the National Endowment for the Humanities. The MOA promotes collaboration on programming, resource development, and policy related to Native languages.

Department of Agriculture Indigenous Food Sovereignty Initiative. In November 2021, USDA announced the Indigenous Food Sovereignty Initiative, acknowledging the history of how federal Indian policy has affected Native food and agriculture, and recommitted USDA to strengthening Indigenous food systems. This initiative includes the publishing of a public-facing USDA Food Sovereignty Resource Guide, the purchase of shelf-stable Tribal foods for the USDA's new Hall of Tribal Nations, and several Food Sovereignty Cooperative Agreements.

Established the Department of Agriculture Hall of Tribal Nations. The USDA Office of Tribal Relations opened the USDA Hall of Tribal Nations in November 2021 to better reflect the diplomatic nature of the Nation-to-Nation relationship with Tribal Nations.

Creation of the First-Ever Secretary of the Interior's Tribal Advisory Committee. The Department of the Interior has created the first-ever Secretary's Tribal Advisory Committee (STAC), a foundational step toward modernizing DOI's Tribal consultation plan and making permanent, long-lasting change to prioritize the Nation-to-Nation relationship. The STAC will facilitate intergovernmental discussions, serving as a forum for open dialogue between high-level DOI leadership and bureau officials with elected Tribal representatives.

Creation of the First-Ever Department of Homeland Security Tribal Homeland Security Advisory Council. DHS will establish the first-ever DHS Tribal advisory body. It will be made up of Tribal Nation leaders and subject matter experts (including Tribal organization subject matter experts), to inform the Department on a broad range of intergovernmental relations and homeland security interests of Tribal Nations.

Creation of First-Ever Housing and Urban Development Tribal Intergovernmental Advisory Committee. HUD will establish its first-ever Tribal advisory committee, the HUD Tribal Intergovernmental Advisory Committee (TIAC). TIAC will allow Tribes to provide direct input on HUD priorities and policies.

Creation of the First-Ever Veterans Affairs Tribal Advisory Committee. In October 2021, the VA created a Tribal Advisory Committee to ensure that the federal government is collaborating on veterans' issues with Tribal Nations.

New Veterans Health Administration Native Affairs Office. In order to ensure effective delivery of Veterans' services, the Veterans Health Administration (VHA) has established a new office to coordinate issues related to Native veterans' health. This includes allocating budget resources for staff, with the goal to commence hiring to have the office staffed by March 2022.

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