

# Native American organizations denounce government shutdown as an abrogation of treaties

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On January 10, eight organizations—the National Congress of American Indians, Native American Contractors Association, National Indian Health Board, National Council on Urban Indian Health, National Indian Education Association, National American Indian Housing Association, National Indian Child Welfare Association, and the Self Governance Communication and Education Tribal Consortium—sent a joint letter to President Donald Trump and to the Congress calling for an immediate end to the shutdown of the federal government. Citing the trust relationship between the federal government and the tribal nations, the letter calls the shutdown an abrogation of US treaties with Indian nations.

The letter outlined the wide-ranging impacts the shutdown is having upon the Native American population, approximately three million people, and underscores the fact that the closure of services for Native Americans effectively violates the trust relationship between the federal government and Indian tribes and abrogates the terms of the government's treaties with native tribes.

The economic effects that the shutdown has had upon Native Americans have already been vast. The prolonged furlough of Bureau of Indian Affairs (BIA) and Indian Health Services (HIS) employees, many of whom are members of tribal nations, affects more than just the individual employees. Dependents of federal employees are also impacted by the inability to pay for health insurance, housing, or food, and the social safety nets such as Supplemental Nutrition Assistance Program (SNAP) and Medicaid are also constrained by the shutdown.

Speaking to *City Lab*, 64-year-old Deanna Lubarsky,

a member of the Mandan, Hidatsa, and Arikara Nation living in New Mexico, reports that she has been on furlough from her job at the Bureau of Indian Education since December 21. Lubarsky, who relies on medication to regulate diabetes and high blood pressure, is concerned that her health insurance will lapse in February if she is unable to pay the premium.

A winter storm earlier in January saw members of the Navajo Nation, which spans three different states, trapped inside of their homes for days by snow. BIA employees were furloughed during the winter storm; roads were finally cleared by unpaid employees.

The economic impacts are not limited to the furlough. Federal contractors work closely with federal and tribal agencies. Since the shutdown, tribally-owned enterprises that contract with the government have reportedly lost an estimated \$200,000 to \$250,000 per day. Many of these companies have laid off over 300 people. Unlike workers employed directly by the federal government, these employees will not receive back pay when the shutdown is over.

Even prior to the shutdown, the lack of nutritious and affordable food was well-documented among Native populations. The incidence of nutrition-related disease in this population is disproportionately high. The US Department of Agriculture's (USDA) Food Distribution Program on Indian Reservations (FDPIR) provides food assistance for between 90,000 and 100,000 tribal citizens, most of whom are children or elderly. The FDPIR is in danger of exhausting its funds by the end of January. Also endangered are school nutrition services, which could run out of funds by March.

BIA schools have already been funded for the year,

however, due to the shutdown, schools do not have personnel to address emergency facility repairs. Moreover, Department of Education (DOE) furloughs have stalled negotiations on standards and systems under the Every Student Succeeds Act (ESSA). The Education Department had already given the Bureau of Indian Education a deadline of fall 2019 for implementing ESSA standards, threatening to withhold Title funds if the deadline is not met.

The health disparities between Native Americans and other populations have been well-documented over decades. The life expectancy for Native Americans is 5.5 years less than the national average; in some states, it is a staggering 20 years less. The shutdown threatens the already fragile and underfunded systems that deliver healthcare for this population, both on tribal lands and in urban areas. Indian Health Service programs have had no funds appropriated yet for Fiscal Year 2019.

While 78 percent of American Indians live in urban areas, healthcare programs for tribal citizens in these areas are criminally underfunded. Kerry Hawk-Lessard, a National Council of Urban Indian Health (NCUIH) board member and the Executive Director of Native American Lifelines for Baltimore and Boston, provided a written testimony to the Democratic Steering and Policy Committee and the House Committee on Natural Resources. Hawk-Lessard testified that Native American Lifelines receives less than \$1 million annually from IHS to split between two facilities.

Hawk-Lessard wrote in her testimony, “We have thus far had to deny purchase of care requests that are critical to chronic care management –insulin, blood pressure medication, thyroid medication, antibiotics.... We have had six clients overdose on opioids in the last two months. Two-thirds of these overdoses were fatalities.”

Hawk-Lessard’s organization was forced to shut its doors on January 12, by which time funding had run out.

In addition to the economic, educational, nutritional, and health ramifications, the shutdown has effectively stalled any applications for USDA housing programs or home loan guarantee programs for Native Americans.

An investigation by Housing and Urban Development (HUD) in 2017 revealed that housing conditions among Native Americans are significantly worse than the

national average. Overcrowding, insufficient plumbing, lack of heating, and deficient electrical systems are just a few of the recurring issues uncovered by HUD. The shutdown has made it impossible for many to escape these conditions; moreover, it has done so in a season that is particularly harsh in many tribal lands.

As the joint letter to Trump and Congress wryly points out, “the Americans most affected by immigration over the last 500 years continue to be the most heavily impacted by the shuttering of multiple federal agencies.” Educational, health, nutrition, and housing services for Native Americans are not handouts given benevolently by the United States; to the contrary, they were granted in return for the federal government’s confiscation of tribal lands.

Native Americans are more likely than any other section of the population to be killed by police; Native American mothers are more likely to die giving birth, and Native American children are more likely to die before their first birthdays. Well before Trump shut down the government to demand funding for a border wall with Mexico, the United States had already abrogated the terms of its treaties with tribal nations. Today, the Trump administration is assaulting the rights of Native American workers, along with those of all other workers. It is crucial at this time for American workers, regardless of national origin or ethnicity, to reject the separation of workers on the basis of nationality and to stand in firm solidarity with their fellow workers worldwide.



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