

GREAT PLAINS TRIBAL CHAIRMEN'S ASSOCIATION

Mailing Address: US Post Office Box 988, Rapid City, SD 57701

September 28, 2021

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Ave., NW
Attn: Paawee Rivera, Libby Washburn
Washington, DC 20500

Hon. Xavier Becerra
Secretary of Health and Human Services
U.S. Department of Health and Human Services
Attn: Stacey Ecoffey, OSEC
200 Independence Ave., NW
Washington, DC. 20201

Hon. Debra Haaland
Secretary of the Interior
Attn: AS—IA Bryan Newland
U.S. Department of the Interior
1849 C. Street, NW
Washington, DC. 20240

Hon Merrick Garland
Attorney General
Attn: Director, Tracy Toulou, OTJ
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

Re: Indian Treaty Right to Health Care: Do Not Appeal *Rosebud Sioux Tribe v. U.S.*

Dear President Biden, Secretary Haaland, Secretary Becerra and Attorney General Garland:

I write on behalf of the Great Plains Tribal Chairmen's Association, Inc., and our 16 Indian nations and tribes, to request that you honor the Federal Court of Appeals holding that: Indian tribes have a treaty right to competent physician-led health care. With the firm conviction, the Biden Administration states: "**Health care is a right, not a privilege.**" That's true for Native Americans, as other Americans, yet in violation of our treaty rights we have been subjected to the worst health care in America.

Mr. President, Secretaries Haaland, Becerra and Attorney General Garland, we call upon you to honor the pledges of the United States of America as set forth in our treaties: Federal law mandates "competent physician-led health care" to the Rosebud Sioux Tribe. With the viability of our homeland and the health of our Lakota People at stake, our Treaty Health Care Rights are Human Rights. **Do not appeal the Rosebud Sioux Tribe's Eighth Circuit Federal Court of Appeals victory to the Supreme Court.**

As a direct result of the United States treaty violations, **our Great Plains Indian nations and tribes suffer the lowest life expectancy in America—Life expectancy is only 47 years for a Sioux man.** Our health care as provided through the Indian Health Services is the poorest in America—Indian Health Care is funded at one-third the rate of Medicaid and Medicare. The suffering must end.

The Secretary of HHS recently asked our Native Nations if Indian health care is a mandate. The answer is YES! Our treaties mandate health care. As the Federal Court of Appeals ruled, the United States has a duty to provide “competent physician-led health care” to the Rosebud Sioux Tribe under the 1868 Treaty.

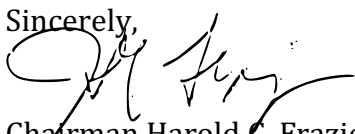
Mr. President, Madam Vice President, Secretaries Haaland, Becerra and Attorney General Garland, we call upon you recognize the mandate to provide “competent physician-led health care” to Indian nations. **Do not appeal the Rosebud Sioux Tribe case to the Supreme Court.**

The CDC reports that Native Americans suffer hospitalization, serious injury, and mortality from the COVID-19 virus at the highest rate of any population in America, a rate 2.5 times the White Population. It would be unconscionable for America to continue to fail to honor our Treaty by continuing to leave us a generation behind on Health Care Facilities. The United States must scrap its broken 1993 I.H.S. Health Care Facility priority list and put in a new system that recognizes and addresses real health care and economic needs.

President Biden you recognize health care is a human right. With respect, we call upon you to fully fund I.H.S in the \$3.5 Trillion Reconciliation Bill as Federal entitlement spending mandated by our treaty, and include at least \$24 Billion in Facility Construction for Indian Health Service and Tribal Government Health Care Facilities.

We look forward to your timely response.

Sincerely,



Chairman Harold C. Frazier, Cheyenne River Sioux Tribe &
Great Plains Tribal Chairmen’s Association

Cc: Senate Majority Leader Chuck Schumer
Chairman Bernie Sanders, Senate Budget Committee
Chairman Brian Schatz, Senate Committee on Indian Affairs