



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PDX-11-031

TITLE: Mandated Flexibility of Tribal TANF

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, nationally there are 64 approved Tribal TANF grantees serving 298 American Indian Tribes and Alaska Native Villages and the non-reservation and Alaska Native populations of over 121 counties (including several major metropolitan areas, designated near-reservation towns, and six Alaska Native Regional Corporation areas); and

WHEREAS, the Tribal TANFs clients are among the most difficult to serve clients due to a high rate of unemployment, substance abuse, domestic violence and other social issues; and

WHEREAS, tribal populations lack in opportunities for education and vocational training, especially due to their remote locations; and

WHEREAS, the Tribal TANFs of our nations are located in areas where populations cannot support industry, no matter how small; and

WHEREAS, even where commerce is possible jobs are lost in the smallest shifts due to economic instability; and

WHEREAS, the U.S. Congress, in its wisdom, did provide for flexibility in Tribal TANF Programs; and

WHEREAS, Tribal TANFs have dramatically demonstrated their ability to succeed in the education and training of parental tribal clients to become employable; and

WHEREAS, Tribal TANFs have exceeded expectations in the placement of clients into full time meaningful work even in remote locations.

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Tlingit

NCAI HEADQUARTERS

1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby request the Department of Health and Human Services and Administration for Children and Families (DHHS/ACF) to adhere to the Congressional mandate of Tribal TANF flexibility as outlined in P. L. 104-193 and inclusion of P.L. 101-477 plans, and in President Obama’s February 2011 Memorandum on Administrative Flexibility specifically referencing Indian Tribes; and

BE IT FURTHER RESOLVED, that all central ACF TANF and regional staff be required to become trained in the congressional mandated flexibility and in the ACF Tribal Consultation Policy, and that this training become a component of annual training; and

BE IT FURTHER RESOLVED, that all policy modifications or interpretations regarding the flexibility tenet of Tribal TANF are to be subject to the ACF Tribal Consultation Policy and process; and

BE IT FURTHER RESOLVED, that the central ACF TANF and regional staff incorporate a policy of flexibility in their work and relationships with Tribal TANF programs; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2011 Annual Session of the National Congress of American Indians, held at the Oregon Convention Center in Portland, Oregon on October 30 – November 4, 2011, with a quorum present.



President

ATTEST:



Recording Secretary