



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #ATL-14-045

TITLE: Fully Fund Contract Support Costs (CSC) Funding in FY 2015 and Future Appropriations

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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, the U.S. Supreme Court has twice held that the United States government is liable to pay full Contract Support Costs (CSC) under Indian Self-Determination and Education Assistance Act (ISDEAA) contracts and is legally binding and enforceable and the Congress has also instructed the Indian Health Service (IHS) and Bureau of Indian Affairs (BIA) to fully fund the CSC needs of Tribes; and

WHEREAS, on September 2, 2014, the IHS issued a letter to Tribal Leaders explaining that initial estimates of CSC need for FY 2014 were inadequate and that the agency would have to reprogram money from the IHS budget in order to fully fund CSC with final estimates indicating this amount to be \$25 million; and

WHEREAS, unless additional funding is provided in the IHS appropriation, then the additional funds required to fund CSCs will come at the expense of the overall health program and result in cuts in services for both direct service and self-governance Tribes; and

WHEREAS, Congress has stated its strong support to fully fund CSC as evidenced by the FY 2014 Interior, Environment and Related Agencies Act, which provided report language directing the Agencies to work with Tribes to find a solution to fully fund CSC needs in the future; however, both the FY 2014 enacted and FY 2015 estimate are below the required need to fully fund CSC in these fiscal years as intended by Congress.

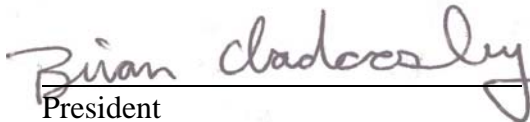
NOW THEREFORE BE IT RESOLVED, that the NCAI believes that the United States government has a legal and a moral duty to fully fund CSC, a duty which requires reliable and sufficient appropriations every year, without exception, which are not paid for through cuts to Indian program budgets funded by the federal agencies; and

BE IT FURTHER RESOLVED, that the NCAI request Congress increase appropriations to fully fund the IHS and BIA Contract Support Costs needs of Tribes in the FY 2015 and future year budgets without cuts to direct services and other programs affecting all Tribes; and

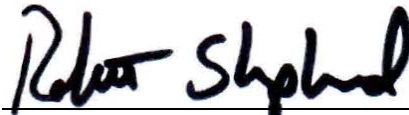
BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2014 Annual Session of the National Congress of American Indians, held at the Hyatt Regency Atlanta, October 26-31, 2014 in Atlanta, Georgia, with a quorum present.


President

ATTEST:


Recording Secretary