



NATIONAL CONGRESS OF AMERICAN INDIANS

THE NATIONAL CONGRESS OF AMERICAN INDIANS

RESOLUTION #BIS-02-039

EXECUTIVE COMMITTEE

PRESIDENT

Tex G. Hall
Mandan, Hidatsa, Arikara Nation

FIRST VICE-PRESIDENT

Joe A. Garcia
Ohkay Owingeh
(Pueblo of San Juan)

RECORDING SECRETARY

Colleen F. Cawston
Colville Confederated Tribes

TREASURER

Alma Ransom
St. Regis Mohawk Tribe

AREA VICE PRESIDENTS

ABERDEEN

Harold Frazier
Cheyenne River Sioux

ALBUQUERQUE

John F. Gonzales
San Ildefonso Pueblo

ANADARKO

James M. Potter
Prairie Band Potawatomi

BILLINGS

Geri Small
Northern Cheyenne Tribe

JUNEAU

Mike Williams
Yupiaq

MINNEAPOLIS

Bob Chicks
*Stockbridge-Munsee Band of
Mohican Indians*

MUSKOGEE

Jefferson Keel
Chickasaw Nation

NORTHEAST

Kevin Seneca
Seneca Nation

PHOENIX

Evelyn B. Juan-Manuel
Tohono O'odham Nation

PORTLAND

Ernie Stensgar
Coeur d'Alene Tribe

SACRAMENTO

Juana Majel
Pauma-Yuima

SOUTHEAST

Eddie Tullis
Poarch Band of Creek Indians

EXECUTIVE DIRECTOR

Jacqueline L. Johnson
Tlingit

Title: Protection Of Tribal Sovereignty By Requiring The Two Oklahoma Urban Projects Addressed Within Section 512 Of The Indian Health Care Improvement Act (IHCA) To Be Subject To The Indian Self-Determination And Education Assistance Act (P.L. 94-437) (ISDEA)

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 and their way of life, 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, Section 512 of the IHCA addresses two Oklahoma urban projects located within the Oklahoma City Area Office (OCAO) of the Indian Health Service (IHS) that have been demonstration projects for several years, and specifically excludes these two urban projects from the provisions of the ISDEA; and

WHEREAS, the health care service delivery components within the OCAO are extremely important to each of the 39 Indian tribes and nations located with Oklahoma, Texas and Kansas, while the accountability of these two urban projects to the tribes, especially, the Indian tribes and nations who have the same jurisdictional and/or service areas, can not be ignored; and

NCAI HEADQUARTERS

1301 Connecticut Avenue, NW
Suite 200
Washington, DC 20036
202.466.7767
202.466.7797 fax
www.ncai.org

WHEREAS, the Oklahoma City Area Inter-Tribal Health Board recognized the infringement on sovereignty, and the accountability, and adopted a resolution on April 1, 1999, which was reaffirmed on April 9, 2002, that deletes the word **Anot@** from the phrase within Section 512 that says the two urban projects **AY**. shall not be subject to the ISDEAY.@, and

WHEREAS, several Oklahoma Indian tribes and nations also passed resolutions, and submitted letters of support requesting the two urban projects be subject to the ISDEA as a protection of their sovereignty rights, and providing a mechanism for accountability from the urban projects to the Indian tribes and nations; and

WHEREAS, Oklahoma=s elected Indian nation leader/delegate to the IHCIA National Steering Committee, which committee assisted in compiling the draft of the IHCIA that was to be submitted to the United States Congress, continually advocated the Oklahoma position to remove the word **Anot@** from Section 512 IHCIA language, within an environment consisting of urban members as this section falls within Title V which addresses urban issues, thereby such advocacy was useless.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby strongly support language within Section 512 of the IHCIA, either pending in Congress as a bill, or proposed to be introduced, that requires the two OCAO urban projects **A**shall be subject to the ISDEA@, 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 at the 2002 Mid-Year Session of the National Congress of American Indians, held at the Bismarck Civic Center, in Bismarck, North Dakota on June 16-19, 2002 with a quorum present.



Tex Hall, President

ATTEST:



Colleen Cawston, Recording Secretary

Adopted by the General Assembly during the 2002 Mid-Year Session of the National Congress of American Indians, held at the Bismarck Civic Center, in Bismarck, North Dakota on June 16-19, 2002.