



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians  
Resolution #REN-19-008

**TITLE: Opposition to USDA FNS Regional Realignment of WIC State Agencies  
and Food Distribution Program on Indian Reservations**

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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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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 Special Supplemental Nutrition Program for Women, Infants and Children (WIC) is a public health nutrition program administered by state agencies for the U.S. Department of Agriculture's (USDA) Food and Nutrition Services (FNS), as authorized by Congress through Section 17 of the Child Nutrition Act of 1966; and

**WHEREAS**, USDA recognizes 34 tribal nations and inter-tribal organizations (ITO-State Agencies) as state agencies for the purposes of administering WIC under 7 CFR § 246.2; and

**WHEREAS**, more than 100 ITOs run and manage Food Distribution Program on Indian Reservations (FDPIR); and

**WHEREAS**, FNS, without any prior notice, informed affected state agencies and FDPIR programs on or about March 14, 2019, that the regional offices would be realigned, and the Navajo Nation and Inter Tribal Council of Arizona, Inc. would be moved from the Western Region to the Southwest Region; and

**WHEREAS**, FNS made a decision to move forward with its plans for realignment without first engaging in tribal consultation as required by E.O. 13175, USDA consultation policies, and the United States' tribal trust responsibility; and

**WHEREAS**, the realignment will have a significant adverse impact on tribal nations and inter-tribal organizations that administer WIC and FDPIR programs by decreasing efficiencies and requiring additional expenditures from the already limited resources of ITO-State Agencies in order to educate the new region on their programs,

transfer reporting and documents to the new region, establish new partnerships, and adjust to different regional priorities and processes; and

**WHEREAS**, the ITO-State agencies have established strong partnerships with the other state agencies in the Western Region over the past 25 years that have resulted in significant cost savings and program efficiencies, and the realignment will eventually result in the dissolution of these longstanding collaborative partnerships that have led to multi-state projects and initiatives of national significance; and

**WHEREAS**, Regional Operational Adjustment funding may be at risk with realignment; and

**WHEREAS**, there are currently 16 ITO-State Agencies in the Southwest Region and adding two additional ITO-State Agencies will place additional burdens on regional staff and jeopardize services delivered by the regional office; and

**WHEREAS**, the Inter Tribal Council of Nevada will be the only ITO-State Agency remaining in the Western Region, diminishing the potential for collaborative relationships with similar agencies; and

**WHEREAS**, the alignment will hinder FNS customer service to ITO-State Agencies by disrupting program operations, jeopardizing funding, imposing new bureaucratic hurdles, and weakening ITO-State Agency trust in USDA.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) urges the USDA to place the realignment process on hold pending USDA's engagement in formal tribal consultation with the tribal nations and inter-tribal organizations that will be affected by the realignment of WIC and FDPIR; and

**BE IT FURTHER RESOLVED**, that NCAI opposes the realignment of USDA FNS regional offices until such formal consultation is conducted in accordance with E.O. 13175, USDA's consultation policies, and the United States' trust responsibility; and

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

**CERTIFICATION**

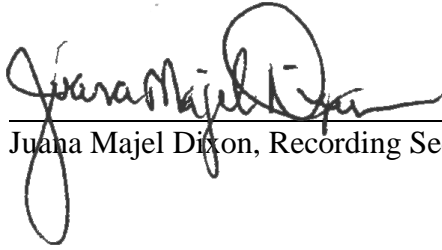
The foregoing resolution was adopted by the General Assembly at the 2019 Mid-Year Session of the National Congress of American Indians, held at the Nugget Casino Resort, June 24-27, 2019, with a quorum present.



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Jefferson Keel, President

**ATTEST:**



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Juana Majel Dixon, Recording Secretary