TITLE: TANF – Equitable Treatment for Tribes

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 Owens Valley Career Development Center (OVCDC), a Tribal Organization governed by the Owens Valley Board of Trustees (OVBT), provides career education, family literacy, language and temporary assistance services in five California Counties; and

WHEREAS, the Owens Valley Board of Trustees is a consortium of the Bishop Paiute Tribe, Big Pine Paiute Tribe of the Owens Valley and Lone Pine Paiute Shoshone Tribe; and

WHEREAS, many of the program’s participants served by the Owens Valley Career Development Center reside on or near reservations and the location of offices and services facilities on reservation are more accessible to those program participants; and

WHEREAS, the Department of Health and Human Services (HHS) Administration for Children and Families (ACF) has determined that the Tribes of the OVBT will not be paid fair market lease rates for facilities owned by the Tribes; and

WHEREAS, authorized officials and representatives of the OVBT and the OVCDC have on numbered occasions, including HHS consultations, requested that HHS and ACF make a determination related to fair market leases in the best interests of the Tribes and consistent with the government to government relationship and the Federal Governments trust responsibility; and

WHEREAS, resolution of this issue needs to be immediate and to adequately address the issues raised by the Tribes.
NOW THEREFORE BE IT RESOLVED, that the NCAI should communicate to the HHS and ACF its support for fair market leases with Tribal Governments consistent with their Federal Trust responsibility; and

BE IT FURTHER RESOLVED, that the NCAI advise HHS and ACF that Tribal Governments need to manage their land and assets for the benefit of Indian people and that the Federal Government also has a fiduciary responsibility to Tribal assets; 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.

[Signature]
President

ATTEST:

[Signature]
Recording Secretary