

# The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

## *A Resolution Regarding Indirect Cost Rate Negotiations Changes*

### Resolution No.15-22



**WHEREAS,** the Inter-Tribal Council of the Five Civilized Tribes (ITC) is an organization that unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing over 500,000 Indian people throughout the United States; and,

**WHEREAS,** Tribes must provide citizenship data to determine eligibility for myriad federal programs; and,

**WHEREAS,** Tribes incur significant costs associated with tribal enrollment and registration activities; and,

**WHEREAS,** over the course of several years, the Interior Business Center (IBC) at the Department of the Interior (DOI) approved these indirect costs incurred to operate tribal registration departments; and,

**WHEREAS,** burdens on tribal registration departments have increased significantly in recent years due to the enactment of the Affordable Care Act (ACA) and the resulting necessity for thousands of applicants to secure their eligibility for health care; and,

**WHEREAS,** in 2014 the IBC suddenly determined that these costs were disallowable without any notice to tribes, or under the authority of any statute, regulation, or guidance to support this change; and,

**WHEREAS,** these costs are reasonable costs, and any increase can be traced to the enormous spike in applications for tribal citizenship triggered by the 2010 enactment of the ACA; and,

**WHEREAS,** NCAI adopted resolution ATL-14-030, which demonstrates national tribal support for this issue; and,

**WHEREAS,** the House Appropriations Committee recently echoed these sentiments through report language included in the FY 2016 Interior, Environment, and Related Agencies appropriations bill:

*Indirect Costs.—The Committee is concerned that a recent Administration policy change with regard to indirect cost reimbursement may not fairly apply to Indian Tribes and tribal organizations. The Secretary is directed to report to the Committee*

*justifying this policy change and in particular its application to tribal enrollment activities;*

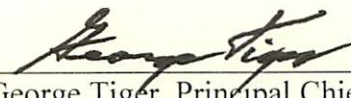
**NOW THEREFORE BE IT RESOLVED**, we urge the DOI to reconsider the practice of finding tribal enrollment and registration activities disallowable and to fully reimburse the related indirect costs that were found disallowable.

### CERTIFICATION

The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Shawnee, Oklahoma on this 10<sup>th</sup> day of July, 2015, by a vote of all for 0 against and 0 abstentions.



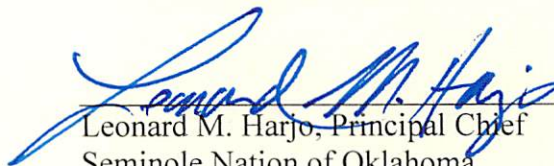
Bill John Baker, Principal Chief  
Cherokee Nation



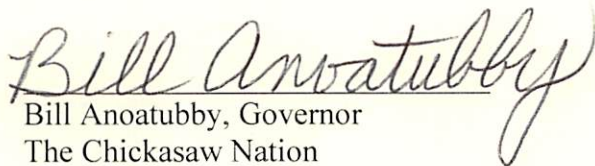
George Tiger, Principal Chief  
Muscogee (Creek) Nation



Gary Batton, Chief  
Choctaw Nation of Oklahoma



Leonard M. Harjo, Principal Chief  
Seminole Nation of Oklahoma



Bill Anoatubby, Governor  
The Chickasaw Nation