



United South and Eastern Tribes, Inc.

Nashville, TN Office:

711 Stewarts Ferry Pike, Suite 100
Nashville, TN 37214
Phone: (615) 872-7900
Fax: (615) 872-7417

Washington, DC Office:

400 North Capitol Street, Suite 585
Washington, D.C., 20001
Phone: (202) 624-3550
Fax: (202) 393-5218

USET Resolution No. 2013: 049

URGING THE OFFICE OF MANAGEMENT AND BUDGET TO ENGAGE IN FORMAL CONSULTATION WITH INDIAN COUNTRY ON PROPOSED GUIDANCE REGARDING THE REFORM OF FEDERAL GRANT POLICIES, INCLUDING AUDITS AND COST PRINCIPLES

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-six (26) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** the Office of Management and Budget (OMB) is seeking comment by June 2, 2013, on a Notice of Proposed Uniform Guidance: Cost Principles, Audit, and Administrative Requirements for Federal Awards; and
- WHEREAS,** the OMB states that, when adopted, any new guidance developed from this Proposed Guidance will supersede and replace the following OMB Circulars A-21; A-87; A-110; A-122; A-50; A-89; A-102; and A-133, which collectively directly impact Tribal governments through grants and contract funding at the Tribal level, as well as Tribal participation in organizations, non-profits, universities, and myriad other entities that fall under these Circulars; and
- WHEREAS,** the OMB explains that the goals of the reforms are to strengthen federal oversight of federal grant dollars to protect from waste, fraud, and abuse; eliminate unnecessarily burdensome requirements; increase the impact and accessibility of programs; standardize information collections across agencies; better focus the Single Audit to reduce waste, fraud, and abuse; and provide new administrative approaches for determining and monitoring the allocation of funds; and
- WHEREAS,** the USET Board of Directors generally supports the intent of this reform, including the elimination of unnecessarily burdensome requirements; and
- WHEREAS,** the proposed changes would significantly impact how federal grants are managed by both federal agencies and grant recipients and how auditors will perform Single Audits; and
- WHEREAS,** there could be unintended and unforeseen potential conflicts from the proposed changes with regard to the application and execution of Indian Self-Determination and Education Assistance Act (ISDEAA) grants and contracts, which may not be fully or satisfactorily mitigated by OMB's assurances that ISDEAA will govern in the event the proposed guidance conflicts with the text of the Act; and

WHEREAS, with such great potential for far reaching and adverse impacts to Tribal governments, formal consultation with Indian Tribes is required per Executive Order 13175, rather than just the opportunity for comment provided so far by the OMB; and

WHEREAS, in December 2010 the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it

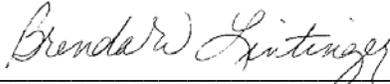
RESOLVED the USET Board of Directors does hereby call upon the Office of Management and Budget to engage in formal consultation with Indian Tribes with regard to the proposed guidance.

CERTIFICATION

This resolution was duly passed at the USET Semi Annual Meeting, at which a quorum was present, in Niagara Falls, NY, on Friday, May 17, 2013.



Brian Patterson, President
United South and Eastern Tribes, Inc.



Brenda Lintinger, Secretary
United South and Eastern Tribes, Inc.

“Because there is strength in Unity”