



# USET

SOVEREIGNTY PROTECTION FUND

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## USET SPF Resolution No. 2022 SPF:001

### **SUPPORTING COMPACTING THE UNITY HEALING CENTER**

- WHEREAS,** United South and Eastern Tribes Sovereignty Protection Fund (USET SPF) is an intertribal organization comprised of thirty-three (33) federally recognized Tribal Nations; and
- WHEREAS,** the actions taken by the USET SPF Board of Directors officially represent the intentions of each member Tribal Nation, as the Board of Directors comprises delegates from the member Tribal Nations' leadership; and
- WHEREAS,** USET SPF is committed to the health and well-being of the youth of its Tribal Nation members; and
- WHEREAS,** the Indian Health Service (IHS) Nashville Area Office currently operates the Unity Healing Center located in Cherokee, North Carolina as the Youth Regional Treatment Center (YRTC) for the IHS Nashville Area under section 708 of the Indian Health Care Improvement Act (IHCIA), 25 U.S.C. § 1665g; and
- WHEREAS,** Section 708(b)(3) of the IHCIA, 25 U.S.C. § 1665g(b)(3), requires that a YRTC shall be located within an IHS Area at a location agreed upon by a majority of the Tribal Nations that will be served by the YRTC; and
- WHEREAS,** a majority of the Tribal Nations within the IHS Nashville Area agreed through appropriate Tribal governmental resolutions and/or documentation, to locate the Unity Healing Center in Cherokee, North Carolina; and
- WHEREAS,** the Unity Healing Center provides alcohol and substance abuse detoxification and treatment, including behavioral health services, for Native American youth at the YRTC for the IHS Nashville Area; and
- WHEREAS,** Tribal Nations in the IHS Nashville Area believe that access and services at the Unity Healing Center would be significantly enhanced if managed by one or more Tribal Nations in the IHS Nashville Area utilizing the rights and benefits afforded under the Indian Self Determination Education and Assistance Act (ISDEAA); and
- WHEREAS,** some Tribal Nations in the IHS Nashville Area have expressed an interest and willingness to contract all programs, functions, services, activities (PFSAs) and related funds for the Unity Healing Center under authority of the ISDEAA; and
- WHEREAS,** the USET SPF Board of Directors supports one or more Tribal Nations in the IHS Nashville Area, alone or jointly, assuming management of all PFSAs and funds associated with the

aforementioned PFSA's for the Unity Healing Center under the ISDEAA with support of a majority of Tribal Nations within the IHS Nashville Area; and

**WHEREAS,** the USET SPF Board of Directors believes that if one or more Tribal Nations in the IHS Nashville Area contract for all PFSA's at the Unity Healing Center all Tribal Nations in the IHS Nashville Area will continue to have access to all PFSA's at the Unity Health Center to the same degree, if not greater access; and

**WHEREAS,** the USET SPF Board of Directors believes that nothing in this resolution should prevent an eligible Tribal Nation in the IHS Nashville Area from taking its share of funds at the Unity Healing Center and assuming PFSA's related to those funds in an ISDEAA agreement, if the program is ever deemed divisible under the ISDEAA; 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 SPF Board of Directors hereby supports legislation that will authorize having one or more Tribal Nations in the IHS Nashville Area, alone or jointly, assume the Program, Functions, Services and Activities and related funding of the Unity Healing Center under the Indian Self Determination Education and Assistance Act consistent with the support of a majority of the Tribal Nations within the Indian Health Service Nashville Area.

### CERTIFICATION

This resolution was duly passed by the USET SPF Executive Committee, at which a quorum was present on November 3, 2021.



Chief Kirk E. Francis, Sr., President  
United South and Eastern Tribes  
Sovereignty Protection Fund



Chief Lynn Malerba, Secretary  
United South and Eastern Tribes  
Sovereignty Protection Fund