



**United South and Eastern Tribes, Inc.**  
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**USET Resolution No. 2011:051**

**REQUEST FOR THE IMMEDIATE ESTABLISHMENT OF A TRIBAL/FEDERAL WORKGROUP TO ASSIST IN THE IMPLEMENTATION OF §409 (ACCESS TO FEDERAL INSURANCE) OF THE INDIAN HEALTH CARE IMPROVEMENT ACT**

- 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,** members of the USET Board of Directors are working for the best interest of their Tribal Nations, and their citizens to protect, promote, and enhance opportunities for their people; and
- WHEREAS,** the USET member Tribes have always maintained that a government-to-government relationship exists between the federal government and federally recognized Indian Tribes; and
- WHEREAS,** this unique relationship requires the Administration and its Operating Divisions to consult with Indian Tribes on any policy and/or legislative matters that impact or may potentially impact Tribal communities; and
- WHEREAS,** the Affordable Care Act of 2010 included the permanent reauthorization of the Indian Health Care Improvement Act (IHCIA); and
- WHEREAS,** a provision within the IHCIA, § 409 "Access to Federal Insurance" would allow Indian Tribes and Tribal Organizations that operate an Indian Self-Determination and Educational Assistance Act (ISDEAA) contract or compact to purchase insurance coverage under the Federal Employees Health Benefits (FEHB) Program and the Federal Employees Group Life Insurance (FEGLI) for their employees; and
- WHEREAS,** the United States Department of Health and Human Services (HHS) Office of Personnel Management (OPM) has been charged with the implementation of §409; and
- WHEREAS,** in a recent "Dear Tribal Leader Letter" that was released from OPM on May 2, 2011, Mr. John Berry, Director of OPM stated that all Tribes operating a ISDEAA contract/compact and its employees are eligible to enroll in the FEHB and FEGLI programs if they choose; and
- WHEREAS,** the letter further states that the next steps in implementation will be a series of Consultation sessions throughout Indian Country, and the establishment of a Tribal/Federal workgroup upon the conclusion of consultation to address any technical requirements of implementation; and
- WHEREAS,** the proposed Tribal/Federal workgroup should not suffice as Tribal Consultation, but act as a means to assist OPM in the consultative and implementation process; therefore, be it
- RESOLVED** the USET Board of Directors expresses its continued support in the implementation of the Indian Health Care Improvement Act provision titled, "Access to Federal Insurance"; and, be it further

**RESOLVED** the USET Board of Directors strongly encourages the Department of Health and Human Services Office of Personnel Management to immediately establish the aforementioned Tribal/Federal Workgroup as soon as conveniently possible so that Indian Tribes are involved throughout the development of the consultative and implementation process; and, be it further

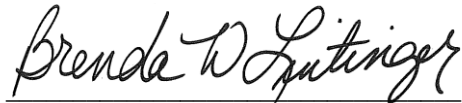
**RESOLVED** the USET Board of Directors respectfully requests that the Indian Tribes in the Nashville/Eastern Area have representation on the Office of Personnel Management Tribal/Federal workgroup.

### CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Marksville, LA, Thursday, May 19, 2011.



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



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

*“Because there is strength in Unity”*