

UNITED SOUTH AND EASTERN TRIBES, INC.

Resolution No. B-89-232

OPPOSITION TO IHS FINAL RULE ON ELIGIBILITY; REQUEST FOR
CONTINUATION OF CURRENT MORATORIUM

WHEREAS, the United South and Eastern Tribes, Incorporated (USET) is an inter-tribal organization comprised of 18 federally-recognized tribes; and

WHEREAS, USET is firmly committed to the goal of advancing the health care status of Indian people to the highest level possible; and

WHEREAS, the rules and regulations for eligibility for health care services provided to Indian people by the Indian Health Service (IHS) were changed by the Final Rule on Eligibility published in the Federal Register on September 16, 1987; and

WHEREAS, at the Board Meeting of February 1988, USET passed Resolution B-88-195, which officially opposes the implementation of this Final Rule due to the extreme negative impact the Rule would have on USET tribal health programs; and the lack of tribal participation in the development of the Rule; and

WHEREAS, Resolution B-88-195 also called for Congress to direct the IHS to conduct a thorough impact analysis of the Final Rule and to include extensive tribal input in this analysis; and

WHEREAS, the United States Congress imposed a moratorium on the implementation of the Final Rule, and extended said moratorium to delay the implementation of the Final Rule until October 1, 1989; and

WHEREAS, Section 719 of P.L. 100-713 mandates that the IHS conduct a comprehensive impact analysis of the effects of the Final Rule on Indian people, including the health status, social, cultural, and economic impact, and that such an analysis must include tribal input and comment before reporting to Congress; and

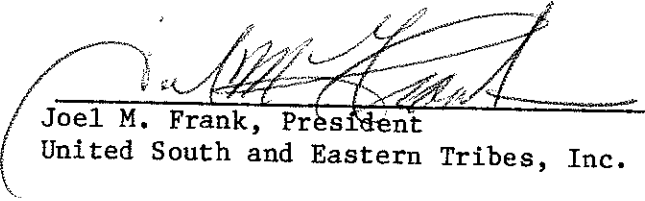
WHEREAS, the above study has not been completed and tribal input to the study process has not been secured,


NOW, THEREFORE, BE IT RESOLVED THAT the USET Board, acting on behalf of its member tribes and for Indian tribes and people throughout the United States, officially opposes the implementation of the Final Rule on October 1, 1989, because the Rule does not adequately respect the sovereign rights of Indian tribes, nor does the Rule adequately account for the provision of health care services to Indian people; because the full impact of the Rule upon Indian people has still not been analyzed, and because Indian people have not been allowed to participate adequately in the process of determining or analyzing the Rule; and

BE IT FURTHER RESOLVED THAT the USET Board directs the Executive Director to write the U.S. Congress, informing the Senate Select Committee on Indian Affairs of this opposition by USET tribes to the October 1, 1989 implementation of the Final Rule, to provide the Committee a copy of this Resolution, and to request the Committee to extend the existing moratorium on implementation until the study mandated by P.L. 100-713 has been completed with proper tribal participation, review and comment.

CERTIFICATION

This resolution was duly passed at the Board of Directors Meeting, at which a quorum was present, in Nashville, Tennessee; July 27, 1989.


Joel M. Frank, President
United South and Eastern Tribes, Inc.


Harold Tarbell, Secretary
United South and Eastern Tribes, Inc.

HOULTON BAND OF MALISEET INDIANS

P.O. BOX 576 MARKET SQUARE

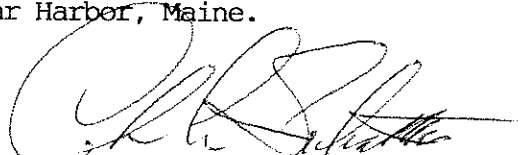
HOULTON, MAINE 04730

TELEPHONE (207) 532-7339

I, Clair A. Sabattis, Tribal Chairman of the Houlton Band of Maliseet Indians hereby authorize Donald Levasseur, Executive Director of the Houlton Band of Maliseet Indians to vote on my behalf at the USET Annual Board Meeting June 8 - 11, 1989 at Bar Harbor, Maine.

6-2-89

DATE



Clair A. Sabattis, TRIBAL
CHAIRMAN