

UNITED SOUTH AND EASTERN TRIBES, INC.

Resolution No. B-90-278


REQUEST FOR AN AMENDMENT TO P.L. 100-297 FOR CLARIFICATION  
OF ADMINISTRATIVE COSTS AS APPLIED TO TRIBALLY FUNDED SCHOOLS


- WHEREAS, the United South and Eastern Tribes, Incorporated (USET) is an inter-tribal organization comprised of 18 federally-recognized tribes; and
- WHEREAS, the USET Board has established the Education Committee to provide the Board with information on and recommendations regarding critical issues facing USET tribes; and
- WHEREAS, the USET Education Committee previously officially opposed the application of the Administrative Cost Percentage formula as written under P.L. 100-297 (reference USET, Inc. Resolution Number B-89-247); and
- WHEREAS, the Administrative Cost Percentage formula of P.L. 100-297 was understood to be applied only to Tribal Grant Schools and not to P.L. 93-638 Contracted Schools who negotiate a Tribal Indirect Cost Rate Agreement each Fiscal Year; and
- WHEREAS, the Bureau of Indian Affairs has begun to apply the Administrative Cost Percentage Formula in FY 1990 to all Bureau funded schools contracted and grants schools alike; and
- WHEREAS, the P.L. 100-297 contains funding language which has led the Bureau to interpret the Administrative Cost Percentage Formula is applicable to all Bureau funded schools, contracted and grants schools; and
- WHEREAS, the BIA has not completed the legally required study of the Administrative Cost Formula and made appropriate adjustments, as required in P.L. 100-297, to have been completed by October, 1989,
- NOW, THEREFORE, BE IT RESOLVED THAT the USET Board lobby and provide testimony to Congress to amend P.L. 100-297 to allow for the continuance of the Indirect Cost Rate to all Tribally contracted schools; and
- BE IT FURTHER RESOLVED THAT the USET Board request clarification of the Administrative Cost Percentage Rate in P.L. 100-297 by amendment which will not supersede P.L. 93-638 (as amended); and

BE IT FURTHER RESOLVED THAT in the interim, BIA continue to honor the Indirect Cost Rate as written in P.L. 93-638 (as amended).

CERTIFICATION

This resolution was duly passed at the Board of Directors meeting, at which a quorum was present, in Washington, DC; March 8, 1990.

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

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