UNIVERSITY 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 formula 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.

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

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