

National Indian Health Board



October 14, 2013



President Barack Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500



**Re: Withdraw the proposal to cap Contract Support Costs for Tribal contracts and promptly resolve all past claims**



Dear Mr. President:

Our undersigned Tribal organizations have come together to voice our strong opposition to any Administrative proposal to cap Contract Support Cost (CSC) payments to Tribal Nations, and to urge that all past CSC claims be resolved promptly. Unlike virtually every other government contractor, we are being unfairly asked to accept less for our work. We insist that the Administration's proposal to cap CSC payments be withdrawn and request that the Administration engage in meaningful consultation with Tribes and Tribal organizations to arrive at a method of funding future CSC that respects and promotes Tribal self-determination and honors the federal government's trust responsibilities and obligations.



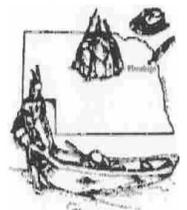
Most recently, in *Salazar v. Ramah Navajo Chapter*, the Supreme Court ruled favorably on the issue of Contract Support Costs for Tribes, holding that the United States is required to pay CSC in full. Following this decision, this Administration has continued to request insufficient funding for CSC. It is inappropriate for the Administration to attempt to set a cap in appropriations in an effort to limit federal agencies' liability to fully fund tribal CSC entitlements. Additionally, the proposal to cap CSC funding on a contractor-by-contractor basis will prevent Tribes from filing Contract Dispute Act claims or otherwise recovering the full amount of CSC owed. No other government contractor is treated in this manner.



Despite universal objection from Tribes and Tribal organizations, no steps have been taken to withdraw this proposal from the President's FY 2014 Budget request. Minimal effort has been made to engage with Tribes in order to come to an agreement that would replace this approach; an approach that both undermines the trust responsibility and disrespects our government to government relationship.



In contrast to this Administration's support for Indian Self-Determination, its CSC proposal effectively robs Tribal Nations of the funding necessary to operate current programs and services. As a consequence, we will be forced to divert direct program dollars in order to cover the CSC shortfall. We depend on these essential services; health care, public safety, road maintenance, social services, and countless others for the over health and well-being of our communities. Depriving us of the ability to seek "monetary damages" when our contracts are underpaid, and to deal with us as 'second-class' contractors, is a direct violation of the Government's trust obligations and the decades' old, bipartisan national policy of empowering Indian Tribes. Overall we deserve equality and to be paid in full for our work to fulfill the United States' trust responsibility.



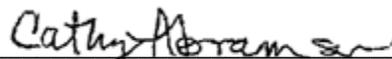
We respectfully request that the Administration withdraw its contract support cost proposal in the President's FY2014 Budget Request and notify Congress to ensure that it does not appear in any FY 2014 appropriations language. Additionally, we urge the Administration to meaningfully seek settlement of the hundreds of pending CSC claims that Tribes and Tribal organizations have filed against the Indian Health Service, Bureau of Indian Affairs and Bureau of Indian Education for past unpaid CSC. Tribes and Tribal organizations are facing severe financial shortfalls because of reduced appropriations and these settlement funds would help them to continue to provide adequate services to their citizens.

On behalf of the undersigned Tribal organizations, we thank you for the serious consideration of our recommendations and look forward to our continued collaboration to deliver the federal trust responsibility to our nation's first people.

Sincerely,



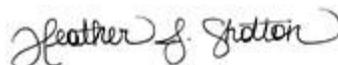
Brian Patterson, President  
United South and Eastern Tribes



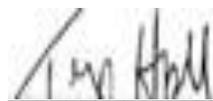
Cathy Abramson, Chairwoman  
National Indian Health Board



Aaron A. Payment, Chairman  
Sault Ste. Marie Tribe of Chippewa Indians



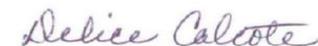
Dr. Heather Shotton, President  
National Indian Education Association



Tex Hall  
Co-Chairman, COLT  
Chairman, Great Plains Tribal Chairman Association



Fawn Sharp, President  
Affiliated Tribes of Northwest Indians



Delice Calote, Executive Director  
Alaska Inter-Tribal Council



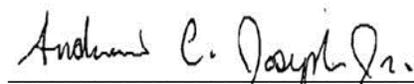
Kevin J. Allis, Executive Director  
Native American Contractors Association



Mark Romero, Chairman  
CATG Board of Directors



W. Ron Allen, Chairman, CEO  
Self-Governance Communication & Education  
Tribal Consortium



Andy C. Joseph, Jr., Chairman  
Northwest Portland Area Indian Health Board



Larry Romanelli, President  
United Tribes of Michigan



Mark LeBeau, PhD, Executive Director  
California Rural Indian Health Board



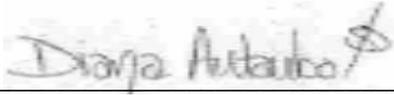
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Alaska Native Health Board



L. John Lukins, Executive Director  
Inter-Tribal Council of Michigan, Inc.



Ivan Posey, Chairman  
Montana-Wyoming Tribal Leaders Council



Diana Autaubo, Chairperson  
Oklahoma City Area Inter-Tribal Health Board



Lewis Taylor, Chairman  
St. Croix Chippewa Indians of Wisconsin



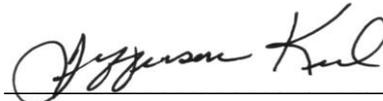
Michael Allen, Sr., Executive Director  
Great Lakes Inter-Tribal Council



Terry Rambler, President  
Inter-Tribal Council of Arizona



Thomas E. SnowBall, Sr., Treasurer  
Winnebago Tribe of Nebraska



Jefferson Keel, President  
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Bill Lomax, President  
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Jerilyn Church, MSW, Chief Executive Officer  
Great Plains Tribal Chairmen's Health Board