



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #TUL-05-014

**TITLE: Provisions Concerning the Title V in the Reauthorization of the Older Americans Act Affecting Employment Training Opportunities for Low-Income American Indian Elders**

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**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the Older Americans Act is under consideration for reauthorization in the 109<sup>th</sup> Congress and the White House Conference on Aging will produce resolutions addressing provisions to amend in the Act; and

**WHEREAS**, the Act contains several key provisions affecting American Indian, Alaska Native and Native Hawaiian Elders; and

**WHEREAS**, Title V of the Older Americans Act, entitled the "Senior Community Service Employment Program" provides employment training opportunities for low-income seniors across the country through community service and placement in private employment. This population, especially older American Indians, face several barriers to employment such as geographic isolation, language, culture, lack of formal education, and transportation. The program assists community-based, non-profit organizations by creating access to an experienced and valuable labor pool; and

**WHEREAS**, the reauthorization of the Older Americans Act passed in 2000, the U.S. Department of Labor only issued final regulations in April 2004 and implemented significant changes to Title V, ranging from new data collection and reporting requirements, changes in eligibility criteria causing an adverse effect; and, the impact of these continual changes has been dramatic with constant disruptions for both the participants, the community based organizations where they serve and the State Units on Aging and National Sponsors that administer the program; and

**WHEREAS**, Title V of the Older Americans Act provides for a National Indian Sponsor to assure employment training and placement services are provided to Indian Elders who have traditionally been underserved because of their location, discrimination, and poor employment prospects. The National Indian Council on Aging (NICOA) has operated the Senior Community Service Employment Program since 1989. NICOA currently operates the program in 15 states, serving all low-income seniors, but primarily focusing on American Indian Elders on the reservations and in urban areas; and

**WHEREAS**, in the upcoming reauthorization of the Older Americans Act, the U.S. Department of Labor that oversees the administration of Title V is proposing to dismantle the program as currently operated by 50 State Units on Aging and 13 National Sponsors, including the National Indian Council on Aging, and competitively block grant the program to states; and

**WHEREAS**, if the proposal by the U.S. Department of Labor is accepted by the U.S. Congress, the participation and access of low-income American Indian Elders to SCSEP will effectively cease to exist as the states will not do the outreach, enrollment or job development that NICOA's staff undertakes on a daily basis to ensure the Elders' participation. The states do not have the background or demonstrated commitment to addressing the geographic isolation, language barriers or cultural norms to ensure the continued participation of American Indian Elders in the Senior Community Service Employment Program.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby request from the President and Congress of the United States to provide the necessary services under Title V to American Indian Elders that the Older Americans Act and the federal trust responsibility are designed to address by implementing the following recommendations:

- Reject the U.S. Department of Labor's proposal to dismantle Senior Community Service Employment Program's dual structure of operation by State Units on Aging and National Sponsors;
- Maintain the program's focus on community service and employment;
- Request the U.S. Office of Civil Rights examine the Department of Labor's interpretation and subsequent implementation policies that have inadvertently caused a negative impact on the American Indian and minority participants served by the State Units on Aging and National Sponsors, limiting both groups' ability to provide SCSEP services to low-income older workers;
- Retain the National Indian Organization Sponsor and its exclusion from state planning;
- Increase funding to \$8 million for Title V services to the National Indian Organization Sponsor as the number of older low-income Americans is growing, including that of American Indian Elders;
- Relocate the Title V program to the Administration on Aging, which oversees all other Titles within the Older Americans Act, if the U.S. Department of Labor will not support the needs of older workers by allowing the program's continued operation by State Units on Aging and National Sponsors; and

**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of NCAI until the Older Americans Act has been reauthorized, whether in the 109<sup>th</sup> U.S. Congress or in subsequent sessions if not reauthorized in the 109<sup>th</sup> Congress; and

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

The foregoing resolution was adopted at the 2005 Annual Session of the National Congress of American Indians, held at the 62<sup>nd</sup> Annual Convention in Tulsa, Oklahoma on November 4, 2005 with a quorum present.

  
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President

**ATTEST:**

  
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Recording Secretary

Adopted by the General Assembly during the 2005 Annual Session of the National Congress of American Indians held from October 30, 2005 to November 4, 2005 at the Convention Center in Tulsa, Oklahoma.