

Action Alert: Tell Congress to Support Tribal Self-Determination

Category: Policy Blog

written by Emily Larsen | August 21, 2024

Contact Congress to Support Mandatory Funding for IHS Contract Support Costs and 105(l) lease funding

Dear Advocates,

We need your help contacting Congress today!

Representatives Melanie Stansbury (D-NM-01), Teresa Leger Fernandez (D-NM-03), and Sharice Davids (D-KS-03) are leading a letter to House Appropriations leadership in support of reclassifying Indian Health Service (IHS), Bureau of Indian Affairs (BIA), and Bureau of Indian Education (BIE) Contract Support Costs and 105(l) lease funding as mandatory in Appropriations legislation for Fiscal Year 2025 (FY25).

Why do we need to reclassify these costs?

- The U.S. Supreme Court's recent decision in *Becerra, Secretary of Health and Human Services, et al vs. San Carlos Apache Tribe* determined that IHS must reimburse Tribes for CSCs incurred when collecting and spending program income from third-party payers. The CSCs line item of the IHS budget will have to increase to account for the increased costs.
- This will be done during the appropriations process and could potentially result in other areas of the IHS budget being decreased to meet the increased requirement for CSCs.
- For more information on the impacts of this case, please refer to our FAQ [here](#).

Why is this urgent?

- The Appropriations Committee has previously described this situation as an “untenable position” and that if these costs remain in the discretionary budget “they have the potential to impact all other . . . equally important tribal programs.”
- Shifting these costs to mandatory funding creates more space in the IHS budget for discretionary funding.
- This means increased CSC costs will not impact funding for other IHS programs and will enable true increases in funding for these essential services.
- Congress is currently working on their appropriations bills for Fiscal Year 2025, and this is a key moment to take a significant step towards fulfilling the trust responsibility to ensure healthcare access for American Indian and Alaska Native people.

You can use the text below as a template to call and/or email your Representative. If you can please, both call and email your representative. You can find your representative [here](#).

Sincerely,

The National Council of Urban Indian Health

Ways to Advocate

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Contact Congress!

Step 1: Copy the email below.

Step 2: Find your representative [here](#).

Step 3: Go to their website and click contact.

Step 4: Paste the email into the form and send. Please contact Meredith Raimondi (policy@ncuih.org) with questions.

Email to Your Representative!

Dear Representative [NAME],

As an urban Indian health advocate, I respectfully request you sign on to the Stansbury-Leger Fernandez-Davids letter to House Appropriations leadership in support of reclassifying Indian Health Service (IHS), Bureau of Indian Affairs (BIA), and Bureau of Indian Education (BIE) Contract Support Costs and 105(l) lease funding as mandatory in Appropriations legislation for Fiscal Year 2025 (FY25).

The reclassification of CSCs and 105(l) costs is crucial due to the recent U.S. Supreme Court decision in *Becerra, Secretary of Health and Human Services, et al vs. San Carlos Apache Tribe*. The Court determined that IHS must reimburse Tribes for CSCs incurred when collecting and spending program income from third-party payers. As a result, the overall CSCs line item in the IHS budget will need to be increased to cover these additional costs. This increase, if not reclassified as mandatory funding, could lead to significant budget reallocations within the IHS, potentially impacting other essential programs.

Shifting CSCs and 105(l) costs to mandatory funding will free up discretionary funding within the IHS budget. This move will not only prevent negative impacts on other IHS programs but also allow for true increases in funding for vital services.

As Congress works on appropriations bills for FY25, this is a critical moment to take a significant step towards fulfilling the trust responsibility to ensure healthcare access for American Indian and Alaska Native people. Your support in signing this letter will be instrumental in achieving this goal.

You can sign on to the letter by reaching out to If you have any questions, please contact Kaila Hood (kaila.hood@mail.house.gov), Sofia Mingote (sofia.mingote@mail.house.gov), or Vittoria Casey (vittoria.casey@mail.house.gov).

Thank you for your leadership and your commitment to Indian Country.

Sincerely,
[NAME]

NCUIH respects and supports Tribal sovereignty and the unique government-to-government relationship between our Tribal Nations and the United States. NCUIH works to support those federal laws, policies, and procedures that respect and uplift Tribal sovereignty and the government-

to-government relationship. NCUIH does not support any federal law, policy, or procedure that infringes upon, or in any way diminishes, Tribal sovereignty or the government-to-government relationship.

NCUIH Contact: Meredith Raimondi, Vice President of Policy and Communications,
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