



# GREAT PLAINS TRIBAL CHAIRMAN'S ASSOCIATION

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## **Resolution No. 21-9-6-13**

### **GREAT PLAINS TRIBAL CHAIRMAN'S ASSOCIATION (GPTCA)**

#### **Endorsement of Tribal Sovereignty of All Tribes Engaged in Online Lending and a Request of Congressional Delegations to Ensure that no Federal Agency is pressuring Banks to refrain from doing business with Tribal Online Lenders**

**WHEREAS,** the Great Plains Tribal Chairman's Association (GPTCA) is composed of the 16 elected Chairs and Presidents or their duly appointed representatives of the sovereign Indian Tribes and Nations recognized by Treaties entered into with the United States that are within the Great Plains Region of the Bureau of Indian Affairs; and

**WHEREAS,** the Great Plains Tribal Chairman's Association was formed to promote the common interests of the Great Plains sovereign Indian Tribes and their members in the states of North Dakota, South Dakota and Nebraska; and

**WHEREAS,** The United States has obligated itself both through Treaties entered into with the sovereign Tribes and Nations of the Great Plains Region and through its own federal statutes, Laws, the Constitution, international law and well-articulated policies; the United States has pledged to protect Indian Tribes; guarantee the right of Tribal self-government, protection, and safety, and to promote the viability of Indian reservations and lands as permanent homelands for Indian Tribes, and

**WHEREAS,** There are many challenges facing the Tribes in the United States of America, among them protection of Indian Sovereignty, Policies, Programs, meaningful Consultation and advancement of economic development for all Tribal Nations; and

**WHEREAS,** As a result of the Budget Control Act of 2011, otherwise known as sequestration, Congress specifically exempted many programs that benefit low-income Americans, including Medicaid, tax credits for working families and food stamps, but exempted virtually none of the programs aiding American Indians — including money spent through the departments of interior, education, health and human services and agriculture; and

**WHEREAS,** The State of New York and the New York Department of Financial Services unlawfully attempted to intimidate Native American Tribes and encroach upon their Tribal Sovereignty by attempting to disrupt commerce with tribally owned financial services businesses; and

**WHEREAS,** The Great Plains Tribal Chairman's Association insists on appearing before any Congressional Committees, Federal Boards or Regulatory Officials if new or revised regulations are being considered for the short term lending industry involving Tribally owned financial services businesses; and

**WHEREAS,** The Great Plains Tribal Chairman's Association has the same concerns of other Tribes with reports that the DOJ and FDIC are intimidating some community banks and third party payment processors with threats of heightened regulatory scrutiny unless they cease doing business with online Tribal lenders. As a result, many banks and payment processors are terminating relationships with many of their long-term customers who provide underserved consumers with short-term credit options; and

**WHEREAS,** The Great Plains Tribal Chairman's Association recognizes the Honorable United States Attorney General Eric Holder as an individual who understands and defends Tribes' inherent sovereignty; and

**NOW, THEREFORE, BE IT RESOLVED,** The Great Plains Tribal Chairman's Association hereby supports the Tribal Sovereignty of all Tribes in strongly opposing the actions of the State of New York that threaten every Tribes' sovereignty; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** The Great Plains Tribal Chairman's Association respectfully requests that the United States Congressional Delegations from North Dakota, South Dakota, and Nebraska contact the United States Department of Justice and the Federal Deposit Insurance Commission and reaffirm their Support for Tribal Sovereignty, confirm that they do not support the efforts by the State of New York or any other entity to encroach upon Tribal Sovereignty, and remind Federal Agencies to abide by Presidential Executive Orders requiring consultation; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** The Great Plains Tribal Chairman's Association respectfully requests that the United States Congressional Delegations from North Dakota, South Dakota, and Nebraska confirm and clarify that no Federal Agency is bringing direct or indirect pressure upon banks to end their business relationships with Tribal Governments; and

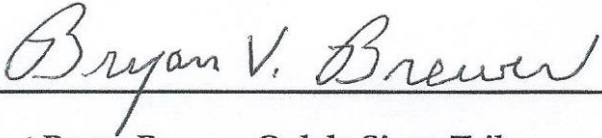
**NOW, THEREFORE, BE IT FURTHER RESOLVED,** The Great Plains Tribal Chairman's Association reserves the sovereign rights of Tribes who are members of the Great Plains Tribal Chairman's Association to develop their economies including entering the short term loan industry and will support all Tribes ensuring their Treaties and Sovereignty remain intact as our Treaties intended; and

**NOW THEREFORE BE IT FINALLY RESOLVED** that this resolution shall be the policy of the Great Plains Tribal Chairman's Association until otherwise amended or rescinded or until the goal of this Resolution has been accomplished.

**CERTIFICATION**

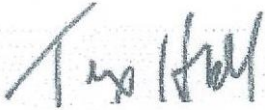
**This resolution was enacted at a duly called meeting of the Great Plains Tribal Chairman's Association held at Bismarck, North Dakota on September 6, 2013 at which a quorum was present, with 9 members voting in favor, 0 members opposed, 0 members not abstaining, and 7 members not present.**

**Dated this 6<sup>th</sup> day of September, 2013.**



**President Bryan Brewer, Oglala Sioux Tribe  
Secretary, Great Plains Tribal Chairman's Association**

**Attest:**



**Chairman Tex "Red Tipped Arrow" Hall, Mandan, Hidatsa & Arikara Nations, Three Affiliated Tribes  
Chairman, Great Plains Tribal Chairman's Association**