



RESOLUTION

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 Southern California Tribal Chairmen's Association (SCTCA) is composed of the 19 elected Chairs or duly appointed representatives of the sovereign Indian Tribes and Nations recognized by Treaties entered into with the United States that are within the Southern California Region of the Bureau of Indian Affairs; and

WHEREAS, the SCTCA was formed to promote the common interests of the Southern California sovereign Indian Tribes; and

WHEREAS, the United States has obligated itself both through Treaties entered into with the sovereign Tribes and Nations of Southern California Region and Executive Orders 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 SCTCA 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 SCTCA 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 SCTCA 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 SCTCA 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 SCTCA respectfully requests that the United States Congressional Delegations from Southern California Districts 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 SCTCA respectfully requests that the United States Congressional Delegations from Southern California Districts 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 SCTCA reserves the sovereign rights of Tribes who are members of SCTCA 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 SCTCA until otherwise amended or rescinded or until the goal of this Resolution has been accomplished.

CERTIFICATION

At a general called meeting of the Southern California Tribal Chairmen's Association's Board of Directors in which a quorum was present and held on December 17, 2013, the Resolution No. 2013-11 received a vote of 15 **Support**; 0 **Opposed**; 0 **Absent**; and 0 **Abstained**. This resolution is valid unless rescinded.

ATTEST:



Daniel Tucker
Vice-President of SCTCA



JoAnne Espinosa
Recording Secretary