



**ATNI Midyear 2025 Convention
Airway Heights, Washington**

RESOLUTION # 2025 – 25

**“SUPPORTING A TECHNICAL FIX TO 25 U.S.C. § 1647B TO ENSURE
FEDERAL EMPLOYEE HEALTH BENEFITS ELIGIBILITY FOR
RETIRED TRIBAL GOVERNMENT EMPLOYEES”**

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties and benefits to which we are entitled under the laws and Constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following Resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are the representatives and advocates for national, regional, and specific tribal concerns; and

WHEREAS, the ATNI is a regional organization comprised of American Indians/Alaska Natives and Indian tribal governments in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, Tribal governments, as employers, are entitled under Section 409 of the Indian Health Care Improvement Act (25 U.S.C. § 1647b) to purchase coverage, rights, and benefits under the Federal Employee Health Benefits (FEHB) Program for their employees; and

WHEREAS, the Office of Personnel Management (OPM) has adopted a narrow reading of 25 U.S.C. § 1647b that restricts FEHB eligibility to actively employed Tribal personnel, thereby excluding otherwise qualified Tribal retirees; and

WHEREAS, the lack of access to FEHB for retired Tribal government employees creates serious recruitment and retention challenges for Tribal governments and jeopardizes the continuity of affordable health coverage for long serving employees once they retire; and

WHEREAS, this limitation also negatively impacts federal employees who are spouses of tribal employees by restricting their options to elect Tribal-Federal health plans over Federal-Federal plans; and

WHEREAS, Tribal employers and employees pay 100 percent of FEHB premiums for tribal participants, therefore extending eligibility to retirees imposes no additional cost on the federal government; and

WHEREAS, a narrow technical amendment to 25 U.S.C. § 1647b inserting the term “retirees” would eliminate any ambiguity in OPM’s implementation, ensure equitable treatment of Tribal retirees, and strengthen Tribal governments as sustainable employers—all without additional federal cost; now

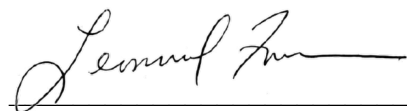
THEREFORE, BE IT RESOLVED, that ATNI calls upon Congress to enact a technical amendment to 25 U.S.C. § 1647b expressly authorizing Federal Employee Health Benefits eligibility for retired Tribal government employees; and

BE IT FURTHER RESOLVED, that ATNI urges the Office of Personnel Management, in the interim, to issue without delay, guidance or rulemaking clarifying that retired employees of Tribal governments are eligible to participate in the Federal Employee Health Benefits Program under 25 U.S.C. § 1647b; and

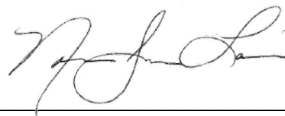
BE IT FINALLY RESOLVED, that this resolution shall be transmitted to the National Congress of American Indians and other appropriate entities for support and action.

CERTIFICATION

The foregoing Resolution was adopted at the Affiliated Tribes of Northwest Indians 2025 Midyear Convention held at the Northern Quest Resort and Casino in Airway Heights Washington on May 11-15, 2025, with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary