



2026 Annual Convention Snoqualmie, Washington

RESOLUTION # 2026 – 050

“CALLING ON CONGRESS AND STATE LEGISLATURES TO ENACT TECHNICAL FIXES RELATED TO TRIBAL GENERAL WELFARE”

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, 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, on September 21, 2014, Congress enacted the Tribal General Welfare Exclusion Act, Pub. L. 113-168 (TGWEA) to codify that “[g]ross income does not include the value of any Indian general welfare benefit” (26 U.S.C. § 139E(a); and

WHEREAS, the Internal Revenue Service (IRS) issued final regulations concerning the TGWEA in December 2025 which confirm that Tribal governments have the sole discretion to determine what program benefits are for the promotion of general welfare and the IRS will defer to a Tribal government's determination; and

WHEREAS, many ATNI member tribes exercise their inherent sovereign right to promote general welfare, culture, tradition, and self-determination by providing general welfare assistance to their tribal members, including Indian general welfare benefits within the meaning of Internal Revenue Code Section 139E and the TGWEA; and

WHEREAS, Indian general welfare benefits provide tribal members with critical need-based payments which are excluded from gross income to support basic health care, food assistance, education, and housing needs; and

WHEREAS, Indian general welfare benefits do not meet all of the financial needs of tribal members, and tribal members also must rely on Washington Department of Health and Social Service (DSHS)-administered programs, including SNAP, the Food Assistance Program (FAP), Temporary Assistance for Needy Families (TANF), State Family Assistance (SFA), and Aged, Blind or Disabled (ABD) cash and Medicaid assistance to make ends meet; and

WHEREAS, the DSHS continues to count Indian general welfare benefits as income citing lack of clarity in federal and Washington State law; and

WHEREAS, ATNI believes existing law federal and state law exempts Indian general welfare benefits from inclusion as income for determining SNAP eligibility; and

WHEREAS, nevertheless, because DSHS's actions to treat Indian general welfare benefits as countable income frustrates Congress's intent, erodes tribal self-governance, and discourages ATNI member tribes from providing critical social welfare programs for their members, ATNI supports a legislative fix to clearly and unequivocally stop DSHS's mistreatment of Indian general welfare benefits; and

WHEREAS, in July 2026, the Snoqualmie Indian Tribe obtained a preliminary injunction against DSHS in Snoqualmie Indian Tribe v. Washington State Department of Social and Health Services, Case No. 26-2-08277-4 SEA (King Cnty. Super. Ct.) based on the Court's finding that DSHS should not count Indian general welfare benefits as income for SNAP eligibility purposes; now

THEREFORE, BE IT FURTHER RESOLVED, that ATNI calls upon the Washington State Legislature to amend RCW 74.04.005(9) Definition of "Income" to clarify existing law to add a new sentence as follows: "Income does not include Indian general welfare benefits under 26 U.S.C. § 139E", or other appropriate amendments to the RCW; and

BE IT FURTHER RESOLVED, that ATNI calls upon other State Legislatures to similarly adopt legislation to clearly and expressly exempt Indian general welfare benefits from any income calculation for purposes of SNAP benefits; and

BE IT FURTHER RESOLVED, that ATNI calls upon U.S. Congressional Delegations to support federal legislation to amend 7 U.S.C. § 2014(d) to add a new subsection (20) that reads: “(20) any Indian general welfare benefit made pursuant to 26 U.S.C. § 139E”; and

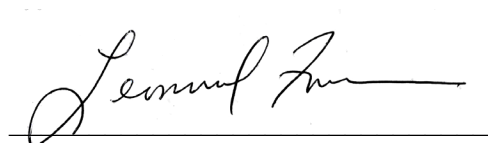
BE IT FURTHER RESOLVED, that ATNI calls upon DSHS to formally suspend and cease all DSHS actions against Tribal members that would deny eligibility for food and cash assistance programs as a result of receipt of Indian general welfare benefits until the conclusion of meaningful government-to-government consultation on this important issue for Washington State tribes; and

BE IT FURTHER RESOLVED, that this resolution be advanced to the National Congress of American Indians; and

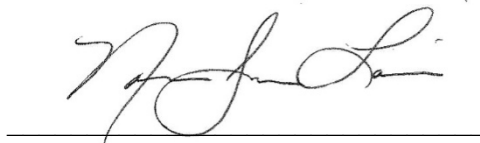
BE IT FINALLY RESOLVED, that this will be the policy of ATNI until it is withdrawn or modified by subsequent resolution(s).

CERTIFICATION

The foregoing Resolution was adopted at the Affiliated Tribes of Northwest Indians 2026 Annual Convention held at the Snoqualmie Casino and Hotel in Snoqualmie, Washington, on September 13-17, 2026, with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary