



NATIONAL CONGRESS OF AMERICAN INDIANS

**The National Congress of American Indians  
Resolution #ABQ-19-043**

**TITLE: Requesting Tribal Consultation before Regarding the American  
Indian/Alaska Native Health Research Advisory Committee within the  
Department of Health and Human Services Office of Minority Health**

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**WHEREAS**, we, the members of the National Congress of American 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 the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the Department of Health and Human Resources (HHS) Office of Minority Health established the AI/AN Health Research Advisory Council (HRAC) in 2006 to serve as an advisory body to HHS; and

**WHEREAS**, the purpose of the HRAC was to help ensure that federally recognized tribal nations and AI/AN people have meaningful and timely input in the development of relevant HHS policies, programs, and priorities specific to AI/AN research; and

**WHEREAS**, for more than a decade, the HRAC was instrumental in developing research priorities that served as a foundation for several public health initiatives to improve the health status of AI/AN communities; and

**WHEREAS**, on or about December 24, 2018, the Acting Director, Division of Policy and Data, Office of Minority Health, sent a memorandum to the Acting Director, Office of Minority Health, recommending that HRAC be decommissioned and cease to convene as an HHS Federal Advisory Committee Act exempt committee effective December 31, 2018; and

**WHEREAS**, the memorandum stated that “[Office of Minority Health] identified many overlapping priorities between HRAC and NIH TAC [National Institutes of Health Tribal Advisory Committee],” and that “NIH TAC is poised to assume the leadership role in guiding research for Tribal Nations;” and

**WHEREAS**, NIH TAC sent a strong letter of opposition to the decommissioning of HRAC and proposal for NIH TAC to take over HRAC responsibilities; and

**WHEREAS**, the duties of the HRAC and NIH TAC are separate and distinct; and

**WHEREAS**, pursuant to Presidential Executive Order No. 13175, November 6, 2000, executive departments and agencies are charged with engaging in regular and meaningful consultation with tribal nations; and

**WHEREAS**, HHS has adopted a Tribal Consultation Policy that applies to all HHS Operating and Staff Divisions, including Office of Minority Health; and

**WHEREAS**, tribal consultation under the HHS Tribal Consultation Policy is required when there is a critical event affecting one or more tribal nations; and

**WHEREAS**, decommissioning the HRAC without notice is such a critical event and tribal consultation was required; and


**WHEREAS**, no tribal consultation was conducted prior to the decommissioning of the HRAC.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) requests tribal consultation on whether the HRAC should continue under the HHS Office of Minority Health or whether its focus can be accomplished by other HHS tribal advisory committees; and

**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

#### CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2019 Annual Session of the National Congress of American Indians, held at the Albuquerque Convention Center, October 20-25, 2019, with a quorum present.

  
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Fawn Sharp, President

**ATTEST:**

  
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Juana Majel-Dixon, Recording Secretary