



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PDX-20-021

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TITLE: Call for the U.S. Department of Health and Human Services (HHS) Secretary to Implement an Urban Confer Policy Across the Department and its Divisions

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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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, tribal nations have a unique government-to-government relationship with the federal government, and

WHEREAS, the term “Urban Indian” refers to an American Indian and Alaska Native (AI/AN) person who is not living on tribal land, either permanently or temporarily, often historically because of the federal government’s forced relocation policy or because they are in search of economic or educational opportunity; and

WHEREAS, in 1955, Congress created the Indian Health Service (IHS) in order to help fulfill its trust responsibility to protect the interests of tribal nations through the provision of health care to AI/AN people; and

WHEREAS, in 1976, Congress passed the Indian Health Care Improvement Act (IHCA), in which Title V authorized federal funding for urban Indian organizations to provide health services to AI/ANs located in urban centers; and

WHEREAS, in IHCA Congress declared that “it is the policy of this Nation, in fulfillment of its special trust responsibilities and legal obligations to Indians...to ensure the highest possible health status for Indians *and urban Indians* and to provide all resources necessary to effect that policy;” and

WHEREAS, the unmet health needs of AI/ANs are severe and the health status of AI/ANs is far below that of the general population of the United States; and

WHEREAS, the IHS continues to be funded by Congress at less than half of expected need, leading to rationed care and worse health outcomes for AI/ANs; and

WHEREAS, the IHS spends less than one percent of its current budget on the provision of health care to urban Indians, with only one budget line item that addresses urban Indian healthcare; and

WHEREAS, the federal trust responsibility to provide health care to AI/ANs does not apply solely to the IHS because the obligation extends to all government agencies, including the U.S. Department of Health and Human Services (HHS), its agencies and divisions; and

WHEREAS, the majority of the AI/AN population resides in urban areas today; and

WHEREAS, Congress has long recognized that the federal government's obligation to provide health care for AI/AN people follows them off of reservations; and

WHEREAS, urban Indian organizations are integral to the federal government's fulfillment of its trust responsibility to provide health care to AI/AN people and therefore are not severable from the greater Indian health care delivery system; and

WHEREAS, in March 2010, as part of the Affordable Care Act, Congress reauthorized and amended the IHCA with four provisions that require the IHS to "confer" with urban Indian organizations in carrying out the IHCA; and

WHEREAS, the IHCA defines "confer" as "to engage in an open and free exchange of information and opinions that— (1) leads to mutual understanding and comprehension; and (2) emphasizes trust, respect, and shared responsibility."

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) urges the Secretary of the U.S. Department of Health and Human Services to establish a departmental urban confer policy to outline how the Department and each of its Divisions will engage and conduct urban confer with urban Indian organizations in order to improve the health and welfare of AI/ANs living in urban centers.

BE IT FINALLY 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 2020 Annual Session of the National Congress of American Indians, held Nov 8, 2020 - Nov 13, 2020, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary