



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution # DEN-18-031

### TITLE: DHHS Providing Meaningful Consultation Opportunities for Tribes on the Family First Prevention Services Act

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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 Family First Prevention Services Act was enacted into law on February 9, 2018, as part of the Bipartisan Budget Act of 2018; and

**WHEREAS**, the Act provides new federal funding for tribal nations and states to support prevention services that will help families keep their children safely at home rather than having them removed and placed in foster care; and

**WHEREAS**, the new law is complex and will require flexibility for tribes so they may be able to receive the prevention services funding starting October 1, 2019; and

**WHEREAS**, the law requires the Secretary of the Department of Health and Human Services (DHHS) to develop tribal specific requirements that will allow for support of cultural services; and

**WHEREAS**, the development of tribal requirements are important not just for services to American Indian and Alaska Native (AI/AN) children under tribal jurisdiction, but also for AI/AN children under state jurisdiction; and

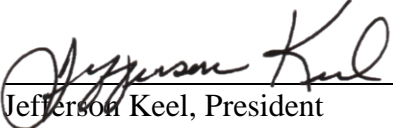
**WHEREAS**, tribal nations are working to prepare for implementation, however, DHHS has yet to provide sufficient education for tribes regarding the law that takes into consideration unique tribal circumstances and service delivery systems and has not provided ample notice and opportunity for tribes to consult with DHHS on development of tribal specific requirements.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) does hereby request that DHHS hold education and formal government-to-government consultation with tribal nations on the Family First Prevention Services Act that is offered at regional locations across the U.S. providing all Tribal Nations with the opportunity to participate on site; 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 2018 Annual Session of the National Congress of American Indians, held at the Hyatt Regency in Denver, Colorado October 21-26, 2018, with a quorum present.

  
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Jefferson Keel, President

**ATTEST:**

  
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Juana Majel Dixon, Recording Secretary