



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #KAN-18-034

**TITLE: Supporting Responsible Indian Health Service (IHS) Contracting to Ensure Service Providers Carry Out the Trust Responsibility Effectively and Do Not Waste Taxpayer Dollars**

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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 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**, the federal government has a unique legal and political relationship with tribes, which is recognized in the U.S. Constitution, statutes, and Supreme Court decisions; and

**WHEREAS**, Congress has a treaty-based obligation to provide quality health care for tribal members; and

**WHEREAS**, the Indian Health Service (IHS) has a duty to ensure that companies they hire to staff IHS facilities are honest and do not waste federal taxpayer dollars; and

**WHEREAS**, IHS recently awarded a contract to a company which shares ownership with another company that was previously investigated for Medicaid and Medicare fraud, and which paid a \$10 million fine to settle the fraud investigation; and

**WHEREAS**, that company also has no tribal or Native American ownership and has been opposed by local tribes from providing services on the reservation; and

**WHEREAS**, contract awards must fulfill the federal government's duty to provide health services to tribes in an honest manner and not to waste taxpayer dollars; and

**WHEREAS**, health care vendors that fail to fulfill this duty represent a clear and present danger to the health and welfare our people.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) supports Congress using its oversight authority to investigate contract awards to health care vendors that fail to fulfill their contracted federal duties to tribal communities; and

**BE IT FURTHER RESOLVED**, that NCAI supports IHS replacing a healthcare vendor upon request by the tribe(s) being served by the vendor(s) where the vendor(s) is not fulfilling its contracted duties; and

**BE IT FURTHER RESOLVED**, that NCAI recommends that the United States Health and Human Services (HHS) Inspector General investigate awards to a vendor upon the request of a tribe(s) being served by that vendor when the tribe(s) asserts that the vendor is failing to fulfill its duties; and

**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 2018 Midyear Session of the National Congress of American Indians, held at the Marriott Kansas City Downtown, June 3-6, 2018, with a quorum present.

  
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Jefferson Keel, President

ATTEST:

  
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Juana Majel Dixon, Recording Secretary