

Facilities Appropriation Advisory Board

for the

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Dr. Yvette Roubideaux, Director
Indian Health Service
801 Thompson Ave
Rockville, MD 20837

Dear Dr. Roubideaux,

On October 27, you met with the Indian Health Service, Facilities Appropriation Advisory Board (FAAB) to welcome us to the IHS headquarters and to review the IHS priorities. During that brief meeting you asked the FAAB for input on three issues:

1. Should the IHS take another look at the Health Care Facilities Construction Priority System (HFCPS) that is currently awaiting clearance at the Office of Management and Budget?
2. What recommendations does the FAAB have for improving the budget formulation processes?
3. How should the FAAB fit into the consultation process? You asked if we considered ourselves as a consultative body and whether we could serve a limited consultation role.

The FAAB discussed these questions and have a response for each.

1. Should the IHS take another look at the HFCPS?

Between 2002 and 2007 the FAAB, workgroups established by the FAAB, IHS staff, and others worked very hard to develop a revision to the existing facilities prioritization process that would be fair to all tribes. During the process, a document was developed and sent to all tribal leaders for input. The IHS received more than 80 letters on this document from Tribal leaders and others. These letters contained about 1,200 comments and recommendations. The FAAB reviewed and discussed these comments and developed recommendations for further revisions. When the FAAB recommendations were addressed, we recommended that the IHS finalize the document. It was finalized and approved by the Director, IHS, in November, 2007, and currently waits clearance at the Office of Management and Budget (OMB).

While there are some points that some of us believe could be tweaked, none believe that another review of the HFCPS would generate any better process than is described in the document currently awaiting clearance at the OMB. The FAAB recommends that you support the FAAB recommendation on the Revised Health Care Facilities Construction Priority System and request that OMB move the document along to the Congress, which requested the revision.

2. What recommendations does the FAAB have for improving the budget formulation process?

The FAAB believes the current process provides opportunities for tribal involvement and, except for one issue, does not have recommendations for changes. Our concern is that Tribes have no mechanism to review the budget as it is processed through the Department of Health and Human Services and the Office of Management and Budget. To remedy this, The FAAB recommends that you work to lift the budget embargo on the OMB budget pass-back, and that OEHE conference with FAAB regarding its details as the IHS develops a reply to it.

3. How should the FAAB fit into the consultation process? Should it be a consultation body? If not providing full consultation, could the FAAB provide limited guidance on some issues?

The FAAB was not chartered as a consultative body under the current IHS policy on tribal consultation. This is articulated by most members early in their term and reiterate often as the issue arises. Our charge as it appears in the “Plan of Operation for the Indian Health Service Facilities Appropriation Advisory Board” is to provide advice and recommendations on policy, including consultation policy. Specifically we are charged with:

- Evaluating existing facilities policies, procedures, and guidelines and recommending changes if necessary.
- Participating in the development and evaluation of any proposed new policies, procedures, guidelines or priorities. In addition, should any of the recommendations necessitate changes in law, this group will recommend desired legislative changes.
- Determining when it is necessary and appropriate to seek additional consultation from all tribes.
- Providing advice and recommendations for other related issues.
- Recommending modifications to operational guidelines of the FAAB.

In October of 2006 we developed a vision statement that states:

The FAAB advocates and provides guidance through tribal involvement on all Facilities Appropriations programs to meet the diverse needs of AI/AN communities. To fulfill this vision, the FAAB:

- plays a proactive advocacy role for AI/AN communities,
- develops and recommends strategic directions,
- fosters and promotes agency coordination,
- optimizes resource gathering and utilization, and
- clarifies and promotes its role among all stakeholders.”

We believe the charge and our vision statement are consistent with consultation policy. We do not believe the FAAB has a role in consultation, except as advisors to the IHS in developing issues to be presented for consultation and in developing responses to tribal comments.

As Chairperson of the FAAB I would like to thank you for taking a few minutes to meet with us.

Tim Rosette, Chairperson