

Darren

From: Darren [darrenj@tribalseg.gov.org]
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All Tribes Broadcast**All Tribes Broadcast** All Tribes Broadcast



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August 19, 2011

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HHS Announces Affordable Care Act Consultation Series

On Friday, August 12, 2011, the Department of Health and Human Services (HHS) announced a series of three tribal consultations on the Affordable Care Act (ACA). The consultations will focus on three topic areas including eligibility expansions under the ACA, proposed rulemaking on affordable insurance exchanges, and gross income tax exclusions. Each consultation session will provide a general overview of the ACA and the specific provisions related to the three stated topic areas followed by a consultation for the particular topic. Consultation sessions will be held in three cities which include Seattle, Washington, Denver, Colorado, and Washington, DC. The dates and locations are listed below:

AUGUST 22, 2011

Seattle, Washington
9:00 AM – 5:30 PM
Red Lion Hotel Avenue
1415 Fifth Avenue

SEPTEMBER 7, 2011

Denver, Colorado
9:00 AM – 5:30 PM
Embassy Suites: Downtown
1420 Stout St.

SEPTEMBER 15-16, 2011

Washington, DC
HHH Building: Great Hall
200 Independence Ave., S.W.
Washington, D.C. 20201

Seattle, WA 98101

Denver, CO 80202

Click [here](#) for the agenda.

You do not have to pre-register for any of the events. If you have any questions please contact the Office of Intergovernmental and External Affairs at 202-690-6060.

More information about the consultation sessions and topics click [here](#).

Tribal Self-Governance Program Announces Two Funding Opportunities

On Friday, August 12, 2011, the Indian Health Service (IHS) announced two funding opportunities for the Tribal Self-Governance Program – one opportunity each for the Negotiation and Planning Cooperative Agreements. The Tribal Self-Governance Program (TSGP) Negotiation Cooperative Agreement assists tribes not already participating in the TSGP to start negotiations to enter the TSGP. Tribes previously participating in the program continue negotiations to enter the TSGP and assume new and expanded Programs, Services, Functions, and Activities (PSFAs).

Click [here](#) to find the Negotiation Cooperative Agreement funding announcement and [here](#) for the instructions and application package.

The second funding opportunity is the TSGP Planning Cooperative Agreement. The Planning Cooperative Agreement goals are to provide resources to tribes interested in participating in the TSGP, to assist tribes in planning to enter the TSGP, to continue planning, and to assume new and expanded PSFAs.

Click [here](#) to find the Planning Cooperative Agreement funding announcement and [here](#) for the instructions and application package.

Both applications are due Saturday, September 3, 2011 and should be submitted on the [Grants.gov](#) website. Please contact [Charles Sockey](#), Policy Analyst, for programmatic questions and [John Hoffman](#), Grants Management Specialist, for grant related questions.

Tribal Leader to Run 262 Miles to Support the Center for Native American Youth

Beginning September 17, Dirk Whitebreast, a 31-year-old member of Sac & Fox Tribe of the Mississippi in Iowa, plans to run 10 marathons in 30 days - a total of 262 miles - and he is dedicating the money he raises to the Center for Native American Youth. Dirk lost his younger sister to suicide in 2003 and has since committed himself to a healthier lifestyle. Dirk was touched by the Center's mission and through his running, he aims to first and foremost honor his sister, raise awareness of suicide prevention and promote healthy living in Indian Country, and set an example of commitment, motivation, hard work and leadership for all Native American youth.

Clicking [here](#) to learn more and support Dirk's challenge.

Eleventh Circuit Court Declares "Individual Mandate" Unconstitutional

The Eleventh Circuit Court of Appeals in Atlanta, Georgia issued a decision, Friday, August 12, 2011, agreeing with the Florida Federal district court that the ACA's individual mandate is unconstitutional. However, the 11th Circuit held that the rest of the ACA's provisions are severable and remain good law.

This is good news for Indian tribes, as there are many provisions in the Act that benefit tribes and tribal health care facilities. The National Indian Health Board (NIHB), the National Congress of American Indians (NCAI), and a number of tribes submitted an amicus brief on this subject; as a result, the decision mentions Indian health care a number of times, grouped together with other clearly severable provisions.

One other Federal Circuit Court – the Sixth Circuit in Cincinnati – has ruled on the mandate’s constitutionality. On June 30, 2011, the Sixth Circuit Court upheld the mandate, saying "the minimum coverage provision is a valid exercise of legislative power by Congress under the Commerce Clause." The differing decisions in two circuit courts undoubtedly will be settled by the Supreme Court in the next year.

Click [here](#) to read the Eleventh Circuit Courts decision and [here](#) to read the amicus brief.

New Office To Coordinate Tribal and Federal Alcohol and Substance Abuse Efforts

On July 29, 2011, one year after the passage of the Tribal Law & Order Act of 2010 (TLOA), HHS Secretary Kathleen Sebelius, Department of the Interior (DOI) Secretary Ken Salazar, and Attorney General Eric Holder signed a memorandum of agreement (MOA) to combat alcohol and substance abuse among American Indian and Alaska Native tribes. The MOA establishes a framework for cooperation and collaboration among federal agencies, in partnership with tribes, to coordinate resources and programs. These resources and programs include HHS' Substance Abuse and Mental Health Services Administration (SAMHSA), the Indian Health Service, the DOI's Bureaus of Indian Affairs and Indian Education, and the Department of Justice's Offices of Justice Programs and Tribal Justice. These collaborations will assist tribes to achieve their goals in the prevention, intervention, and treatment of alcohol and substance abuse.

The MOA designates the new Office of Indian Alcohol and Substance Abuse, created as a result of the passage of the TLOA, to coordinate the efforts of American Indian and Alaskan Native communities and federal agencies to address alcohol and substance abuse. As part of its substance abuse efforts, the Office of Indian Alcohol and Substance Abuse will emphasize programs geared toward reaching youth and offering alternatives to incarceration.

Click [here](#) to read the MOA and [here](#) to find out more about the Office of Indian Alcohol and Substance Abuse.

(Info/fwd: Courtesy of NCAI)

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*Thank you and hope all is well,
SGCE Tribal Consortium Staff.*

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