



2026 Winter Convention Portland, Oregon

RESOLUTION # 2026 – 006

“IMPROVING COMMUNICATION AND CONSULTATION ON THE IMPACT TO TRIBAL HUMAN SERVICE OPERATIONS FROM DEREGULATION AND STATE FRAUD INVESTIGATIONS”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties and benefits to which we are entitled under the laws and Constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following Resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are the representatives and advocates for national, regional, and specific Tribal concerns; and

WHEREAS, the ATNI is a regional organization comprised of American Indians/Alaska Natives and Indian Tribal governments in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, HHS has begun efforts to reduce regulations that govern federal programs under HHS (deregulation) and has hastened efforts to identify and investigate fraud within federal programs, including the freezing of federal funds and establishing new requirements for Tribes and states before they can draw down federal funds; and

WHEREAS, the Office of Management and Budget released a memo in October 2025 that encourages federal agencies to rescind regulations that they consider unlawful by speeding up the process of deregulation and drastically narrowing the circumstances in which public notice, comment periods, or Tribal consultation are necessary in the deregulation process; and

WHEREAS, the memo states that existing Executive Orders (EO), such as EO 13175 that details requirements for Tribal consultation by federal agencies during policy development or changes, may not be required when taking deregulatory actions; and

WHEREAS, this deviates from historical practices and policies that require Tribal consultation in the federal regulatory process and, coupled with insufficient notice and information from federal agencies regarding deregulation efforts, has created concerns in Indian Country about the direction, purpose, and impact of deregulation efforts on Tribal Nations; and

WHEREAS, on January 6, 2026, HHS announced they were freezing Temporary Assistance to Needy Family, Child Care and Developmental Block Grant Funding, and Social Services Block Grant funding to five states (NY, CO, CA, MN, and IL) amid allegations of fraud in state systems; and

WHEREAS, on January 5, 2026, HHS announced new requirements for Tribes and states related to their “Defend the Spend” initiative that requires new justification documentation and assurances before they can draw down Child Care and Developmental Block Grant funds they have previously been approved for; and

WHEREAS, while the specific impacts of the funding freeze and new justification requirements on Tribal Nations are still being identified, there are significant concerns, given:

- a) There is little information from HHS about Tribal impacts;
- b) Tribes administer a number of the federal programs where the funding has been frozen;
- c) Tribes receive pass-through of federal funds from some of the targeted programs by states; and

WHEREAS, while Tribal grantees continue to implement fraud prevention measures, as part of existing requirements to establish a system of internal controls, that ensure compliance with program requirements and maintain operational efficiency, there is concern that they may be swept up in HHS’s efforts to target fraud in state human service programs; and

WHEREAS, in response to these actions, Tribal grantees are seeking more timely and transparent communication, including the formal designation of regional points of contact who can serve as accessible points of communication, respond to questions, and provide necessary

Tribal-specific technical assistance to support continued compliance with complex federal program requirements; and

WHEREAS, Tribal Nations have requested consultation on a number of HHS program policy and program changes, including issues related to ACF programs; and

WHEREAS, together these examples outline a need for reliable communication from the administration, including timely consultation with Tribal Advisory Committees addressing these issues, alongside Indian Country more broadly, before making decisions to freeze funding, eliminate regulations that impact Tribes, or take action that could impact Tribal operation of human service programs and impede access to necessary services for Native children, families, and Tribal communities; now

THEREFORE, BE IT RESOLVED, that ATNI shares the vision for ensuring program integrity, fiscal responsibility, and compliance with federal requirements and requests that Health and Human Services (HHS) provide timely notice of proposed policy or funding changes with at least 60 days-notice before final decisions and implementation begin; and consult early and often with Tribal Nations to identify Tribal Nation impacts; discuss alternative strategies when needed; and develop strategic planning for implementation of policy and funding changes that minimize negative impacts to Tribal program operations; and

BE IT FURTHER RESOLVED, that ATNI declares that Tribal grantees administer HHS programs in compliance with applicable federal requirements and with strong fiscal stewardship, and federal actions taken without timely notice or consultation are materially affecting Tribal programs and families; and

BE IT FINALLY RESOLVED, that this will be the policy of ATNI until it is withdrawn or modified by subsequent resolution(s).

CERTIFICATION

The foregoing Resolution was adopted at the Affiliated Tribes of Northwest Indians 2026 Winter Convention held at the Hilton Portland Downtown in Portland, Oregon, on February 1-5, 2026, with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary