

DEPARTMENT OF HEALTH AND HUMAN SERVICES
STATEMENT
OF
FRANCES M. HARDING
DIRECTOR, CENTER FOR SUBSTANCE ABUSE PREVENTION
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES
ADMINISTRATION
BEFORE THE
INDIAN LAW AND ORDER COMMISSION
ON
TRIBAL LAW AND ORDER ACT
MARCH 8, 2012



- Good morning. I am pleased to share with you today how SAMHSA, along with our Federal partners and in coordination and consultation with tribal governments and organizations, is implementing the letter and spirit of the TLOA amendments.
- First, I want to draw your attention to SAMHSA’s number one strategic initiative, which is the “Prevention of Substance Abuse and Mental Illness.” Under this initiative, SAMHSA has a strong and consistent focus on the prevention of alcohol and drug abuse among the AI/AN population.

TLOA Milestones

Coordinating Body

- SAMHSA has established the Office of Indian Alcohol and Substance Abuse (OIASA).
 - OIASA, the Departments of Interior and Justice, and other DHHS Operating and Staff Divisions has established the Indian Alcohol and Substance Abuse Interdepartmental Coordinating Committee (IASA Committee);
 - OIASA has served as a point of contact for Indian Tribes and the Tribal Coordinating Committees with respect to the implementation of TLOA; and,
 - In collaboration with the Departments of Interior and Justice, OIASA oversaw the development, including the policy and legal review and finalized the Indian Alcohol and Substance Abuse Memorandum of Agreement (MOA) by July 29, 2011 as directed in the TLOA. The

MOA was signed by Secretary Sebelius, Secretary Salazar, and Attorney General Holder.

- a. Congressional Notification submitted on July 29, 2011
- b. Federal Register Notification published on August 5, 2011
- c. Moving forward, an ad hoc group of the full IASA will provide leadership in the required annual review of the MOA. The revisions for the MOA is due July 29, 2012
- d. Update on the IASA Charter is due July 29, 2012

Governing Body

- The Indian Alcohol and Substance Abuse Interdepartmental Coordinating Committee (IASA Committee) composed of Federal agency representatives whose responsibilities include addressing issues of alcohol and drug abuse in Indian Country. The Department of Education as well as HHS' Administration on Aging and Administration on Children and Families, are not required members under TLOA, but have volunteered to serve on the IASA Committee. Its Charter was approved in July 2011.

- The IASA Committee provides a forum for these agencies, bureaus, and offices to collaboratively assist AI/AN communities in achieving their goals in the prevention, intervention, and treatment of alcohol and drug abuse.

- The OIASA Director serves as the Committee Chairperson and senior level representatives from:

- IHS,
 - DOI's Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE), and
 - DOJ's Office of Justice Programs (OJP) and the Office of Tribal Justice (OTJ) serve as the Committee Co-chairs.
- The goals of the IASA Committee are being achieved through the IASA Committee's efforts to:
 - Increase awareness of what Federal agencies are currently doing to address all AI/AN alcohol and drug abuse issues;
 - Reaffirm the Federal Government's recognition of the sovereign status of Federally recognized Indian Tribes as domestic dependent nations and the adherence to the principles of government-to-government relations; and
 - Promote the Federal Government's policy to provide greater access to and quality services for AI/AN individuals throughout the Federal government and in Indian Country.
- In the past year and half, OIASA staff and Pam Hyde, as SAMHSA Administrator, have attended, presented and participated in tribal consultations/listening sessions in partnership with DOI, DOJ and IHS staff and leadership. OIASA also conducted outreach to the National Indian Health Board (NIHB), National Congress of American Indians (NCAI),

National Council of Urban Indian Health (NCUIH) as well as many other organizations.

IASA Workgroup major accomplishments

- **Tribal Action Plan Workgroup (TAP)** – As established in the TLOA, the governing body of any Indian Tribe may, at its discretion, adopt a resolution for the establishment of a TAP to coordinate available resources and programs in an effort to combat alcohol and drug abuse among its members. The TAP Workgroup, for which IHS is the lead, has established an operating framework for the TAP development and developed an inventory of four current proven approaches to recommend to tribes utilizing practice based evidence models. The workgroup has developed the TAP guidelines for tribes to use in developing their TAPs, developed a Dear Tribal Leader letter, Frequently Asked Questions (FAQs) for Tribes to refer to when developing their TAPs or to learn more about the TAP.

- **Minimum Program Standards Workgroup (MPS)** – Chaired by SAMHSA, the Minimum Program Standards Workgroup is a newly formed committee, formed November 2011 and have already held several meetings. The workgroup's purpose is to discuss the scope and work going forward to identify, review, and provide recommendations to the Tribal Law and Order Act IASA Interdepartmental Coordinating Committee regarding appropriate program standards for substance abuse prevention and treatment in Indian Country.

- **Newsletter Workgroup** – Chaired by the Department of Interior, the newsletter group published their first edition of the *Prevention & Recovery* newsletter in Fall 2011. The Winter Edition will be published March 2012. The newsletter workgroup established the operating protocol and procedures to publish a newsletter on a quarterly basis to report on Indian alcohol and substance abuse projects and programs, with an emphasis on highlighting the accomplishments and stories of Native American Youth.
- **Education Services Workgroup** – Chaired by the Department of Interior, the education services workgroup has developed a list of current Federal programs providing education services or benefits to at-risk American Indian and Alaska Native Youth. This completed list has been sent to OMB for approval.
- **Inventory/Resources Workgroup** – Chaired by SAMHSA, the workgroup has developed an initial list of Federal resources relevant to the needs of Indian Country, which includes technical assistance contracts and services, grants, contracts, cooperative agreements, and other tools.

Web Communications - TLOA Web Site - <http://www.samhsa.gov/tloa/>

- Administered by SAMHSA, the TLOA website is one of the primary vehicles to disseminate relevant program information for Tribes.
- The site includes information for Tribes such as the Executive Summary of TLOA, Federal Law –Title 25/Chapter 26; the MOA; copies of any Letter to Tribal Leaders issued by the IASA Committee; and the OIASA Charter.

- There is a section of the site dedicated to the Tribal Action Plans, or TAPs. This section includes an introduction to the tribes explaining the TAP and information on available technical assistance resources. Currently, SAMHSA’s TAP technical assistance is listed, and information from partnering agencies will be posted as it becomes available. Finally, this section includes the TAP Guidelines which provide guidance and criteria for developing a TAP.
- The site also includes information for Federal partners, such as resources and contacts for our Federal partners; links to SAMHSA resources (e.g., FASD, NACE, Treatment Locator, and the Help Line); and links to Federal partner websites and grant announcements. In addition, under the “Working Effectively with Tribal Governments” section of the site, government employees can access a web-based training on working with Tribes.
- The *Prevention & Recovery* Quarterly Newsletter, which highlights youth-oriented resources such as *That’s My People*, a public service announcement developed at the 2011 National Intertribal Youth Summit.

Additional SAMHSA Efforts

- As part of the implementation of the TLOA, and in line with SAMHSA’s priority of ensuring that all Tribes have access to funding for bringing alcohol and drug abuse and suicide prevention activities to scale, the President’s FY 2013 Budget for SAMHSA proposed a new formula-based grant program titled Behavioral Health – Tribal Prevention Grants (BH-TPG).

- As a formula grant program, its reach will extend to all of the 566 Federally-recognized Tribes. Recognizing the Federal obligation to help Tribes deal with physical and behavioral health issues, SAMHSA will work in consultation with Tribes, working toward the establishment of a single coordinated mental health and substance abuse program for all Federally-recognized Tribes.
- One of the key changes to the FY 2012-2013 block grant application was the expectation that States will provide a description of their tribal consultation activities.

Thank you for this opportunity to share with you the extensive efforts SAMHSA and its Federal partners are undertaking, in collaboration with the AI/AN community, in order to implement the TLOA and to reduce the impact of alcohol and drug abuse on AI/AN communities. I would be pleased to answer any questions that you may have.