



## American Indian Health Commission for Washington State

October 10, 2020

Dean Seyler, Executive Officer  
Portland Area Indian Health Services  
Emailed to: dean.seyler@ihs.gov

Dear Director Seyler,

As Chairman of the American Indian Health Commission for Washington State, representing the twenty-nine Tribes and two urban Indian health programs (UIHPs) in Washington, and as Tribal Council Chairman of the Cowlitz Tribe, I am writing to express serious concern regarding Portland Area Indian Health Service’s failure to collect critical tribal population information for vaccine distribution in a clear and timely manner.

Tribes, as sovereign nations and as public health authorities under 45 C.F.R. § 164.501, determine their service populations and their priority groups. The Centers for Disease Control (CDC) reiterated this fact during their September 25, 2020 presentation with the National Indian Health Board, stating: “Tribal governments determine the population they choose to serve and groups for initial vaccination.” The Portland Area Indian Health Service attempted to collect this information in an email sent to Tribes and UIHPs the afternoon of Friday, October 2, 2020, with a deadline of Wednesday, October 7. This deadline was adjusted to October 9, and most recently to October 16. Our understanding is that, per the CDC’s COVID-19 Vaccination Program Interim Playbook for Jurisdiction Operations published on September 16, 2020, IHS and states must submit a vaccine distribution plan to the CDC by October 16. If population estimates are an integral part of this required plan, IHS should have contacted Tribes and UIHPs much earlier than October 2.

The lack of process, clear instruction, and advance notice from IHS are a barrier to Tribes exercising their rights as sovereign nations and responsibilities as public health authorities. This represents a failure in IHS fulfilling the trust responsibility of protecting the health of American Indians and Alaska Natives. Tribal communities have been severely impacted by the COVID-19 pandemic. Access to a safe and effective vaccine will be instrumental to our communities’ ability to begin a long and challenging path to recovery. We cannot overstate the importance of assuring that population estimates used to determine COVID-19 vaccine allocation are precise.

Chair  
**Stephen Kutz**  
Cowlitz Tribe

Vice-Chair  
**Cheryl Rasar**  
Swinomish Indian  
Community

Treasurer  
**Cheryl Sanders**  
Lummi Nation

Secretary  
**Charlene Nelson**  
Shoalwater Bay Tribe

Member-at-Large  
**Andy Joseph**  
Confederate Tribes of  
Colville

Executive Director  
**Vicki Lowe**

**Member Tribes:**  
Confederate Tribes of  
Chehalis  
Confederate Tribes of  
Colville  
Cowlitz Tribe  
Jamestown S’Klallam Tribe  
Kalispel Tribe  
Lower Elwha Klallam Tribe  
Lummi Nation  
Makah Tribe  
Muckleshoot Tribe  
Nisqually Tribe  
Nooksack Tribe  
Port Gamble S’Klallam Tribe  
Puyallup Tribe  
Quileute  
Quinault  
Samish  
Sauk-Suiattle  
Shoalwater Bay  
Skokomish  
Snoqualmie  
Spokane  
Squaxin Island  
Stillaguamish  
Suquamish  
Swinomish  
Tulalip  
Upper Skagit  
Yakama

**Member Organizations:**  
Seattle Indian Health  
Board  
N.A.T.I.V.E. Project of  
Spokane  
American Indian Community  
Center

## AIHC Letter to Portland Area Indian Health Services Regarding Populations Estimates Request

In order to correct these recent actions, we request Portland Area IHS take the following steps:

- 1) Request the CDC to extend any deadlines for Indian Health Service to allow additional time to collect service population estimates from Tribes and UIHPs;
- 2) Provide Tribes and UIHPs clear written information regarding how the requested data will be used;
- 3) Provide Tribes and UIHPs clear written instructions regarding which Tribes and UIHPs need to submit this information (for example, if a Tribe plans to access vaccine through a state, do they need to complete the form?);
- 4) Provide Tribes and UIHPs written guidance on whether and how they can provide amended numbers if needed;
- 5) Provide Tribes and UIHPs a written explanation of consequences for Tribes and UIHPs that are not able to submit the completed spreadsheet by October 16; and
- 6) Require designated staff at the Portland Area Office to provide technical support for Tribes and UIHPs on the COVID-19 Pre-Distribution Planning Sheet.

Tribes' and UIHPs' disparate access to vaccines and other critical healthcare in past public health emergencies and the morbidity and mortality resulting from these failures make it imperative that IHS provides Tribes and UIHPs with sufficient information and realistic timelines. We urge you to take the requested action no later than October 12, 2020.

If you have any questions, please contact Vicki Lowe, Executive Director, AIHC [vicki.lowe.aihc@outlook.com](mailto:vicki.lowe.aihc@outlook.com).

Sincerely,



Stephen Kutz, BSN, MPH  
Chair, American Indian Health Commission

CC: Tribal Chair  
AIHC Delegates  
Laura Platero, NPAIHB  
Celeste Davis, NPAIHB  
Capitan Thomas Weiser, PAIHS, NPAIHB