

TRIBAL LAW AND ORDER ACT

TRIBAL ACTION PLAN

FREQUENTLY ASKED QUESTIONS

1. What is the purpose of the Tribal Action Plan (TAP)?

The TAP provides an opportunity for Tribes to take a proactive role in addressing alcohol and substance abuse in their communities. The TAP can help a Tribe to identify existing strengths and resources within their communities; assess their substance abuse prevention and treatment needs; coordinate available resources and programs; identify gaps in services; work with the community to identify urgent or emerging substance abuse issues; and assist in the development of a comprehensive strategy to reduce and prevent alcohol and substance abuse in their community. The intent of the TAP is to have a Tribally-driven process where the community has a sense of “ownership” of the TAP.

To the greatest extent possible, the TAP should be developed *by* the Tribe itself not *for* the Tribe by outsiders.

2. What resources are available to assist with TAP development and implementation?

Federal partners are committed to providing training and technical assistance resources to Tribes in support of the development of their TAP. Federal partners may assist in the development and implementation of a Tribe’s TAP by identifying and coordinating available resources and services to support and help sustain the TAP; entering into an agreement with the Tribe for the implementation of the TAP; developing and maintaining a system of close and continuous communication with Tribes to identify available resources to maximize the benefits of intervention strategies and services to Tribes; and facilitating and supporting Tribes in providing specific training and technical assistance to multi-disciplinary and multi-agency members, allied experts, and community members who are key to the efforts and programs in the TAP. Federal agencies are developing an inventory of available resources in Indian Country and these will be made available on the Tribal Law and Order Act (TLOA) website which will be updated frequently. Please visit the following website link for additional information: <http://www.samhsa.gov/tloa/>. For more information on the Substance Abuse and Mental Health Services Administration’s (SAMHSA) Office of Indian Alcohol and Substance Abuse (OIASA) activities, information, and resources available, please contact:

OIASA Director
SAMHSA
1 Choke Cherry Road, Room 4-1059
Rockville, MD 20857
Office: (240) 276-2400
E-mail: IASA@samhsa.hhs.gov

3. Do you have a sample Tribal resolution?

Yes, there is a sample Tribal resolution in the TAP Guidelines' Appendix A which is available at the following Web site link:

http://www.samhsa.gov/TLOA/docs/TribalActionPlanGuidelines_508C.pdf.

4. Do you have a sample TAP?

The Tribal Law and Order Act does not prescribe a specific format or template for the TAP. This allows flexibility for the Tribe to develop a TAP in a format that works best for them. Minimum elements of an effective TAP are expected to include: 1) A Description of the Scope of the Problem, including supporting epidemiological data where possible; 2) A Needs Analysis noting any gaps or change in services required; 3) Identification of existing resources: local, private; state, and Federal; 4) a Vision statement that guides planning and implementation activities; 5) a Strategic Plan that operationalizes required/desired partnerships and mobilization of resources to meet the service need and strategic vision; and 6) an Evaluation Plan that measure success and allows for continuous monitoring, revision, and improvement of the Strategic Planning goals and objectives. Tribes who have established a TAP will be asked permission to share their TAP with other Tribes to serve as a sample.

5. When the TAP is completed, who has access to it and who does it belong to?

The TAP belongs to the Tribe. However, Tribes are encouraged to submit the TAP to the SAMHSA Office of Indian Alcohol and Substance Abuse. This will assist the Federal partners in identifying and coordinating resources that may assist the Tribe in TAP implementation.

6. Where do I send my TAP and Tribal resolution?

The TAP and Tribal resolution should be submitted to SAMHSA's Office of Indian Alcohol and Substance Abuse at the contact information below.

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1 Choke Cherry Road, Room 4-1059
Rockville, MD 20857
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E-mail: IASA@samhsa.hhs.gov

7. What does OIASA do with my TAP and Tribal Resolution after I submit it?

The OIASA staff will record when it is received, review the TAP, and maintain documentation.

8. What is the benefit of a TAP to a Tribal community?

The TAP will provide a map for how a Tribal community may come together to share their history, culture, tradition, ideas, and resources to improve the overall quality of health and wellness for the community. The TAP is a strategy identified by a Tribe that

is localized and specific to the community's strengths and resources as well as needs and challenges, and supports the principle of Tribal self-determination. The TAP provides an opportunity for Tribes to take a proactive role in addressing alcohol and substance abuse in ways that are culturally responsive. The TAP is a "living document" that is used as a guide by line-staff, managers, administrators, and Tribal officials so that each level of accountability supports the other in a coordinated way. Tribes that commit to the implementation of a TAP are ultimately more likely to succeed in reducing alcohol and substance abuse. When implemented, the process provides a road map for successful and comprehensive community plans to foster sustained long term change in Tribal communities.

9. Who do I contact for training and technical assistance on developing and implementing a TAP?

For training and technical assistance resources, please contact SAMHSA's Office of Indian Alcohol and Substance Abuse at the contact information below. The OIASA will facilitate coordination of available training and technical assistance resources. TAP training and technical assistance resources are also available on the TLOA website: <http://www.samhsa.gov/tloa/>.

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10. What are the expectations for the Tribes related to the TAP?

The governing body of the 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 substance abuse among its members. This may include establishing a Tribal Coordinating Committee at the local level. The TAP should be updated every two years and should be used by the Tribe, its staff, and partners as an ongoing framework for addressing issues of alcohol and substance abuse.

11. What are the expectations for the Federal partners related to the TAP?

It is the responsibility of the Federal partners to assist Tribal communities in addressing alcohol and substance abuse with a commitment to honor, preserve, and protect our government-to-government relationship. The Substance Abuse and Mental Health Services Administration, Indian Health Service (IHS), the Bureau of Indian Affairs (BIA), the Bureau of Indian Education (BIE), and the Department of Justice (DOJ), to the extent possible, will fulfill the legislative intent of TLOA and its subsequent amendments to coordinate resources that will improve the overall health and wellbeing of Tribal members, families, and communities.

Federal partners will cooperate with Tribes in the development of a TAP and will enter into an agreement with the Tribe for the implementation of the TAP. If the Tribe does not adopt such a resolution within 90 days after publication of the Memorandum of Agreement in the Federal Register, the BIA Agency and BIE Superintendents, where appropriate, and the IHS Chief Executive Officer serving the Tribe(s) will enter into an agreement to identify and coordinate available programs and resources to carry out the purposes of the TLOA.

The Tribal Law and Order Act also called for the creation of a new office within SAMHSA to improve the coordination among the Federal agencies and departments responsible to address alcohol and substance abuse efforts among Tribal communities. The Office of Indian Alcohol and Substance Abuse was created and is located within SAMHSA's Center for Substance Abuse Prevention (CSAP). In order to ensure Tribes receive the assistance needed, SAMHSA's Office of Indian Alcohol and Substance Abuse will work with partnering agencies to coordinate the dissemination and availability of other technical assistance and training resources. To learn more about resources, technical assistance, and relevant information, please contact SAMHSA's Office of Indian Alcohol and Substance Abuse at (240) 276-2495 or by e-mail at IASA@samhsa.hhs.gov. Additional information can be found on the OIASA website at: <http://www.samhsa.gov/tloa/>.

12. Should the Tribe establish a Tribal Coordinating Committee?

Yes, the Tribe should establish a Tribal Coordinating Committee. A Tribal Coordinating Committee (TCC) will consist of a Tribal representative, who shall serve as TCC Chair, the BIA Agency and BIE Superintendents, where appropriate, and the IHS Chief Executive Officer, or their representative. Other important and interested persons may include members of the community and/or service providers. The TCC will have the primary responsibility for the implementation of the TAP, for on-going review and evaluation of, and making recommendations to the Tribe relating to the TAP; and for scheduling Federal, Tribal, or other personnel for training in the prevention and treatment of alcohol and substance abuse. As problems arise in the development of service coordination, it will be the responsibility of the TCC to identify and address them. The TCC will provide technical assistance where problems concerning coordination of services have developed. The organizational structure of the TCC should promote the most efficient and effective means of achieving its basic goals and objectives.

13. Is there a deadline to establish a Tribal resolution and TAP?

There is not a deadline for the establishment of a Tribal resolution and/or TAP. The only timeline applies to Federal partners if a Tribe does not adopt a resolution within 90 days after publication of the Memorandum of Agreement in the Federal Register. In this case, the BIA Agency and BIE Superintendents, where appropriate, and the IHS Chief Executive Officer should enter into an agreement to identify and coordinate available programs and resources to carry out the purposes of the law for such Tribes.

14. Is there any funding to support the development of the TAP?

There is no specific Tribal Law and Order Act funding to Tribes to support the development of the TAP. However, Tribes should consider a variety of funding sources including funding announcements for opportunities that include the work of developing and implementing a TAP or strategic plan to address alcohol and substance abuse issues.

15. What if my Tribe already has a strategic plan that covers part of the TAP goals?

A Tribal Action Plan is a Tribal specific version of what may also be known as a strategic plan so existing plans that address TAP goals can be used or modified to meet the needs of Tribal communities. There are many models and processes that have been used by Tribal communities and some of these models have been identified in the TAP Guidelines on pages 11 – 24 which is available at the following Web site link: http://www.samhsa.gov/TLOA/docs/TribalActionPlanGuidelines_508C.pdf.

16. If I already receive technical assistance/consultation through a current Federal grant, can they help me with the TAP?

This will depend on the type of funding you receive, the grant program goals, the technical assistance contractor's scope of work and budget, and how closely related the technical assistance is to the Tribe's TAP. You should contact your Government Project Officer for clarification and guidance. You may also contact the SAMHSA OIASA Office at (240) 276-2495 for assistance.

17. If a private consultant offers to develop a TAP with our Tribe, can we use Tribal funds to pay for that?

A Tribe may choose to allocate Tribal funds to independently enter into a contract with a private consultant who may assist with the development of a TAP. Such a decision should keep the best interests of the Tribe and Tribal ownership of the process and product in mind.

18. What qualifications should we look for in someone to help us develop the TAP?

The individual should possess cultural knowledge and have experience and knowledge of Tribal governments, resources to address substance abuse, and strategic planning. The individual should have a balance of cultural knowledge, relationship skills, and the technical skills needed to develop a comprehensive TAP. The individual should be made aware that the work and strategic plan developed belongs to the Tribe.