

**Congress of the United States**  
Washington, DC 20510

February 10, 2025

Dorothy A. Fink  
Acting Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, DC 20201

Dear Acting Secretary Fink:

The hiring freeze imposed on January 20, 2025, the deferred resignation and early retirement offers, and efforts to cut the federal health workforce violate Congressional direction to implement programs and activities funded through appropriations. We strongly oppose these efforts to denigrate the federal health care workforce and are concerned that it will negatively impact the Indian Health Service's (IHS) ability to deliver health care. We urge you to lift the hiring freeze, officially rescind the deferred resignation and early retirement offers, and instead work to strengthen and grow the Indian Health Service to best meet the health and wellness needs of American Indians and Alaska Natives in accordance with our trust and treaty responsibilities.

Freezing the hiring of critical staff positions and attempts to diminish the workforce at the IHS poses a grave threat to the vital medical services provided to American Indians and Alaska Natives – including emergency services, maternity care, and cancer treatments. The IHS is already plagued by chronic underfunding and significant staffing shortages, and this hiring freeze and attacks on the federal workforce impacts its ability to fill vacancies for the medical professionals and staff needed to keep critical facilities and programs operating.

These actions are exacerbating the current difficulties IHS is confronting to meet the health care needs of Native American communities. For example, IHS medical facilities regularly face significant vacancy rates for physicians, nurses, and other key clinical providers. Last year, IHS experienced nearly 2,000 vacancies,<sup>1</sup> and a 2018 Government Accountability Office (GAO) report found that IHS had an overall health care provider vacancy rate of 25 percent across service areas.<sup>2</sup> These vacancies negatively impact the receipt of quality and timely health care, employee morale, and force facilities in many Tribal communities to reduce access to critical medical care, including behavioral and mental health care, that is needed to address the substance use and suicide crises plaguing Indian Country and Alaska Native villages. Further disruption in staffing could push IHS beyond its breaking point, potentially leaving thousands without access to critical care.

We also remind you of the critical and unique relationship the federal government has with American Indians and Alaska Natives. This relationship, grounded in a federal trust

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<sup>1</sup> *IHS Workforce Parity Act and Tribal Access to Clean Water Act of 2023: Hearing on S. 4022 and S. 2385 Before the S. Comm. on Indian Affs.*, 118th Cong. 1 (2024) (statement of Melanie Anne Egorin, Assistant Sec'y for Legis., U.S. Dep't of Health & Human Res.).

<sup>2</sup> U.S. GOV'T ACCOUNTABILITY OFF., GAO-18-580, INDIAN HEALTH SERVICE: AGENCY FACES ONGOING CHALLENGES FILLING PROVIDER VACANCIES 9-10 (Aug. 2018).

responsibility rooted in the United States Constitution, treaties, and countless federal laws and policies, has resulted in a protected legal status of Tribal Nations as political entities rather than a racial class. As such, the federal government acts as a trustee and has charged itself with moral obligations of the highest responsibility and trust towards Indian Tribes, and in doing so, has established programs and services necessary to fulfill its trust and treaty obligations. Federal courts have consistently recognized this and upheld this distinct and legal political status, particularly regarding the provision of health care to American Indians and Alaska Natives.

Central to this trust responsibility is the health care provided through the IHS, which serves as the primary health care provider for 2.8 million American Indians and Alaska Natives. The IHS has long been foundational in ensuring the well-being of Indigenous communities across the nation.

The federal government must honor its trust responsibility to Tribal Nations. We urge you to advocate for the revocation of this hiring freeze and stop the onslaught on health care professionals. The health care of millions of Native Americans and Alaska Natives hangs in the balance.

Sincerely,



Jeffrey A. Merkley  
Ranking Member  
Subcommittee on Interior,  
Environment, and Related  
Agencies  
United States Senate  
Committee on Appropriations



Chellie Pingree  
Ranking Member  
Subcommittee on Interior,  
Environment, and Related  
Agencies  
United States House of  
Representatives  
Committee on Appropriations