

INDIAN PREFERENCE

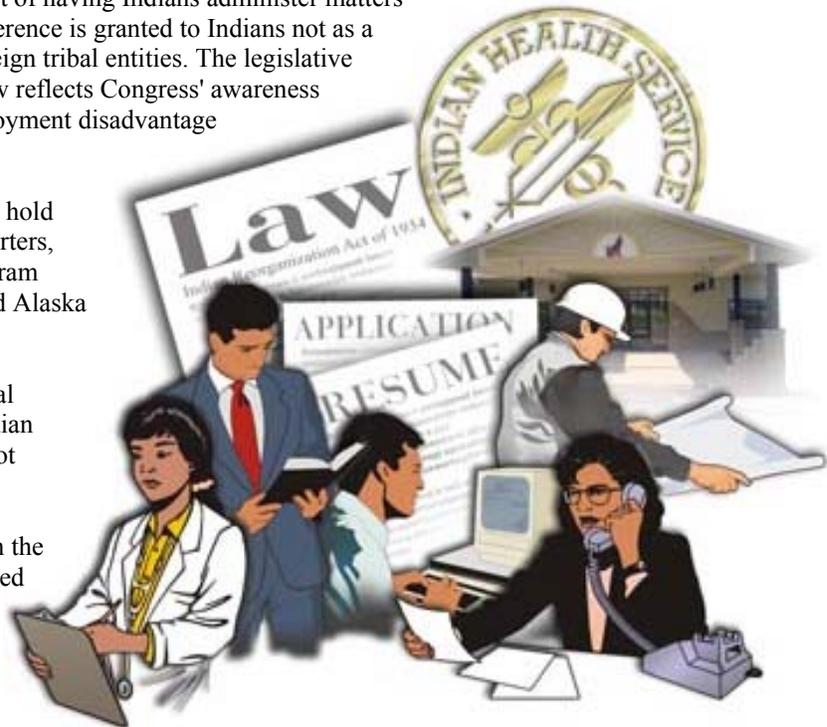
ISSUE

The Indian Health Service (IHS) policy of applying Indian preference law in filling position vacancies is generally misunderstood. Indian Preference means that if there are qualified Indian applicants for a vacancy, a selection is made from those qualified applicants and non-Indian applicants are not considered.

BACKGROUND

The IHS and the Bureau of Indian Affairs (BIA) are the only two agencies where the federal law on Indian preference in hiring applies. The Federal policy for applying Indian hiring preference to Indian programs dates as far back as 1834. The purpose of this hiring preference is to support Indian participation in self-government, to further the Government's trust obligations to tribes, to encourage American Indians and Alaska Natives to pursue higher education, and to enhance the positive effect of having Indians administer matters that affect Indian tribal life. The preference is granted to Indians not as a racial group but as members of sovereign tribal entities. The legislative history of Indian Preference hiring law reflects Congress' awareness that non-Indians would be at an employment disadvantage in the IHS and the BIA.

American Indians and Alaska Natives hold most senior positions in IHS Headquarters, Area Offices, Service Units, and program offices. Overall, American Indian and Alaska Native employees fill 68% of all IHS positions. Removing the health and engineering professional positions, for which the American Indian and Alaska Native applicant pool is not extensive, the IHS has an 89% rate of American Indian and Alaska Native employees. The policy has resulted in the creation of a workforce that has allowed many tribes to successfully contract for and administer their health programs. Indian Preference has proven to be a successful approach to the provision of services by American Indians and Alaska Natives to American Indians and Alaska Natives.



SITUATION

Indian preference is applied to all vacancies within the Agency and it supercedes other employment preferences in the Federal system. The law also applies in cases where the program is reducing employment levels.

Because Indian Preference is perceived to be an applicant criteria instead of a selection criteria many qualified applicants who are non-Indian choose to not apply for vacancies. This misunderstanding about Indian Preference has resulted in some extended vacancies because of a lack of qualified applicants.

OPTIONS/PLANS

The IHS will continue to emphasize the selection preference of qualified American Indians and Alaska Natives who are suitable for Federal employment in filling vacancies within the IHS.

CONTACT

For referral to the appropriate spokesperson, contact the IHS Public Affairs Staff at 301-443-3593.