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SUBMITTED VIA EMAIL

January 12, 2018

RADM Michael D. Weahkee
Acting Director
Indian Health Service
5600 Fishers Lane
Rockville, MD 20857

RE: Invitation to Attend Contract Support Cost Workgroup Meeting; Request for Information on CSC Issues

Dear Acting Director Weahkee:

The Indian Health Service (IHS) Contract Support Cost (CSC) Workgroup, on which I serve as the Tribal Co-Chair, has scheduled an in-person meeting, at a location to be determined, on March 6-7, 2018. On behalf of the tribal leaders and technical experts on the Workgroup, I urge you to attend this important meeting. Among other topics, the meeting will address IHS's unilateral decision, announced in your letter to tribal leaders dated December 21, 2017, to immediately rescind a key provision of the agency's CSC Policy without notice to, let alone consultation with, tribes. This abrupt decision surprised and troubled tribal leaders, as it disregarded the agreement struck in lengthy and challenging negotiations. I hope you will take the opportunity provided by the Workgroup meeting to hear and respond personally to these concerns. Between now and then, I also hope the 97/3 option (Manual section 6-3.2E.3) will have been reinstated, as requested in my letter of January 3, 2018.

In my January 3rd letter, I requested that IHS provide the Workgroup all information on which the agency relied in concluding that the 97/3 option in § 6-3.2E(3) of the Policy may not "in all cases" conform to the Indian Self-Determination Act. Now that a Workgroup meeting has been scheduled and a preliminary agenda set, I would like to expand this information request accordingly. Please provide the Workgroup in advance with all relevant information and documentation on the following Workgroup agenda items:

- All data and other documentation underlying IHS's decision to rescind the 97/3 option;
- All data developed by IHS in 2016 at the time that IHS agreed to the 97/3 option;
- Delays in indirect cost rate negotiation in the Department of Health and Human Services;

RADM Michael D. Weahkee

January 12, 2018

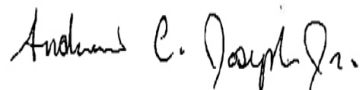
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- IHS's response to a tribal request that IHS reconsider its refusal to pay CSC on Catastrophic Health Emergency Fund (CHEF) funding;
- IHS's response to a tribal request that IHS reconsider its refusal to pay CSC on Domestic Violence Prevention Initiative and Substance Abuse and Suicide Prevention funding;
- CSC distribution data for FYs 2014 through 2017 (update of spreadsheet provided at the Workgroup's last meeting in Tulsa in August 2017);
- Establishment of a tribal-federal sub-workgroup to develop CSC budget projections; and
- Ongoing review of the CSC Negotiation Template.

In order to allow time for careful tribal review of this information and maximize the productivity of the meeting, we request that IHS provide the information above no later than **February 9, 2018**.

We look forward to meeting with you on March 6-7, and we remain committed to working with IHS to resolve these issues in accordance with the Policy's guiding principles of transparency and collaboration in the government-to-government relationship.

Sincerely,

Handwritten signature of Andy Joseph, Jr.

Andy Joseph, Jr., NPAIHB Chairperson
Colville Tribal Council Member

cc: IHS CSC Workgroup members