November 10, 2016

Dear Tribal Leader:

The U.S. Department of Health and Human Services (HHS) is committed to engaging in meaningful consultation with Tribes on matters that have Tribal implications. To that end, on behalf of HHS, I am writing to announce a Tribal consultation call with a subsequent 30-day comment period to request your advice and input regarding a Notice of Proposed Rulemaking (NPRM) that amends HHS Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS federal Awards. The NPRM was published in the Federal Register on Wednesday, July 13, 2016; public comments were due on August 12, 2016. More information about the NPRM can be found at the link that follows: https://www.regulations.gov/document?D=HHS_FRDOC_0001-0637.

The Office of Management and Budget (OMB) is responsible for implementing federal audit and cost principle requirements mandated by Congress. OMB recently placed all federal audit and cost principle requirements that were once published in individual circulars into one federal regulation. The Indian Self-Determination and Education Assistance Act (ISDEAA) requires its contractors to comply with the federal audit requirements and cost principles. HHS, a funding agency of ISDEAA contracts, adopted OMB’s Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Administrative Requirements”) on December 19, 2014 (79 FR 75871) and the technical amendments published by HHS on January 20, 2016 (81 FR 3004). HHS codified the OMB language, with noted modifications as explained in the preamble to the December promulgation, in 45 CFR part 75.

The Department of Health and Human Services received a number of Tribal comments relating to provisions in the July 13, 2016, NPRM that apply to the ISDEAA. In addition to comments relating to the ISDEAA, many comments requested additional Tribal consultation on the NPRM. HHS continues to accept and review all of the comments that are received from Tribes on this NPRM and will host a Tribal consultation call prior to finalizing the ISDEAA provisions. HHS will seek to issue the ISDEAA provisions as part of its’ existing regulations following consultation. Details of the Tribal consultation call can be found below:

**Friday, December 9, 2016**
3:00 p.m. – 4:30 p.m. (Eastern Time)
Conference Call Dial-in: (888) 950-7566
Participant Passcode: 1469236

The Tribal consultation record will remain open for 30 days after the consultation call wherein additional comments will be accepted. Please submit your written comments via e-mail to consultation@hhs.gov. If you have any questions, please contact Ms. Elizabeth Carr, Associate Director for Tribal Affairs, Office of Intergovernmental and External Affairs, HHS, by phone at (202) 260-6125 or via e-mail at elizabeth.carr@hhs.gov.
We look forward to obtaining your advice and feedback on the ISDEAA provisions of the NPRM.

Sincerely,

Emily Barson
Director, Office of Intergovernmental and External Affairs