

January 2018 – P.L. 93-638 Construction Technical Assistance Guide (October 2017)
Summary of Revisions
Errata 01

Renumbered ISDEAA Provisions in the U. S. Code – insert after Glossary: attached conversion table showing the previous and current U.S. Code and the corresponding Sections listed in the T-I and T-V Regulations.

Appendix II, Section C and Appendix III Section C – replace existing delegation with the attached Administrative Delegation #48, dated November 7, 2017 granting authority to approve for T-I contracts and T-V construction project agreements.

Renumbered ISDEAA Provisions in the U.S. Code, Effective September 1, 2016

Previous U.S. Code Provision in 25 U.S.C.	New U.S. Code Provision in 25 U.S.C.	Pub. L. 93-638 Section
§ 450	§ 5301	§ 2
§ 450a	§ 5302	§ 3
§ 450a-1	§ 5303	Other ¹
§ 450b	§ 5304	§ 4
§ 450c	§ 5305	§ 5
§ 450d	§ 5306	§ 6
§ 450e	§ 5307	§ 7
§ 450e-1	§ 5308	§ 9
§ 450e-2	§ 5309	Other ²
§ 450e-3	§ 5310	Other ³
§ 450f	§ 5321	§ 102
§ 450h	§ 5322	§ 103
§ 450i	§ 5323	§ 104
§ 450j	§ 5324	§ 105
§ 450j-1	§ 5325	§ 106
§ 450j-2	§ 5326	Other ⁴
§ 450j-3	§ 5327	Other ⁵
§ 450k	§ 5328	§ 107
§ 450l	§ 5329	§ 108
§ 450m	§ 5330	§ 109
§ 450m-1	§ 5331	§ 110
§ 450n	§ 5332	§ 111
§ 451	§ 5341	Other ⁶
§ 452	§ 5342	Other ⁷
§ 453	§ 5343	Other ⁸
§ 454	§ 5344	Other ⁹
§ 455	§ 5345	§ 202
§ 456	§ 5346	§ 202
§ 457	§ 5347	§ 202
§ 458	§ 5351	§ 204
§ 458a	§ 5352	§ 205

¹ Pub.L. 101-644, tit. II, § 204.

² Pub.L. 105-83, tit. III, § 310.

³ Pub.L. 108-447, div. E, tit. I, § 111.

⁴ Pub.L. 105-277, div. A, § 101(e) [tit. II].

⁵ Pub.L. 106-113, div. B, § 1000(a)(3) [tit. I, § 113].

⁶ Feb. 14, 1931, ch. 171, 46 Stat. 1106.

⁷ Apr. 16, 1934, ch. 147, § 1, 48 Stat. 596.

⁸ Apr. 16, 1934, ch. 147, § 2, 48 Stat. 596.

⁹ Apr. 16, 1934, ch. 147, § 3, 48 Stat. 596.

Previous U.S. Code Provision in 25 U.S.C.	New U.S. Code Provision in 25 U.S.C.	Pub. L. 93-638 Section
§ 458b	§ 5353	§ 206
§ 458c	§ 5354	§ 207
§ 458d	§ 5355	§ 208
§ 458e	§ 5356	§ 209
§ 458aa	§ 5361	§ 401
§ 458bb	§ 5362	§ 402
§ 458cc	§ 5363	§ 403
§ 458dd	§ 5364	§ 404
§ 458ee	§ 5365	§ 405
§ 458ff	§ 5366	§ 406
§ 458gg	§ 5367	§ 407
§ 458hh	§ 5368	§ 408
§ 458aaa	§ 5381	§ 501
§ 458aaa-1	§ 5382	§ 502
§ 458aaa-2	§ 5383	§ 503
§ 458aaa-3	§ 5384	§ 504
§ 458aaa-4	§ 5385	§ 505
§ 458aaa-5	§ 5386	§ 506
§ 458aaa-6	§ 5387	§ 507
§ 458aaa-7	§ 5388	§ 508
§ 458aaa-8	§ 5389	§ 509
§ 458aaa-9	§ 5390	§ 510
§ 458aaa-10	§ 5391	§ 511
§ 458aaa-11	§ 5392	§ 512
§ 458aaa-12	§ 5393	§ 513
§ 458aaa-13	§ 5394	§ 514
§ 458aaa-14	§ 5395	§ 515
§ 458aaa-15	§ 5396	§ 516
§ 458aaa-16	§ 5397	§ 517
§ 458aaa-17	§ 5398	§ 518
§ 458aaa-18	§ 5399	§ 519

Administrative Delegation #48



DEPARTMENT OF HEALTH AND HUMAN
SERVICES

Public Health Service

Indian Health Service
Rockville MD 20852

Administrative #48

November 17, 2017

TO: Addressees

FROM: Director

SUBJECT: Delegation of Authority, Administrative #48, "Indian Self-Determination and Education Assistance Act, Public Law 93-638, as Amended, Approval of Title V Construction Project Agreements and Award of Title I Construction Contracts"

AUTHORITY DELEGATED

Pursuant to the authorities delegated to the Director, Indian Health Service (IHS), by the Assistant Secretary for Health on July 17, 1996, and as specified in the Reorganization Order of January 4, 1988, (52 Federal Register 47053), which elevated the IHS to a Public Health Service Agency, I hereby delegate to the officials listed below, the authority to negotiate and approve Title V construction Project Agreements, and negotiate and award Title I Construction Contracts including modifications thereto under the Indian Self-Determination and Education Assistance Act (ISDEAA), Public Law 93-638, as amended.

TO WHOM DELEGATED

Deputy Director
Deputy Director for Field Operations
Director, Office of Environmental Health and Engineering (OEHE)
Director, Division of Engineering Services (DES)
Chief of Acquisitions, DES, OEHE
Contracting Officers (acting in accordance with Special General Memorandum 15-04 and authorized in writing by the Chief of Acquisitions, DES, OEHE)

AUTHORITY TO REDELEGATE

These authorities may not be redelegated.

INFORMATION AND GUIDANCE

This delegation clearly delineates the roles and responsibilities of the Chief of Acquisitions, DES, OEHE within the framework of IHS with respect to the negotiation, award, approval, and administration of IHS health care and sanitation facility construction projects.

These authorities shall be exercised in accordance with all applicable ISDEAA regulations issued by the Secretary of Health and Human Services and in accordance with all other applicable regulations issued by the Secretary of Health and Human Services.

RESTRICTIONS

This delegation limits the authority to issue a declination letter pursuant to 25 United States Code §5321, by requiring the Headquarters Leadership Team review and provide clearance prior to issuance of the letter.

SUPERSESSION

This delegation supersedes Delegation of Authority (DOA) Administrative #48, dated March 14, 1996, DOA Program #15, dated March 14, 1996 and DOA Program #16, dated March 14, 1996 as the Title III authorities are now under Title V.

EFFECTIVE DATE

This DOA is effective on date of signature.

/Michael D. Weahkee/

RADM Michael D. Weahkee, MBA, MHSA
Assistant Surgeon General, U.S. Public Health Service
Acting Director
Indian Health Service