



April 3, 2025

Dear Tribal Leader:

I am writing to inform you of the Indian Health Service's (IHS) implementation plan for updating Agency procedures related to Tribal employees and Tribal contractors who require logical access to the IHS network systems or physical access to federally controlled facilities. The IHS seeks a uniform approach that complies with applicable Federal laws and mandates.

The Homeland Security Presidential Directive 12 (HSPD-12): Policy for a Common Identification (ID) Standard for Federal Employees and Contractors, requires all Federal employees, contractors, volunteers, and affiliates (including Tribal employees and Tribal contractors), to use standard forms of identification to gain access to federally controlled facilities and Federal Information Technology (IT) systems. The purpose of this government-wide mandate is to enhance security, reduce identity fraud, and protect personal privacy.

Existing IHS policy in the *Indian Health Manual*, Part 5, Chapter 30, explains that to comply with HSPD-12 requirements, the IHS must issue an HSPD-12 compliant access card, in this case a Personal Identity Verification (PIV) card, to staff and contractors who require access to federally controlled spaces or IHS IT systems. The IHS's policy further states that prior to being issued a PIV card, each individual seeking access must undergo a criminal fingerprint check and a Federal background investigation. All Federal background investigations are conducted by the Defense Counterintelligence and Security Agency.

Tribes and Tribal Organizations (T/TOs) operating programs under the Indian Self-Determination and Education Assistance Act (ISDEAA) agreements are not required to utilize the IHS-controlled facilities or network systems. However, those who choose to negotiate ISDEAA agreements that contemplate access to federally controlled facilities and IT networks must obtain the required PIV card and pay for the associated costs. The authority for this arrangement is the "buyback" authority¹, which authorizes the IHS to provide services to ISDEAA contractors and compactors at cost.

The three main costs incurred when providing a PIV card to an eligible individual include: (1) the cost of the background investigation; (2) the cost of the PIV card itself (and related supplies); and (3) the cost for the IHS Headquarters and Area staff to process, manage, and adjudicate PIV card requests.

On March 20, 2024, the IHS conducted an information session for T/TOs that explained the need for a more uniform approach to comply with Federal law, mandates, and IHS policy and

¹ See the IHS Appropriations Acts (Title I); 25 U.S.C. § 5388(f) (Title V)

provided an opportunity for input from Tribal Leaders on the PIV card requirements. The IHS considered the feedback received when finalizing its updated procedures.

To ensure Agency-wide consistency, the IHS will require full-cost recovery through the use of buyback agreements for all ISDEAA contractors and compactors who have chosen to access IHS IT systems or federally controlled facilities, and as a result, require PIV cards for applicable T/TO staff.

Following the March 20, 2024, information session, the IHS provided you with a list of your Tribal employees and/or contractors who currently have access to IHS IT networks and the cost associated with obtaining the required background checks and PIV cards. The IHS Area staff will work with you to update your list and execute buyback agreements for the costs associated with obtaining PIV cards for T/TOs who choose to have access to IHS IT networks or federally controlled facilities to carry out their ISDEAA contracts or compacts.

Thank you for your attention to this important matter. For more information, please see the enclosed Questions and Answers document, and should you have additional questions, please contact Ms. Rena Macy, Acting Director, Office of Tribal Self-Governance, IHS, by email at rena.macy@ihs.gov.

Sincerely,

Phillip B.
Smith -S

Digitally signed by Phillip
B. Smith -S
Date: 2025.04.03
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P. Benjamin Smith, M.B.A., M.A.

Enclosure: HSPD-12 Compliant Access Cards for Tribal Employees/Contractors, Questions and Answers