

Sac and Fox Nation

920883 S. Hwy. 99 Bldg. A • Stroud, OK 74079



Principal Chief KAY RHOADS
Second Chief AUDREY R. LEE
Secretary JACKLYN K. KING
Treasurer JARED A. KING
Committee Member ROBERT E. WILLIAMSON

May 16, 2018

RADM Michael D. Weahkee, MBA, MHSA
Assistant Surgeon General, U.S. Public Health Service
Acting Director, Indian Health Service
5600 Fishers Lane
Mail Stop: 08E86
Rockville, MD 20857

Subject: CSC "97/3 Method" Tribal Consultation

Dear Acting Director Weahkee:

On behalf of the Sac and Fox Nation, I write to provide comments in response to your *Dear Tribal Leader Letter* of April 13 regarding the IHS CSC Policy pertaining to the 97/3 Method.

We believe that Tribal Consultation is critically important and are very disappointed in the Agency's unilateral action to suspend a provision of the IHS CSC Policy that had been approved and adopted as a result of considerable effort, collaboration, and consultation.

After reviewing the options outlined in your April 13 *Dear Tribal Leader Letter*, the Sac and Fox Nation recommends that the IHS reinstate and abide by the original language agreed to by both the Tribes and the IHS in October 2016. The negotiation of that language took into account the differing positions of the Agency and Tribes but, in the true spirit of a Government-to-Government relationship, struck a compromise that would facilitate continued Contracting and Compacting.

For over 20 years IHS policy has respected Tribal sovereignty and allowed Tribes to elect which CSC calculation method to use. We do not agree that the IHS should be able to force all Tribes into a detailed line-by-line negotiation when a reasonable alternative like the 97/3 method exists. That appears to be the end result of each of the two Agency proposed alternatives, so we reject those emphatically. Such a heavy-handed approach violates the very definition of "negotiations" and ignores the premise of a Government-to-Government relationship.

In the alternative, we would be comfortable with the revised language recommended by the IHS CSC Workgroup on March 6-7.

Sac and Fox Nation

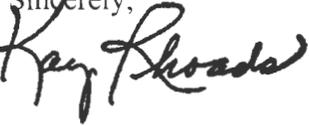
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We sincerely hope that the IHS will respect the results of a mandated collaborative process and that we can move forward with reinstatement of the original policy as soon as possible.

Thank you for this opportunity to submit our comments.

Sincerely,


Kay Rhoads, Principal Chief
Sac and Fox Nation