

Department of Health and Human Services

Indian Health Service

Tribal Self-Governance Program

Negotiation Cooperative Agreement

Announcement Type: New Limited Competition

Funding Announcement Number: HHS-2011-IHS-TSGN-0001

Catalog of Federal Domestic Assistance Number: 93.444

**Key Dates**

Application Deadline Date: September 3, 2011

Review Date: September 12, 2011

Earliest Anticipated Start Date: September 30, 2011

Signed Tribal Resolutions Due Date: September 11, 2011

**I. Funding Opportunity Description**

**Statutory Authority**

The Indian Health Service (IHS) is accepting limited competition Negotiation Cooperative Agreement applications for the Tribal Self-Governance Program (TSGP). This program is authorized under Title V of Public Law (Pub. L.) 93-638, the Indian Self-Determination and Education Assistance Act (ISDEAA), as added by Pub. L. 106-260, the Tribal Self-Governance Amendments of 2000 (25 U.S.C. § 458aaa-2(e), et seq.). This program is described in the Catalog of Federal Domestic Assistance at 93.444.

## **Purpose**

The purposes of the Negotiation Cooperative Agreement are to assist:

- (1) Tribes not participating in the TSGP to start negotiations to enter the TSGP.
- (2) Tribes that have previously received a Negotiation Cooperative Agreement to continue negotiations to enter the TSGP.
- (3) Tribes that have previously received a Negotiation Cooperative Agreement and entered the TSGP to assume new and expanded Programs, Services, Functions, and Activities (PSFAs).

## **Background**

A Negotiation Cooperative Agreement provides a Tribe with funds to help cover the expenses involved in preparing for and negotiating a Self-Governance Compact and Funding Agreement (FA) with the IHS, under Title V of the ISDEAA. The TSGP is designed to promote Self-Governance by enabling Tribes to assume control of IHS PSFAs.

There is limited competition under this announcement because the authorizing legislation restricts eligibility to Tribes that meet specific criteria (refer to Section III.1. Eligibility in this announcement). *See* 42 C.F.R. §§ 137.24-25; *see also* 42 C.F.R. § 137.10. The Tribes eligible to compete for the Negotiation Cooperative Agreements include: any Federally-recognized Indian Tribe that has not previously received a Negotiation Cooperative Agreement; Federally-recognized Indian Tribes that have previously

received Negotiation Cooperative Agreements but chose not to enter the TSGP; and those Federally recognized Indian Tribes that received a Negotiation Cooperative Agreement, entered the TSGP, and would like to negotiate the assumption of new and expanded programs. If a Tribe applies for a Planning Cooperative Agreement within the same grant cycle, then the Negotiation Cooperative Agreement will be awarded only upon the successful completion of the Planning Cooperative Agreement.

Limiting competition to three eligibility categories ensures that the purposes of the Negotiation Cooperative Agreement are met:

- (1) The first purpose of assisting Tribes not participating in the TSGP and want to enter the TSGP is accomplished because these Tribes will satisfy the first cooperative agreement eligibility requirement, which allows applications from any Federally-recognized Indian Tribe that has not previously received a Planning Cooperative Agreement to apply for the cooperative agreement.
- (2) The second purpose of assisting Tribes that have previously received a Negotiation Cooperative Agreement and want to continue negotiations to enter the TSGP is accomplished because these Tribes will satisfy the second cooperative agreement eligibility requirement, which allows applications from any Federally-recognized Indian Tribes that have previously received a Planning Cooperative Agreement but chose not to enter the TSGP.

(3) The third purpose of assisting Tribes that have previously received a Negotiation Cooperative Agreement and entered the TSGP to assume new and expanded PSFAs is accomplished because these Tribes will satisfy the third cooperative agreement eligibility requirement, which allows applications from any Federally-recognized Indian Tribes that received a Planning Cooperative Agreement, entered the TSGP, and would like to plan for the assumption of new and expanded programs.

Indian Tribes that have completed comparable health planning activities in previous years using Tribal resources are not required to receive a TSGP Planning Cooperative Agreement to be eligible to apply for a Negotiation Cooperative Agreement. The receipt of a Negotiation Cooperative Agreement award is not a prerequisite to enter the TSGP.

## **II. Award Information**

### **Type of Award:**

Cooperative Agreement.

### **Estimated Funds Available:**

The total amount of funding identified for Fiscal Year (FY) 2011 is approximately \$240,000. Individual award amounts are anticipated to be \$30,000. Competing awards issued under this announcement are subject to the availability of funds. In the absence of

funding, the Agency is under no obligation to make awards that are selected for funding under this announcement.

**Anticipated Number of Awards:**

The estimated number of awards to be funded under this program announcement is approximately eight.

**Project Period:**

The project period will be for 12 months and will run from September 30, 2011, to September 29, 2012.

**Award Amount:**

Approximately \$30,000 per award.

**Programmatic Involvement:**

In the Department of Health and Human Services (HHS), a cooperative agreement is administered under the same policies as a grant, but the funding Agency (IHS) has substantial programmatic involvement. IHS anticipates substantial programmatic involvement with the implementation of this project to assist grantees to establish a basic understanding of PSFAs and associated funding that could be incorporated into their programs.

The grantee roles and responsibilities are critical to the success of the TSGP and include:

- Determining the PSFAs and associated funding the Tribe may elect to assume.
- Preparing to discuss each PSFA in comparison to the current level of services provided, so that an informed decision can be made on new program assumption.
- Developing a compact and FA to submit to the Agency Lead Negotiator (ALN) prior to negotiations. The ALN is the Federal official with the delegated authority of the IHS Director to negotiate compacts and FAs on behalf of the IHS.

### **III. Eligibility Information**

#### **1. Eligibility**

To be eligible for this limited competition Negotiation Cooperative Agreement under this announcement, an applicant must:

- A. Be any Federally-recognized Indian Tribe that has not previously received a Negotiation Cooperative Agreement; be any Federally-recognized Indian Tribe that has previously received a Negotiation Cooperative Agreement but chose not to enter the TSGP; or be any Federally-recognized Indian Tribe that received a Negotiation Cooperative Agreement, entered the

TSGP, and would like to negotiate the assumption of new and expanded programs.

- B. Be an Indian Tribe as defined in 25 U.S.C. § 450b(e). However, Alaska Native Villages or Alaska Native Village Corporations are not eligible if they are located within the area served by an Alaska Native regional health entity already participating in the Alaska Tribal Health Compact in 1998. By congressional statute, the Native Village of Eyak, Eastern Aleutian Tribes, and the Council for Athabascan Tribal Governments have also been deemed Alaska Native regional health entities. Those Alaska Tribes not represented by a Self-Governance Tribal consortium FA within their area may still be considered eligible to participate in the TSGP.
- C. Submit a Tribal resolution from the appropriate governing body of each Indian Tribe to be served authorizing the submission of the Planning Cooperative Agreement application. Tribal Consortia applying for a TSGP Planning Cooperative Agreement shall submit Tribal Council resolutions from each Tribe in the consortium. Draft resolutions are acceptable in lieu of an official signed resolution to submit with the application; however an official signed Tribal resolution must be received by the Division of Grants Management (DGM), Attn: John Hoffman, 801 Thompson Avenue, TMP, Suite 360, Rockville, MD 20852, by September

11, 2011, prior to the Objective Review Committee (ORC) evaluation on September 12, 2011. If the DGM does not receive an official signed resolution by September 11, 2011, then the application will be considered incomplete and will be returned without consideration.

\*It is highly recommended that the Tribal resolution be sent by a delivery method that includes proof of receipt.

- D. Demonstrate, for three fiscal years, financial stability and financial management capability, which is defined as having no uncorrected significant and material audit exceptions in the required annual audit of the Indian Tribe's Self-Determination Contracts or Self-Governance FAs with any Federal agency. Applicants are required to submit complete annual audit reports for the three fiscal years prior to the year in which the applicant is applying for the Negotiation Cooperative Agreement. Applicants may scan an electronic copy of the documents and attach them to the online application. If the applicant determines that the audit reports are too lengthy, then the applicant may submit them separately via regular mail by the due date, September 3, 2011. Applicants sending in audits via regular mail must submit two copies of the complete audits for the three previous fiscal years under separate cover directly to the DGM, Attn: John Hoffman, 801 Thompson Avenue, TMP Suite 360, Rockville, MD 20852, referencing the Funding Opportunity Number, HHS-2011-IHS-TSGN-



0001, as prescribed by Pub. L. 98-502, the Single Audit Act, as amended [see Office of Management and Budget (OMB) Circular A-133, revised June 24, 1997, Audits of States, Local Governments, and Non-Profit Organizations]. If the DGM does not receive this documentation by September 3, 2011, then the application will be considered incomplete and will be returned to the applicant without further consideration. Applicants must include the grant tracking number assigned to their electronic submission from Grants.gov and the date submitted via Grants.gov in their cover letter transmitting the required complete audits for the previous three fiscal years.

Please note that meeting eligibility criteria for a Negotiation Cooperative Agreement does not mean a Tribe or Tribal organization will be eligible for participation in the IHS TSGP under Title V of the ISDEAA, 25 U.S.C. § 458aaa-2; 42 C.F.R. §§ 137.15-23.

## **2. Cost Sharing or Matching**

The TSGP Negotiation Cooperative Agreement does not require matching funds or cost sharing to participate in the competitive grant process.

## **3. Other Requirements**

If application budget documents exceed the stated dollar amount that is outlined within this announcement, then the application will be returned to the applicant without further consideration.

#### **IV. Application and Submission Information**

##### **1. Obtaining Application Materials**

The application package and detailed instructions for this announcement can be found at <http://www.Grants.gov> or

[http://www.ihs.gov/NonMedicalPrograms/gogp/index.cfm?module=gogp\\_funding](http://www.ihs.gov/NonMedicalPrograms/gogp/index.cfm?module=gogp_funding).

Information regarding this announcement may also be found on the IHS Office of Tribal Self-Governance (OTSG) website at: <http://www.ihs.gov/SelfGovernance>.

##### **2. Content and Form Application Submission**

The applicant must include the project narrative as an attachment to the application package. Mandatory documents for all applicants include:

- Table of contents.
- Abstract (one page) summarizing the project.
- Application forms:
  - Standard Form (SF)-424, Application for Federal Assistance.
  - SF-424A, Budget Information – Non-Construction Programs.
  - SF-424B, Assurances – Non-Construction Programs.

- Budget Narrative and justification (must be single-spaced and must not exceed 3 pages)
- Project Narrative (must not exceed 10 pages) providing:
  - Background information on the Tribe
  - Proposed scope of work, objectives, and activities that provide a description of what will be accomplished, including a one-page Timeframe Chart
- Tribal Resolution.
- 501(c)(3) Certificate (if applicable).
- Biographical sketches for all Key Personnel.
- Contractor/Consultant resumes or qualifications and scope of work.
- Disclosure of Lobbying Activities (SF LLL).
- Copy of current Negotiated Indirect Cost (IDC) Rate Agreement in order to receive IDC.
- Organizational Chart (optional).
- Documentation of current OMB A-133 required Financial Audit.
- Complete annual audit reports.

Applicable acceptable forms of documentation include:

- E-mail confirmation from Federal Audit Clearinghouse (FAC) that audits were submitted; or

- Face sheets from audit reports. These can be found on the FAC website:

<http://harvester.census.gov/fac/dissemin/accessoptions.html?submit=Retrieve+Records>.

### **3. Public Policy Requirements:**

All Federal-wide public policies apply to IHS grants with the exception of the Discrimination policy.

### **4. Requirements for Project and Budget Narratives**

#### **A. Project Narrative**

This narrative should be a separate Word document that is no longer than ten pages and must: be single-spaced, be type written, have consecutively numbered pages, use black type not smaller than 12 characters per one inch, and be printed on one side only of standard size 8-1/2” x 11” paper.

Be sure to succinctly answer all questions listed under the evaluation criteria (refer to Section V.1, Evaluation criteria in this announcement) and place all responses and required information in the correct section (noted below), or they will not be considered or scored. These narratives will assist the ORC in becoming more familiar with the grantee’s activities and accomplishments prior

to this possible grant award. If the narrative exceeds the page limit, only the first ten pages will be reviewed. The 10-page limit for the narrative does not include the work plan, standard forms, Tribal resolutions, table of contents, budget, budget justifications, narratives, and/or other appendix items. There are three parts to the narrative: Part A – Program Information; Part B – Program Planning and Evaluation; and Part C – Program Report. See below for additional details about what must be included in the narrative.

**Part A: Program Information** (4 page limitation)

**Section 1: Needs**

Describe how the Indian Tribe has determined it has the administrative infrastructure to support the assumption of PSFAs. Explain the previous planning activities the Tribe has completed and if the Tribe has determined the PSFAs it will assume.

**Part B: Program Planning and Evaluation** (4 page limitation)

**Section 1: Program Plans**

Describe fully and clearly the direction the Indian Tribe plans to take in the TSGP, including how the Tribe plans to demonstrate improved health and services to the community it serves. Include proposed timelines for negotiations.

**Section 2: Program Evaluation**

Describe fully and clearly the improvements that will be made by the Indian Tribe to manage the health care system and identify the anticipated or expected benefits for the Tribe.

**Part C: Program Report**

(2 page limitation)

**Section 1: Report**

Describe major accomplishments over the last 24 months.

Please identify and describe significant program achievements associated with the delivery of quality health services. Provide a comparison of the actual accomplishments to the goals established for the project period, or if applicable, provide justification for the lack of progress.

**Section 2:**

Describe major activities over the last 24 months.

Please identify and summarize recent major health related project activities of the work done during the project period.

**B. Budget Narrative**

This narrative must describe the budget amount requested and match the scope of work described in the project narrative. The page limitation should not exceed three pages.

## 5. Submission Dates and Times

Applications must be submitted electronically through Grants.gov by 12:00 a.m., midnight Eastern Daylight Time (EDT) on September 3, 2011. Any application received after the application deadline will not be accepted for processing, and it will be returned to the applicant(s) without further consideration for funding.

If technical challenges arise and assistance is required with the electronic application process, contact Grants.gov Customer Support via e-mail at [support@grants.gov](mailto:support@grants.gov), or at (800) 518-4726. Customer Support is available to address questions 24 hours a day, 7 days a week (except on Federal holidays). If problems persist, contact Paul Gettys, DGM, [Paul.Gettys@ihs.gov](mailto:Paul.Gettys@ihs.gov), or (301) 443-5204. Please be sure to contact Mr. Gettys at least ten days prior to the application deadline. Please do not contact the DGM until you have received a Grants.gov tracking number. In the event you are not able to obtain a tracking number, call the DGM as soon as possible.

If an applicant needs to submit a paper application instead of submitting electronically via Grants.gov, prior approval must be requested and obtained. The waiver must be documented in writing (e-mails are acceptable) **before** submitting a paper application. A copy of the written approval must be submitted along with the hardcopy that is mailed to the DGM. Once your waiver request has been approved, you will receive a confirmation of approval and the mailing address to

submit your application. Paper applications that are submitted without a waiver will be returned to the applicant without review or further consideration. Paper applications must be received by the DGM no later than 5:00 p.m., EDT, on the application deadline date. Late applications will not be accepted for processing or considered for funding and will be returned to the applicant.

## **6. Intergovernmental Review**

Executive Order 12372 requiring intergovernmental review is not applicable to this program.

## **7. Funding Restrictions**

Pre-award costs are not allowable.

## **8. Electronic Submission Requirements**

All applications must be submitted electronically. Please use the <http://www.Grants.gov> website to submit an application electronically and select the “Find Grant Opportunities” link on the homepage. Download a copy of the application package from the website, complete it offline, and then upload and submit the completed application via the <http://www.Grants.gov> Website.

Electronic copies of the application may not be submitted as attachments to e-mail messages addressed to IHS employees or offices.



Applicants that receive a waiver to submit paper application documents must follow the rules and timelines that are noted below. The applicant must seek assistance at least ten days prior to the application deadline (exact date: August 23, 2011).

Applicants that do not adhere to the timelines for Central Contractor Registry (CCR) and/or <http://www.Grants.gov> registration or that fail to request timely assistance with technical issues will not be considered for a waiver to submit a paper application.

Please be aware of the following:

- Please search for the application package in Grants.gov (<http://www.Grants.gov>) by entering the CFDA number (93.444) or the Funding Opportunity Number (HHS-2011-IHS-TSGN-0001). Refer to the CCR section below for additional information.
- If you experience technical challenges while submitting your application electronically, please contact Grants.gov Support directly at: [www.Grants.gov/Customersupport](http://www.Grants.gov/Customersupport) or (800) 518-4726. Customer Support is available to address questions 24 hours a day, 7 days a week (except on Federal holidays).
- Upon contacting Grants.gov, obtain a tracking number as proof of contact. The tracking number is helpful if there are technical issues that cannot be resolved and a waiver from the agency must be obtained.

- If it is determined that a waiver is needed, you must submit a request in writing (e-mails are acceptable) to [GrantsPolicy@ihs.gov](mailto:GrantsPolicy@ihs.gov) with a copy to [Tammy.Bagley@ihs.gov](mailto:Tammy.Bagley@ihs.gov). Please include a clear justification for the need to deviate from our standard electronic submission process.
- If the waiver is approved, the application should be sent directly to the DGM by the deadline date of September 3, 2011.
- Audits being sent separately must be received by the due date, September 3, 2011. Although draft Tribal resolutions may be submitted with the application, an official signed Tribal resolution must be received by September 11, 2011, prior to the ORC review on September 12, 2011.
- Applicants are strongly encouraged not to wait until the deadline date to begin the application process through Grants.gov as the registration process for CCR and Grants.gov could take up to fifteen working days.
- Please use the optional attachment feature in Grants.gov to attach additional documentation that may be requested by the DGM.
- All applicants must comply with any page limitation requirements described in this Funding Announcement.
- After you electronically submit your application, you will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. The DGM will download your application from Grants.gov and provide necessary copies to the appropriate agency

officials. Neither the DGM nor the TSGP will notify applicants that the application has been received.

- E-mail applications will not be accepted under this announcement.

### **Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS)**

All IHS applicants and grantee organizations are required to obtain a DUNS number and maintain an active registration in the CCR database. The DUNS number is a unique 9-digit identification number provided by D&B which uniquely identifies your entity. The DUNS number is site specific; therefore, each distinct performance site may be assigned a DUNS number. Obtaining a DUNS number is easy, and there is no charge. To obtain a DUNS number, you may access it through <http://fedgov.dnb.com/webform>, or to expedite the process, call (866) 705-5711.

Effective October 1, 2010, all HHS recipients were asked to start reporting information on subawards, as required by the Federal Funding Accountability and Transparency Act of 2006, as amended (“Transparency Act”).

Accordingly, all IHS grantees must notify potential first-tier subrecipients that no entity may receive a first-tier subaward unless the entity has provided its DUNS number to the prime grantee organization. This requirement ensures the use of a universal identifier to enhance the quality of information available to the public pursuant to the “Transparency Act.”

## **Central Contractor Registry (CCR)**

Organizations that have not registered with CCR will need to obtain a DUNS number first and then access the CCR online registration through the CCR home page at <https://www.bpn.gov/ccr/default.aspx> (U.S. organizations will also need to provide an Employer Identification Number from the Internal Revenue Service that may take an additional 2-5 weeks to become active). Completing and submitting the registration takes approximately one hour and your CCR registration will take approximately 3-5 business days to process. Registration with the CCR is free of charge. Applicants may register online at <http://www.ccr.gov>.

Additional information on implementing the Transparency Act, including the specific requirements for DUNS and CCR, can be found on the IHS Grants Management, Grants Policy website:

[http://www.ihs.gov/NonMedicalPrograms/gogp/index.cfm?module=gogp\\_policy\\_topics](http://www.ihs.gov/NonMedicalPrograms/gogp/index.cfm?module=gogp_policy_topics).

## **V. Application Review Information**

The instructions for preparing the application narrative also constitute the evaluation criteria for reviewing and scoring the application. Weights assigned to

each section are noted in parentheses. Points will be assigned to each evaluation criteria adding up to a total of 100 points. A minimum score of 60 points is required for funding. Points are assigned as follows:

## **1. Evaluation Criteria**

### **A. Project Narrative (30 points)**

Demonstration of previous planning activities: Has the Tribe determined it has the internal management and the administrative infrastructure to support the assumption of the PSFAs? Are the results of what was learned or is being learned during the planning process clearly stated? Does the Tribe clearly demonstrate knowledge and experience in the operation and management of health programs?

### **B. Program Planning (25 points)**

Thoroughness of approach: Is a specific narrative provided regarding the direction the Tribe plans to take in the TSGP? How will the Tribe demonstrate improved health and services to the community it serves? Are proposed time lines for negotiations indicated?

### **C. Program Evaluation (20 points)**

**Project outcomes:** What beneficial contributions are expected or anticipated for the Tribe? Is information provided on the services that will be assumed? What improvements will be made to manage the health care system? Are Tribal needs

discussed in relation to the proposed programmatic alternatives and outcomes which will serve the Tribal community?

**D. Budget and Budget Justification (15 points)**

Submit a line-item budget with a narrative justification for all expenditures identifying reasonable and allowable costs necessary to accomplish the goals and objectives as outlined in the project narrative.

**E. Progress Report (10 points)**

The progress report should include a summary of work done during the reporting period, including a brief comparison of actual accomplishments to the goals established for the period, or, if applicable, provide sound justification for the lack of progress.

**2. Review and Selection**

Each application will be prescreened by the DGM staff for eligibility and completeness as outlined in the funding announcement. Incomplete applications and applications that are non-responsive to the eligibility criteria will not be referred to the ORC for evaluation. Applicants will be notified by DGM, via e-mail or letter, to outline minor missing components (i.e., signature on the SF-424, audit documentation, key contact form) needed for an otherwise complete

application. All missing documents must be sent to the DGM on or before the due date listed in the e-mail of notification of missing documents required.

To obtain a minimum score for funding by the ORC, applicants must address all program requirements and provide all required documentation. Applicants that receive less than a minimum score of 60 points will be considered to be “Disapproved” and will be informed via e-mail or postal mail by the OTSG of their application’s deficiencies. A summary statement outlining the strengths and weaknesses of the application will be provided to each disapproved applicant. The summary statement will be sent to the Authorized Organizational Representative (AOR) that is identified on the face page (SF-424) of the application within 60 days of the completion of the Objective Review.

## **VI. Award Administration Information**

### **1. Award Notices**

The Notice of Award (NoA) is a legally binding document signed by the Grants Management Officer and serves as the official notification of the grant award. The NoA will be initiated by the DGM and will be mailed via postal mail or e-mailed to each entity that is approved for funding under this announcement. The NoA is the authorizing document for which funds are dispersed to the approved entities and reflects the amount of Federal funds awarded, the purpose of the grant, the terms and conditions of the award, the effective date of the award, and the

budget/project period. Applicants who are approved but unfunded or disapproved based on their ORC score will receive a copy of the Final Executive Summary which identifies the weaknesses and strengths of the application submitted. Any correspondence other than the NoA announcing to the Project Director that an application was selected is not an authorization to begin performance.

## **2. Administrative Requirements**

Cooperative agreements are administered in accordance with the following regulations, policies, and OMB cost principles:

- A. The criteria as outlined in this Program Announcement.
- B. Administrative Regulations for Grants:
  - 45 C.F.R., Part 92, Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Tribal Governments.
- C. Grants Policy:
  - HHS Grants Policy Statement, Revised 01/07.
- D. Cost Principles:
  - Title 2: Grant and Agreements, Part 225—Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87).
- E. Audit Requirements:
  - OMB Circular A-133, Audits of States, Local Governments, and Non-profit Organizations.



### **3. Indirect Costs**

This section applies to all grant recipients that request reimbursement of IDC in their grant application. In accordance with HHS Grants Policy Statement, Part II-27, the IHS requires applicants to obtain a current IDC rate agreement prior to award. The rate agreement must be prepared in accordance with the applicable cost principles and guidance as provided by the cognizant agency or office. A current rate covers the applicable grant activities under the current award's budget period. If the current rate is not on file with the DGM at the time of award, the IDC portion of the budget will be restricted. The restrictions remain in place until the current rate is provided to the DGM.

Generally, IDC rates for IHS grantees are negotiated with the Division of Cost Allocation (<http://rates.psc.gov/>) and the Department of Interior (National Business Center) (<http://www.aqd.nbc.gov/services/ICS.aspx>). If your organization has questions regarding the IDC policy, please call Mr. John Hoffman, DGM, at (301) 443-5204 to request assistance.

### **4. Reporting Requirements**

Grantees must submit required reports consistent with the applicable deadlines. Failure to submit required reports within the time allowed may result in suspension or termination of an active grant, withholding of additional awards for the project, or other enforcement actions such as withholding of payments or

converting to the reimbursement method of payment. Continued failure to submit required reports may result in one or both of the following: (1) the imposition of special award provisions; or (2) the non-funding or non-award of other eligible projects or activities. This requirement applies whether the delinquency is attributable to the failure of the grantee organization or the individual responsible for preparation of the reports. The reporting requirements for this program are noted below.

#### **A. Progress Reports**

Program progress reports are required to be submitted semi-annually, within 30 days after the budget period ends. These reports must include a brief comparison of actual accomplishments to the goals established for the period, or, if applicable, provide sound justification for the lack of progress, and other pertinent information as required. A final report must be submitted within 90 days of expiration of the budget/project period.

#### **B. Financial Reports**

SF 425 Federal Financial Report, Cash Transaction Reports are due 30 days after the close of every calendar quarter to the Division of Payment Management, HHS at: [www.dpm.psc.gov](http://www.dpm.psc.gov). It is recommended that you also send a copy of your SF 425 report to your Grants Management Specialist as well. Failure to submit timely reports may cause a disruption in timely payments to your organization.

Grantees are responsible and accountable for accurate information being reported on all required reports: the Progress Reports and Federal Financial Report.

### **C. Federal Subaward Reporting System (FSRS)**

This award may be subject to the Transparency Act subaward and executive compensation reporting requirements of 2 C.F.R. Part 170. The Transparency Act requires OMB to establish a single searchable database, accessible to the public, with information on financial assistance awards made by Federal agencies. The Transparency Act also includes a requirement for recipients of Federal grants to report information about first-tier sub-awards and executive compensation under Federal assistance awards.

Effective October 1, 2010, the IHS implemented a Term of Award into all NoAs issued on/after the date of this announcement by incorporating it on all IHS Standard Terms and Conditions. Although referenced on all Notices of Awards, the IHS Term of Award is applicable to all New (Type 1) IHS grant and cooperative agreement awards that were issued on or after October 1, 2010.

Additionally, all IHS Renewal (Type 2) grants and cooperative agreement awards and Competing Revision awards (Competing T-3s) issued on or after October 1, 2010, may be subject to the award term. Further guidance on the requirements for Renewal and Competing Revision awards is expected to be provided as it becomes available. For the full IHS award term implementing this requirement

and additional award applicability information, see the Grants Management  
Grants Policy Website at

[http://www.ihs.gov/NonMedicalPrograms/gogp/index.cfm?module=gogp\\_policy\\_topics](http://www.ihs.gov/NonMedicalPrograms/gogp/index.cfm?module=gogp_policy_topics).

Telecommunication for the hearing impaired is available at: TTY (301) 443-6394.

## **VII. Agency Contacts**

1. Questions on the programmatic issues may be directed to:

Charles Sockey, Policy Analyst  
Office of Tribal Self-Governance  
801 Thompson Avenue, Suite 240  
Rockville, MD 20852  
Telephone No.: (301) 443-7821  
Fax No.: (301) 443-1050  
E-mail: [charles.sockey@ihs.gov](mailto:charles.sockey@ihs.gov)

2. Questions on grants management and fiscal matters may be directed to

John Hoffman, Grants Management Specialist  
Division of Grants Management  
801 Thompson Avenue, TMP Suite 360  
Rockville, MD 20852  
Telephone No.: (301) 443-2116  
Fax No.: (301) 443-9602  
E-mail: [John.Hoffman@ihs.gov](mailto:John.Hoffman@ihs.gov)

**VIII. Other Information**

The Public Health Service strongly encourages all cooperative agreement and contract recipients to provide a smoke-free workplace and promote the non-use of all tobacco products. In addition, Pub. L. 103-227, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of the facility) in which regular or routine education, library, day care, health care, or early childhood development services are provided to children. This is consistent with the HHS mission to protect and advance the physical and mental health of the American people.

Date: \_\_\_\_\_

/ Randy Grinnell /  
Randy Grinnell  
Deputy Director  
Indian Health Service