Tribal leaders are requested to consider sending a letter like the following draft template:

Via email to:  [Jessica.Milano2@treasury.gov](mailto:Jessica.Milano2@treasury.gov)

August \_\_\_\_\_, 2023

Jessica Milano

Office of Recovery Programs

U.S. Department of Treasury

1500 Pennsylvania Avenue, NW

Washington, D.C. 20220

Dear Ms. Milano:

The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of Tribe) urgently requests that Treasury work with OMB and Interior to direct the Interior Business Center (IBC) to exclude all ARPA SLFRF and other temporary, pandemic-related funding from Tribal indirect cost rate pools.  IBC’s insistence on including these funds in a Tribe’s base for purposes of indirect cost rate negotiations will wildly distort Tribal indirect cost rates and make effective and efficient Tribal administration impossible.

Huge swings in indirect cost rates negatively impact Tribal operations because many Tribes mainly rely on Pub.L. 93-638 program funding. That funding dependably generates indirect cost revenue that regularly funds the core of our stable Tribal administrative budgets. When a temporary surge of pandemic-related funding is included in the base used to negotiate our indirect cost rates, our rates and Pub.L. 93-638 contract support cost revenues plummet, resulting in crippling administrative staff lay-offs. In many of our low-income Native American reservations and communities, the majority of our staff are Tribal citizens – from social workers to fire fighters to many other guardians of Tribal culture and way of life.

For these reasons, OMB approved a similar, pandemic-related exception exclusion in late 2021 regarding CARES Act Coronavirus Relief Fund (CRF), permitting recipients to exclude CRF funds from their direct cost base in their indirect cost rate calculations. We urgently request that the same exception exclusion be immediately applied to all ARPA SLFRF and related pandemic funds.

The IBC has refused to agree to exclude ARPA SLFRF funds in ongoing indirect cost rate negotiations applicable to FY 2022, FY 2023, and FY 2024.  We specifically ask that the Biden Administration reverse IBC’s negotiation resistance and apply this exception exclusion to all rates for those years, renegotiating an adjustment of rates in each such instance requested by a Tribe seeking to exclude its ARPA pandemic funding from its indirect cost rate negotiations. Thank you for your immediate attention to our request.

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tribal Leader signature

cc:      Hon. Debra Haaland, DOI Secretary

           Fatima Abbas, Director, Treasury Office of Tribal and Native Affairs

           Craig Wills, DOI IBC

           Elizabeth Carr, OMB