

# Alaska Tribal Health Compact

C/O Alaska Native Health Board  
4000 Ambassador Drive, Suite 101  
Anchorage, AK 99508

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June 19, 2019

RADM Michael Weahkee  
IHS Principal Deputy Director  
Mail Stop: 08E37A  
5600 Fishers Lane  
Rockville, MD 20857

Dear Admiral Weahkee:

The Co-Signers of the Alaska Tribal Health Compact<sup>1</sup> write with concerns regarding the use of certain Headquarters discretionary funds meant to be available for tribal emergencies and management initiatives for agency personnel costs. While these funds may be discretionary, they do have dedicated purposes that do not include agency worker's compensation payouts or other personnel costs. Yet, both of these accounts were used exactly for that purpose in 2018. Our concern is that diversion of these funds leads to less sums available for tribal shares and the purposes Congress intended.

Specifically, the Headquarters PSFA Manual describes the purpose of the Director's Emergency Fund (Budget Line Item 101) as follows:

The Emergency Fund provides the Office of the Director (OD) with a limited reserve to address some of the emergencies involving IHS facilities and IHS/Tribal delivery of health services. The funds are not intended for administration, maintenance, construction, or for any other purposes that are not related to emergencies within IHS facilities or the delivery of IHS/Tribal health services.

(Emphasis added.) Additionally, "All undistributed funds are held in reserve until fiscal year end. Any remaining balances at the end of the fiscal year are made available for Tribal shares." According to this direction, these funds are clearly not meant for agency administrative costs, such as worker's compensation. Instead, they are to be available for tribal emergencies. Given the recent experiences of our Co-Signers, including the challenges faced when trying to receive distributions from the fund for true emergencies, such as the largest earthquake to hit Southcentral Alaska since 1964, flooding or other natural disasters that are sure to worsen with climate change, we are especially concerned with this agency misuse of funds.

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<sup>1</sup> Alaska Native Tribal Health Consortium, Aleutian Pribilof Islands Association, Arctic Slope Native Association, Bristol Bay Area Health Corporation, Chickaloon Village Traditional Council, Chugachmiut, Copper River Native Association, Council of Athabascan Tribal Governments, Eastern Aleutian Tribes, Native Village of Eklutna, Native Village of Eyak, Kenaitze Indian Tribe, Ketchikan Indian Community, Knik Tribal Council, Kodiak Area Native Association, Maniilaq Association, Metlakatla Indian Community, Mt. Sanford Tribal Consortium, Norton Sound Health Corporation, Seldovia Village Tribe, Southcentral Foundation, SouthEast Alaska Health Consortium, Tanana Chiefs Conference, Yakutat Tlingit Tribe, Yukon Kuskokwim Health Corporation, representing 229 Tribes.

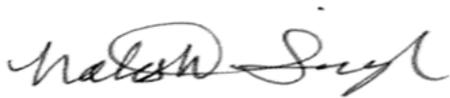
Second, the PSFA Manual states the purpose of the Management Initiatives fund (Budget Line Item 105) is to provide the Director with funds “to meet a range of special, immediate initiatives/obligations, such as”:

1. Special meetings with Tribes which are covered through reimbursements, i.e. Regional Consultation Meetings;
2. Medical consultants and Traditional Medicine consultants;
3. Meeting facilitators and speakers;
4. Congressional requests for special studies;
5. IHS Strategic Planning Activities;
6. Special investigative studies and financial audits (CFO/CIO);
7. Tribal/Urban health work groups and other special work groups; and
8. Executive Leadership Development Program

Again, “[a]ny monies remaining in this fund at the end of the fiscal year will be made available for Tribal shares.” While this fund provides for a range of needs, personnel costs are not one of those items. However, the FY 2018 expenditures included funds for an MOU with HHS for support for two positions, funds for an inter-agency agreement with HRSA for the detail of a HRSA employee (i.e. direct compensation costs), Human Resources and Worker’s Compensation labs for the California Area, a contract for A-123 payroll data analytics services, and again Workmen’s Compensation. All in all, these personnel expenditures totaled over \$800,000 of an account that only has an approximate \$2 million balance. In other words, nearly 40% of the account in FY 2018 was used for agency personnel needs instead of the designated purposes.

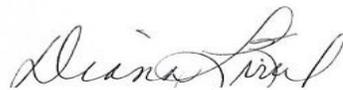
These accounts may be discretionary, but they are not intended to account for the agency’s failure to adequately budget for its personnel costs. We ask that the agency take heed of the guidance provided by the PSFA Manual when making distributions from these accounts in FY 2019 and ensure these funds are only used for their intended purposes or distributed as tribal shares. We look forward to having a chance to address these concerns with you in person in August.

Sincerely,



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ATHC Co-Lead Negotiator,  
Natasha Singh  
Tanana Chiefs Conference



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ATHC Co-Lead Negotiator,  
Diana L. Zirul  
Tribally-Elected Leader, Kenaitze Indian Tribe

Cc:

Christopher Mandregan, Acting Deputy Director for Management Operations, IHS  
Evangelyn Dotomain, Acting Director, AANHS  
Aaron Lane, Alaska Agency Lead Negotiator, IHS